REPORT

Small arms and security in South Asia

South Asia Small Arms Network Sri Lanka
and **Saferworld**

Small arms and light weapons:

Challenges in Sri Lanka and options for the future



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May 2006

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MAY 2006

Acronyms

ATT	Arms Trade Treaty
CGP	(Small Arms) Consultative Group Process
CMEV	Centre for Monitoring Election Violence
DIG	Deputy Inspector General
GoSL	Government of Sri Lanka
IGP	Inspector General of Police
JVP	Janatha Vimukthi Peramuna
LTTE	Liberation Tigers of Tamil Eelam
NCAPISA	National Commission Against the Proliferation of Illicit Small Arms
NGO	non-governmental organisation
PoA	Programme of Action
SALW	Small arms and light weapons
SAP-I	South Asia Partnership – International
SASA-Net	South Asia Small Arms Network
SLFI	Sri Lankan Foundation Institute
STF	Special Task Forces
TNL	Telshan Network Limited
TULF	Tamil United Liberation Front
UNDDA	United Nations Department for Disarmament Affairs
UNDESA	United Nations Department for Economic and Social Affairs.
UNDP	United Nations Development Programme

Acknowledgements

Saferworld thanks the British High Commission in Colombo for supporting the civil society consultation process and the publication of this report.

Contents

Map

Executive summary **i**

Introduction: The challenge of small arms in South Asia **1**

1 Civil society perspectives on the small arms problem in Sri Lanka **4**

2 The human cost of small arms **8**

3 Public and community perceptions of small arms at the provincial level **10**

4 Steps forward to tackle small arms proliferation in Sri Lanka **12**

5 Recommendations to the National Commission arising from the community consultation process **16**

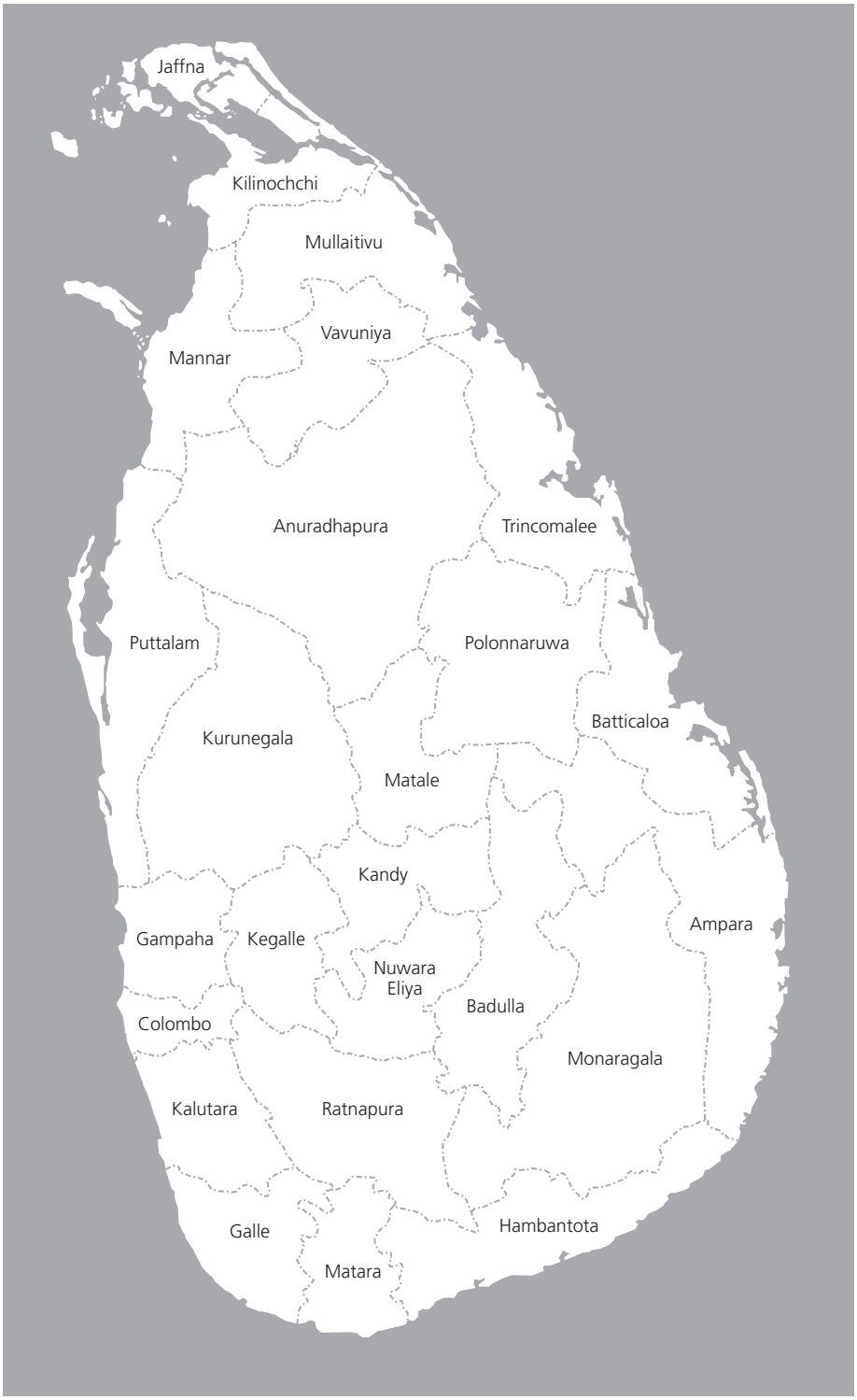
6 Conclusion **19**

APPENDIX 1: Methodology for civil society consultation process 21

APPENDIX 2: Methodology for consultation meetings 23

APPENDIX 3: Bibliography 24

Districts of Sri Lanka



Executive summary

I saw a man standing in front of my son and I went in between them and told my son 'let's go in'. I did not have time to finish what I said; this man put his arm over my shoulder and shot my son in his chest with a galkata (home made firearm). I was holding him when he got shot and we both fell on the ground. My daughter-in-law jumped out of the car carrying the baby and the two men took the car and went off… This is what happens when unscrupulous people have access to weapons of war.

K Kumaranayake – Mother of a victim of armed crime in Sri Lanka

SMALL ARMS KILL. For decades, small arms and light weapons (SALW)[1] have been used to kill and injure people across the world on a massive scale. In South Asia, large numbers of civilians die from small arms violence. Sri Lanka is heavily affected by the proliferation of illicit small arms that impacts on community safety and security, undermines development and is an obstacle to peace in the country.

The proliferation of small arms in Sri Lanka is reaching crisis proportions. The flow of arms into Sri Lanka is closely linked to the long-running conflict between the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE). However, the use of small arms is not simply confined to the conflict. There is a thriving market for illicit small arms in relation to armed crime characterised by a violent political culture. Politicians and their bodyguards are also sometimes armed by the state as a means of providing them with protection during their time in office; however, these arms are not always recovered if the politician loses his or her seat.

Knowledge of the flow, use and impact of small arms in Sri Lanka is limited. In order to gain a better understanding of how small arms have affected local communities in different areas of the country, the South Asia Small Arms Network (SASA-Net) Sri Lanka, supported by Saferworld, organised a civil society consultation process in 23 districts between November 2004 and March 2005. Civil society organisations have played a leading role in efforts to address the problems of small arms in Sri Lanka. The civil society consultation was designed to assess public perceptions of illicit small arms and to understand the different ways in which small arms impact on public and community perceptions of security in Sri Lanka. Conducted in the form of focus groups, the process involved over 600 community representatives who came together in a consultation involving 23 district meetings and 9 provincial meetings. This

1 Small arms and light weapons (SALW) is usually abbreviated to small arms in this report. Light weapons is a generic term which is used to cover a range of weapons portable by man or machine – from revolvers and machine guns to anti-tank and anti-aircraft missile systems. Small arms is a sub-set of the category of light weapons which includes only those weapons that can be fired, maintained and supported by one person. Small arms include revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns. Light weapons include heavy machine guns, portable launchers of anti-tank missiles, ammunitions, rocket launchers, shells and grenades. The most commonly found small arms in Sri Lanka are assault rifles such as T-56s.

culminated in a National Forum where the findings were shared with government representatives, members of the National Commission Against the Proliferation of Illicit Small Arms (NCAPISA)[2] and civil society and helped contribute to the development of a national strategy to address small arms problems in Sri Lanka.

