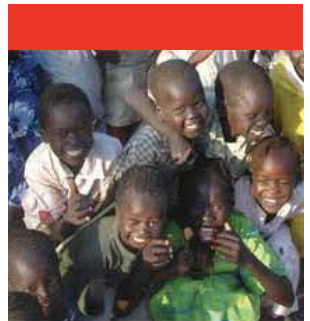
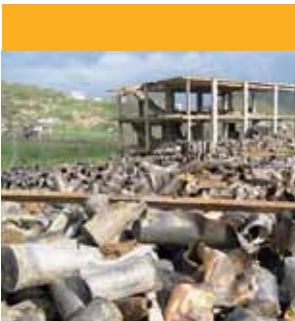
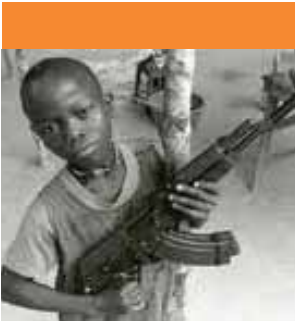




Tenth Anniversary Yearbook (2002 - 2012)





The Parliamentary Forum on Small Arms and Light Weapons supports parliamentarians in their small arms related work, contributes to the advancement of the small arms agenda, and provides space for parliamentarians and civil society to meet and join forces.

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Tenth Anniversary Yearbook, 2012

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Acronyms

ALUDEC	Asociación de Lucha para el Desarme Civil
ASDI	Agencia Sueca de Cooperación Internacional para el Desarrollo
ATO	Ammunition Technical Officer
ATT	Arms Trade Treaty
BiH	Bosnia and Herzegovina
BMS	Bi-annual Meeting of States (UN PoA)
CASA	Coordinating Action on Small Arms (UN)
CASAC	Central American Programme on Small Arms Control
CCM	Convention on Cluster Munitions
CIA	Central Intelligence Agency (USA)
CLAVE	Latin American Coalition for the Prevention of Armed Violence
CMC	Cluster Munition Coalition
CSIS	Centre for Strategic and International Studies
DAC	Development Assistance Committee (OECD)
DDR	Disarmament, Demobilization and Reintegration
DRC	Democratic Republic of Congo
ECOSAP	ECOWAS Small Arms Control programme
ECOWAS	Economic Community of West African States
EOE	Explosive Ordnance Engineering
EUROLAT	Euro-Latin American Parliamentary Assembly
GGE	Group of Government Experts (UN)
IANSA	International Action Network on Small Arms
IASC	Inter Agency Standing Committee (UN)
ICA	International Conflict Analysis
ICC	International Criminal Court
IDDRS	International Disarmament, Demobilization and Reintegration Standards
IDP	Internally Displaced Person(s)
ILO	International Labour Organization
ILSED	Instituto Latinoamericano de Seguridad y Democracia
IMAS	International Mine Action Standards
INECIP	Instituto de Estudios Comparados en Ciencias Penales y Sociales

IPU	International Parliamentary Union
ISACS	International Small Arms Control Standards
MAEC	Ministerio de Asuntos Exteriores y Cooperación de España
MENA	Middle East and North African
MFA	Ministry of Foreign Affairs
NGO	Non Governmental Organization
NRA	National Rifle Association (USA)
OECD	Organization for Economic Co-operation and Development
PARLATINO	Latin American Parliament
PF	Parliamentary Forum
PoA	Programme of Action (SALW)
PGA	Parliamentarians for Global Action
PNNND	Parliamentarians for Nuclear Non-proliferation and Disarmament
RAIAL	Red de Acción Internacional contra las Armas Ligeras (IANSA)
SALW	Small Arms and Light Weapons
SCR	Security Council Resolution (UN)
SEESAC	South Eastern and Eastern Europe SALW Control Clearinghouse
SIDA	Swedish International Development Agency
SIPA	School of International and Public Affairs (Columbia University)
SSR	Security System Reform
SSU	Swedish Social Democratic Youth League
SweFOR	Swedish Fellowship of Reconciliation
UEMS	Unplanned Explosions at Munition Sites
UN	United Nations
UNHCHR	United Nations High Commission for Human Rights
UNICEF	United Nations International Children's Emergency Fund
UNREC	United Nations Regional Centre for Peace and Disarmament in Africa
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
WAANSA	West African Action Network on Small Arms



Contributing Authors

Senator Roy Barreras (Colombia)

Senator Roy Barreras studied Medicine and Surgery, Philosophy and Letters, Administration and Sociology to Post Graduate level. In 2010 over 38,000 citizens backed him to become a Senator of the Republic representing the U party, where today he is the Co-Director. In the same year he was elected as a Board Member of the Parliamentary Forum on Small Arms and Light Weapons representing Colombia. He became President of Congress' Peace Commission and from this position he led the already approved judicial framework for Peace, which opens the door towards a national reconciliation path, which is Barreras' principal commitment to this corporation. His outstanding legislative work with initiatives in favour of Colombians, aiming to ensure security and peace to all citizens, such as the Framework for Peace, the Victims and Land restitution law, the 1424 law which solved the problem of the demobilised fighters and of Peace and Justice, resulted in him being elected as the new President of Congress. Committing to a wide leadership style, not only nationally but interparliamentary, and his engagement with strengthening debates at the regional and global level have featured widely in the concerns for public safety and national defence. Of these pivotal issues the one of utmost importance is the discussion about Small Arms and Light Weapons and the serious implications of not legislating, executing or administering justice for their eradication.

Senator Sonia Escudero (Argentina)

Sonia Escudero has been both a former President (2008 - 2010) and member of the Parliamentary Forum of Small Arms and Light Weapons since 2007. She was born in Salta in 1953 and graduated as a lawyer from the Catholic University of Salta, where she was Associate Professor in the subjects of Civil Law and Professional Practice for Lawyers. Dr Escudero practiced professionally as a private lawyer from August 1977 to 1996, when she was named Home Secretary for the Executive Provincial Cabinet. She has been deeply involved in party-political activities; hence in 2001 she was elected National Senator for the province of Salta and re-elected in 2007. In the legislative sphere she became President of the Commission of Justice and Criminal Matters (2010 - 2011), and President of the Commission for Security and Drug-trafficking (2004 - 2009) of the National Senate, amongst others. Since 2002 Senator Escudero has had different functions within the parliamentary diplomacy sphere, including Vice President of the Euro-Latin American Parliamentary Assembly (EUROLAT) assigned by the Latin American Parliament and Member of the Committee on Political Affairs, Security and Human Rights (since 2012), appointed Alternate for the Committee of Women Parliamentarians of the Inter-Parliamentary Union (since 2012), General Secretary (2006 - 2010) and Secretary of the Committees (2002 - 2006) for the Latin American Parliament (2006 - 2010). For the past eleven years she has been named as one of the ten most hard-working law-makers by the specialist magazine 'Semanaio Parlamentario' holding first place in both 2002 and 2007.



Muhammadou M5 Jallow MP (Gambia)

Muhammadou Jallow has been a Member of Parliament of Gambia since 2007, and a member of the Parliamentary Forum since 2010. He has a background as a political analyst, an intelligence officer for the president's office and as a military observer in the UN peacekeeping mission in Ivory Coast. He was trained by the Central Intelligence Agency (CIA) on anti-terrorism measures, and is conversant with the standards of United Nations Peacebuilding Missions. He is the Chairman of the Gambian Select Committee on the Regional Network of Parliamentarians on Small Arms and a member of the Defence Committee.

Raymond Luete Katembo MP (DRC)

Raymond Luete Katembo was born in Nyanga on 16 May 1949, the son of Isaac Katembo and Ruth Tembo. He completed primary and secondary studies at the Western Kasai Nyanga Mission where he obtained a diploma in general education. He attended Kisangani University and obtained a bachelors degree (BA) in Occupational Psychology, and graduated in criminology with a special honours degree in environmental sciences. Previous appointments include being Divisional Director of the Criminal Records Department of the Ministry of Justice in DRC. He was elected as an MP in 2006, and has served as Chairman of the Defence and Security Commission of the National Assembly of the DRC.

Benito Lara MP (El Salvador)

Benito Lara is the President of the Parliamentary Forum on Small Arms and Light Weapons and a member of the Parliament of El Salvador. Over the years he has promoted legislative reforms to the Law on Firearms Control with the aim of increasing the age requirements to carry weapons. These have included; prohibitions on the carriage of weapons in public spaces; temporary closures to the trade in weapons (including imports); weapons and ammunition tracing regulations; and the promotion of a Parlatino Framework Law on Firearms in Central American Countries.

Sarah Masters (Board Member representing civil society)

Sarah Masters is currently Head of International Programmes at The Resource Alliance, the global network for fundraising, resource mobilisation and philanthropy. From 2007 to 2012 Sarah was Coordinator of the IANSA Women's Network, the only international network focused on the connections between gender, women's rights, small arms and armed violence. She is now the Board Member of the Parliamentary Forum representing Civil Society. She is a committee member of The Maypole Fund, a non-profit women's organisation granting funds to women's initiatives around the world. Prior to IANSA, Sarah spent six years working with the international feminist solidarity network, Women Living Under Muslim Laws (WLUML), which provides information and support for women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam. With a formal background in gender and ICTs, Sarah spent many years as Training and Programme Adviser to the APC Women's Networking Support Programme.



Drissa Sanago MP (Burkina Faso)

Drissa Sanago is a Member of Parliament from Burkina Faso, and has been a member of the Parliamentary Forum since 2010. That same year he established the Parliamentary Network on SALW in his home parliament, a network of 33 Burkinabe parliamentarians. Born in 1976 into a polygamous family in the small village of N'Dorola in Burkina Faso he started school in 1983. He was a top student but decided to suspend his studies in 1996 and devote himself to developing his town. He held the position of Accountant and Director of Finance and Municipal Accounting. In 2007, at the age of thirty, he was elected as a Member of Parliament. As the youngest member of the National Assembly of Burkina Faso, he served as the First Secretary of the Committee on Foreign Affairs and Defence for three years. He is currently in charge of a network where he serves as Special Advisor to the President of the National Assembly on the Defence and Security Sector. He has a Masters in Financial Accounting and is married and has three children.

Iva Savic (SEESAC)

Prior to joining the SEESAC team, Iva Savic worked at Freedom House and Centre for Strategic and International Studies (CSIS) in Washington, as well as for the American Chamber of Commerce in Serbia. Her work has mainly focused on human security and democracy development in Russia and the Balkans. Iva recently earned a Masters degree in International Security Policy from Columbia University's School of International and Public Affairs (SIPA). She also holds Bachelor degrees in International Relations and International Area Studies of Russia and Eastern Europe.

Daisy Tourné MP (Uruguay)

Daisy Tourné has been a Member of Parliament in Uruguay since 1995. Ms Tourne is an elementary school teacher and a social psychologist by profession. Between 1995 and 2007 Ms Tourne served as an MP for Montevideo, prior to taking up ministerial office. Between 2007 and 2010 Ms Tourne served as Minister of the Interior, the first woman to have been appointed to that post. Ms Tourne is currently Vice President of the Chamber of Deputies of Uruguay, a Member of the Committee on Constitution, Codes, and General Law, and is also a Member of the Uruguayan female bicameral group. Ms Tourne's priority issues are gender, public security, children and education. Ms Tourne is Committee Secretary and Board Member of the Latin American Parliament (PARLATINO) and former President and Board Member of the Parliamentary Forum on Small Arms and Light Weapons.

Peter Weiderud (SALW PF Secretary General)

Mr Weiderud is senior advisor to the membership on national legislation, supports the work of the Board, oversees policy development and formation, and represents the Forum in international fora and national parliaments worldwide. Mr Weiderud is also a management consultant and works with national and international organisations to train political leaders and government officials in areas related to citizen empowerment, community development and capacity building. Mr Weiderud has held posts including Political Advisor to the Minister for Foreign Affairs; Director for International Affairs of the World Council of Churches; General Secretary of the Christian Peace Movement of Sweden; and has a background in journalism.



