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# MARS IN CATHEDRA

## Voordrachten

### "The Netherlands-Canada 1995 distinguished lecture series"

In deze Mars in Cathedra treft u twee voordrachten aan, die in het kader van "The Netherlands-Canada 1995 distinguished lecture series" werden gegeven. De andere twee voordrachten heeft u al in het november-nummer van de Mars in Cathedra kunnen lezen.

De voordrachten zijn afkomstig van C.W. Westdal (Canadees ambassadeur voor ontwapeningsaangelegenheden) en brigade-generaal b.d. H.J. van der Graaf (lid van het VN adviesorgaan voor ontwapeningszaken).

Zij spraken op een bijeenkomst op 27 juni 1995, die als titel had "The proliferation of small arms: a lost battle?".

De bijeenkomst, waaraan de Koninklijke Vereniging ter Beoefening van de Krijgswetenschap haar medewerking verleende, vond in het Defensie Voorlichtingscentrum in Den Haag plaats.

## The protiferation of small arms: a lost battle?

Christopher W. Westdal

*Canadian Ambassador for Disarmament*

Thank you, General Droste. I thank as well our host, the Royal Netherlands Association of Military Science. It is a privilege for me to participate in this Lecture Series and a great pleasure for me to be here in the Netherlands, a Canadian among friends. We are all honoured by and grateful for the patronage of Her Royal Highness Princess Margriet and the support and sponsorship of the Netherlands-Canada Committee, chaired by Former Prime Minister De Jong, and the ING Group. As well, I am grateful to Ambassador Bell and those at the Canadian Embassy who helped him make the arrangements for my visit.

There was some discussion between me, the Embassy and the organizers about an appro-

ropriate subject for my remarks. It was originally to be small arms, which General van der Graaf will address. But I know little about small arms - and he knows a great deal. I felt I should rather talk about something I knew more about. What I know most about in this broad field of disarmament is nuclear weapons. I began as Canadian Ambassador for Disarmament last fall and since then - in very close and fruitful collaboration with my Dutch colleagues, I should add, particularly with Ambassador Jaap Ramaker - I have worked more or less full time on the review and particularly the extension of the nuclear Non-Proliferation Treaty (NPT). But the subject of the lectures was already established - it was confined, if not to small arms, then at least to conventional weapons. So there it was; I would address conventional arms and wonder whether the battle against their proliferation had been lost.

Not to be difficult, but I had a problem with that title, too, a problem with the notion of a 'battle'. I can accept the analogy of a war against the proliferation of conventional weapons - but wars and battles more often come to decisive junctures, with winners and losers (or at least it often so appears, for a while), whereas the struggle against the causes of the proliferation and abuse of conventional weapons never will. It will be a struggle far more enduring than war. But if it is to be analogous to war, then it is war with more long sieges than battles. The effort it demands is more unrelentingly steady than that spiked pitch of frenzy which is a battle. Further, unlike a war of pitched battles, this campaign has few clear-cut outcomes, with winners and losers; it is all infinitely more relative; it is all at the margins, full of close calls; it is incremental, agglomerative. Progress is won at a pace to test the patience of even you Dutch, delta people, who have had patience in measure enough - with vision, courage, skill and endurance - to conduct what has over the centuries amounted to a structural debate with nature, to win land back from the sea. Indeed, the campaign against the proliferation of conventional weapons must be more like yours winning land from the sea than like a war, with battles.

I have, incidentally, been privileged to learn something of your relations with the sea. For three years I lived on another delta, Bangladesh. There, unique Dutch expertise and astonishing engineering - of the coast itself - is critical. (I cannot cite all the roots of my fascination with you Dutch. Maybe its all the flat land, with the sky for relief; I grew up on the Canadian prairies. Maybe its all the tulips you gave us; I live in Ottawa. Or maybe the room in the maternity ward there that was decreed to be the territory of the

Netherlands to give Princess Juliana's daughter, Margriet, a Dutch birth. Or maybe it is because our national animal, the beaver, builds such good dams - and so relentlessly, too.) Whatever, it was my work with your compatriots in technical cooperation to help Bangladeshis contend with life on their massive, dramatic delta that made me fascinated to think of strategy and of tactics against the sea itself, to think of the surrounding of the water, not its direct conquest, in winning land from the sea, your millennial campaign.

## Broad

My subject is enormous. The category 'conventional weapons' is exceedingly broad, comprised of everything but weapons of mass destruction and the missiles to deliver them, everything from major weapon systems, like fighter aircraft and tanks, right on through to things people hold in their hands to wreak violence, from lethal missiles to bazookas to automatic machine guns to pistols and machetes - if not literally to sticks and stones.

But larger still is the subject, for to counter the proliferation of conventional weapons is to do nothing less than control the level of violence in human relations; it is to reduce the lethality of dispute resolution; it is to define human dignity. These are thus the large subjects I now address.