The main interest of the consultation facilitators was to identify problems with small arms, their impact on community safety and security and possible solutions to the problem. The consultation was also an important step within an awareness-raising process in which it is hoped that a range of stakeholders including the Government of Sri Lanka, non-governmental organisations, as well as ordinary citizens will become more involved in the issues and challenges related to illicit small arms. Part of the process was intended to increase public participation in the setting up and operation of the National Commission. The community consultations helped identify civil society representatives that could work with the National Commission and take forward the views of the communities affected by the problem of small arms.

Views expressed during the consultation demonstrated that people are extremely concerned about the challenge of small arms. Ordinary citizens feel their security is threatened by a violent society increasingly prone to the use small arms.

This report aims to provide an accurate record of the consultation process and to guide future action to address small arms control challenges in Sri Lanka. It seeks to represent the views of the many individuals and organisations who participated in the consultations. This report has been drafted by Saferworld on behalf of the consultation participants. However, its contents, including recommendations are those of the participants and do not necessarily reflect Saferworld's opinions or views.

Structure of the paper

Section 1 of this paper assesses the perceptions of communities regarding the proliferation of small arms and community security, focusing on issues of human security that are raised by citizens themselves such as electoral violence and armed crime. Section 2 explores further the human cost of the rise in small arms with a number of personal testimonies and includes a case study of a pioneer police-community initiative in Colombo. Section 3 looks at the impact of small arms in Sri Lanka from the provincial level. Section 4 outlines the steps forward to tackle the small arms problems including the process that has been undertaken to establish the National Commission. Section 5 outlines a series of recommendations to the National Commission that emerged from the civil society consultation.

Summary of key recommendations

The National Forum, held at the end of the consultation process, came up with a range of recommendations that the Government of Sri Lanka (GoSL), the National Commission and civil society should take forward. These included:

Embarking on a legislative review and reform including:

- Review and amend the Sri Lanka Firearms Ordinance
- Introduce tougher laws to curb organised criminal operations and political patronage

Developing small arms policy and practice by:

- Introducing effective stockpile management and record-keeping systems

2 In this paper referred to as the National Commission

- Introducing stricter controls on the use of weapons by the police and military officials
- Establishing regular monitoring of the use of weapons in possession of politicians and their security personnel
- Strengthening controls on trafficking of small arms at national and international levels
- Reclaiming weapons issued to politicians and disallowing the use of armed private security guards for politicians
- Putting in place mechanisms to protect the identities of informants who provide information in relation to illegal proliferation of small arms

Conducting more research including:

- Compiling a study on small arms issues and their impact
- Providing information to divisional secretariats on issuing of weapons to civilians, including politicians
- Maintaining an electronic registry of firearm licences issued

Consolidating the independence and impact of a National Commission which:

- Is created formally through an Act of Parliament
- Functions as the main authority to monitor and control arms proliferation
- Acts as an advisory body to the government on small arms policy and practice

The GoSL and a range of civil society groups have shown an interest in taking progressive steps to combat the challenge posed by illicit small arms. The community consultations that took place in 2004 and 2005 have played a key part in establishing this interest, culminating in the National Forum and establishment of the Civil Society Action Committee. At the international level, the GoSL has played an important role in discussions to develop the PoA further as a part of the 2003 and 2005 UN Biennial Meeting of States. In July 2006 the UN meets again to review the PoA and identify the way forward. Sri Lanka has been appointed to the Chair of the UN Review Conference and is currently co-ordinating the preparation of positions in the run up to this conference. Sri Lanka has made important progress in tackling small arms problems at the national and international level. The civil society consultations have helped to connect the public and grass-roots organisations to the diplomatic and political process.

Introduction: The challenge of small arms in Sri Lanka

SMALL ARMS KILL. For decades, small arms and light weapons (SALW)[3] have been used to kill and injure people across the world on a massive scale. In South Asia, large numbers of civilians die from small arms violence. Sri Lanka is heavily affected by the proliferation of small arms, which threaten community safety and security, undermine development and are an obstacle to peace in the country.

The proliferation of small arms in Sri Lanka is reaching crisis proportions. Sophisticated weapons such as the Chinese made T56[4] are available for sale at low prices in the community. Official figures estimate that there are 45,000 legally registered firearms and 20,000 unregistered weapons in Sri Lanka. However, the Geneva based Small Arms Survey (2003) estimates that numbers are much higher, claiming that at least 2.3 million small arms exist in Sri Lanka, of which 1.9 million illegal weapons are owned by civilians. In reality, no-one knows how many small arms, legal or illegal, are in Sri Lanka, but the impact of this proliferation is impossible to ignore.

The flow of arms into Sri Lanka is closely linked to the long-running conflict between the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE). The LTTE have developed a sophisticated international network for the procurement of arms. However, the use of small arms is not simply confined to the conflict. There is a thriving market for illicit small arms in relation to armed crime and election violence with its roots in a violent political culture.

Since independence, the Sri Lankan state has been captured by an uncompromising Sinhala nationalism. The armed Tamil movement (emerging in the 70s) has also been brutal and uncompromising. Goodhand & Klem building on work by Jayadeva Uyangoda (2002) assert that violent conflict in Sri Lanka is rooted in the 'pathologies' of the state and notably in its failure to institutionalise democratic politics (Goodhand & Klem: 2005: 25). In addition, the conflict that has haunted Sri Lankan society for the

3 Small arms and light weapons (SALW) is usually abbreviated to small arms in this report. Light weapons is a generic term which is used to cover a range of weapons portable by man or machine – from revolvers and machine guns to anti-tank and anti-aircraft missile systems. Small arms is a sub-set of the category of light weapons which includes only those weapons that can be fired, maintained and supported by one person. Small arms include revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns. Light weapons include heavy machine guns, portable launchers of anti-tank missiles, ammunitions, rocket launchers, shells and grenades. The most commonly found small arms in Sri Lanka are assault rifles such as T56s.

4 The Chinese Type 56, or T56, is a Chinese copy of the Kalashnikov AK47 assault rifle.

past three decades has created a gun culture and a widespread acceptance of violence. It is not in the remit of this discussion paper to explore the roots of violence. What this paper does identify is the need to be sensitive to local experience of small arms in order to plan appropriate interventions.

Civil society consultation

Knowledge of the flow, use and impact of small arms in Sri Lanka is limited. In order to understand the experience of how small arms have affected local communities in different areas of the country the South Asia Small Arms Network (SASA-Net) Sri Lanka, supported by Saferworld, organised a civil society consultation process in 23 districts between November 2004 and March 2005. Civil society organisations have played a leading role in efforts to address the problems of small arms in Sri Lanka. The civil society consultation was designed to assess public perceptions of illicit small arms and to understand the different ways in which small arms impact on public and community perceptions of security in Sri Lanka. Conducted in the form of focus groups, the process involved over 600 community representatives who came together in a consultation involving 23 district meetings and 9 provincial meetings. This culminated in a National Forum where the findings were shared with government representatives, members of the National Commission Against the Proliferation of Illicit Small Arms (NCAPISA)[5] and civil society and helped contribute to the development of a national strategy to address small arms problems in Sri Lanka.