Adrian Wilkinson (UK)

Adrian Wilkinson is widely regarded as one of the world's leading specialists on Small Arms Control and Operational Disarmament. He was Director of SEESAC for 5 years, before which he was the Head of Technology and Standards at the GICHD for 3 years. Adrian was a member of the UN Group of Government Experts (GGE) on Small Arms and Light Weapons Disposal and the Advisor to the UN Office of Disarmament Affairs for the GGE on Conventional Ammunition. He has translated his wide operational experience into policy development through the development of international standards; (as Project Director for the final development and implementation of the International Mine Action Standards (IMAS), author of the International DDR Standards (IDDRS) on Disarmament and Small Arms Control and the author of four modules of the International Small Arms Control Standards (ISACS)). He has written widely on Small Arms Control and Disarmament, including co-authoring the definitive work on the Techniques of Clandestine Arms Delivery. Adrian Wilkinson previously served for 20 years in the British Army, many as a Senior Ammunition Technical Officer (ATO), which included operational and counter-terrorist bomb disposal experience in Northern Ireland, Gulf 1991, Falkland Islands, Albania, Bosnia, West Bank / Gaza and North West Europe. He also established the UK Ammunition Demilitarization Facility. He holds Master's Degrees in International Conflict Analysis (ICA) and Explosive Ordnance Engineering (EOE). He is now the Director of Explosive Capabilities Limited.

Christer Winbäck MP (Sweden)

Christer Winbäck is a Member of Parliament from Sweden. He has been a member of the Parliamentary Forum since 2004, Board Member since 2007 and participates actively in the Forum's activities throughout the years, as an expert speaker, mediator and spokesperson for the Forum. In 2012 he hosted the Forum's General Assembly in the Parliament of Sweden. In his home parliament he is a member of the Committee on Foreign Affairs and is deeply engaged in issues concerning Latin America and is the chairperson of the parliamentary associations for Latin America as well as SALW.

Ivan Zverzhanovski (SEESAC)

Ivan Zverzhanovski joined SEESAC in May 2009 having previously worked as Research Fellow at the Institute for Comparative Law (Belgrade) and as Lecturer in War Studies at King's College London. He holds a PhD in War Studies and an MA International Peace and Security from King's College London. He specialised in security sector reform and transitional justice issues as well as the role of the media in conflict.



Benito Lara MP
(El Salvador)

Chapter 1 – History, development and looking forwards

It has been ten years since the Forum was established. Ten years of hard work with the goal of creating a peaceful and secure society by limiting and preventing the proliferation of SALW. During this time we have mobilized ourselves to alert and inform parliamentarians and other actors from around the world on this issue. We have engaged in educational activities, forums, conferences, exchanges and publications, in which we highlight the irreparable damage the misuse of SALW have on their victims, and how they impede economic and social development, peace and democracy in our countries.

Our work originates from the aftermath of Hurricane MITCH in Central America when it became clear that the proliferation of small arms was a major obstacle to re-building societies. Thus, in 2002, Swedish and Spanish parliamentarians took an initiative to establish a parliamentary network for support and exchange with their American colleagues, a network which has over the years grown to cover other continents.

The Parliamentary Forum on Small Arms and Light Weapons was officially founded in the Spanish Congress, as an organization of, and for, parliamentarians, which aims to contribute to the control of the proliferation of small arms in society and work for the prevention of violence caused by such weapons. More than 270 parliamentarians have joined the Forum over the last 10 years, which highlights the relevance of the issue in different regions of the world.

Work to prevent the proliferation of SALW means working to prevent and / or reduce gun violence in society. We start from the premise that SALW are not the source of armed violence or conflict; they are violence and conflict multipliers. The wide uncontrolled availability of weapons in society means that the root causes that lead to violence become more complex and more costly in human and economic terms.

In our view there are countless possibilities legislators should test and explore. This network provides a stimulating platform in which we can also explore new topics and regions such as Latin America, Middle East, Africa and Eastern Europe. SALW pose serious problems in all those regions although the strategies to address the effects depend on the local dynamics related to supply and demand factors, as well as how they are used in conflict and criminal settings. Sharing these experiences and strategies has tremendous value for ongoing parliamentary responses to SALW related violence.

These strategies range from work on legislation to ensuring the implementation of international obligations under treaties and conventions; creating awareness; conducting research to inform policy and public debate; oversight of government and the allocation of budgets. All of these foster best practices and lessons learnt to be shared among legislators from different countries. This is the strategy of the Forum.



It is very important to mention the Forum's generous and long-term relationship with the pioneering Swedish Fellowship of Reconciliation (SweFOR). Before the Forum became an independent organization, SweFOR had hosted the inter-parliamentary exchanges since the beginning, contributing with their vast experience and knowledge about the issue and the Latin American region, and in effect serving as secretariat to the Forum.

In this publication, which marks our 10th Anniversary, we are proud to highlight the work done during this time. Ten years is not a long time, especially considering the problems we face, but we have worked hard and learned a great deal in order to move forward. In this book we hope to explain how we have translated political will into parliamentary action. We have explored the complex relationship between the availability of SALW in society with different matters such as gender, children, Security Sector Reform (SSR) and private security companies, to name a few. In addition, we have mobilized ourselves to support international processes such as the creation and subsequent revision of the UN Programme of Action and the UN Arms Trade Treaty. Another significant example is the work done with the development of the Model Law on Control of Firearms and Ammunitions, which was consequently adopted by the Latin American Parliament and is an unparalleled piece of regulation, which has been used as a basis for work in other countries as well as by international agencies.

Thanks to financial support from the Swedish and Spanish Ministries of Foreign Affairs, and previously by donors such as the Swedish International Development Cooperation Agency (SIDA), the Ministry of Foreign Affairs of Germany and the Folke Bernadotte Academy (Sweden), our work continues. We propose that we begin our second decade with renewed strength to work towards reaching more parliamentarians in more countries in the world. To this task we dedicate our last chapter, 'Looking Ahead' where we capture our ideas and dreams for this unique organization that is the Parliamentary Forum on SALW.

We believe in a comprehensive approach and the important contribution made by the Forum as well as the future involvement in which we engage all members. As long as this global problem continues, the Forum will be there to make their contribution.

Thanks to all members, partners and donors who have made this work possible; a unique organisation with representation from all continents.

Chapter 2 – Relevance of the Forum and parliamentary work

The prevention and reduction of SALW-related violence is a highly complex issue. Regardless of if the user or victim is the government, a private civilian or criminal gangs, within either the legal trade or the illicit market, there are forces of supply and demand that need to be addressed.

Gun producing countries rely on revenue generated from weapon production, both at the national level and from exports, and hence the arms industry is an important employer, securing jobs for millions of people.

The demand for weapons, i.e. the reasons why the government or civilians choose to arm themselves, is even more diverse. Demand is created in regions, countries and communities suffering from political instability and/or economic and social inequality. Carrying weapons also has strong cultural links and is associated with power and masculinity, which can make weapons prevalent even in peaceful settings. Many countries also have a strong will to retain the right for civilians to keep and carry arms and, regardless of whether this is due to a weak security sector or based on historical or cultural heritage, it is a widely protected right by the government and/or the citizens.



Peter Weiderund
(Secretary General, SALW
Parliamentary Forum)

Nevertheless, more than 526,000 men, women, and children, die each year as a result of armed violence in areas affected by armed conflict or not.¹ Armed violence manifests itself in various forms and impacts society in different ways. But one feature remains constant: the prominent use of SALW – the real weapons of mass destruction. Today there are approximately 875 million of SALW scattered around the world of which 75 per cent are in civilian hands.²

This is the complex setting that those stakeholders whom wish to reduce and prevent the deaths and injuries caused by SALW, as well as limiting the actual number of weapons, find themselves. A vast range of different sets of interventions is required.

One can regulate SALW acquisition and possession, transfers (import, export, transfer, brokering, transit and transshipment), manufacture and selling, marking and record-keeping, as well as use. Beyond controls, one can target the demand for SALW by changing perceptions associated with SALW possession or increasing the level of compliance with the law. One can act at domestic level through the tightening of legislation or the implementation of armed violence reduction programmes, or one can carry out initiatives at regional or international levels.

¹ Geneva Declaration on Armed Violence and Development Secretariat, 'What is the Declaration?', last accessed on 16 December 2011 at

<http://www.genevadeclaration.org/the-geneva-declaration/what-is-the-declaration.html>

² Small Arms Survey, Weapons and Market, Website, last accessed on 14 December 2011 at <http://www.smallarmssurvey.org/weapons-and-markets.html>



Parliaments have a central role to play at all levels. Legislatures have the mandate to introduce new laws and review existing ones, ensuring that they adequately regulate emerging practices. Parliaments also play an important oversight function vis-à-vis the government. By exercising their right to interpellation, requesting and reviewing reports on government achievements, and, importantly, approving the budget, members of parliaments can positively influence the level of implementation of the law. In addition, parliaments interact with the public and translate contemporary concerns into policies. Doing so, they play a great role in stimulating the public debate and can contribute to cultural and behavioural changes. With regards to international processes, parliaments ratify international treaties and can initiate discussions with fellow colleagues in other countries, greatly contributing to the formation of international norms on SALW.

Parliamentarians are especially suited to participate in actions affecting SALW, which is an issue that cuts across political party lines, opening opportunities for dialogue and consensus-building between otherwise opposed representatives. Further, as noted by the International Action Network on Small Arms (IANSA) in its 2005 review of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, there is significant scope for parliamentary intervention as progresses have been lacking in both adoption of legislation and implementation. The review found that, in a majority of countries, legislation is *'not yet in line with widely accepted good practices'*, while concerning implementation, more than 100 states have failed to appoint governmental coordination bodies as requested by the Programme of Action.

However, there are still many challenges ahead. Due to their turnover, in that political posts can change after elections, it makes it difficult to guarantee long-term commitment by politicians. Parliamentarians therefore are often considered as high-risk investments for both organisations and donors.

Also, parliaments in a majority of developing countries are in transition and many cases ineffective. Suffering from institutional imbalance with the executive branch, legislative fragmentation, and lack of technical and financial resources, among others, parliaments fall short of the principles of accountability, transparency and responsiveness and fail in fulfilling their mandate.

This often leads to the fact that international development programmes often neglect legislatures, overlooking the role of the parliament on the SALW issue.

The existence of parliamentary forums further helps to overcome these types of dilemmas. In its capacity as a membership based organisation, the Forum strives to keep its member base vivid and up to date. Although individual members may vary, the organisational base and institutional memory and lessons learned persist.

In terms of equipping parliaments to adequately fulfil their roles - a vital to the democratic consolidation process - is one of the main tasks of the Parliamentary Forum on SALW.



This reality means it is imperative to work with, strengthen and support individual parliamentarians. Many parliamentarians in developing countries are aware of SALW related problems and are willing to act against this negative development. However, they lack the adequate tools and support mechanisms. The Parliamentary Forum has been mandated to develop activities, including capacity-building activities, to support the task for reaching democratic public security and is as such acting on the direct request from the parliamentarians for capacity-building and information exchange initiatives. This is the reason why the Parliamentary Forum can, even with limited resources, make a significant impact.

Even in mature democracies, individual parliamentarians who are concerned with their Governments' impact on SALW proliferation and the inability to address this problem adequately are in need of support. The Forum is able to assist them with more technical tools and advice to better take their democratic responsibilities.

Parliamentary capacity-building is key in order for parliamentarians to take firmer positions and advance on all types of issues related to security. Besides increasing substantial knowledge, participation of parliamentarians in forums and spaces of information exchange also has great potential for causing creative synergy effects: learning and findings can be shared and transmitted to other parliamentary members, and contribute to the generation of a knowledge base that goes beyond individual participation. In that sense, the exchange of experiences, lessons learned and initiatives can constitute a continuous process of essential learning, vital for parliamentary responsibility.



Chapter 3 – Policy making and capacity building

The Forum's aim rests on two pillars: policy shaping and capacity-building. While the former attends to the function of common political construction between the members, the latter focuses on enhancing knowledge and putting in place resources for the members. The aims of policy shaping and capacity-building are mutually reinforcing and leaving one unattended would jeopardise the parliamentary identity of the Forum and its added value.

The policy statements are a democratic tool for policy making, allowing the members to discuss and agree on policy guidance for the Forum and once in place they give space for the President, individual members and the secretariat to act on behalf of the Forum within the guidelines set.

The statements are initiated by the members and consolidate the decision making function of the Forum while at the same time making the Forum more politically relevant. When members take part in national and international debates, they speak not only for themselves but also on behalf of a large group of parliamentarians from all over the world who have deliberated together and decided on a shared position.