I should mention that I do so from that faith in the integrity of human character which sees the mobilization of shame as a great engine of human progress. (The phrase was of a great Canadian, John Holmes, describing global growth in respect for human rights.) The essence is that we must all be held transparently accountable for our behaviour in light of espoused values and goals. We must meet set standards. We must make vows and, transparently, try to keep them. If and when we are seen not to do so, we feel badly about it - call it shame - and try to do better. That is how we make progress.

In respect of conventional arms and their use and abuse, we have scarcely gotten started. We have not made our vows, let alone kept them. We have no agreement yet on fundamental principles, let alone accountable standards. And we have not yet really tried very hard to bring our values to bear, to bring political will to bear, on the proliferation of conventional weapons. The record of determined conventional arms restraint described in the literature seems a mile wide and an inch deep. Not much of anything has worked very well - and we have not really tried all that much. This is not entirely surprising,

given that since the Second World War, we have been obsessed - necessarily - with the Cold War's nuclear threat and, further, that it is only since the war that sovereignty has begun to give ground to the universality of some rights such as, for example, the right to be spared the violent gross abuse of power and of conventional arms, whether through inter-state or internal conflict.

The second Gulf War provoked sharp interest in the field, of course, because to the coalition partners who freed Kuwait, the arms pointed in their direction looked awfully familiar - particularly to the leaders of the coalition, who had been selling them in vast quantities to Iraq for years. Boomerangs, they were, heading home. Much was said and written - and some progress was gained, particularly toward transparency through the UN Arms Register (to which I will return) and as well more purposeful debate in the UN Disarmament Commission (UNDC). (The Conference on Disarmament in Geneva has, meanwhile, been devoted almost exclusively to weapons of mass destruction.) That UNDC debate has not gone far, but it has another year to run and provides an apt setting to take advantage of today's new, hopeful conjunctures, when evolving attitudes toward sovereignty, fresh appreciation of the danger of conventional weapon proliferation and peace between major powers are all conducive to progress. We should make hay while the sun shines.

Indeed, more broadly, we must let this work enrich and find expression in all our security forums, including the Conference on Disarmament. It is vital and proper that there has been such intense discussion of weapons of mass destruction lately, particularly in the review and extension of the NPT, but there must be intense discussion as well about the arms that do the killing, the conventional kind.

## Differences

My contribution at this instant - and it will not move the earth - is to tell you that, upon examination, I found that conventional weapons are different from the nuclear kind I have been working on, or the chemical kind that the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons (OPCW), based here in the Hague, will fight to contain.

Conventional weapons are fundamentally different. First, though not designed to kill massively, indiscriminately, conventional weapons - particularly small arms - get used massively, and often indiscriminately. Despite their label, weapons of mass destruction have not done much of the

mass of the killing. They have been brutally upstaged by conventional arms, which killed scores of millions in our last World War and have killed scores more since.

Second difference: while the category contains technology as high as that of stealth aircraft, conventional weapons are for the most part technologically accessible - and cheap, particularly at the killing end of the spectrum, that which abuts sticks and stones. There are many millions of users and ubiquitous real and potential production, devilishly difficult to control through restraint of supply - in any economic setting, not just today's buyers' market - and obviously necessitating inter-state, regional, national, intra-state, local and neighbourhood analysis and action. The ubiquity of these weapons reminds us that peace is not an import. Neither the UN nor any foreign power can be expected to keep local neighbourhoods free of violence. We make our own nests.

The most fundamental difference, though, (tough terrain for Ambassadors for Disarmament, whose very title is problematically absolute) is that conventional weapons are legitimate - not illegitimate, like chemical, biological and toxin weapons, which we are banning, not illegitimate like nuclear weapons, whose few recognized possessors have promised to abolish.

Legitimate, because there is evil in the world; we must contend with it, violently and on its own terms from time to time. We need weapons to do so. Legitimate, because we also need weapons - and must be prepared from time to time to use them - to fight for peace.

## Values

On the weekend, I walked the wooded grounds of the Canadian Ambassador's residence in Wassenaar and biked through the dunes along the strand to The Hague and remembered my compatriots who fought dune by dune, structure by magnificent structure, home by home, to return it all to dignity fifty years ago. I imagined the courage and the awe of the liberation. Human dignity was then, has remained between the Netherlands and Canada since, and will always be the strategic imperative. Canadians and Dutch fought, died on this soil for Dutch, for Canadian, for common human dignity. We together must always be prepared to do so - always be prepared to comprehend, to articulate, to empower and to be prepared to fight, violently if need be, to defend common, now necessarily global standards of human dignity. And the most important of these standards are

surely those which define the stuff and the limits of legitimacy in the possession, by whatever means, and the use of weapons. Those standards concern the quality, the levels of violence, pain and cruelty in dispute resolution, the depth or lack of respect for life in it. Weapons control standards are all about dignity, all about maturity - and all about values.

The values on which we must found our long-term campaign to contain the proliferation and illegitimate use of conventional weapons are mysterious only in the sense that we cannot comprehend the depth of their origins in the human spirit. But as they emerge generally in our cultures, they are quite straightforward - and in my view warrant more explicit, straightforward international discussion. Human dignity is, after all, the strategic imperative that counts. We should want to think and talk about what it means.