At the start of the consultation, meetings were held in 23 districts covering 9 provinces. These meetings embraced a nationwide coverage so that a range of experience could be explored. Discussions were held in Galle, Matara and Hambantota (Southern Province), Colombo, Kalutara, Gampaha (Western Province), Kegalle, Ratnapura (Sabaragamuwa Province), Monaragala, Badulla (Uva Province), Trincomalee, Batticaloa, Ampara (Eastern Province), Kandy, Nuwara Eliya, Matale (Central Province), Puttalam, Kurunegala (North Western Province), Anuradhapura, Polonnaruwa (North Central Province), Jaffna, Mannar and Vavuniya (Northern Province).[6]

The main interest of the consultation facilitators was to identify problems related to arms, their impact on community safety and security and possible solutions to the problem at the district and provincial level. Two of the facilitators involved in the process noted that it was "interesting to see how much people have to say about illicit weapons". The consultation was also an important step within an awareness-raising process in which it is hoped that a range of stakeholders including the Government of Sri Lanka, non-governmental organisations (NGOs), as well as ordinary citizens will become more involved in issues and challenges related to illicit small arms proliferation and misuse. The process was partly intended to increase public participation in the setting up and operation of the National Commission. The community consultations helped identify civil society representatives that could work with the National Commission and take forward the views of the communities affected by the problem of small arms.

Views expressed during the consultation demonstrated that people are extremely concerned about the challenge of small arms. Ordinary citizens feel their security is threatened by a violent society increasingly prone to the use of small arms. These views were shared with the members of the National Commission in order to relay to them the perceptions of ordinary citizens on human insecurity and to identify possibilities for co-operation between civil society and the Commission to tackle the problem of small arms.

5 In this paper referred to as the National Commission

6 Consultation Meetings in the Northern and Eastern provinces were delayed due to ongoing Tsunami rehabilitation work. The District Consultation Meetings in Killinochchi and Mullativu were not held due to unavoidable circumstances.

This report aims to provide an accurate record of the consultation process and to guide future action to address small arms control challenges in Sri Lanka. It seeks to represent the views of the many individuals and organisations who participated in the consultations. This report has been drafted by Saferworld on behalf of the consultation participants. However, its contents, including recommendations are those of the participants and do not necessarily reflect Saferworld's opinions or views.

Structure of the paper

Section 1 of this paper assesses the perceptions of communities regarding the proliferation of small arms and community security focusing on issues of human security that are raised by citizens themselves such as electoral violence and armed crime. Section 2 explores further the human cost of the rise in small arms with a number of personal testimonies and includes a case study of a pioneer police-community initiative in Colombo. Section 3 looks at the impact of small arms in Sri Lanka from the provincial level. Section 4 outlines steps forward for tackling small arms problems including the process that has been undertaken to establish the National Commission. Section 5 outlines a series of recommendations to the National Commission that emerged from the civil society consultation.

1

Civil society perspectives on the small arms problem in Sri Lanka

IN TERMS OF LEARNING FROM PEOPLE'S PERCEPTIONS of the challenge of small arms in Sri Lanka, three main areas were highlighted. These areas included increased rates of violence in society, election-related violence and the rise in armed crime. These themes are explored below.

Increased rates of violence in society

An area of concern expressed by most members at the civil society consultation was a perception that violence has increased. This can be seen empirically if we look at transformations in the use of weapons in society. Historically, Sri Lanka was comparatively peaceful. A significant turning point was the use of small arms in Sri Lanka during the Janatha Vimukthi Peramuna (JVP) insurgency of 1971. Sinhalese youths gained access to small arms such as rifles and shotguns by raiding police stations.[7] In response the State resorted to draconian measures killing many youth insurgents. Firearms went from being a symbol of prestige (pre-1971) to an everyday tool of state control. Academics such as Laksiri Fernando (2005) have documented the impact this period had on the Police, which shifted from a service-based organisation into part of the state's security apparatus. The introduction of special paramilitary units such as the Special Task Forces (STF) under the structure of the Police is an example of this shift. Fernando notes, "after Independence the priority of the police became the security of the state not its citizens" (Fernando 2005:96). Control of the Police has shifted between the Ministry of Defence and the Ministry of Home Affairs (called the Ministry of Public Security, Law and Order in a recent incarnation) allowing for some blurring of responsibilities and justifying the rise in use of small arms and the arming of non-state actors such as the Home Guards.[8]

Alongside the more frequent use of guns by the Police and the state came the arming of militant Tamil groups. The mid to late 1970s brought a new crisis of the nation: the question of Tamil separatism gained support, for the first time in democratic political

7 Communal conflagrations occurred in 1958 but it is the use of small arms which distinguishes the 1971 insurgency.

8 Home Guards are both men and women trained to use small arms to protect villagers from the LTTE in the North and East. On 10/01/2006 the GOSL announced it was recruiting an additional 600 Home Guards (TNL news 10/01/2006).

space.[9] Tamil militancy increased both the demand and use of illegal small arms in the country.[10] In response the Sri Lankan state strengthened its own armed forces. In the early 1990s Muslim-Tamil relations also became tense especially in the Eastern Province. This connects to another area of concern voiced by the consultation that violence within different social groups in the country has increased.

Election-related violence

Participants in the consultations expressed concern that there has been a rapid increase in armed clashes between rival political groups during pre- and post-election times. In addition, firearms are issued to some politicians when they are elected, but the weapons that are issued are not always monitored regularly and are not always returned at the end of their term in office. The history of election violence in Sri Lanka is a good example of how endemic violence and the use of small arms is in mainstream political culture (Centre for Monitoring Election Violence Reports 1999–2004).

The leakage of small arms from military sources has enabled an increase in election violence. A precedent was set during the 1988 elections which were marred by excessive levels of violence perpetrated by all parties. The heightened fear of the JVP in the late 1980s as it conducted a protracted campaign of violence calling for *hartals*[11] and strikes legitimated (in the eyes of the state) the indiscriminate issue of firearms to politicians for personal protection during the second JVP uprising. Credible sources estimate that the Government issued at least 11,000 pistols to politicians' bodyguards during this period. The authorities have to date not been able to recover these firearms. According to official records, out of the firearms issued to politicians by the Ministry of Defence through the Home Guards division alone, 64 repeater guns, and 637 firearms issued to 21 Members of Parliament have yet to be recovered (SAP-I, 2003). Firearms from the state armoury are still issued to some politicians, specifically Members of Parliament, for their personal protection during their time in office, but these firearms are not always recovered when they leave office. Licences for these firearms are issued to politicians free of charge. The issuing of firearms to politicians is governed by their parliamentary privileges rather than in accordance with existing legislation. Politicians sometimes issue these firearms to their bodyguards, however no provision is made in the legislation for this and, thus de jure, these arms are in illegal possession.

The use of violence by local organisers from mainstream political parties at election time highlights the fact that violence is seen as a legitimate method of consolidating power. This was noted at elections in 2000 and 2001.[12] Mainstream politics relies on 'bargaining' via patronage which has led to growing corruption within the political process.[13] Weapons are used as a symbol of power and authority. A concern expressed during the consultation was that free and fair elections are being compromised in all districts as a result of election violence.

9 The Vaddukodai Resolution was unanimously adopted at the First National Convention of the Tamil United Liberation Front (TULF) held at Vaddukoddai on 14 May 1976.

10 The mid to late 1970s brought a new crisis in the nation: the question of Tamil separatism gained support, for the first time in democratic political space. Tamil militancy increased both the demand and use of illegal small arms in the country. In response the Sri Lankan state strengthened its own armed forces.

11 Politically motivated mass industrial action.

12 One example of the use of small arms in election violence can be drawn from the 2001 elections in Kandy. In the Udathalawinna massacre ten Muslim Congress supporters were killed with small arms.

13 Interestingly the chief suspect in the assassination of High Court Judge Sarath Ambepitiya referred to below, was alleged to have spent more than 3 million rupees on the election campaign of a powerful politician (Media Reports on Case 693/2001 Lake House Archive).