The policy statements reflect the wisdom of parliamentarians from different countries and contexts coming together to reflect on how the problems identified could be addressed. Hence, a new policy statement is an advice to other parliamentarians on current issues and concerns. It is also a tool which can guide parliamentarians in their own policy making, inspire to introduce new legislation, write op-eds, give speeches or seek cooperation on specific issues with civil society organisations.

The basic methodology of the Forum's activities related to policy shaping and capacity building has always been an exchange between parliamentarians, and liaison with Governmental Organisations, Non Governmental Organisations (NGO's) and International Organisations.

In terms of developing capacity among parliamentarians in order to effectively tackle the problems of SALW, the Forum has since the very beginning focused on providing practical and technical support to parliaments and parliamentarians. Support ranges from drafting texts, speeches or talking points for presentation in national floor debates, interpellations, international conferences and newspaper articles to expert help in renewing and improving national legislation. The latter is further developed in this Chapter.



Manuel de Araujo MP, Mozambique, is interviewed by the Media during the Inter-Parliamentary Conference held in cooperation with the National Assembly of Panama in 2007.



Every year three to four larger regional inter-parliamentary conferences are held where 20 to 40 parliamentarians meet and discuss current topics and participate in capacity building workshops. Aside from topics especially aimed at the region for which the seminar is held, recurring topics have been privatisation of security, parliamentary oversight of stockpile management and gender and SALW which are further described later in this chapter. Several national activities are also held to ensure and support parliamentary action on the ground and Forum members participate in the international SALW-process, particularly in the UN process.

In this chapter of our anniversary book we wish to highlight the areas that have proven the most interesting, fruitful and challenging for the Forum.

3.1 The model legislation and other parliamentary tools

Forum members should be given easy access to SALW-related information and they need practical tools to use for their parliamentary work on SALW. In recent years the Forum, in collaboration with others partners, has developed a series of handbooks and publications as well as contributing to guidelines for legislative reform.

Since its inception the Forum has strongly focused on providing practical support to parliaments and parliamentarians in renewing and improving national legislation. A major achievement of the Forum concerns the **Model Law on Firearms, Ammunition and Related Material** (hereinafter the Model Law). Senator Sonia Escudero, Argentina, member and former President of the Forum has served as spokesperson and expert on the Model Legislation. In the following chapter Senator Escudero explains how the law was developed, its content and how it has been used.



Senator Sonia Escudero
(Argentina)

The Model Law on Firearms, Ammunition and Related Material

At all levels, the proliferation of small arms represents a threat to human development, governance and the consolidation of democracy. Fewer weapons imply a lower probability of conflict escalating and becoming violent.

Under this premise, the process of developing a Model Law for Arms, Ammunition and Related Materials begun in 2006 when I was the Secretary of the Latin American Parliament Committees (PARLATINO).

In April 2006, the Commission for Public Safety, Combating and Prevention of Drug Trafficking, Terrorism and Organized Crime of the organisation met in Buenos Aires, Argentina. The decision was then taken to work on developing a Model Law for Arms and Ammunition, which would serve as a text of reference to establish minimum standards with the aim of harmonising legislation.



The strategic relevance of proposing a regulation on Small Arms and Light Weapons in Latin America is not insignificant. This is a region that has been devastated by violent conflict caused by weapons. In Latin America and the Caribbean are 5 of the top 6 countries in the world with the highest homicide rates due to firearms: El Salvador, Guatemala, Venezuela, Colombia and Jamaica. The average homicide rate is currently 29 per 100,000 inhabitants for Central America and 25 per 100,000 for South America. Another significant fact is that over 70% of these homicides are perpetrated using weapons, as opposed to 19% in Western and Central Europe.

Confronted with this data, we consider that it is highly important that Latin America has a type of legislation that adequately responds to this problem, which enables us to harmonise regulations, controls and demand for accessing arms, to limit the legal and illegal flow and to establish common standards for international transactions.

In few subjects is the harmonisation of legislation as pressing as the control of arms transfers. The borders of most countries within the region are quite porous. As stricter regulations co-exist with more permissive ones, the arms acquired in those countries with lax norms will undoubtedly find their way to neighbouring countries.

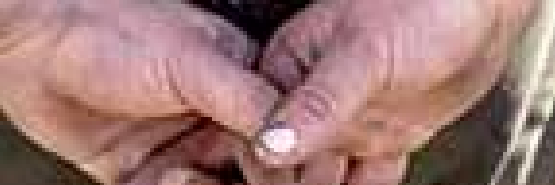
Bearing this in mind, Parlantino requested the collaboration and support of a group of NGOs and specialised bodies in the development for Model Law project. The Parliamentary Forum on Small Arms and Light Weapons was a key stakeholder in this process.

In October 2008, after extensive discussions, the Commission for Public Safety, Combating and Prevention of Drug Trafficking, Terrorism and Organized Crime formally approved the text for the Model Law. During the development period the Latin American Parliament was provided with permanent support from the Forum. Similarly, the participative process for the project resulted in many Latin American legislators joining the Forum and becoming committed to the issue.

During the discussion stage, over fifty Latin American legislators joined the Forum, increasing the membership to nearly one hundred Latin American legislators. The importance of the Latin American presence in the Forum was obvious. One of the indicators was that two women from the region, Daisy Tourné MP and myself, were elected as Presidents of the organisation.

In December 2008, during the XXIV Ordinary Assembly of the Parlantino, over a hundred legislators from 22 countries of Latin America and the Caribbean approved the Model Law. On this occasion the Forum sent a legal-technical expert who participated in the debates and cleared up any ambiguity, in addition to answering specific questions from the legislators.

According to the latest study, the Model Law has since been used to develop arms control legislation in Netherlands Antilles, Argentina, Bolivia, Colombia, Guatemala, Haiti, Panama and Uruguay.



A special mention is deserved for the development of the arms control law in my country, Argentina. Firstly as President of the Commission for Security and Drug Trafficking, and later as a member of the Commission for Justice and Criminal Matters of the Argentinian Senate, I supported the Bill for Guns, Ammunition and Related Materials.

The Commissions of Security and Drug Trafficking, of National Defence, of Justice and Criminal Matters and of Budget and Finance, initially proposed this Bill in 2007. It was achieved with the support of over one third of the members of the Senate, which reflects the widespread support for the proposal. However, the ruling lost its parliamentary status.

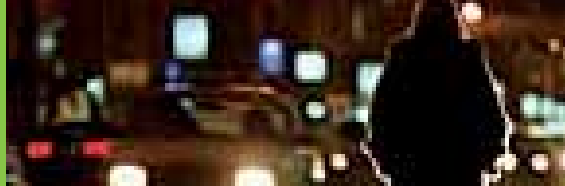
In 2010, the Higher Senate gave preliminary approval for a new Bill on arms control, inspired by the Model Law, which is currently in the Higher Deputies Chamber of the Nation. The Bill modifies the Application Authority, which in turn becomes the National Authority for Arms and Explosives Control. The Commission for Arms and Explosives is a state organisation composed of ministerial authorities and an Advisory Council formed by organisations from civil society, experts, universities and international bodies etc.

Likewise, accountability through the Parliamentary Control of armaments is strengthened. The Executive is obliged to inform Congress annually on the disaggregated statistics related to arms and Congress is obliged to act upon this information.

Until 2008, the Model Law has been a project centred on Latin America and the Caribbean, but since then the Forum has extended its scope to Africa and Eastern Europe. The Parliamentary Assembly of the Council of Europe has also shown interest in the project.

In summary, what is the Model Law on Small Arms and Light Weapons? Firstly, it is about promoting the change of a paradigm, to overcome the systems of simplistic control that are prevalent in the majority of countries of the region. It attempts to implement a model that fuzes the tools of the system with the paradigm of disarmament.

The Bill for the Model Law establishes a comprehensive regime of control that regulates weapons: from their fabrication, import, or export through to destruction. It includes areas such as the use of transport; storage; international transfers; non-commercial import or export; internal marketing; people who are authorised to perform any type of activity that involves arms and ammunition; the activities that are permitted; the mechanisms to control weapons in case of loss or revocation of licences granted; the mechanisms for the dynamic revision of surplus; the design of the centralised bodies for control; and an offences and penalties regime in the case of violations of the law. It demands from the executive the presentation of an extensive report to parliament regarding this matter and the necessary control by parliament regarding this.



This establishment forms an integral regime, which aims to regulate and control, in a watertight manner, the whole “life cycle” of arms. Since they are graduated up to the final user and/or the destruction of the firearms, the system avoids diversions, the illegal possession and use of these materials.

Just a thought to finish... We are at the very edge of a change in paradigm. Just like 200 years ago when slavery was acceptable, a group of pioneers started forging a path to liberty. Today our greatest challenge is to continue to draw that path towards liberty. The work of the Forum and its members are a valuable asset on this path.

Miguel Hidalgo y Costilla, who abolished slavery in Mexico, based his liberation act on the fact that it was against nature to sell men. The change of paradigm that we need to carry out for firearms says that it is against nature to sell violence to man.

Over two centuries ago, Abraham Lincoln claimed that if slavery was not unjust then nothing was. Today dear colleagues we can say with conviction that if violence is not unjust, then nothing is.

In addition to the Model Legislation the Forum has produced a series of parliamentary manuals that are specifically designed for parliamentarians. A closer look at some of the topics is given later in this chapter. The following books are available and can be downloaded from the Forum’s website www.parliamentaryforum.org in the following languages:

Handbook Title	Languages			
	English	French	Portuguese	Spanish
Children and SALW	✓	✓		✓
Conventional Ammunition Stockpiles	✓		✓	
Parliamentary Handbook for Africa	✓			
Parliamentary Handbook for Latin America				✓
Parliamentary Handbook for Western Balkans	✓			
Private Security Companies and SALW	✓			✓
Security System reform and SALW	✓			✓
Violence against Women and SALW	✓	✓		



3.2 Dialogue with the US Congress

Countries in Latin America, and in particular Central America, are among those worst affected by SALW proliferation and armed violence. Insecurity and crime are of prime concern to citizens of the region.

While SALW in Latin America originate from all over the world, a significant number result from illicit transfers by individuals and organized crime from the US across the border to Mexico for further transfer in the region. An estimated 750, 000 weapons are trafficked from the US to Mexico every year. It is mostly done by individuals crossing the borders with a small amount of guns, often referred to as 'ant-trafficking'. Weak border controls makes this technique of trafficking difficult to detect.



Christer Winbäck MP
(Sweden)

Latin American countries cannot tackle the issue efficiently on their own without talking to the country that is one of the main sources of weapons. So Forum members from the region have for many years expressed a strong wish to initiate a dialogue with their colleagues in the US.

Work began in 2008 with a few preparatory meetings with US Congress staff, and the use of seminars mainly attracting civil society organisations and think tanks. With the USA being a major arms producer and very protective of their citizens' right to bear arms, the issue is highly sensitive and achieving long-term political results is a process which will take years.

Nevertheless the Forum has done significant groundwork to date with US politicians, and the work culminated in 2010 when the Forum brought together a delegation of Latin American parliamentarians and members of the US Congress to examine the illegal transfer of weapons from the southern US states into Mexico. This seminar aimed to provide a platform for an exchange of views between the US Congress and parliamentarians from the targeted region. It intended to deepen the discussion on the consequences for security in the region, as well as exploring forms of moving the issue forward.

Held at the US Congress, with special guest Congressman James P. McGovern, the seminar drew a lot of attention as more than seventy participants attended. Participants included US Congressmen, representatives from Members of Congress's offices, representation from a US Senator's offices, representatives from the US State Department, embassies, national and international organisations, research institutes, and the media, together with Forum members from Latin America and the Caribbean.



Since then work has been followed up by additional meetings where Forum members have briefed US Senators and Members of Congress³, thus influencing policies 'behind the scenes'. In addition the Forum has met with the National Rifle Association (NRA) in connection with the UN General Assembly in New York. Although the NRA and the Forum have a very different understanding of the magnitude of the problem, and even opposite goals for our political involvement, there might be a common ground to discuss. Uncontrolled proliferation of weapons from the US into Mexico is not in the nest interests of the NRA as it could be used to argue against some of their core values and beliefs.

We agreed to continue our dialogue and explore if there is room for a seminar in which these issues can be discussed further in dialogue with US Legislators.

Limiting private illicit arms transfers from the USA has to be addressed by the use of tighter US legislation, with or without a regional or international agreement. The Forum has constantly highlighted that it does not seek or suggest change to the Second Amendment of the US Constitution, but rather wishes to see modifications to the existing laws, which could significantly reduce the flow of weapons from the USA into Latin America. As the arms trade is closely linked to the drugs trade both regions need to understand their role in terms of how to control and stem the supply and demand for these illicit commodities.