What values are, then, hallmarks of dignity in the control of weapons? The first is surely the primacy, **the sanctity of all human life**, which means the second, **human solidarity**, **global compassion**, which requires the third, all possible **avoidance of violence**, particularly in dispute resolution, vital to peaceful co-existence, in which at all levels we thus need, the fourth, **tolerance**, and, the fifth, **honourable compromise**. Call the sixth **maturity**; the essence of which surely is **restraint**, with reasoned **composure**, **foresight** and the **capacity to trust and be trusted**.

These straightforward values speak eloquently to the conventional arms control agenda, to the definition of legitimacy and its limits in the possession and in the use of conventional arms, and to our need to sustain our security with the least possible lethality and violence.

### Meaning

These values have no quarrel with our right, indeed our duty, to arm ourselves as need be to contend with threats to our security, to contend with evil - including insufferable insults to our vital dignity, such as those imposed on you, now more than fifty years ago. The UN Charter proclaims our right to self-defence and our obligation to be prepared to come, armed, to the defence of others.

These values say that we must invest massively in non-violence at all levels and in all imaginable dimensions, from regional security forums to less mayhem and bloodshed purporting to represent adult conflict resolution on Western

television, for example. They say we must add non-violence to our international security and arms control agenda. They say that the best conventional arms controllers in the world are heroes of peaceful reconciliation, like Nelson Mandela, and leaders in institutions like the International War Crimes Tribunal here in The Hague, which strive to bring violent abusers of weapons and force to justice. They mean we must continue energetically to use and expand the powers and potentials of humanitarian law, which embodies the laws of the use of weapons, the laws of the conduct of war. It is against the law, some people in the Balkans will learn to their pain, to attack protected persons.

These values mean that for our global compassion, for human solidarity, we must assert human standards and make values universal. They mean we must counter rigid sovereignty, nationalism, ethnicity or racism.

They say that we must not let the profit motive or structural rigidities in industry insult our dignity by undermining our restraint and having us contribute to needless lethality in weapons and violence in their use. Our UN Charter calls for "the least diversion for armaments of human and financial resources". No sustainable community, of any dimension, can let the market alone determine the distribution of power and force. We live, after all, in political economies. No employment rationalization should ever save a weapons job if it is wrong for that job to be done, given the consequence in human suffering of lost restraint in weapons production and sales. Just how would the explanation grab our descendants that we had lost control of the proliferation of weapons because, though we recognized the grave risk, we were unable to come up with anything else for those who make the weapons to do?

These six values mean, as well, that we must sustain mature composure, not swagger with power, not crave flypasts of fighters or fleets or formations - or big bangs in the ground, not arm out of all proportion to credible risk of effective attack, nor, in a search for 'absolute security', arm so massively as to scare the wits out of our neighbours.

They mean that we must do all we can to take the lethality out of our means of domination, out of our weapons and out of our dispute resolution.

They mean that it is legitimate, if need be, to shoot to kill, but that it is not legitimate to litter a soldier's groin with plastic fragments, that it is

legitimate to control terrain through mapped, marked mine-fields, but not legitimate to scatter the countryside with lethally undetectable mines and plastic butterflies. They mean it is hideous to disguise weapons as toys. They mean, as well, that Canada and the Netherlands should work together in the Review of the Convention on Certain Weapons in the fall of 1995 to stem the abuse of land-mines, and get rid of the undetectable, non self-destructing kind, verifiably, in international and internal disputes.

These values mean that transparency in arms holdings and trade builds confidence and trust, cutting demand for arms - and, as I began by saying, our hope for progress must lie in cutting demand for arms, because supply, in most cases, cannot effectively be cut. That means that the Netherlands and Canada should keep working together, as we have from the start, to strengthen the UN Arms Register, add domestic production and holdings to its coverage - along, perhaps, with small arms, as General van der Graaf suggests - and seek its regional replication.

Those values mean further that we must be prepared in our bilateral and multilateral aid programs to invest in balanced security programs in which military expenditures impose no undue cost on basic human needs, and in which there is effective support for the institutions of law, order and justice. That means, particularly in light of the Halifax G-7 Summit's injunction against wasteful military expenditure (of which we should try to take advantage), that Canada and the Netherlands should continue discussions - and involve Japan and others interested - to promote balanced security aid in development.

Finally, ladies and gentlemen, these values mean that we, like our ancestors and many of our living compatriots, must be prepared to fight for dignity and peace, to take risks and bear casualties for them - and, with an eye on the Balkans now or the record in Somalia, these values mean we must not lose perspective, nerve or will when, along the way, the effective forces of peace are outgunned, temporarily. I think that we should rather then remember that when you win land from the sea here, the sea and the tide have their say - in very large part, for a very long while - but parts of them get surrounded in time, through your prodigious effort, and then, at long last, there is new land on the delta. And throughout that campaign, there is never any point in weak will, lost nerve or wrung hands. There is point only in endurance. Neither Dutch engineers nor the forces of non-violence will be denied.