Rise in criminal violence

"The role of the policeman has never been an easy one in any part of the world but in Sri Lanka it has assumed particularly difficult properties due to the erosion of values. Today we are faced with organised crime rearing its head too frequently"

Inspector General of Police, Chandra Fernando (Report of IGP 2001)

There has been a rise in armed crime in Sri Lanka, especially in the South, closely linked with the ongoing conflict. Organised criminal elements often rely on illicit small arms. The officer in charge of Police Statistics, CI Prematilleke, acknowledges that there is a rise in grave crimes in which small arms are used; for example in 2004 there were 995 robberies at gunpoint compared to 490 in 2000.[14] The increase in criminal violence was a particular concern of the communities that were consulted. They felt that there was an escalation in contract killings, rape, robberies, grievous hurt and assault facilitated by small arms. This marked increase in firearms related crime, violence and intimidation is undermining security and development, particularly in the South of the country.

There are reported to be 85,000 deserters from the military (Army, Navy and Air Force).[15] Out of this around 25,000 are assumed to have gone abroad. The number of deserters from the LTTE is not known. However, the assumption is that only a very small number of them have deserted with their weapons. The combination of organised criminal networks, large numbers of army deserters and easy access to illicit weapons is a deadly mixture. Deserters are perceived to be a prime source of criminal activity in the country and the community consultation identified deserters' involvement in organised crime as a key concern in the South.

The Police acknowledge there are more than 26 organised criminal groups operating in and around Colombo. These gangs are involved in contract killings, extortion, drug trafficking and arms sales. There were also widespread perceptions of political involvement in criminal activities, making it difficult for the Police to intervene to stop these crimes and deal with perpetrators. In the North and East, the sale of stolen cars in exchange for weapons has become the latest trend among criminal groups.

The use of small arms by criminals and anecdotal evidence of a thriving market in illicit weapons is well documented in the media. An important case that highlights the collapse of law and order in the face of organised criminal elements was the high profile shooting of High Court Judge Sarath Ambepitiya in November 2004 by a Mafia boss.[16] The articles about the case, which subsequently appeared in many English and Sinhala papers, talked of the 'escalating crime wave' (*The Island* 29/12/2004) and the 'horrendous state of crime' (*Daily Mirror* 07/12/04).

There is growing evidence of the expansion of arms dealing in Sri Lanka. This comes out in a series by the BBC World Service called *My AK47*, broadcast on The World Today from December 2005. Series producer Leana Hosea says: "The personal accounts given by people who use, sell and distribute AK47s give listeners an insight into how the weapon has become a reality of life in many parts of the world. In one interview, an illegal arms dealer in Sri Lanka reveals how it's routine to obtain AK47s and other small arms, such as grenades from the army, air force and police."[17] The steady and continuous availability of small arms has intensified the conflict and has had a devastating impact on human life causing thousands of deaths. Community members and civil society also pointed to the increased numbers of grenades being

14 Data collected from the Police Statistics Unit (Annual data under category 10F for Grave Crimes). One problem with using Police data for research and planning is the lack of computer entry data. There are no computers in the Statistics Office. Technical support to the Research and Planning Division in terms of computer use and training in order to improve the reporting of crime seems like an urgent need donors should consider.

15 Figure reported during a consultation with the Police and the National Commission for Small Arms, facilitated by Saferworld in Colombo on 23 September 2005.

16 The Ambepitiya Murder trial. Case Record 693/2001.High Court Judge Sarath Ambepitiya was shot on 19/11/2004. The Attorney General has indicted five accused including 'drug baron' M Niyaz Naufer alias Potta Naufer. An Air Force deserter was among the other four indicted.

17 Press Release BBC World Service, *My AK47*, 30/11/2005.

found in villages, often brought home by army deserters. There has actually been a marked increase in crimes involving the use of grenades. The Police also recognise that the rise in armed violence presents a serious threat to their ability to maintain law and order.

The civil society consultation noted that the rise of political, social and criminal violence involving the use of small arms was connected to the general decline in democracy in the country. Consultation respondents felt that a lack of respect for the rule of law and weak judicial control over the perpetrators of armed violence is creating an environment of impunity for criminals. The 1996 amendment to the Sri Lanka Firearms Ordinance is a positive step towards regulating legal and illegal firearms in the country. However the widening gap between existing legislation and effective implementation mechanisms is a cause for concern.

Another area of concern highlighted by the consultation process is the rise in private security provision. There are issues around accountability as regards private security in Colombo and elsewhere in Sri Lanka. In addition more needs to be known about private security companies that undertake services for the state. There was also a widespread concern that controls over private security companies are insufficient, in particular controls over the issuing of weapons to security guards. Respondents also pointed out that hiring of small arms to criminal gangs by private security guards, police and security forces has become a thriving enterprise. With the weakening of law and order, corruption among the elite and a free floating mass of armed army deserters (especially following the peace process) weapons have become a dangerous threat to the peace and security of the general population in Sri Lanka.

Currently, one obstacle to combating illicit small arms is the lack of empirical evidence. There is an urgent need for updated information in order to make objective decisions to control arms proliferation. At present the number of legally owned firearms and firearms in illegal possession is unknown. There is a need for better and more co-ordinated statistical data on the types of firearms used for different crimes. The Police, as well as the community, feel 'vulnerable' in relation to organised criminal elements and the Sri Lankan Police lack the technical capacity to develop a sophisticated research and investigation unit making use of computerised data. There are no computers for data entry in the Police Statistics Office at Police Headquarters or any mechanism where joined up sharing of investigation from one police station to another is facilitated electronically.

2

The human cost of small arms

"Those who hold weapons will be killed by those weapons"
Buddhist saying

SMALL ARMS PRESENT A MAJOR THREAT to human security in Sri Lanka. Testimonies collected from a range of people living in conflict-affected areas demonstrate this.[18] One man from the East notes:

"In (my village) incidents of crime have greatly increased. Anybody can easily get killed, any moment. Even though there is no war situation in (my village) now, there is a lot of uncertainty and a rise in crime. There is a proliferation of small arms in the area."

A mother from the South tells a moving story of how innocent people are caught up in the rise in armed crime, Her son:

"was 35 years old when he was shot dead…worked as a Finance Manager in a reputable textile company in Sri Lanka. On the day before he was killed he got a new car from his company… my son had stopped the car at the entrance to our house and had got off the vehicle to open the gate. I walked towards the gate since I heard some people arguing with my son. I saw a man standing in front of my son and I went in between them and told my son 'let's go in'. I did not have time to finish what I said; this man put his arm over my shoulder and shot my son in his chest with a galkata (home made firearm). I was holding him when he got shot and we both fell on the ground. My daughter-in-law jumped out of the car carrying the baby and the two men took the car and went off. The suspects were arrested and they have reportedly stated that their gang had decided to steal a vehicle because a member of another gang had offered them a new T56 rifle in exchange for a vehicle. So many firearms have fallen in to the hands of crime gangs due to the war. Police are meanwhile looking for two other suspects, one of whom is said to be an army deserter".

What these testimonies demonstrate is that it is crucial to tackle the link between illicit small arms and armed crime. In addition to the ready availability of assault rifles, the presence of grenades brought back by army deserters to communities and the easy availability of pistols have increased this fear.

The Western Province, which includes the commercial capital Colombo, has experienced soaring crime in the last few years. 70% of people who go to prison are from the

18 Saferworld and South Asia Partnership Sri Lanka collected a series of testimonies from people in areas affected by small arms in 2005.

Western Province.[19] The Police recognise that the rise in armed violence presents a serious threat to their ability to maintain law and order. As one senior Deputy Inspector General (DIG) of Police notes; "the emergence of violent sub-cultures must be addressed soon". In light of this, the Police have organised crime prevention training delivered at the Sri Lankan Foundation Institute (SLFI). This meets one of the recommendations of the Police Road Map that the Police need to expand their knowledge and develop community-based policing. As one Police Sergeant who attended the Crime Prevention Training noted; "the Police and community are like bark and stem, we must work together as we belong together".