The response to this threat is a common responsibility for parliamentarians in Latin American countries and the US Congress and any counter measures would benefit from a common understanding among the legislators in all countries concerned.



Congressman James. P. McGovern (USA) and Daisy Tourné MP (Uruguay)
at the seminar in the US Congress 2010.

³ Briefings held in July 2010: From the Senate; Senator Russ Feingold (Foreign Policy Legislative Correspondent), Senator John Kerry (the senator's senior foreign policy staff member on Western Hemisphere Affairs and his Legislative Correspondent for Western Hemisphere Affairs) From the House of Representatives; Congressman David E. Price (in person), Congressman Henry A. Waxman (Legislative Assistant) as well as Congressman James P. McGovern (Legislative Director).



3.3 Women, Gender and SALW

Women and men play a variety of roles in resisting, perpetrating, supporting and addressing the human cost of armed violence in which Small Arms and Light Weapons (SALW) play a central role. Policy making on small arms requires greater recognition of these multiple roles and the differential impacts of gun violence on females and males, old and young. We are familiar with the most obvious consequences of gun violence – death, injury and disability – but the impacts are far reaching and go beyond the victim involved to his or her family, friends and wider community. These aspects are often ignored or overlooked. For instance, in addition to physical risk and harm, the presence of a gun encourages violent rather than peaceful resolution of problems; exacerbates community tensions, and increases the threshold of violence; negates measures to build confidence and security; is an obstacle to development; discourages investment and tourism; and contributes to human rights violations.



Sarah Masters
(Civil Society Board
Member, SALW
Parliamentary Forum)

Addressing the gender, poverty and development dynamic behind the illicit trade and trafficking, including sexual exploitation and human trafficking, in national, regional and international collaboration with development partners will enhance the effectiveness of small arms control and regulations. An inclusive approach will help in developing full ownership of all efforts to eradicate the illicit trade in SALW. It is a fact that a gender-oriented policy, continuously and rigorously implemented, will help to maximize all efforts.

Developing effective interventions against those involved in the illicit trade of SALW is impossible with the absence of controls to prevent illicit brokering – controls which can facilitate the monitoring of every stage of the SALW transfer/transaction chain. This entails identifying the people carrying out such illegal activities at every stage. Men constitute a large majority of those involved in illicit brokering and trafficking, exploiting the vulnerability of others for profit. However, women are also active participants in the illicit arms trade.

Widows and dependents form a high proportion of the civilian population in conflict environments. This demographic change places a heavy economic burden on women. Threats to security posed by the easy accessibility and proliferation of SALW further undermine the potential for traditional economic activity, and restrict the mobility of civilians. In this context, many women have little choice but to become active players in the illicit SALW trade, which may represent their only means of income generation. In some countries, women participate in the smuggling and hiding of illegal arms, whether through coercion, for money or other rewards, or as part of their activities as supporters of a given side in a conflict. Criminal and terror networks have discovered that women and girls are often not regarded as threats by border guards, and consequently they are often used as couriers to smuggle SALW and ammunition across borders. Such a phenomenon cannot be addressed without a gender responsive policy.




At the buyer and user end of the chain, women often support men who are arms bearers because of their own protection needs and sense of vulnerability in an insecure environment where crime arising from poverty is a problem. Women may also feel that their personal security increases through association with men with guns, particularly when the state security infrastructure is incapable of protecting them from criminal or paramilitary violence. The combination of poverty and the prevalence of guns are also linked to violence against women and girls, including sexual exploitation. There are also instances where single women living alone or heading households feel safer having a gun in the house. However, most women often view a gun in the home as a risk, rather than a form of protection; an outlook more common among men.

International implementation of the UN Programme of Action on SALW (PoA) has come a long way in terms of building norms and standards to combat and prevent the proliferation of SALW. To ensure sustainability of progress to date and to make sure that the PoA responds adequately and more meaningfully to peace challenges on the ground, it is critical that the gender implications of SALW form an integral component of national and regional strategy development.

A gender-sensitive approach is not exclusively about women, but about analysing gender more broadly. This approach factors the special needs and capacities of men and women, and boys and girls, in the formulation of appropriate responses to issues of gender and small arms and light weapons (SALW). For example, global research has shown young men suffer disproportionately from the direct impacts of SALW use (approximately 90% of gun homicide victims are men), while women tend to be victims of the indirect, longer-term consequences. However, it is inaccurate to identify women solely as victims of violence perpetrated by men with small arms. Such an approach not only neglects the active role that women play globally, regionally and locally in civil society-driven as well as government-led disarmament initiatives as peacebuilders, politicians, community organisers and activists, but also ignores the role that women and girls increasingly play as users of guns, as combatants or traffickers. Small arms proliferation is a significant promoter of armed conflict and encourages regional mechanisms to combat it. This is useful in clarifying that the availability of weapons is not a mere accessory to violence, but plays a causal role.

It is important to continue to highlight the contribution that women can make and have made to non-proliferation, arms limitation and disarmament and to promote the inclusion of gender and women specific elements in programming and policy development to help prevent and reduce gun violence. This is to encourage and support the increased participation of women in disarmament and peace and security processes with a specific emphasis on small arms control, for example in relation to UN Security Council resolutions on women, peace and security, the UN small arms process, and engagement in the campaign for an Arms Trade Treaty.

Women are often left on the sidelines of disarmament and peace negotiations. The UN and civil society are still obliged to explain and emphasise, time and again, the benefits of listening to, and following the advice of women, as well as including them in disarmament and small arms control initiatives. As recently as October 2010 in which negotiations on General Assembly Resolution



65/69, showed just how important it is to remain visible and be clear about the importance and value of women's participation in matters related to international security and disarmament and to highlight challenges relating to women's situational positioning and exclusion from legislation and policies; the marginalisation of the human aspect in action and discourse; and sidelining gender in security discussions.

Women's organisations have often been the first to initiate micro-disarmament projects under the banner of creating peace and security. These projects may include awareness-raising and weapons collection components. In this way women have taken leadership roles in peacebuilding work, violence prevention and education about gun violence.

There is a growing acknowledgment that more accurate gender analysis leads to more effective disarmament initiatives and weapons control policy, and that recognising the different experiences of men, women, boys and girls, as agents and victims of small arms use and proliferation is central to achieving effective and sustainable small arms control.

UN entities such as UNDP have explicitly developed gender policies to support human security and sustainable development for families and broader communities by minimising the extent and impact of small arms misuse. The UN Coordinating Action on Small Arms (CASA) has developed International Small Arms Control Standards (ISACS), just as the UN system has done with landmines. Ultimately gendered aspects of small arms control will be incorporated in all modules of the Standards and should lead to establishing specific principles.

In the last ten years, civil society organisations from the field of disarmament have worked tirelessly to highlight the inherent links between the goals of UN Security Council Resolution (SCR) 1325 and small arms control. Both have the ultimate aim to reduce violence and ensure that a state does not return to conflict. So work continues to ensure that small arms control is viewed as an essential element, and linked more closely with the implementation of the resolution. There is no doubt that existence of SCR 1325 has helped to mobilise support within the UN and member states' governments. However, much remains to be done. Agnes Marcaillou, former Chief of the Regional Disarmament Branch of the UN Office for Disarmament Affairs *'it is not about feminism, it is about business. Member states give us money to implement projects, and if I implement a project that only affects 50 per cent of the population, that is bad business.'*

Every anniversary of UN Security Council 1325 is significant for women, peace and security, but also for something less positive - an occasion to highlight how little it has to say about disarmament and small arms. Small arms are simply not mentioned in the text in the way that landmines are, despite their widely known and documented role in armed conflict. It remains curious that SCR1325 ignores small arms, given the significance of guns in violence against women in times of conflict and times of peace. Although small arms proliferation is an underlying threat to the successful implementation of the resolution, explicit links are often not made. It is as if the presence of small arms is inevitable, somehow unavoidable and this prevents them from being recognised as facilitators of human rights violations, tools of intimidation, dominance



and violence. Experience has shown that post-conflict strategies that exclude women help to exacerbate further insecurity and are often unsustainable. The goals of SCR1325, small arms control and women's participation are inherently interconnected. Much more needs to be done, but it is within reach.

A gender sensitive approach and a people-centred view of security are necessary for national, regional and global stability with the participation of women as a key component.

The policy work related to gender issues of the Parliamentary Forum formally began in May 2007, with the adoption of a policy statement on Gender and SALW. This focused on 'gender mainstreaming' and the effort to take into consideration the situations of both men and women in any planned action as well as emphasising the importance of including women in the decision-making process. Building on this, In May 2009 the Board adopted a Policy Statement on Violence Against Women. The Forum recognised that violence against women is a global problem and an international security threat, which might reach catastrophic proportions when used as a strategic weapon in warfare as a way to terrorize, humiliate and break down women and society as a whole. In this context small arms act as a multiplier of violence impacting on women, both directly and indirectly. The negative impact of SALW related violence on women is one of injury and violence ranging from psychosocial trauma, disrupted access to health services, displacement, loss of opportunities, sexual violence, physical injury, intimidation to abuse and death.



Parliamentarians from Southern Africa debate SALW during a Forum conference held in 2008 in Maputo, Mozambique.

In 2010, the Forum published 'Small Arms and Violence against Women, a Parliamentary Handbook' which highlighted the role of parliamentarians in reducing Violence against women. This includes, parliamentarians in their representative role can raise issues of concern (safety and security for women at home and in the public sphere, impacts on women of civilian possession of SALW, etc.) with the executive; in their legislative role they can introduce new legislation, or propose a thorough review of existing legislation on SALW related issues impacting negatively on women. This may also include initiating or proposing improved international agreements; and in an oversight role they can ensure that the executive honours and implements its international commitments (e.g. treaties, conventions etc).

Most recently in 2011 the Parliamentary Forum co-hosted an event with IANSA at the United Nations headquarters in New York on 'Why Controlling Small Arms Matters to Women.' On this occasion members of the Board of the Forum, IANSA and UN representatives discussed and



exchanged their points of view and experiences. Later on, in the Swedish Parliament, experiences were shared from Kvinna till Kvinna (a Swedish NGO that supports women's organisations organising in conflict zones) and members of the Parliamentary Forum. Furthermore, experiences and findings related to gun violence against women in the Middle East and North African (MENA) region were discussed in the context of an interparliamentary meeting for the MENA region states held at the Kurdistan Regional Parliament (Erbil, Iraq).

A gender perspective is integrated into all of the Forum's work and it strongly encourages women parliamentarians to form part of the organisation and take an active role in all of the Forum's undertakings. The majority, close to 80%, of the Forum's members are men, which is a reflection of the situation in most of the world's parliaments. In addition to this, it is natural for the Forum to reach out to members of parliament on foreign affairs, security and defence committees, groups that are more often composed of and chaired by men.

However, by approaching and involving women politicians who initially may not be engaged in this type of parliamentary work, the profile, knowledge and experience of the individual of these specific issues are raised with an increased chance of future commitment and inclusion. Furthermore, in the history of the Forum there has been a woman president twice, and Board elections aim for at least 3 women members from a total of 8 members. As a result, gender balance is evident in the work and meetings of the Forum. Nevertheless, there is still a lot of work to do in order to strengthen the role and work of women in decision-making positions as well as fully benefitting from the experiences and contributions women make in the prevention of armed violence and conflict.

3.4 Ammunition stockpiles

Despite growing international awareness the threat to public safety from explosive storage areas continues to grow. A recent example in the Republic of Congo on 04 March 2012 inside the capital Brazzaville resulted in at least 250 fatalities; local hospitals and medical centres were overwhelmed trying to treat over 2,300 injured civilians, whilst at least 13,800 were left homeless.



Adrian Wilkinson (UK)

The first explosion at the explosive storage area at started around 0800am local time in the densely populated area of Ouenze in the North of the city. There were reports of at least five serious explosions and many smaller ones as ammunition ejected from the first explosions then started to detonate. The blast over-pressure was large enough to collapse most properties within half a kilometre of the explosion. From a technical perspective this suggests that many tonnes were detonated in the initial blast. The aftermath of the explosions resulted in fires throughout the city; children separated from parents; and the need to open shelters for the many homeless.