My thesis is that if we want to contend with the proliferation of conventional weapons, we must listen to these values and must respond comprehensively to them in all our security forums at all levels. We must examine and build on them a structure of principles and guidelines for action to contend with threatening proliferation of conventional weapons, to reduce violence in human relations, to serve our vital dignity. And we must act now, in the face of so much manifest opportunity - and so much crying need.

We should do all this for ourselves and for our children, but we should do it as well for those whose sacrifice and triumph we commemorate this year. There could be no better tribute than greater human dignity to those who died for ours, here, fifty years ago.

Thank you for the honour of your audience and for your generous attention.

Brigadier-General (ret.)

H. J. van der Graaf

*Member of the UN Advisory Board for Disarmament Matters*

### Introduction

Up till now most efforts to curb the proliferation of conventional arms have concentrated on heavy weaponry of types limited under the Conventional Armed Forces Agreement such as: battle tanks, armoured vehicles, artillery, helicopters and combat aircraft. But in internal conflicts major weapons play a relatively limited role. Most weapons used are so-called light weapons that could be defined as follows: Light weapons are those weapons which can be carried by an individual soldier or mounted on light (commercial) vehicles such as Toyota pick-ups and four-wheel jeeps. They include bazookas, light rocket launchers, portable mortars, portable anti-aircraft missiles, mines, machine-guns, automatic rifles, shotguns, carbines, hand-grenades, handguns as well as ammunition. Most of these weapons are easy to handle for non-military people because they do not require extensive training or operational skill.

The United Nations (UN) efforts to curb the proliferation of conventional weapons have focused mainly on major conventional weaponry and on the supply side of the problem. A 1992 UN study entitled: *Ways and Means of Promoting Transparency in International Transfers on Conven-*

*tional Arms'* dealt exclusively with major conventional weapon systems. However, this study has given birth to the United Nations system of annual information by member states on their exports and imports of seven categories of major conventional weapon systems. The establishment of this Register of Conventional Arms is a first practical step towards greater openness and transparency in the field of conventional weapons. However, it does not deal with light weapons.

Un Secreatry-General Boutros Boutros-Ghali has emphasized the need to devote more attention to the question of the highly destabilising effect of the transfers of conventional arms on regional security and, in particular, the proliferation of light weapons in regions of tension such as in Africa. One of the shortcomings of the Arms Register is that it does not take into account the perceived relevance of these light arms for specific regions where major weapons hardly play a role. Thought needs to be given to the inclusion of light weapons in the UN Register, or the establishment of separate regional registers based on the specific needs of a region. Openness and transparency at the regional level can contribute to early warning and, as such, be a first step in the context of preventive diplomacy.

The international community is increasingly aware that the proliferation of light weapons, in particular the illicit trafficking of small arms, constitutes a threat to international peace and security and therefore needs to be high on the agenda. Since the General Assembly voted unanimously for resolution 46/36 H on December 6, 1991, the question of the proliferation of light

weapons seems to surface on the agenda of the international community. By virtue of this resolution the United Nations was given a special responsibility for the elimination of illicit arms trafficking. No country can, by itself, terminate the problem of the illicit arms trade or effectively control its own armaments without regard for the impact of the growing supply of arms on the black market and the internal and external factors which determine demand<sup>2</sup>.

In his *Supplement To An Agenda for Peace* the Secretary-General of the United Nations, Boutros Boutros-Ghali, paid special attention to what he called "micro-disarmament". This means practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons, most of them light weapons, that are killing people in the hundreds of thousands<sup>3</sup>. He referred to the enormous proliferation of automatic assault weapons, anti-personnel mines, etc. and urged strongly to start the search for effective solutions now in order to give effect and expression to the notion of preventive diplomacy. One should not forget that these weapons are the most commonly used in the on-going civil wars of which more than thirty have been documented for the year 1993. Since 1945 at least 40 million people have been killed, mostly by light weapons in armed intra-state conflicts.

### Demand and Supply

The world is flooded with light weapons and they are very difficult to monitor and grasp. On the supply side we observe that, due to the end of the Cold War, large surpluses of light weapons were released from controls and have entered the international arms market. In the above mentioned report of the Secretary-General it is estimated that billions of dollars are being spent yearly on light weapons, representing nearly one third of the world's total arms trade<sup>4</sup>. Others estimate the total legal world exports of light weapons at around 5 billion US dollars a year, while illicit transfers of light weapons range from 2 to 10 billion US dollars<sup>5</sup>.

On the demand side, we see in a number of Third World countries that a growing number of governments fail in providing physical, political and economic security, that law and order functions collapse, armed political opposition benefits from supplies of illicit light weapons, and armed criminality and robbery give ordinary citizens an incentive to acquire illicit weapons for their defence. Another disturbing factor is the convergence of drug trafficking and the easy access to large quantities of sophisticated secondhand military weapons.

<sup>1</sup> UN Study Series, no 24, New York, 1992.