Amaridu: A police-community initiative

A pioneer police-community initiative called Amaridu is a good example of the type of intervention which can help raise awareness of the human cost of small arms. DIG Sirisena Herath started the project in May 2004, recognising that there is a link between social exclusion, low education and crime. He notes that out of the 27,000 prisoners in jail over 90% have only reached a level four education. He feels that people can change their behaviour if they have opportunities to learn and develop self-esteem through education. First of all the Police selected a target area in which to work.

Amaridu is designed to address the human cost of small arms. A spokesperson commented that armed crime has risen in their communities in the last few years and that the presence of deserters in the community means crime has become a business opportunity for some young people.[20] According to Amaridu, most people would like to get rid of weapons if it were possible. Amaridu was also positive about the public weapons destruction organised by the National Commission and Ministry of Public Security Law and Order in July 2005 (detailed in Section 3) and staged its own allegorical weapons destruction from the back of a truck in the slums and streets of Grandpass.

One of Amaridu's strengths is that it is an inter-ethnic and inter-generational group. The original target group was young men but as one of the reformed addicts who is now an active Amaridu member says, "we need mothers to protect us". These are people with a strong commitment to the communities they belong to. They don't want their lives to be dominated by conflict entrepreneurs and guns. The Police recognise the success of this community-based initiative.

The case study of Amaridu shows that citizens care about the human cost of small arms in Sri Lanka. The conflict that has haunted Sri Lankan society for the past three decades has created a gun culture and an acceptance of violence. Interventions need to be designed with the understanding that the problem manifests itself differently in the different provinces and districts. This is explored in the next section.

19 Figure given at SLFI Crime Prevention Workshop 19 January 2006.
20 Meeting with Amaridu members 17 January 2006 at Grandpass Police Station.

3

Public and community perceptions of small arms at the provincial level

AN INTERESTING FINDING to come out of the civil society consultation was the different perspectives and varied picture at a district level. What these findings demonstrate is the importance of people's participation in the debate around interventions to challenge the proliferation of small arms. Clearly one policy will not reflect the needs of all.

In the Southern Province, the causes for arms proliferation and the illegal use of small arms in both Galle and Matara is closely linked with organised crime. The operation of underworld criminal gangs is also a major problem in the Western Province, which includes the commercial capital Colombo and has experienced soaring crime during the past few years. Badulla is also reportedly home to a number of underworld criminal gangs. The picture is different in Hambantota district where civil society representatives noted that the problem is mainly related to the use of firearms to keep wild animals away from crops.

Armed violence and crime is prevalent in many villages in Kegalle and Ratnapura districts in the Sabaragamuwa Province with many of these offences being committed by army deserters. Monaragala and Badulla districts in the Uva Province borders the conflict-affected Eastern Province. The use of arms is high in Monaragala due to the illegal felling of timber and illegal growing of cannabis by organised criminal groups.

Ampara, Batticaloa and Trincomalee in the Eastern Province fall within the conflict-affected districts in the Northern and Eastern parts of Sri Lanka. This province has suffered a great deal due to the civil war and the subsequent increase in arms proliferation resulting in violent crime.

In the Central Province arms-related violence and crime is not as high as in other parts of the country. However, election violence is commonly seen in Kandy, Nuwara Eliya and Matale districts in the Central Province. The most aggressive incidents of murder, grievous hurt, vote rigging and destruction to property were reported from this

province during pre- and post-election period in the elections held between 2000 and 2004.

Puttalam and Kurunegala districts cover the North Western Province. The war-ravaged North borders the Puttalam district. One of the major arms smuggling routes on the Northern coast extends to the North of Puttalam. Kurunegala district is reported to have one of the highest numbers of army deserters resulting in an increase in crime rates and armed violence in the province.

Anuradhapura and Polonnaruwa districts in the North Central Province are both bordering the conflict zones. This has been one of the major causes for easy availability of illegal arms and ammunition in the province. Proper record keeping of small arms and light weapons and mechanisms for seizure and destruction of illegal weapons is an urgent need in the province. In the Northern Province, Jaffna, Mannar and Vavuniya districts were severely affected by the civil war. As a result of the conflict, the province is subject to large quantities of small arms proliferation. Landmines are another cause of concern in the province causing severe security and economic hardships to communities living in these areas.

Facilitators of the civil society consultation thought it was important to show that there is a range of different experiences of illicit small arms. They presented the information collected at the district and provincial level at a National Forum which brought community representatives together with the National Commission, government and civil society and led to the formation of the Civil Society Action Committee in March 2005. Several representatives attended the National Forum from each province, representing a wide range of district and national level organisations. The National Forum provided a platform to select civil society representatives to the National Commission; this was done on a democratic basis where the community representatives and civil society nominated candidates for the positions. Three civil society representatives were selected for inclusion on the National Commission and these are awaiting approval by the President. These three civil society positions are in addition to the civil society expert positions that already exist on the National Commission.

The problem of illicit small arms in communities was clearly an issue that animates people. While this is a problem that is affecting their lives, they do not feel they are in a position to be able to tackle these problems. This is why the establishment of a National Commission on illicit small arms in 2004 was an important step forward in developing a national action plan to combat the proliferation of illicit small arms.

4

Steps forward to tackle small arms proliferation in Sri Lanka

OVER THE PAST TEN YEARS the international community has become concerned about the increased availability and use of small arms and light weapons.[21] This has led to a major international effort to assist affected countries to address these issues in the search for security on the one hand and development on the other. The UN held its first International Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001.

The outcome of the UN small arms conference was the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (UN PoA). This instrument provides guidelines and commitments which all States should adopt to combat the proliferation of SALW. Sri Lanka is committed to implement the UN PoA and the Government of Sri Lanka (GoSL) has taken a number of progressive steps in line with its commitments. The establishment of the National Commission on small arms is an important step towards implementing the PoA as the mandate for the National Commission is contained in Section II, Paragraph 4 of this document:

To establish, or designate as appropriate, national co-ordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

21 Numerous international initiatives have been developed to tackle this problem, the most notable of which is the United Nations Programme of Action on small arms, signed in New York in 2001, and discussed further here. More recently attention has focused on developing international controls on the transfer of weapons. A group of non-governmental organisations (including Amnesty International, The American Friends Service Committee, The Arias Foundation, BASIC, The Federation of American Scientists, the Friends Committee on National Legislation, Oxfam, Project Ploughshares and Saferworld) assisted by a group of international lawyers are advocating the establishment of an Arms Trade Treaty (ATT). The ATT is a model for a legally binding international agreement setting minimum standards and procedures for the transfer of conventional weapons based on states' existing responsibilities under international law.

Establishing a National Commission in Sri Lanka

In 2002 the GoSL took the first steps towards establishing a National Commission on small arms in co-operation with the UNDDA/UNDESA[22], UNDP (United Nations Development Fund) and the donor community. In June 2003, a representative from GoSL visited Kenya on a fact-finding trip to talk to National Commission members and the small arms national focal point to learn from the Kenyan experience. Supported by these progressive steps, the GoSL entered into an agreement with the UNDDA/UNDESA in June 2003 to establish a National Commission Against the Proliferation of Illicit Small Arms (NCAPISA).

On 5 November 2004, then President Chandrika Bandaranaike Kumaratunga by special presidential decree appointed a National Commission to deal with the proliferation of illicit small arms and light weapons in Sri Lanka in accordance with the UN PoA. The mission statement of the National Commission is "to restore a peaceful environment for the citizens of Sri Lanka devoid of fear from weapons related violence thereby enhancing the meaning of safety and freedom, consolidating the efforts of Government and civil society". The National Commission is essentially a government body. The objectives of the Commission include:[23]

a. Facilitating co-operation and co-ordination of measures taken by government departments, UN and civil society in their efforts to check, control and eradicate this problem

b. Advising the government in the formulation of national policies to check, control and eradicate this problem

c. Creation of strategies for the efficient achievement of the objective

d. Preparation of a national plan of action

e. Continuous assessment and monitoring of the progress of implementation

The Commission was established with a 15-strong membership hosted by the Ministry of Public Security, Law and Order and comprising a senior representative from each of: the Office of the Prime Minister; the Ministry of Foreign Affairs; the Ministry of Defence; Attorney General's Department; the Army; the Police; the Department of Customs; local government and provincial councils as well as three experts nominated by the Ministry of Public Security, Law and Order and three civil society representatives. The inclusion of civil society representatives was recognised as important to provide a bridge between the National Commission and relevant sectors of the population, particularly those most affected by the problems of small arms and those who might be in a position to play a significant role in the efforts to prevent, combat and eradicate illicit small arms.[24] It is notable that the National Commission on small arms is the first National Commission in Sri Lanka that has mandatory positions for civil society representation.