The fires continued into a second day and even threatened another ammunition storage area in the city. Rescue efforts were hampered for days because of continuing smaller explosions.


The president of the country, Denis Sassou-Nguesso, reportedly has a residence near the depot, but was not at home during the incident. Perhaps he will ensure that explosive safety is awarded a higher priority in future government defence strategy as a result of nearly losing his home? There are another five government ammunition storage facilities still within the city! The government has promised to move the ammunition depots outside the city, but this will take time, and will not resolve the real threat. It is the same promise that they made after a previous explosion in Brazzaville in 2009.

Shortly after the explosion the government declared that the cause was fire due to an electrical short circuit within the ammunition depot that ignited a store of tank shells. Regrettably this claim lacks all credibility and just indicates a complete lack of explosive safety ethos and technical expertise. Only a technical investigation could determine such a cause, and the fact that all physical evidence of such a cause is highly likely to have been destroyed by the explosions and fires makes it difficult even for professional ammunition specialists to make such a statement. Technical investigations into explosive events take time and a wide range of professional skills, and to date there is no evidence that such a thorough investigation has taken place. Yet, if there is other evidence of poor electrical safety standards within the ammunition depot that the authorities' were aware of as a pre-existing threat then there must be a case for a judicial investigation into the possibility of corporate manslaughter!

It may seem that the author is been a little hard on the Republic of Congo, but after four ammunition depot explosions in the last four years it is apparent that their strategy for conventional ammunition management needs some serious revision. Their case study is not an unusual one, and the author could have just as easily used Russia, Ecuador, China, Albania or many others to illustrate the growing threat that inappropriate ammunition storage is posing to local communities globally.

Yet the Republic of Congo is not alone in failing to allocate sufficient resources to safe and effective conventional ammunition management. The Small Arms Survey Unplanned Explosions at Munitions Sites (UEMS) database shows that the rate of unplanned explosions is gradually rising, despite increasing international commitment to the issue. The average annual rate over the last four years (2008 – 2011) is 32 per year, the four years before that (2004 - 2007) had an average annual rate of 22. This is a 50% increase, which cannot be accounted for solely by better reporting.

The reality is that a combination of poor national safety standards, a lack of professional ammunition technical staff, decaying and inadequate infrastructure, shamefully inadequate safety distances, decaying stockpiles, minimal political will and a failure to allocate financial resources all mean that the rate of unplanned explosions is likely to continue to rise significantly. We are now at the stage where these explosions are the norm, rather than the exception to the norm.



Another major problem is one of perception. Senior military officers and Ministries of Defence tend to regard their ammunition stockpiles as national assets; the reality is that many of them are decaying liabilities that will cost a significant amount of money to safely destroy. The age of a large proportion of the ammunition means that the propellant is highly susceptible to spontaneous ignition due to chemical processes within the propellant. The older the propellant and the poorer the storage conditions then the higher this risk is. Although there is a lack of specific data on this cause globally, it would not be unrealistic to suggest that a high proportion of fires within ammunition depots are a result of propellant instability. Although propellant stability can be tested, many States lack the capability. In most cases it would be a pointless exercise anyway, as their accounting systems are not refined enough to identify all the 'at risk' propellant by batch number. Therefore the 'at risk' propellant could never be found within the national stockpile. The only effective means of preventing this cause of explosions is to remove all susceptible propellant from the high explosive ammunition and storing it separately with appropriate danger areas. That way there would just be a fire and not an explosion. Of course, the high explosive ammunition would then be useless, as it could not be then fired!

Of course it is unrealistic to expect States with these major problems to immediately or rapidly comply with international best practices across all the activities needed for safe and effective conventional ammunition management. This will take some time. The UN expert group considered this when they drafted the new International Ammunition Technical Guidelines (IATG) during 2009 - 2011, which provide for a graduated improvement in explosive safety, with Risk Reduction Level 1 being easily achieved with minimal financial investment. The IATG have recently been endorsed by the UN General Assembly, so all States should now be aware of the existence and purpose of the Guidelines.

Forum engagement on this issue was as a result of an explosion in Maputo, Mozambique on 22 March 2007, resulting in at least 104 fatalities and 400 injured. This event stimulated Manual de Araujo to engage with fellow Forum members to develop a policy statement for the Forum and the development of the Parliamentary Forum Handbook on Conventional Ammunition.

Parliamentarians can help influence this major safety threat to their communities by requesting information on explosive safety standards and processes, requesting that governments seek external international safety support, that only sufficient ammunition is retained to deal with realistic and legitimate security needs and that the military and police immediately adopt the IATG. Further details on the wide range of areas where Parliamentarians can engage are contained within the Parliamentary Forum Handbook on Conventional Ammunition Stockpiles.

The Parliamentary Forum held a meeting in February 2011 in Cyprus. Within four months of this meeting, attended by Cypriot parliamentarians, there was a massive explosion at the Evangelos Florakis Naval Base, involving the detonation of ammunition seized in February 2009 from an Iranian ship bound for Syria. The ammunition had been inappropriately stored in ISO containers with no environmental protection and inadequate danger areas. The result of this explosion,



which was probably avoidable, was 13 fatalities, 63 injured, the loss of half the power production for the island (as the power station next door was destroyed) and a possible cost to the country of 10% of their economy that year. The Defence Minister and Commander of the National Guard immediately resigned in the aftermath of the explosion. The later independent inquiry found that the President of Cyprus, Demetris Christofias, was *'negligent and careless'* and that he bore a *'serious, and very heavy personal responsibility'* for the event.⁴ The inquiry also revealed that the then Foreign Minister, Marcos Kyprianou, had put off UN weapons inspectors in 2011 who requested they be allowed to check the *'actual state of the cargo'*. Such an inspection would have identified the real risk posed by the inappropriate storage conditions.

The case of Cyprus shows that failure to act now by Parliamentarians will only lead to further needless loss of life and life changing injuries within their local communities!

3.5 Privatisation of security

One of the most worrying situations for the Forum is society's reaction to violence with the onset of the widespread use of private security companies (PSC). This is reflected in the political declaration about private security companies adopted in October 2007 by the Council of the Forum in Panama.

Security is a necessary condition for exercising individual and collective rights, as well as for development. Hence the state has a fundamental and exclusive role regarding security within its jurisdiction. Security as a public good is a matter for the State to benefit all citizens. From the minute security has a price-tag and consequently a *'private'* quality, it begins to work to the advantage of the highest bidder. The monopoly of the use of force by the State is one of the fundamental pillars of public order. With the emergence and large expansion of the private security market over these last decades, many of the basic and guiding principles start losing credence: the State transfers a substantive part of its responsibility to the market. As security becomes just one more type of merchandise it turns into a new factor of inequality in society. Security is overall a public good and collective right, which assumes that all citizens are guaranteed access to it under equal conditions. In democratic societies, security should have a strong solidary component, to which we - should all contribute with solidarity to its consolidation.



Daisy Tourné MP
(Uruguay)

The private security industry has experienced substantial expansion since the 80s and States reach out more and more to private companies to cover duties that traditionally have been assigned to military forces or the police. It is alarming to see that the private security forces vastly

⁴ <http://www.thenational.ae/news/world/europe/inquiry-blames-carelessness-of-cyprus-pm-for-munitions-explosion-that-killed-13>



exceed the police force. In most countries, private agency staff are in much higher numbers than those from the police and usually have access to superior technological resources. In South Africa the proportion of public police officers was almost 2:1 compared to private security guards registered in 2003. This is also the case in the USA, UK, Israel, Germany, Russia and Philippines where the number of employees in the private security companies, along with the budget for the private security sector exceeds that of the public security agencies. In Latin America the situation is the same although it is very difficult to judge accurately the size and financial dimension of the sector. This is due to figures in general being underestimated because many companies are illegal in addition some of these countries have no centralised records or are incomplete and out of date. Estimates indicate that there are 4,000,000 people employed by this industry in this region. The figures that show the size of the private security industry are scattered and in many cases the ones cited by different sources for the same year, don't match.

Undoubtedly it is impossible to think of the future without the existence of private security. Our basic concern does not lie with the existence of private security companies but on the serious problems that exist regarding their regulation. In some cases the use of private security companies could be beneficial to cover some deficits or deficiencies, providing they operate within an appropriate legal framework and are accountable to the law. This is not the case today, for various reasons.

Firstly, the term private security company refers to a myriad of companies, many having activities on a smaller scale such as providing civilians to; look after commercial establishments and sports stadiums; become bodyguards; protect diplomats or cooperation agencies; and even for state departments themselves, such as boroughs or ministries. Others may function on a higher scale where companies are contracted by governments to carry out military operations abroad. This diversity of functions implies a problem in terms of conceptualisation, in practical terms obvious challenges regarding regulation or coding. In addition it imposes challenges to public safety resulting in a blurred line between what is public and what is private given the rise of mixed or hybrid spaces, where agents of both private security and public security forces may share duties.

PSCs have a direct connection with the SALW subject. Firstly, the private security companies have between 1.7 to 3.7 million weapons (according to a study carried out by Small Arms Survey in 2011). These companies purchase their arms in the countries or regions where they operate. This means that they could be bound by national firearms regulations and licences but this is not always the case. In some countries, particularly in those where the firearms regulations are weak or where the context is unsteady, these companies have almost total liberty to purchase arms in the civilian market or importing them. It could be that the private security companies are strongly regulated in their countries of origin, but when they operate in other countries it becomes impossible to control them. Secondly, PSCs are responsible for the manipulation of the arms in the country where they operate, where there are regulations that can be more or less strict. It is usual that companies obtain a general licence to operate where the practices of arm manipulation rely basically on their own responsibility. This carries a number of problems, such as not having an appropriate inventory or they are not properly stored, amongst others.



This is another aspect that is unclear in the existing regulations in Latin America. In many countries of the region there are either confusing rules or there aren't any regarding the possibility of carrying arms by the private security personnel, let alone the type and calibre of arm they are allowed to use. As it was pointed out, the expansion of private security has meant that in numerous countries the number of private guards outnumbers the police. Added to this is the fact they might have greater firepower and the risk increases exponentially.

This leads to another consequence associated with de-regulation of PSCs, which is related to the incidence on the high levels of armed violence. That is to say, there is a lack of clarity in relation to the circumstances and the effects in which these companies are authorised to use force. These companies do not respond to a defined code of rules of practice "rules of engagement". In many cases it is they themselves who develop these codes of practice. The truth is they have a lot of room for manoeuvre. It is undeniable that the lack of regulation, the excessive use of force and the poor control over armaments contributes to create an atmosphere of uncertainty, insecurity and violence within the society they operate.

National regulations are not enough in this case; thus international regulation of this industry is absolutely essential. Currently there is the document of Montreux from 2008, which has been signed by only 35 states. This document is not without faults, as it doesn't have specific standards for: the acquisition of arms, the use of force, traceability of weapons or requirements for training.

In 2010, 58 companies adopted the Code of Conduct for Private Security Providers. This document (which resembles the Montreux document), has a series of undertakings related to rules in combat (rules of engagement), training and use of arms by the companies. The idea is that other companies would follow suit because the States have expressed their intention to favour those companies that have subscribed to this code of conduct.

As mentioned previously, the regulation devised by the States is not sufficient. Although there are numerous and very diverse laws and decrees, some of them quite old, that attempt to regulate, the exponential growth and lack of adequate supervision turn the norms almost into dead letter. Here parliamentarians have a great task to perform.

We, the parliamentarians are the voice of the people in our countries and as such it is our obligation to supervise the private activities to protect the rights of those who we represent. Likewise, being aware of the shortcomings we must promote legislation that offers warranties for all: the companies and their employees, people or institutions which use their services, the population at large and above all the rule of law which is, and always will be, the safeguard for democracy. Therefore it is necessary to unify and update the existing regulations, improve the systems for supervision and control, improve the relationship between the companies and the police, improve the recruitment and training of personnel, arms regulations and control, carrying and possession and assign criminal liability to legal entities.