<sup>2</sup> The United Nations has been given, under resolution 46/3H, the following responsibilities: assist in the holding of meetings and seminars at the national, regional and international levels, promote efforts to eradicate the illicit traffic in arms, and provide assistance on the recommended measures for enforcement of relevant rules and administrative procedures to member states when requested. This could include training of customs and other officials, so that states could coordinate their efforts and thereby benefit on a continuing basis from the knowledge and experience of other states. (Disarmament Commission, Chairman's working paper, A/C. 10/1994/WE/CRP. May 3-4, 1994.)

<sup>3</sup> *Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, January 1, 1995.

<sup>4</sup> *Ibid*, see para 61.

<sup>5</sup> Christopher Louise, *Social Impact of Light Weapons: Availability and Proliferation*, Geneva, October 1994.

## Integrated Approach

Experience has shown that it is very difficult to monitor the flow of arms across borders into countries at war or within national boundaries where several warring factions are involved. Controlling the illicit flow of light weapons can only be realized through a regional or sub-regional approach. It should be part of a broader package of security arrangements, confidence building measures, reconciliation at the domestic and regional level and sustainable social and economic development.

## Ways and Means

The illegal arms trade can be divided into three categories<sup>6</sup>:

- government to government transfers;
- transfers from governments to rebellious groups in other states; or
- transfers from individuals or private companies in one state to individuals, groupings or companies in another state.

Non-military trends are also worth mentioning, like weapons in the hands of criminals and individual citizens. In the past the latter categories were mostly carrying small arms such as pistols and light machine guns. Today they increasingly possess sophisticated weapons including anti-aircraft missiles and fast patrol boats as owned by some drug cartels in South America.

In the industrialized world, a drug related gun culture is developing: criminal bands are becoming better armed than the state, and the perception of deteriorating security is leading to a process of acquiring weapons by individual citizens for self-defence. For instance, in the United States gun-related criminal violence together with lax gun controls and a strong tradition of carrying weapons, has facilitated the circulation of 212 million fire arms in private hands, while 30.000 people are killed by fire arms each year<sup>7</sup>.

<sup>6</sup> UN Study Series, no 24, New York, 1992, page 3, pt. 12.

<sup>7</sup> Christopher Louise, *Social Impacts of Light Weapons, Availability and Proliferation, International Alert*, October 1994, Draft prepared for the United Nations Institute for Social Development, Geneva.

<sup>8</sup> Jonathan Dean, 'The Final Stage of Nuclear Arms Control', *The Washington Quarterly*, 17:4.

<sup>9</sup> *NRC Handelsblad*, April 13, 1995.

<sup>10</sup> Annual Report 1993, Centrale Recherche Informatiedienst (National Criminal Intelligence (CRI) Division).

<sup>11</sup> *Arming Rwanda, The Arms Trade and Human Rights Abuses in the Rwandan War*, Human Rights Watch Arms Project, Washington, 1994.

The Russian Ministry of Defence reported for the period 1992/1993 10.500 cases of theft of conventional weapons from military depots<sup>8</sup>. In the Netherlands, the number of organized criminal bands is estimated in the region of one hundred<sup>9</sup>. In 1993 the Dutch police confiscated 2243 illicit fire arms while there were 300 victims of the use of fire arms<sup>10</sup>. This means that we should not look exclusively to the developing world, but that we will have to address the problem of the proliferation of light weapons as a world-wide problem.

## Africa: A Test Case

The African continent has become saturated with light weapons. In particular, during the Cold War period exports to Africa of these weapons were not always meant for the increase of stability in the region but, rather, a means for the acquisition of military bases, landing rights etc. Unfortunately, no reliable statistics exist about the numbers of imported weapons and how many weapons are present on African territory. Moreover, a prevalent culture exists of currying so-called 'traditional weapons' that are increasingly replaced by very sophisticated weaponry, as is the case with the Tuaregs and other nomads in the Sahara-Sahel region.

The absence of statistics does not mean that it would be impossible to judge the seriousness of the problem. We only have to look at the number of people killed by light weapons in recent decades. A country study concerning Rwanda gives a revealing picture<sup>11</sup>. When the war began in October 1990, Rwanda had an army of 5000 people equipped with light weapons mostly imported from Belgium, Germany China and former Warsaw Pact countries. By the war's end the Rwanda forces had expanded to at least 30.000 people, armed with a wide range of light weapons, heavier guns, grenade launchers, land mines and mid-and long-range artillery. Where did these weapons come from? France, Egypt and South Africa supplied the vast majority of these weapons. Weapons were also delivered by African countries in the region. The Tutsis received vast quantities of weapons from Ugandan territory, from where thousands of National Resistance Army (NRA) members of Rwandan origin defected *en masse* to the Rwandese Patriotic Front (RPF), bringing with them their uniforms and personal weapons. In 1991, the Rwandan Government started a program of arming civilians for 'self-defence', as well as the formation of party militias mostly armed with government supplied machetes. These events led to the massacres in 1992 and 1993.