All the stakeholders involved in the establishment of the National Commission (the GoSL, civil society and UN officials) highlighted the importance of civil society representation in the Commission and have emphasised the need to have a civil society selection process. The civil society selection process, informed by the community consultation, is a unique approach and one which has fostered principles of inclusion and democracy.

22 United Nations Department for Disarmament Affairs/United Nations Department for Economic and Social Affairs.

23 Cabinet Memorandum on establishing the NCAPISA dated 27.08.2004

24 Support to the Establishment of a Commission Against the Proliferation of Illicit Small Arms in Sri Lanka – Project Document, July 2003.

Disarmament and weapons collection programmes

An area of action highlighted by the community consultation and presented to the Commission was the need for a weapons collection programme. There have been numerous attempts at weapons collection programmes and amnesties to date but these have only met with limited success. One amnesty covering the whole of Sri Lanka, was declared during January 2004 allowing the renewing of licences for civilian-owned arms, but only 1,300 arms were re-licensed.

A further national two-month amnesty was declared on 1 October 2004 but had poor results (although exact figures have not been released, it is estimated that around 500 weapons were collected in total). In order to encourage people to co-operate, a buy-back scheme was introduced, where money was offered to those surrendering weapons, however even this met with little success. Buy-back programmes are notoriously fraught with problems. They reward people for the illegal possession of firearms and enable criminal elements to earn 'legitimate' money through trading in illicit small arms. Elsewhere they have also stimulated weapons flows and a weapons economy through placing an economic value on firearms. There is also evidence from buy-back schemes that old and unserviceable weapons are surrendered and the money obtained is used to purchase functional weapons. In the case of Sri Lanka it appears that little research was done beforehand into the market value of weapons and there was little public awareness about the amnesty or the buy-back programme. People also did not have the confidence to hand over their weapons to the police, fearing that they would be arrested or otherwise punished when doing so. The failure of the amnesty process and the buy-back scheme highlights the need to thoroughly research the small arms environment in Sri Lanka and to take on board the perceptions of the community in this process. It further highlights the lack of trust between the community and the police and the importance of supporting community policing initiatives such as that discussed in Section 2.

The facilitators of the civil society consultation process suggest that a problem is a lack of public education over amnesties. In order to demonstrate that the government and civil society are serious about tackling the problem of arms proliferation in Sri Lanka a weapons destruction event was organised to symbolically destroy the weapons that have been surrendered, seized and captured. The destruction was one of the National Commission's first activities and highlighted the efforts that were being undertaken to tackle the problem of small arms proliferation in Sri Lanka.

Public weapons destruction event July 2005

A weapons destruction event was organised to mark International Arms Destruction day at Independence Square in July 2005 and received a lot of media attention. It was the first public event of this nature. 17,000 different kinds of weapons were laid out and crushed using two steamrollers.

The Ministry of Public Security Law and Order, who facilitated the event, had been informed by the public during the civil society consultation process that there were large stockpiles of weapons in different districts. Those stockpiles included shotguns, repeaters, assault rifles, pistols and various other small arms including an assortment of handguns and shotguns made by local blacksmiths. The confiscated weapons were collected from police stations around the country and transported to Colombo for the public destruction event.

Inspired by the public weapons destruction, SASA-Net Sri Lanka organised an event in Anuradhapura. In a symbolic gesture children brought in their toy guns and destroyed them. About 125 young people participated. Amaridu, the community group described in Section 2 presented a stage drama about the event from the back of a truck in Grandpass area, Colombo.

The Sri Lanka peace process

Following three decades of civil war and suffering 65,000 casualties, massive economic disruption and deep feelings of anxiety, Sri Lanka embarked on a peace process in 2002 with the signing of the Ceasefire Agreement. The people of Sri Lanka recognise that the road to peace is long and complex.

Despite an overwhelming desire for peace, Sri Lankans express many different and often conflicting opinions regarding the specific elements that should be included in a final agreement. A permanent peace agreement will require difficult negotiations and potentially painful compromises from all parties. The place of weapons within any peace process is a crucial element and both the government and the LTTE will have to consider the problem of small arms within the peace context. Any successful and effective solution will have to include a demobilisation, disarmament and reintegration component based on a thorough understanding of the nature and extent of small arms proliferation within the country and will have to take into account community perceptions of safety and security, and the possession of small arms.

Despite recent talks between the two major parties to the conflict in Geneva, the peace process is not stable. Over 100 civilians and security personnel were killed in December 2005 and January 2006 making people concerned that the Ceasefire Agreement is on the verge of collapse. Talks in Geneva in February 2006 attempted to recover the agreement and are an important step forward but highlight the importance of bringing a range of voices into the dialogue on national security.

One of the weaknesses of the peace process is that it has not engaged in much participatory decision-making or consultation with civil society groups. This is why, in the run-up to the establishment of a National Commission on illicit small arms, security stakeholders were interested in public views. Given the different attitudes of citizens to peace it makes sense to try and understand people's perceptions of the threat of small arms. In the civil society consultation citizens of Sri Lanka identified the proliferation of small arms in communities as a stumbling block to peace.

5

Recommendations to the National Commission arising from the community consultation process

THE NATIONAL FORUM was convened at the end of the civil society consultation process in March 2005. The National Forum was attended by a range of stakeholders including members of the National Commission, the Police and civil society. Participants discussed a number of concerns that had been highlighted during the community consultations. This included the way in which armed violence is used to intimidate voters and immediate family and supporters of rival political parties and where firearms are issued to politicians when they are elected, but not monitored regularly and returned at the end of their term in office.

The community consultations had also highlighted the way in which a culture of violence has emerged where people are increasingly resorting to small arms to settle personal disputes (ie family, land disputes etc). Armed clashes among different ethnic and religious communities have also escalated. This rise in violent crime was linked to army deserters and their involvement in organised crime. Underworld criminal gangs have easy access to weapons and some corrupt politicians provide political patronage to criminals. Furthermore, ineffective law enforcement has led to an increase in the power and authority of armed criminal groups that is compounded by a lack of effective measures to control and investigate small arms crimes.

Another concern was that institutions and administrative bodies responsible for upholding law and order are felt to be misusing weapons as a power tool and the Forum felt that a weakening of the rule of law had made people feel vulnerable, aggravated by a lack of transparency and accountability among security forces and the police.

The civil society consultation highlighted that it was important to engage public participation for the development of a national action plan to tackle small arms.

At the National Forum, the Civil Society Action Committee was formed that will act as the main co-ordinating body representing civil society to support the National Commission. The Civil Society Action Committee will work with the National Commission and find ways to encourage and enhance good relationships between the community and the security forces and police. In particular, civil society could help with monitoring, mobilising public support at the district level and providing organisational support to the National Commission.

The National Forum identified a range of recommendations that the GoSL, the National Commission and civil society should take forward.