On its previous publication 'Small Arms and Private Security Companies Parliamentary Manual 2010', our Forum was already brandishing some of these alternatives and was aiming to collaborate with the parliamentary activity. Two years after its publication, it is easy to see that there are only few parliamentarians who take on this cause. As today public safety constitutes a major concern of our peoples, we believe we should insist on introducing into the parliamentary agenda the subject of private security and its effective regulation. The informal approach and absence of effective controls over this lucrative sector contributes to the indiscriminate proliferation of arms, therefore, instead of improving the security of the people, it could result in exactly the opposite. Likewise, we believe that generating space for dialogue and understanding amongst parliamentarians and these companies is an essential step in order to devise strategies that respond to the challenges that arise from the use of these companies by society. In 2009 the parliamentary forum organised a table of discussion between Christer Winbäck (member of the Swedish parliament and the council for parliamentary forum), the Swedish agency for the international cooperation for development (SIDA), the Swedish department of foreign relations, Swedish ministers and Securitas (one of the leading private security companies in the world) where representatives of this company explain the characteristics of their services and procedures. Likewise the forum has incorporated the subject to seminaries and meetings within Latin America. Recently within the frame of an inter-parliamentary meeting for States within the Middle East and North Africa, the subject was discussed with experts and representatives of the parliaments of the region.



Chapter 4 – Regional perspectives on SALW and security

The Forum's national, sub regional, regional and interregional meetings provide good opportunities to formulate good common understandings on SALW between parliamentarians. The aim is to increase parliamentarians' awareness of the relationship between SALW and development issues.

The Forum's general assemblies gather members from all regions where the Forum is active – Europe, Latin America, North America, Africa, the Middle East and to some extent Asia - and thus provides a good opportunity for legislators to learn from each other and to explore initiatives that have been tested in regions different from their own. However these exchanges serve more as inspiration and general guidance. As SALW issues vary greatly between regions it is natural for the Forum to focus its capacity-building efforts at the regional level.

Starting as an exchange between Central America and Europe, the Forum's work has expanded to cover more regions. However the regional approach has been maintained and strengthened over the years. Aside from support for individual members, regional gatherings have been held for Latin America with separate events for Central America and the Caribbean, the Middle East and North Africa (MENA) and Africa. Similar separate events have been held for the sub-regions of West, East and Southern Africa, as well as Eastern Europe and the Balkans.

In the vast majority of cases the seminars or conferences have been organised in close cooperation with, and hosted at, the premises of the national parliaments, together with important regional actors. This includes, but is not limited to, ECOWAS, the Latin America Parliament, UNDP, Central American Programme on Small Arms Control (CASAC), South Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), The Great Lakes Parliamentary Forum on Peace (Amani Forum) and the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC), as well as research institutes and civil society organisations.

It is likely that this trend will continue during the years to come and will expand to other regions, acquiring more regional expertise both among members and staff to effectively tackle the issues affecting the different regions.

This chapter aims to highlight some of the regional work of the Forum, briefly explaining the SALW context and bringing out examples of individual members' work which have taken place at the national level.



4.1 Latin America and the Caribbean

Latin America has become a region of intense parliamentary activity against the proliferation of Small Arms and Light Weapons (SALW). The Parliamentary Forum has carried out numerous initiatives, meetings and seminars in collaboration with different parliaments in Argentina, Colombia, Haiti, Nicaragua, Panama, Uruguay and Venezuela amongst others. During the first years of its existence, the Forum gave priority to this region, mainly due to the scourge brought about by the proliferation of arms, resulting in high levels of regional violence, making it one of the worse regions in the world in terms of negative impact of SALW.



Senator Roy Barreras
(Colombia)

According to data from the World Health Organization, the main causes of death in people, from new-borns to adults (up to 45 years old), are assault and homicides. Likewise, studies show that between 73,000 and 90,000 people die annually in this region, from firearms. In this context, the negative role played by the SALW is undeniable, particularly their role in the vicious circle of violence, which is also fuelled by socio-economic and political circumstances. Initially the Forum focused its strategy on creating a legal framework related to firearms that was effective and enabled regional harmonisation, being a traditional and logical approach when the aim is to control the indiscriminate proliferation of SALW. The establishment of a restrictive legal framework that ensures State control over the availability of arms is essential in every democratic community. Similarly the Model Law on Firearms (see Chapter 3.1) was created in collaboration with the Latin American Parliament. These processes include the concept of cooperation with international organisations, which facilitate regional integration around comprehensive regulations.

Faced with high levels of insecurity, caused mainly by people carrying firearms illegally, the need has arisen in each of the States, especially the parliaments that constitute this Forum, to work towards the construction of mechanisms to measure and detect the problem of armed violence in the region.

A daily part of our legislative agenda involves the study of guidelines regarding public safety, structural reforms to the area of security and defence; guarantees and mechanisms to protect the most vulnerable population from SALW (such as women, boys and girls); mechanisms for prevention and control of drug trafficking; the battle against a wide variety of crime; reforms to criminal codes and procedures; as well as the consolidation of comprehensive programmes which aim to prevent crime originating in the adolescent population.

From each country's experience, the Parliamentary Forum has a clear vision of the Latin American scenario, into which converge not only government efforts, but also and decisively the non-government organisations such as Arias foundation, UNDP, Viva Rio, Redepaz, Latin



American Coalition for the Prevention of Armed Violence (CLAVE), Asociación de Lucha para el Desarme Civil (ALUDEC), International Action Network on Small Arms (IANSA), Latin American Institute for Security and Democracy (ILSED), Latin American Parliament (Parlatino), Institute for Comparative Studies in the Criminal and Social Sciences (INECIP), and the Central American Small Arms Control Programme (CASAC) among others. In addition to this the cooperation with The Swedish Fellowship for Reconciliation (SweFOR) has been instrumental for the Forum's work in Latin America and later also in Africa. Representing society and contributing to the ideological and technical debate on defining the best way to react and fight against insecurity, violence and criminality related to SALW.

In Latin America the strategy to approach the problem of violence related to SALW has been regional as well as national. That is, the regional arms trafficking demands answers based in joint action by the States, through harmonisation of their own laws as well as the generation of awareness about armed violence in societies. The importance of dialogue between countries that produce and those that import arms, is irrefutable. It is worth mentioning that in Latin America's case weapons come primarily from the USA and European countries. There are also producers found, although to a lesser degree, within the region itself. In addition, a significant percentage of the commerce is illegal and it is there where criminal organisations find their strength, combining arms, people and drug trafficking, which represent interchangeable commodities in the black market. This phenomenon has a higher incidence in some countries due to their geographical location, porous borders and to the great state deficiencies regarding judicial and political control.

The experience of these states should be shared, and the Forum has efficiently ensured this to be the case. The debate about the hugely negative impact of SALW over citizens' insecurity should include all the states of the region, so that different necessary measures are agreed upon at the different meetings and activities summoned by the Forum, including the consequences of illicit transfer of arms coming from the USA and the violence in Mexico. This being the core subject of the seminar organised in Washington in 2010, which was framed within what the Forum calls *'dialogue amongst American and Latin American congress members'* (see Chapter 3.2). This strategy aims to generate a space of mutual dialogue, agreement and action. At the same time, two political declarations have been adopted which reflect the agreements and roads for parliamentary action on this matter.

From the Colombian experience it is gratifying to have consolidated the debates and discussions (confronted with different legislative proposals), which have been aired in the Congress of the Republic, some of which have become law and others are just starting their path through Congress. As a nation we have taken a lead with the proposal of structural reforms in order to define the monopoly of arms, which is at the forefront of the state and requires control and supervision. In the first place by the highest administrative authorities, national and territorial (mayors and governors), and in second place by the police and military authorities.

In relation to the latter, it is pertinent to comment about the great work that has been done regarding both general and specific prevention when configuring, (from the legislative point of view), the offence of carrying weapons illegally and the aggravating punitive damages of offences where fire arms have been used. The penal and police codes incorporate a number of legislative reforms which have been through the Congress of the Republic and are aimed at strengthening the integrity, collaboration and harmonisation of the three branches of power when confronted with the serious scourge of the proliferation of SALW, responding efficiently and promptly, with adequate and comprehensive regulations and a public policy that is successful and expeditious.

In this sense, **public safety** is one of the core issues in regional discussions for the consolidation of democracies. This requires pooling efforts and taking advantage of experiences, as is happening today amongst Latin American countries such as Colombia and Mexico, where, with the professional effort of the Police and National Army, we have established great alliances which enable us to defeat the criminal problem that attack our citizens.

There is much yet to be done in the region. However, during the first ten years, the forum has contributed hugely in generating awareness in the population about the problem of armed violence and its bi-directional relationship with the levels of development and wellbeing. Economic growth indicators forecast the continuation of growth in the region, offering the opportunity to have influence in removing the vicious circle of violence, underdevelopment, and weak democratic systems. This is therefore the ideal moment for projects that give support and strengthen democracies. The Parliamentary Forum has contributed and will continue to do so, not only with technical knowledge but also by sharing, adopting measures and taking assertive decisions by the Members of Parliament aiming for a safe and peaceful society.



Senator Roy Barreras at the opening of the Forum's General Assembly, held in the Congress of Colombia in 2010.



4.2 South Eastern Europe

The Forum began work in the Balkans in 2007 and has since then has enjoyed good cooperation with the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) in working on involving parliamentarians from the region. Today close to 60% of the Forum's European members are from this region. Given its wide mandate and operational activities, SEESAC was a natural regional partner to the Global Parliamentary Forum on SALW in the execution of a common goal, and SEESAC administers the Western Balkans Parliamentary Forum (WBPF).

The mission of the WBPF is to support members of parliament (MPs) in their small arms related work, contribute to the advancement of the small arms agenda, and provide a space for parliamentarians to meet and join forces with other stakeholders and actors, such as Members of the European Parliament and civil society organizations.

In its role, SEESAC has not only served as a secretariat for the activities of the WBPF, but has made its technical and policy related knowledge on SALW control issues available to the participating MPs. Subsequently, SEESAC's network of regional and international experts as well as partners in relevant national institutions was made available to the WBPF.



Ivan Zverzhanovski
(SEESAC)



Iva Savic
(SEESAC)

SALW in the Western Balkans

The large scale accumulation of Small Arms and Light Weapons in South East Europe (SEE) has been recognized as an important challenge to the establishment of security in the region itself, but also to successfully combating illicit accumulation and trafficking of Small Arms and Light Weapons and their ammunition in Europe and wider. The countries in the Western Balkans have been of a particular concern due to their historical accumulation of weapons and munitions stockpiles. Moreover, studies indicate that the Western Balkans maintains a powerful 'gun culture' and that a significant portion of civilian population is in a possession of either a legal or illegal firearm.

Work of the Parliamentarians in the Western Balkans

Using the services and network made available by SEESAC, Western Balkan MPs most directly engaged in deepening their understanding of the arms exports control activities. A series of meetings were organized, both on a national and regional level, between relevant Parliamentary committees (Committee for Defence and Security, Committee for Development and Foreign Economic Relations, Committee for Trade and Tourism, etc) and representatives of national institutions responsible for arms exports control (Ministry of Economy, Ministry of Foreign

Affairs, Ministry of Interior, Ministry of Defence, etc.). These meetings had an important educational component as they helped familiarize the MPs with the processes they were tasked with overseeing. For instance, the MPs had ample opportunity to ask questions about the National Reports on Arms Exports, which were newly introduced and were meant to provide significant insight into the processes of arms transfers.



Launch of the Western Balkans Parliamentary Forum in May 2007

What are the Main Challenges?

Working in still developing democracies, parliamentarians of Western Balkan countries are still often limited by party politics and are inhibited to perform their duty as overseers of various processes in their society to their fullest potential. In many cases, parliamentarians in committees responsible for the oversight of defence and security issues either do not yet understand their responsibility as an overseeing body, or feel that their positions would be jeopardized if they were to question persons in or close to their respective parties.

Furthermore, the issue of arms control is often and easily overshadowed by other priorities such as Euro-Atlantic Integration processes, security issues, such as Kosovo in the case of Serbia, defence reform, etc.

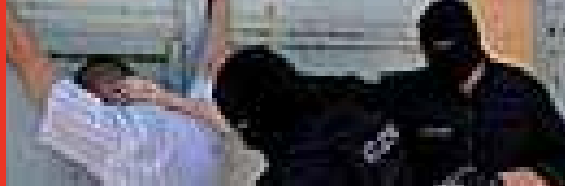
What are the Main Achievements?

In spite of significant challenges at hand, the WBPF on SALW has successfully served as a platform for forging cross-border ties and promoting regional cooperation through the exchange of experiences in the practice of parliamentary oversight of the security sector in the region. Through their interactions, the parliamentarians learn from each other how to better formulate national SALW control legislative framework and SALW Control policy, as well as how to better oversee SALW Control implementation, including the implementation of international SALW control instruments.