## The United Nations and the Proliferation of Light Weapons in Africa

In October 1993 the President of Mali requested the Secretary-General of the United Nations to provide assistance in the collection of illicit small arms said to be proliferating in the country. At UN Headquarters it was determined that the scope of the problem was such that it could only be dealt with on a sub-regional level and that an investigation would have to embrace the neighbouring countries as well<sup>12</sup>. The Sahara-Sahel region is plagued by political unrest, by refugees and internally displaced persons, by banditry on a national scale, and by citizens taking up arms to protect themselves and taking the law into their own hands. All of this accompanied by severe economic conditions, a high degree of unemployment, in particular among young people, economic disparity and student unrest. The inability of some governments to pay the salaries of civil servants and the security forces regularly, let alone to provide them with proper facilities and equipment, brought government services in a number of countries almost to a halt.

In the Sahel region the proliferation of illicit light arms is considered as a serious threat to stability and seen as a common problem. In Senegal, Ivory Coast and Burkina-Faso authorities felt increasingly threatened by the fact that these countries are seen as crossroads for the illicit transfers of light weapons to neighbouring and other countries in the region. Most countries in the region are wrestling with their fragile democratic processes and civil/military tensions. The underpaid, ill-equipped and ill-trained security forces, are struggling with rebellion, civil unrest, banditry and the growth of self-defence units. In some countries governments are confronted with an increasingly restless military. This is the case in Mali and to a lesser extent in Niger. The situation in the region is exacerbated by large numbers of refugees and displaced persons. All countries in the region have substantial numbers of refugees on their territory. Due to the artificially drawn borders many refugees share the same backgrounds as their hosts and are often very difficult to distinguish as 'foreigners'. In face of a lack of basic needs, increasing numbers of armed refugees regularly cross borders to commit criminal acts.

<sup>12</sup> Senegal, Mauritania, Burkina Faso, Niger, Chad, and Algeria. Ivory Coast was added later, while Algeria accepted in principle, but, due to its political situation, wanted the mission at a later stage.

<sup>13</sup> Robert D. Kaplan, 'The Coming Anarchy', *The Atlantic Monthly*, February 1994.

Banditry is another major problem in most of the countries. Bandits, often armed with military weapons, attack villages as well as vehicles on the main roads. In many countries there is increasing lawlessness. The coastal cities in West Africa are some of the unsafest places in the world. Robert Kaplan cited in his article, 'The Coming Anarchy', that West Africa is becoming "the symbol of world-wide demographic, environmental and social stress, in which criminal anarchy emerges as the real 'strategic' danger"<sup>13</sup>. This pattern of increased insecurity is a common feature in most of the countries of the Sahel region.

All the above has added to the belief among large parts of the population that the government is not able to provide the necessary level of security. This in turn leads increasingly to the growth of the earlier mentioned concept of 'self-defence': an illegal course of action taken by individuals or groups, out of fear that the state is unable to provide protection from bandits and traditional enemies. Once armed, there is a manifest danger that these 'self-defence' units then become, in effect, bandits themselves. The security situation very seriously affects the delivery of humanitarian aid and sustainable development.

### UN Advisory Mission

A UN advisory mission investigating the problem of illegal weapons proliferation in the Sahel region concluded that this problem is influenced by a great number of factors, such as the political climate in a specific country as well as in the region, porous borders with countries where the illicit arms trade flourish, insufficient control of weapons in the hands of ill-disciplined factions, and the existence in some countries of a traditional arms culture. All this is strengthened by poverty criminality due to bad economic conditions, while governments are withering away as the central authority because of poor management and insufficient means. At last, the uniformed forces of the government responsible for the maintenance of law and order, sometimes not paid for months, commit criminal acts themselves. One could mention 'toll-collection' on main roads, extortion of the population and soldiers selling their arms and equipment on the black market. These phenomena are, in varying degrees, common practice in a growing number of countries in the Sahel region. As we have noticed, great differences exist in individual countries. In countries like Ivory Coast, Mauritania and Burkina-Faso the situation looks relatively stable, while in Mali and Niger the situation is potentially explosive.

However, if we let things drift without help from



the outside world, the region will end up in the same violence we are experiencing right now in other parts of Africa. Preventive action can save hundreds of thousands of lives. Such an approach has the additional advantage that the United Nations does not need to lock the stable-door after the horse has gone. Measures in the context of preventive diplomacy are much more cost-effective. The question arises how to respond. For a number of countries in Africa it is already too late - in Liberia, Sierra Leone, Somalia and Rwanda preventive measures are not feasible anymore. For most countries in the Sahel region there is still some time, albeit at five minutes to twelve.

## Measures

One of the main findings of our mission is that countries in the region have insufficient means and resources to guarantee a sufficient degree of security and stability needed for sustainable economic and social development in the country. The promotion of security and the suppression of the circulation of light weapons will be impossible without additional resources being made available to the countries. There can be no effective action by the uniformed forces unless they are adequately manned, trained and equipped. Without external assistance in the security field one cannot alleviate the situation with respect to illicit light weapons. Measures need to be taken by the international community, by interested donor countries and/or Non-Governmental Organizations (NGOs) in close cooperation with the countries in the region.