Undertaking legislative reform

The National Forum suggested that Sri Lanka should embark on a programme of legislative reform and recommended that the GoSL should:

- Review and amend the Sri Lanka Firearms Ordinance
- Increase penalties for offences resulting from arms proliferation and the illegal use of weapons
- Introduce legal reforms which enable immediate action against offenders guilty of offences resulting from arms proliferation
- Review legislation in relation to existing criteria for the issuing of firearms licences
- Formulate a legal framework for the surrender of illegal weapons
- Introduce tougher laws to curb underworld criminal operations and political patronage
- Expedite trials to offenders guilty of armed violence and crime

Develop small arms control policy and practice

The National Forum recommended that small arms policy and practice should be developed. It recommended that the GoSL working with the National Commission should:

- Introduce a national small arms policy
- Act as the main decision-making body/authority in issuing firearms licences
- Establish regular monitoring of the use of weapons in possession of politicians and their security personnel
- Introduce effective stockpile management and record keeping systems
- Impose stricter controls on issuing firearms licences
- Formulate mechanisms for the immediate confiscation and seizure of illegal weapons
- Introduce stricter controls on the use of weapons by the police and military officials
- Impose controls over programmes in electronic and print media which glorify the use of weapons
- Strengthen controls on trafficking of small arms at national and international levels
- Take initiatives to curb illegal production of small arms
- Strengthen mechanisms for armed forces on record keeping and stockpile management
- Enforce transfer controls to prevent illegal transfer of arms in the event of a post-conflict, ceasefire situation
- Reclaim weapons issued to politicians and disallow the use of armed private security guards for politicians

- Formulate a code of conduct for parliamentarians on the use of small arms
- Ban the use of trap guns
- Impose stricter controls on issuing firearms to farmers
- Introduce a weapon destruction programme with the involvement of the general public
- Put in place mechanisms to protect the identities of informants who provide information in relation to illegal proliferation of small arms
- Introduce a system of reward to recognise those helping to trace illegal arms
- Impose stricter controls over weapon imports
- Declare an arms control day to raise the public profile of the dangers of small arms proliferation and misuse

Conducting more research

The civil society consultation highlighted the fact that it is difficult to present an accurate picture of the problem as little official data exists in relation to illicit small arms. The consultation highlighted the importance of monitoring and collecting data on small arms proliferation. The National Forum made the following suggestions that the National Commission and civil society should:

- Conduct a study on small arms issues and the humanitarian impact
- Provide information to divisional secretariats on issuing of weapons to civilians, including politicians
- Maintain statistical data on firearms in government stockpiles and in private ownership
- Maintain a registry of firearm licences issued
- Put in place a database, which carries relevant information on small arms policy and practice and information on the issuing of licences and arms in civilian possession

Developing an effective National Commission

The communities felt that in order for recommendations to be implemented, the National Commission should operate as an independent body and that the National Commission should:

- Be created formally through an Act of Parliament
- Function as the main authority to monitor and control arms proliferation
- Act as an advisory body to the government on small arms policy and practice
- Operate transparently and be accountable
- Be fully representative and free of political intervention
- Promote and protect fundamental rights and uphold the rule of law

6

Conclusion

THE GOSL AND A RANGE OF CIVIL SOCIETY GROUPS have shown an interest in taking progressive steps to combat the challenge of illicit small arms. The community consultations that took place in 2004 and 2005 have been a key part of this, culminating in the National Forum and establishment of the Civil Society Action Committee. The creation of the National Commission, which will work with the Civil Society Action Committee, and the public destruction of 17,000 small arms on international arms destruction day (July 2005) are illustrative of the progress that has been made. The GoSL is also serious about implementing the UN PoA and has appointed the National Commission under the mandate of the UN PoA to co-ordinate this implementation. The National Commission was dissolved after the November 2005 elections but the current President, Mahinda Rajapakse has reinstated the Commission to continue its work. This National Commission is a precedent within South Asia and demonstrates the political will to seriously address small arms proliferation. If the GoSL continues with the work undertaken so far, it could become a champion of this issue in the region.

At the international level, the GoSL has played an important role in discussions to develop the PoA further as a part of the 2003 and 2005 UN Biennial Meeting of States. In July 2006 the UN meets again to review the PoA and identify the way forward. Sri Lanka has been appointed to the Chair of the UN Review Conference and is currently co-ordinating the preparation of positions in the run-up to this conference. Sri Lanka has also played a central role in the Consultative Group Process, an informal initiative established in January 2003 to facilitate the development of shared understandings and ways forward for the development of the PoA. It consists of representatives of over 30 governments from most regions,[25] the UN and several regional organisations, and selected civil society experts and is convened by the Biting the Bullet Project.[26] It has so far met six times during 2003–2005, on one occasion in Sri Lanka.[27]

The GoSL is also supporting international efforts to strengthen the controls on arms transfers. The GoSL and the UK Government hosted an international meeting of states to develop guidelines on international arms transfer controls as part of the Transfer Controls Initiative in Colombo in December 2005.

25 Governments that are participating in this informal Small Arms Consultative Group Process include: Argentina, Belarus, Botswana, Brazil, Canada, Czech Republic, Colombia, Estonia, Finland, Germany, Ghana, Kenya, Japan, Latvia, Lithuania, Mexico, Nigeria, Norway, Poland, Mozambique, Netherlands, Romania, Russian Federation, Slovakia, Sri Lanka, Switzerland, Tanzania, Uganda, UK, Ukraine, USA. A number of additional states have expressed support for the CGP and an intention to join the process.

26 Biting the Bullet is a joint project of Bradford University, International Alert, and Saferworld to inform and promote the development and implementation of the UN Programme of Action on small arms.

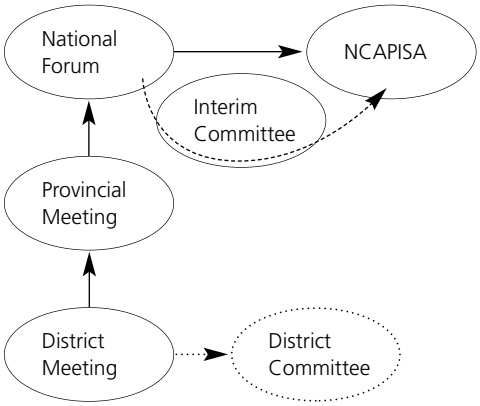
27 The CGP meetings have taken place in London, UK (January 2003); Prague, Czech Republic (June 2003); New York, USA (July 2003); Lake Naivasha, Kenya (September 2003); Colombo, Sri Lanka (September 2004); and Rio de Janeiro, Brazil (April 2005).

At the regional level, despite the commitments made to the UN PoA by governments in the South Asian sub-continent, there has to date been little obvious progress on small arms issues. Sri Lanka's positive experiences in tackling the problem of small arms and instituting comprehensive controls will set a good example for action in other countries similarly affected by small arms proliferation across the South Asian region.

As this report is being finalised, President Mahinda Rajapakse has re-appointed the National Commission, and the UN has re-affirmed its support. With this, all the building blocks are now in place to tackle the problem effectively and reduce the devastating impact that small arms are affecting in Sri Lanka. At the international level, Sri Lanka is in the driving seat for this year's UN PoA Review Conference, and is supportive of strengthening international arms transfer controls. Nationally, Sri Lanka has established the National Commission on small arms and it is invested with the capacity and resources it needs to tackle this problem seriously. The involvement of civil society with all of these processes is crucial so that communities can continue to raise concerns about the effects that small arms have on them and can contribute to the efforts needed to address these problems.

APPENDIX 1: Methodology for civil society consultation process

The methodology adopted for the civil society consultation process comprised of civil society meetings at district level followed by meetings at provincial level. The process is illustrated in the following diagram.



The meetings took the form of discussion forums. The participants discussed and analysed problems related to illicit proliferation of SALW in their districts/provinces and discussed possible solutions. Then they identified their expectations from the National Commission to deal with the proliferation of illicit SALW. Finally, they identified ways to support the Commission for its effective operation. The findings from the meetings were compiled into a brief report on a district and provincial basis. These findings were communicated to the National Commission and other key stakeholders at the National Forum.

The district consultation meetings were represented by a cross-section of civil society organisations/groups and individuals in each district. The findings of each district consultation meeting were compiled into a report.