Unlike in most other countries in the region, in Bosnia and Herzegovina (BiH) the Parliamentary Assembly is responsible for approving national reports on arms exports and has very actively taken on its role in ensuring transparency in this process. Through the Western Balkan Forum driven interactions, BiH practices, and those of some other pro-active parliamentarians in the region, have become recognized and serve as models to others. Regional examples are of particular importance because they are most relevant given the similarity of the historical, social, political and economic context among the countries of the Western Balkans.

Secondly, by raising the issue in the parliament and using their own visibility, the WBPF members have significantly contributed to the rising of public's awareness of the SALW proliferation as an issue that deserves attention.





4.3 Africa

Moving on from an organisation mainly focused on Latin America, the Forum began active work in Sub-Saharan Africa in early 2008 and membership has since then grown to cover 60 current members in 20 countries all over the continent. Workshops have been held in Kenya, Tanzania, Mozambique, Mali and Liberia gathering parliamentarians from the respective sub-regions.

The deadly menace of SALW around the world is indeed a universal concern to mankind. Although a significant number are destroyed each year, many more new weapons are produced and introduced to the market. Africa forms part of this trade, less in a manufacturing capacity but the region constitutes one of the most dramatic areas in the scene of using these deadly weapons, in conflicts, wars, ethnic clashes, insurgencies and other political instabilities, rebel and other terrorist activities and many other related gun violence. Compared to her low manufacturing ability, Africa is paying the highest price of the death toll by SALWs in non-conventional conflicts.



Muhammadou M5
Jallow MP
(Gambia)

Despite relatively successful disarmament processes in many of the countries of the region, the excess of smuggled small arms and locally made guns still in the hands of ex-combatants after the disarmament process conducted, many individuals decided to hoard SALW for two major purposes; for defence and security as they expect the war to come again, and; to continue to make gains either through armed banditry or by returning to fighting and make gains in other conflict zones.

In Africa as in many other parts of the world, women and children continue to be the most affected groups in armed conflict and the resulting impact is the fuelling of HIV spreading as families disintegrate, and rising rape cases. Africa still has the largest number of child soldiers⁵. Sexual violence is commonplace and used as a deliberate and strategic weapon in warfare between different parties. This violence is facilitated and made yet more lethal by the use of SALW.

Many countries have started to recognize the problem and are involved in coordinated action such as the establishment of National Commissions on SALW in many West African countries. However, the availability of reliable data collection and analysis mechanisms varies in quality and coverage due to lack of infrastructure or willingness of victims to report incidents to the authorities, which can hinder or misguide evidence-based policies.

Developing the capacity of African members of parliament in their role as legislators, oversight of their governments and creating public awareness of pressing issues is vital for the democratic

⁵ <http://www.warchild.org.uk/issues/child-soldiers>



development of the region. Over the past five years the Forum's work in Sub Saharan Africa has focused on stockpile management i.e. improved storage of SALW as well as destruction of surplus and collection of legal and illegal weapons, Security System Reform (SSR), Disarmament Demobilisation and Reintegration (DDR), The role of parliamentarians in promoting regional and international instruments, election-related violence as well as the illicit trade of SALW and the links to the illicit trade of natural resources. To date, regional capacity building conferences have been held in Kenya, Tanzania, Mozambique, Mali and Liberia.

My background is in intelligence security, United Nations military observation and a five-year period of law legislation, since I joined the Forum I have become quite conversant with universal law enforcement standards and procedures, UN conventions, resolutions, treaties, global mechanisms for humanitarian declarations and law enforcement. The Parliamentary Forum has provided me with the foresight to venture deep into the responsibilities of parliamentarians in conflict prevention through the legislation against SALW proliferation and the act of monitoring of provisions on the enforcement on matters relating to SALWs. I have become a member of the Gambia National Commission, the Defence Committee and I am the chairman of the Gambian Select Committee of the Network of Parliamentarians on SALW.

Through the Forum I have also come into contact with other regional National Commissions as well with colleagues in Ghana, Senegal, Benin, Nigeria Guinea Bissau, etc. And the regional bodies like the West Africa network for Peacebuilding and the ECOWAS Small Arms Control Programme, (ECOSAP). I feel well exposed, experienced and equipped.

The following chapter will highlight some of the actions taken by colleagues from the region in their home countries.

Legislation Reform – experiences from the Democratic Republic of Congo

Sub Saharan Africa is varied and members have had different views on whether it was better to focus on sub regions or Africa as a whole. A main challenge for the Forum has been the introduction of the Model Law, which has proven successful in other regions. While the law has been discussed and positively received during various seminars across the region, the task for practically adapting it to the various judicial traditions and languages remains.

The law was positively received in East and Southern Africa. However after discussing it during two meetings held in West Africa with parliamentarians and experts from the region, the conclusion was that the ECOWAS Convention would be a more suitable reference for this particular region instead.



Raymond Luete
Katembo MP
(DRC)



A French translation of the Latin American version however proved helpful for Raymond Luete Katembo MP from the Democratic Republic of Congo. Honourable Luete Katembo recalls:

'Since the beginning of the 1990s DRC endured a long and troublesome period of conflict. The proliferation of SALW in the country is considered to be the main threat for peace and security for the people. The national legislation dating from 1985 is obsolete and filled with loopholes. Forum Members in DRC, including MP Zulu Fez and myself, therefore together initiated a proposal for a new law, which included the prevention, control and reduction of SALW as well as munitions. In 2010 the law was adopted by the lower house of the Parliament and is currently being discussed in the Senate.

The new law encompasses many of the legal acts developed and adopted by the United Nations Member States, including the United Nations Programme of Action on the illicit trade of SALW (UN PoA), the Bamako Declaration, the Nairobi Declaration and the Nairobi Protocol as well as experiences and recommendation from other regional initiatives. The new law also includes a total ban on civil possession and use of all firearms, proper tracing and marking and a centralized registration of all seized arms, as well as the adoption of effective programs for collection and destruction of SALW, which is led by a national Non-Governmental Organisation.

The Forum reached out to two Senators who are members of the Forum so they together can ensure success of the law. Forum member Senator Hamuli reported in early 2011 that he has been able to use tools and arguments, which he has learned during Forum meetings to convince other fellow Senators of the need to consider the bill on SALW:

Leading a national parliamentary group – experiences from Burkina Faso

Since its inception the Forum has held capacity building conferences in Latin America, Africa and Europe and the interest among parliamentarians is growing. Most of these meetings have been international meetings held at a sub-regional or regional level.

Many participants have stated that the seminars have been interesting and useful, but more as a general orientation than in concrete terms, however. In order to achieve more concrete goals and results, more activities must be held at the national level.



Drissa Sanogo MP
(Burkina Faso)

The establishment of permanent parliamentary associations or commissions on small arms in national parliaments is one way of keeping the issues on the agenda. More inter-institutional committees and other national platforms would enhance a more continuous dialogue in-between the international meetings.

A handful of such national associations have been established by members and one such example is the National Parliamentary Network (Réseau des parlementaires burkinabè sur

les armes légères et de petit calibre (RPB/ALPC)), and is chaired by Forum member MP Drissa Sanogo from Burkina Faso.

'In 2010 I participated in an Inter-Parliamentary Conference held in Bamako, Mali, organized by the Parliamentary Forum in cooperation with the ECOWAS Small Arms Programme (ECOSAP) and United Nations Office for Disarmament Affairs, Regional Centre for Peace and Disarmament in Africa (UNREC). The Parliamentarians participating in this conference agreed in the final document adopted during the closing session to:

'...create national networks of parliamentarians working on small arms issues within each parliament and with an umbrella network for the ECOWAS region, ECOWAS and WAANSA to assist in the creation of these national parliamentarians' networks⁶'

Upon my return I took action to establish the Réseau des parlementaires burkinabè sur les armes légères et de petit calibre (RPB/ALPC) which today comprises of 33 parliamentarians concerned with peace and the consolidation of democracy in our country.

Since then, I have led this network and together we have held a series of activities including a three day national workshop on SALW on the role of parliamentarians, a meeting with the International Kofi Annan Centre to discuss arms legislation in Burkina Faso and a press lunch focusing on defence and security reform as well as reporting to the media on the activities of the network and which international initiatives its members had taken part in. The network has actively participated in televised debates about the dangers of SALW. The Forum supported some of these activities by partially funding and draft speaking points on the Forum and the role of parliamentarians.



Group work during the Regional Inter-parliamentary Conference for West Africa in Monrovia, Liberia October 2010. Twenty parliamentarians from Benin, Burkina Faso, Ghana, Guinea-Bissau, Liberia, Niger, The Gambia, Togo, as well as government representatives, experts and civil society participated in the event.

Parliamentarians from selected Central Africa States, Cameroon and the Democratic Republic of the Congo were invited to start the sensitization of their African sub-region to these issues.

⁶ Recommendations for parliamentarians for the control of Small Arms and Light Weapons in the ECOWAS Region. Attached or available at www.parlforum.org - 'Policy Statements' - 'Declarations'



In addition to the activities mentioned above, the network has played and continues to play a major role in the resolution of the cotton crisis in the province of Kéné Dougou. Supported by the Speaker of the National Assembly, I was at the heart of mediation conducted to appease the extreme tension that existed both between cotton growers themselves as well as between cotton growers and the security forces.

The issue of the proliferation of Small Arms and Light Weapons has several dimensions and reveals a multitude of factors that makes it a major concern for us as legislators. It poses an obstacle to human development, economic development and public safety. Therefore, we understand the negative role that SALW can play in economic, political and social stability in our own country and in the region.

4.4 Middle East and North Africa

One of the most recent areas of work for the Forum is the Middle East and North Africa (MENA) region where work began in early 2011 and where the Forum today has an emerging membership base. For many states in the MENA region human security is becoming an urgent preoccupation. The region has several on-going conflicts, which increases the risks and proliferation of SALW and requires committed efforts by the international community for preventive diplomacy and to uphold international law. The increasing number of SALW in circulation is a threat to individuals and communities in everyday life. There is an estimation of 50 to 90 million SALW in circulation, of which 80% are in the hands of the civilian population.

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

Internationally there is a lot of focus on major conventional weapons flows to the region which figures high in statistics about international arms transfers causing worries about the risks that such high volumes of arms procurement may cause destabilizing arms build-ups in a region full of tensions between states. Controlling transfers of major weapons are at the heart of efforts to preserve regional peace, security and stability.

In February 2011 the House of Representatives of the Republic of Cyprus and the Forum on co-organised their first Inter-Parliamentary Conference for Middle Eastern and North African States in Nicosia, Cyprus where MPs from Algeria, Iraq, Jordan, Morocco, the Palestinian territories were present. The main topics of discussion were; Security Sector Reform (SSR), including presentations from the Police Sector, on Parliamentary oversight of Stockpile Management of Conventional Ammunition, the Role of Civil Society in Security Sector Reform and the Role of Parliamentarians in Security Sector Reform.



At the time of the meeting the on-going Jasmine Revolution had so far led to the fall of decades of old regimes – in Tunis and Egypt – dissolved parliaments in other countries and there were on-going popular protests in a number of other countries.

This meant that, aside from logistical challenges and last minutes cancellations, the meeting was extremely timely. The role of parliamentarians with integrity will be more crucial than ever in the years to come, and the Parliamentary Forum on SALW can be one of the needed frameworks for support and inter-parliamentary exchange.

It is the Forum's ambition to bring up the proliferation of SALW as well as armed violence prevention on the political agenda in these countries. With several parliaments recently dissolved and a new spirit of free elections is likely to change the political landscape it is time for parliamentarians to come together for reflections and dialogue.

For both commercial and political reasons states and private entities are involved in transfers of SALW from or through the MENA in different ways; production, stocks and surplus as well as brokers, transit, transport and transshipment:

Almost all MENA states have informed the UN, in the framework of the UN Programme of Action that legislation to control arms trade and institutions to implement the legislation are in place. However little is known about the actual implementation of the regulations, or what actually is exported. Transparency in arms exports by MENA countries is low or non-existing which hampers discussion in multilateral fora, parliaments and civil society.

In contrast to other regions, MENA does not have the same substantial regional agreements and this is an area worth exploring and at the global level, parliamentarians can make a real impact in the work towards an Arms Trade Treaty (ATT).

In addition, there is not enough parliamentary presence in the process and that there is little interest from some governments. This is very unfortunate since parliamentarians can play a key role in urging their governments to be more active. Reluctance towards the ATT has been shown by the region.