First, one could expect that individual countries will themselves take those measures that are within their capabilities. A first step has already been taken by establishing a National Committee on the Proliferation of Small Arms in each country. These committees were established at the request of the UN to act as 'host' to the UN Advisory Mission during its visit. These committees should remain in place as a permanent mechanism for national and (sub-)regional coordination regarding the proliferation of illicit light weapons. As a matter of priority, strengthening the national legal instruments and judicial procedures regarding the circulation and transfer of

<sup>14</sup> This process has started by the Banjul Accord of April 1994 where seven states (Mali, Gambia, Senegal, Mauritania, Guinea, Sierra Leone and Guinea-Bissau) have agreed to harmonize their national legislation concerning imports and sales of arms and ammunition. They also agreed to promote cooperation among their defence, customs and security services and to maintain regular consultations.

illicit weapons is needed, preferably in close cooperation with the other countries in the region.<sup>14</sup>

Second, the security forces in charge of maintaining law and order cannot survive without external security assistance. This concerns not only necessary equipment such as vehicles and communication means, but in particular, assistance in democratic-oriented training for police, gendarmerie and customs personnel. A very important aspect of these training programs is that members of the army, police and customs are taught how 'to win the hearts and minds' of the civil population. This means that they should not be seen by the people as natural enemies because of corruption, arbitrariness and undisciplined behaviour. The other side of the coin is that the uniformed forces will have to be paid and equipped sufficiently. Confidence-building between the security forces and the population, and an understanding of the role of a democratic government with respect to law and order issues, is perhaps the greatest challenge: if mutual trust and confidence cannot be realized, and army, police and customs are not properly carrying out their duties in a democratic manner, the phenomenon of 'self-defence' shall not be eroded and all external security assistance programs are bound to fail. Besides, there is a great danger that if the international community is supplying aid and assistance to uniformed forces lacking a democratic mentality, these means could be misused for the pursuit of undemocratic political goals against the very community it was intended to protect. Therefore, it is a precondition that an international on-site monitoring system be established by the United Nations, a regional organization or by the main donor states, to ensure the proper application of security assistance. Such a monitoring element located in the country or the (sub)region could, at the same time, act as an early warning mechanism in the context of preventive diplomacy.

The traditional distinction between structural development cooperation and security assistance is starting to become increasingly integrated. If we accept that notion, then there should be less reluctance to use the existing bureaux of the United Nations Development Programs (UNDPs) as the 'eyes and ears' of the international community for monitoring security assistance. One could think of appointing a 'Security Assistance Attaché' reporting directly to the UN Secretary-General and/or to the countries which have donated such assistance. It goes without saying that the appointment of such a monitor should be with the consent of the country concerned. Further study is needed to see whether

the countries concerned are willing to accept such a role for the UNDPs.

Another important element in countering the circulation of illicit arms is the use of national information programs. One could imagine UN and/or NGO sponsored media programs informing the population about problems of illicit arms, such as: information on weapons collection programs, buy-back programs and rewards for information on hidden weapon caches. However, the most important goal of such national education programs is to 'sensitize' the population about a proportional and integrated approach to security and development: security as an integral part of sustainable social and economic development.

It is also important to encourage cooperation with the other countries in the region; the earlier mentioned national committees could play a useful role. The United Nations or some donor countries could take the lead by organizing a regional conference where officials tasked with internal security in the countries of the region could map out measures to combat the circulation and transfer of illicit light weapons. One could think of the establishment of regional training centers for police, gendarmerie and customs, and combined patrolling of border areas.

### Security and Development Aid

Governments in the region lack the most basic resources for the maintenance of law and order, and for guarding their thousands of kilometers of frontiers. They have insufficient numbers of trained personnel, vehicles, helicopters, light aircraft, and communication facilities such as automated record-keeping, and data exchange capacity, is virtually non-existent.

Donor countries should consider whether it would be possible to finance these means from development aid budgets. Structural development cannot flourish in an unsafe environment. In fact, in a number of countries in the region - in particular in the northern parts of Mali and Niger - most international aid projects have come to a standstill, and aid workers have been withdrawn to more stable environments. The withdrawal of international aid workers exacerbates the economic and social situation which, in turn, leads to an increase of banditry. All this leads to a circular downward spiralling process in which the deterioration of economic and social conditions eventually leads to a total collapse of authority and social structures. This is what we are experiencing in a growing number of countries in Africa. This idea of dedicating a certain percentage of the development budgets for security-related activities is gaining more and more sup-

port, because of the fact that so many development programs collapse due to an unstable security situation.

### Parallel Action

One cannot address the problem of the proliferation of light weapons on the demand side of the light weapons equation in a specific region while ignoring developments at the global level: weapons in Africa are not produced on the spot but, imported from outside. There is a strong need that on the global level, also, the promotion of transparency and restraint in the international transfer of conventional weapons will be high on the agenda. At the same time, these efforts can not be seen as goals in themselves but should be dealt with in the broader context of confidence-building measures, arms limitation and disarmament. However, prospects are not very promising. Much lip-service is being paid to curbing the spread of conventional weapons. Initiatives to enhance transparency in transfers of modern major conventional arms such as those being agreed by the permanent five members of the Security Council and regional initiatives as examined by the Organization of American States (OAS) and the Association of Southeast Asian Nations (ASEAN), the London and OSCE (Organization on Security and Cooperation in Europe) guidelines<sup>15</sup>, constantly fall victim to the protection and promotion of the national defence industrial base.