Representatives for the provincial meetings were selected from each district meeting. The district level findings were reviewed and collated at the provincial meetings. District representatives were identified at the provincial meetings to ensure wider participation of civil society organisations/groups and individuals at the National Forum.

Orientation of facilitators for district consultation meetings

A group of district level facilitators were trained to convene, co-ordinate and conduct district consultation meetings. Twenty-five facilitators were trained during a one-day training workshop. They were responsible for guiding this process from district to provincial level and to national level in cooperation with SASA-Net Sri Lanka and Saferworld project staff, throughout the duration of this project. Participants from a wide range of organisations at local, provincial and national level attended.

Training objectives:

1. To explain the background, the purpose, the context and the major actors of the National Commission on SALW
2. To orient the participants on the civil society consultation process, methodology, expectations, and the way forward

Based on a request by the participants, further training was given to an additional six individuals to act as content providers at district consultation meetings. Training was provided on the following themes:

1. Introduction to the UN PoA
2. Introduction to major actors involved in establishing the National Commission
3. Identified roles and responsibilities of the Commission
4. Importance of civil society representation in the Commission
5. Establishing links and communicating local problems related to proliferation of SALW from local to national level
6. Importance of linking local issues of community safety within the National Commission action plan

District consultation meetings

Twenty-three district level civil society consultation meetings were organised. The National Commission was introduced and roles and responsibilities were discussed. The participants were invited to discuss arms related problems and potential solutions that can be taken at district and national level. Participation from a wide range of district level organisations was encouraged at these meetings.

Objectives of the district consultation meetings:

1. To explain the National Commission, its context, content and the major actors
2. To identify:

- the problem of small arms and light weapons and possible solutions at district level
- expectations from the National Commission to address these issues
- the role of civil society at district level to support the effective operationalisation of the National Commission

Provincial consultation meetings

Provincial consultation meetings were held to consolidate the findings of the district level meetings and identify problems and solutions at the provincial level. Three to four civil society representatives from each district meeting represented the respective districts at the provincial meeting.

Objectives of the provincial consultation meetings:

1. To consolidate the findings of the district consultation meetings
2. To identify and address gaps in the findings of district meetings

National Forum

The National Forum was held to share the findings of the community consultations with the National Commission, GoSL and other key stakeholders and to select the civil society representatives to the commission. It also led to the formation of a civil society action committee to ensure that a wider group of civil society organisations are able to link to the Commission. The civil society action committee is expected to act as the civil society representative body that will meet periodically with the National Commission to give/receive input, updates and coordinate support from civil society to the National Commission.

APPENDIX 2: Methodology for consultation meetings

District consultation meeting agenda

Activity	Methodology/Notes
Welcome	
Introduction to the objectives and agenda	Presentation
Introduction of participants	Self-introductions
National Commission on SALW and Civil Society	Presentation – Introduction to UN PoA – Introduce major actors in establishing the National Commission – Identified roles and responsibilities of the Commission – Importance of civil society participation in the Commission – Linking to communicate local problems from district to national level and to the National Commission – Importance of linking local issues of community safety within the National Commission action plan
Identify issues arising from proliferation of illicit arms in the district	Group activity Brainstorming session – 5 participants per group 1. Do you see evidences of proliferation and misuse of small arms in your district? 2. What impact do you see on individuals and Institutions (personal + social)? 3. What are the causes?
What are your expectations from the National Commission to address these identified issues?	Group activity Brainstorming session – 5 participants per group *Finding solutions to address the identified issues* 1. What should be the specific roles of the National Commission? 2. How it can ensure effective implementation of policies and take action to address issues on proliferation and misuse of small arms?
What is the supporting role which you/CSOs can play in this regard? What Support you/CSOs can extend towards effective operationalisation of the National Commission?	Group activity Brainstorming session – 5 participants per group *Finding space for participation and representation* 1. What are the specific roles/activities that the civil society organisations can play in order to formulate/implement a National Action Plan? 2. What support can you extend? 3. What support do you expect?
Group presentations	5 minute presentations (If there are any queries make a note on the output sheet and include in the report)
Planning for the provincial meeting – Date – List of participants	Select 2 participants from the district to represent the provincial meeting upon consensus. Suggested criteria 1. Active participants 2. Volunteers 3. Members of other national networks 4. Participants with previous experience on this issue or related issues

Provincial consultation meeting agenda

Activity	Methodology/Notes
Welcome and brief introduction to the National Commission on SALW	
Presentation of findings of the District Consultation Meetings	15–20 minute presentation
Discussion	Review findings at the district level Key questions 1. What are the gaps that need to be filled? 2. What are the common features of SALW problem in the province based on the findings at district level? 3. What are the district specific issues?
Identify district civil society representatives to participate in the national forum upon consensus	Note contact information of the selected representatives (Three–four participants)

APPENDIX 3: Bibliography

Amnesty International and Oxfam. (2003) *Shattered Lives: the case for tough international arms control*, London

Banerjee, Dipankar and Muggah H., Robert (eds.) (2002) *Small Arms and Human Security Report*, Regional Center for Strategic Studies, Small Arms Survey, Graduate Institute of Strategic Studies, Geneva.

Banerjee, D. (2000) *South Asia at Gunpoint*, RCSS, Colombo.

Centre for Monitoring Election Violence (CMEV) Reports (2001 & 2004). Centre for Monitoring Election Violence, Colombo.

Goodhand, J. & Lewer, N. (2000), 'Social Capital and the Political Economy of Violence: A Case Study of Sri Lanka', *Disasters* #24 (4).

Gunaratna, R. (2001) 'Sources of Arms Supplies to the LTTE: Successes and Failures of the Sri Lankan state in Managing the Threat' in *South Asia at Gunpoint*.

Fernando, L. (2005) *Police-Civil Relations for Good Governance. SSA*, Colombo

Police Road Map. Draft copy.

Rajasingham-Senanayake, D. (1999) 'The Dangers of Devolution: The Hidden Economies of Armed Conflict' in Robert I. Rotberg (ed.) *Creating Peace in Sri Lanka: Civil War and Reconciliation*, Washington DC: Brookings Institution Press.

Rajasingham-Senanayake, D. (2003) 'Beyond Institution and Constitution Building: Linking Post-Conflict Reconstruction and Deep Democracy' in Mayer, M., Rajasingham-Senanayake and Y. Thangarajah (eds.) *Building Local Capacities for Peace. Rethinking Conflict and Development in Sri Lanka*, MacMillan, New Delhi.

South Asia Partnership International (SAPI) (2003) *Small Arms Proliferation: A Big Problem*. Colombo.

Smith, C. (2003) *In the Shadow of a Ceasefire: The Impact of Small Arms Availability and Misuse in Sri Lanka*. Small Arms Survey, Geneva. Occasional Paper No.11.

Tambiah, S. J. (1992) *Buddhism Betrayed?: religion, politics and violence in Sri Lanka*. Chicago University Press, Chicago.

Winslow, D. & M. Woost (2004) *Economy, Culture and Civil War in Sri Lanka*. Indiana University Press, Bloomington.

UNCRD (2005) Presentation on Human Security in Sri Lanka. Held at joint UNCRD/JICA workshop, Colombo, December 2005.

Uyangoda, J. (2002) *Beyond the talks in Thailand: Towards a transformative peace in Sri Lanka. In collaboration with the Centre for Policy Alternatives*. Road Map Papers series 3.

South Asia Small Arms Network (SASA-Net) is a civil society movement contributing to the reduction of small arms and light weapons on the lives of people in the region. SASA-Net Sri Lanka aims to bring together organisations and activists from the different districts to lobby policy makers, build public awareness and share information on taking action against small arms and light weapons proliferation in Sri Lanka.

Saferworld is an independent non-governmental organisation that works with governments and civil society internationally to research, promote and implement new strategies to increase human security and prevent armed violence.

COVER PHOTO: Villagers from Selvapurnam in Jaffna. © SAFERWORLD

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ISBN 1–904833–13–6