It became evident from the seminar that there is a need for a stronger knowledge base on SALW related violence and its consequences. All countries within the MENA region have directly or indirectly suffered from the presence of SALW. The participants directly expressed their desire to have further events, which would raise awareness and provide opportunities for capacity building. The proliferation of SALW is a threat to democratic development and human security, which are two very pertinent concerns of the MENA region.

Following the initial Forum meeting a second seminar was held May 2012 in Erbil in northern Iraq, co-sponsored by the Parliament of Kurdistan and the Iraqi Council of Representatives. Twenty parliamentarians from North Africa, the Middle East, and Eastern Europe took part.



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

SALW remain a major security issue in many states, fuelling criminal activity and causing reversion to internal conflict. Iraq is especially vulnerable due to years of war and the subsequent deterioration of state institutions, as well as the looting of army bases and weapon depots following the fall of Saddam Hussein's regime in 2003.

Post-Saddam Iraq and Libya are two recent examples in which millions of SALW ended up in the hands of civilians, non-state actors and former fighters who continue to pose a grave threat to security and stability, and often call into question the ability of the central government to unilaterally enforce the rule of law. Dismantling of military structures thus cause serious concerns. Proliferation of SALW in North Africa and beyond followed by the breakdown of Kaddafi's military has for example clear links to the coup in Mali. The situation in Libya and Iraq are very different. The war in Iraq was authorized outside of international law while in Libya it was endorsed internationally, nevertheless, there are still very serious effects.



Board member Ala Talabani MP, Member of the Council of Representatives of Iraq and other participants at the Forum's regional meeting "Controlling Proliferation of Small Arms and Light Weapons in Transitional Contexts –Challenges and Opportunities for Middle Eastern and North African States" held in Erbil, Iraq in May 2012 in cooperation with the Iraqi Council of Representatives, Kurdistan Regional Parliament and European Technology and Training Centre (ETTC).

Chapter 5 – Parliamentary action in international processes

The Forum's work aims to promote active parliamentary presence and monitoring of international processes. Over the years the Forum has developed relationships with other international parliamentary organisations such as the Great Lakes Parliamentary Forum on Peace (Amani Forum), Parliamentarians for Global Action (PGA), Parliamentary Network for Conflict Prevention of the East West Institute and the Latin American Parliament (Parlatino). Cooperation with Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND) focuses primarily on issues related to methodology in order to strengthen parliamentary control and influence on UN's disarmament efforts and has led to joint seminars during the yearly Disarmament Week in the UN General Assembly.

The UN process

The Forum seeks to actively participate in UN meetings at international, regional and sub-regional levels to foster parliamentarians' initiative in following up on UN processes. Since 2001, the UN Programme of Action on the illicit proliferation of SALW constitutes an important part of the global disarmament agenda. Government representatives have since then met biennially in order to review and monitor progresses achieved and challenges in implementing this program.

Due to the major challenges involved in the implementation of the Programme of Action, the Board of the Forum deems essential that parliamentarians are aware of the importance of the process and its potential. High priority has therefore been given to have strong parliamentary presence during the Biennial Meetings of States of the United Nations Programme of Action to Prevent Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Aspects (BMS).

The Forum has promoted this kind of activity in various ways. Numerous seminars have been organised and held as side events to the biennial BMS and the Forum has ensured parliamentary presence in the process by every year sending a delegation of parliamentarians and support staff, to make the voices of the Parliamentary Forum members heard.

Cooperation with other parliamentary organisations has been essential. For example, in 2010 the Forum held a side event during BMS4 in cooperation with Parliamentarians for Global Action (PGA) on the topic of halting trafficking of arms, drugs and people and the role of parliamentarians. While most of the Forum's UN side events are visited by other actors, on this



A Forum member speaks during one of the seminars on the UN Programme of Action in a Latin American context organised by the Spanish Ministry for Foreign Affairs.



occasion, around 20 parliamentarians from Europe, Latin America, Africa and South West Asia participated in the event, together with experts, representatives from the civil society, and other governmental representatives.

Collaboration between the two parliamentary organisations was fruitful in the sense that the Forum has most its members in Africa and Latin America whereas PGA members primarily come from Asia. This led to a debate where the regions could share experiences with each other since the trafficking of arms and drugs and people is a global problem although the commodities may vary.

Another method, which has proved quite successful and effective, has been to extend letters to the head of their national delegation encouraging them to include parliamentarians in the delegation since the UN Programme of Action envisages and highlights various parliamentary tasks, such as legislative measures and awareness-raising on the issue of Small Arms and Light Weapons.

Parliamentary work is very relevant for the PoA as it envisages and highlights various parliamentary tasks, such as legislative measures and awareness-raising on the issue of SALW. Parliamentary action will be needed, particularly in terms of ensuring implementation. This is a major point since this is where a main challenge to this document has been found in the past. Any effort to ensure parliamentary presence is therefore of outmost importance. This is one of the areas in which the Forum will continue dedicating its efforts.

Another central example of the Forum's work related to the UN processes are the regional seminars held by the Spanish Ministry for Foreign Affairs which are organised one to two times a year inviting a range of different stakeholders such as government officials, judges, diplomats and civil society representatives. The Forum contributes to these seminars by ensuring parliamentary participation. The seminars centre on SALW related issues in Latin America and most notably the UN processes such as the ATT and the UN Programme of Action.

Arms Trade Treaty (ATT)

Parliamentarians are responsible for ratifying international treaties and are therefore seen as key players in the SALW debate in the UN and other international processes.

After years of discussions and debates the breakthrough came in October 2009 when the UN First Committee considered a draft resolution that would convert the four remaining sessions of the open-ended working group into preparatory committee meetings, thus adopting a clear timeline for work on a treaty. The vast majority of governments have agreed on a timetable to establish a 'strong and robust' Arms Trade Treaty with the 'highest common standards' to control international transfers of conventional arms.



The Forum became involved in this process in 2007 with a policy statement on the ATT. Since then the topic has been up for discussion at various national and regional conferences. For instance, just a few months before the negotiations started at the United Nations in New York the Board of the Forum met in Stockholm and adopted a policy statement on the ATT negotiation process. The need for an international instrument regulating the trade of arms including SALW was highlighted bringing attention to the fact that is not enough with good national legislations if discrepancies at an international level will allow loopholes that will ultimately allow unwanted transfers. The statement also advocates for the inclusion of gender related provisions amongst others.

Cluster Munition Convention

Forum members are also involved and follow other intergovernmental forums. One important example is the global campaign to ban cluster munitions. The key partner in the process has been the Cluster Munition Coalition (CMC).

The international Cluster Munitions Process (also known as the Oslo process) was launched in February 2007 when a group of 46 states agreed on the Oslo Declaration. This committed them to 'conclude by 2008 a legally binding international instrument that prohibits the use and stockpiling of cluster munitions that cause unacceptable harm to civilians and secures adequate provision of care and rehabilitation to survivors and clearance of contaminated areas'.

Before the final negotiations in Dublin in May 2008 several meetings were held worldwide. The signing conference took place in Oslo, Norway in December 2008 where 93 states signed the Convention on Cluster Munitions (CCM). It is seen as the most significant humanitarian and disarmament Treaty of the decade. Since 2007 Forum members have taken part in these meetings before and after the Treaty was signed.

The aim of the Convention is an immediate and unconditional ban on all cluster munitions which cause unacceptable harm to civilians. Each State Party undertakes never, under any circumstances, to use, develop, produce, acquire, stockpile, retain or transfer cluster munitions, or to assist another party in doing so.

Parliamentarians' involvement in the process has reportedly been crucial to the success of the Oslo process and their commitment to this issue and cooperation with civil society has helped to ensure that a robust, comprehensive treaty was negotiated.

The next steps are just as important i.e. when it comes to ensuring that governments prepare and take the necessary steps for ratification and implementation of the Convention and also parliamentarians' role in ratifying the Convention, but also to promote the signing, ratification and implementation of the Convention to other states; tasks where parliamentary involvement is critical.



Chapter 6 – Looking ahead

The Parliamentary Forum on Small Arms and Light Weapons is a young organisation and, measured by resources, a small organisation. Nevertheless, the Forum has been able to significantly move the small arms agenda and achieve important result during its ten years of struggle.

Parliamentary cooperation for disarmament is not new, and the Forum has learned a lot from older and more established parliamentary work against nuclear arms and weapons of mass destruction. Although many values and security concerns are the same for parliamentarians working with small arms and nuclear arms, there are clear differences when it comes to using the available parliamentary tools. Nuclear arms are in control of states, and the parliamentary tools available are to raise public opinion, initiate and ratify international agreements and, in a few although too many countries, supervise that their government takes appropriate responsibility.



Peter Weiderund
(Secretary General, SALW
Parliamentary Forum)

Small arms are not only in control of states. There is also a large civilian possession, some legal some not. They are also in the hands of organised crime, liberation movements and other non-state actors. So beside raising public awareness and ratifying international treaties, parliamentarians can also address small arms by introducing new legislation, addressing cultural issues, allocating budget resources to meet the problem and, in every single country, monitor their government and its performance in many relevant areas.

This complexity makes parliamentary interest in targeting small arms both broad and deep. While the majority of parliamentarians involved for nuclear disarmament primarily comes from the centre or left in countries who are not in possession, small arms is attracting parliamentarians from right, left and centre and from all parts of the world, countries of supply as well as countries of demand. There might be different entry points for the involvement – a left wing parliamentarian might be more concerned with the effects of proliferation for poor communities while a right wing enter the involvement with concerns on the risk for undermining the state monopoly of the use of force – but once involved and committed there is a solid common ground for parliamentary action.

Targeting small arms means strongly involving the young generation. Civil society and parliamentarians who experienced the Cold War have often kept their commitment to nuclear disarmament, but for the young generation, small arms is the weapons of mass destruction they have experienced.

Hence I see a strong future for parliamentary action on small arms and the Parliamentary Forum on Small Arms and Light Weapons. There are a number of policy areas and challenges waiting to be addressed. One challenge, however, is funding for parliamentary work on these issues.

Parliamentary Forum has a very modest structure, and the task of the secretariat is too coordinate and support parliamentarians who are working out of their own budgets. Although it is clear



that big results can be achieved with little funding in these kinds of political processes, funding remains a challenge.

The Forum is a cooperation of parliamentarians, not of parliaments, and the possibility for funding from parliaments is by co-hosting seminars and events, which is important also for national impact. So far the main funding for the coordination has been with help of development funding, mainly from European countries.

From ten years of experience, the Forum has experienced three challenges that are needed to address and overcome in order to secure funding from development budgets. The first is the ability to see the connection between small arms proliferation and poverty eradication, which unfortunately is cyclical. Countries give priorities to small arms and security sector reform for a period of time, but tend to shift focus to other priorities soon after.

The second is difficulties to understand the comparative advantage to support political processes, which is growing as a result of stronger emphasis of narrow and measurable goals for development funding. By introducing new legislation or making governments accountable, Parliamentarians have the power and then possibilities to make significant change on the ground with very small resources invested. The chain between the investment and the end result is however complex and the goals cannot be put only based on the donor's contribution.

The third difficulty is the size of the Forum. The trend from donor community to work with primarily large organisation and structures, in order to save administrative costs, makes it difficult for the Forum to benefit from being comparatively cost efficient and effective.

Facing these challenges, it could be tempting for the Forum to give up some of its core values, to grow in size and program, seek cooperation with larger structures and focus more on capacity building and less on policymaking.

Not necessarily. The Forum is a unique structure of and for parliamentarians. It is formed out of dedicated parliamentarians, who work hard and who participate in the work because they believe in changing the reality of small arms and that result is the only benefit from their involvement. The Forum is a structure that helps strengthen the integrity of parliamentarians, by supporting them taking a larger responsibility as elected representatives – to clarify the difference between being a Member of Parliament and a Parliamentarian.

In 2011, the Forum had the independent consultancy Global Reporting providing an external evaluation of our work, looking at our choices at the crossroads we are. Among their key recommendation were that the Forum should remain as an independent organisation and that we should seek to grow slowly in a sustainable way. The Swedish core funding and the need to keep the secretariat in Sweden were considered crucial. They also recommended the Forum to keep the focus on SALW issues and continue with its long-term strategic planning.

The Forum has grown and matured during its first ten years. It will continue to grow and mature. It has a responsibility to show that politics and political processes can make a change for the reality of people.