As the successor to COCOM, a new mechanism called The New Forum will be established. The New Forum would coordinate embargoes, and encourage restraint in conventional arms exports. It may include guidelines for embargoes against a number of target states, such as Iran, Iraq, Libya and North Korea. A set of guidelines on pre-notification of arms sales will also be included, but these are likely to be weak, in view of the intense competition among arms suppliers. Unfortunately, The New Forum will only focus on major weapon systems - probably those covered in the UN Register of Conventional Arms. A chance will be missed by not including

<sup>15</sup>These guidelines read as follows: no transfers of weapons and related technology to countries which do not respect international embargoes, to countries which are suspected of programs of weapons of mass destruction, to countries at war, to regions of tension, to countries engaged in internal conflicts, to countries which support international terrorism, to countries whose weapon imports go beyond what is needed for defence (reasonable sufficiency), to countries which do not comply with the terms of export control regimes, to states guilty of systematic abuses of human rights.

light weapons in the regime; an approach suggested by the Dutch government. That means that not a single instrument is available to regulate the trade in light weapons.

There is a strong need to agree on a global code of conduct regarding the transfer of light weapons. It is said that the Japanese Government will propose such a code in the next session of the UN General Assembly. Apart from this, one could imagine the following measures:

1. Control over the production of light weapons. From a technical point of view it is possible to establish a system of international control of arms factories producing light weapons. In general, the locations where such weaponry is produced are well-known and number in the region of 250 manufacturers in 70 countries<sup>16</sup>. A relatively small verification organization could monitor the factories effectively, provided the political will is there. In the context of the UN Register for Conventional Arms, it has been proposed to expand the Register by including annual figures on national military holdings and production quotas. However, some of the major arms exporting countries were not willing to agree to such a measure for reasons of national security. This may be true for some sophisticated major weapon systems but certainly not for most categories of light weapons.
2. Improved controls on the illegal shipment of light weapons. The INTERPOL organization could play a more prominent role.
3. Strengthening of legal instruments regarding the circulation and transfer of light weapons, including law enforcement mechanisms.
4. Inclusion of light weapons in the new international regime for export controls on conventional weapons (The New Forum).
5. Inclusion of light weapons in the UN Register for Conventional Arms and/or in regional registers: countries should be obliged to announce every transfer of light weapons above \$ 100.000.
6. A ban on the production and use of anti-personnel mines and scattered mines. The laying of non-marked and non-registered minefields should be considered as a war crime, and accordingly, be punished.
7. Light weapons should only be transferred from government to government, and not allowed for re-export without the consent of the first procurer. End-use control through on-site inspection should be included in sales contracts.
8. Surplus stocks of light weapons should not be sold on the world market but destroyed.

<sup>16</sup> Swades Rana, 'Small Arms and Intra-State Conflicts', UNIDIR Research Papers, no 35, United Nations, New York and Geneva, 1995.

## Conclusions

Curbing the proliferation of light weapons is certainly not a lost battle, provided the political will exists to take effective measures. There is a strong need for an effective system of international controls on the production and transfer of light weapons and ammunition. To cope with the problem of the high saturation of light weapons in an increasing number of developing countries, the first priority should be the strengthening of the basic security needs of those fragile, democratic societies. Structural economic and social development cannot be realized without a relatively secure environment. Measures to curb the illegal circulation of light weapons are a first priority in those countries. To finance specific measures, the existing watershed between security and development needs to be broken down. The international community should not hesitate to use a small percentage of development aid budgets for a 'security first' approach. Such an approach is a prerequisite for 'micro-disarmament', in particular, in the context of preventive diplomacy. The control of light weapons can only be realized in combination with institutional reform, improved police and judicial systems, along with social and economic development. In particular, social and economic reform is the engine for change. In a number of African countries a fragile democratic process is surfacing - a process that can only succeed if the developed countries combine their efforts in supporting this process with money and resources. We should keep in mind that democratic processes in developing countries are not following the same pattern we are used to in our developed societies. The road to democracy, with stable governments, is a long process in which domestic values and norms should play a central role and not norms and values as we might see them.

The problem of internal conflicts cannot be solved solely by curbing the circulation and transfer of light weapons. Moreover, one cannot collect weapons from the population in an unsafe environment. There should be a mutually consistent approach to the improvement of the security, political, social and economic situation; improvement in the security situation without parallel progress in the other fields will ultimately lead to more unrest and greater oppression. No developing country can do this on its own. If the international community is not ready to create the financial and basic material conditions for such an integrated approach, every measure geared exclusively towards only one of the elements is bound to fail.

