

Small Arms and Light Weapons in the Arab Region

National and Regional Measures

Dr. Gali Oda Tealakh

Dr. Atef Odibat

Maha AlShaer

Published by

**The Regional Human Security Center at
The Jordan Institute of Diplomacy**

Amman

2002

This Publication is funded by the Government of the Netherlands

Small Arms and Light Weapons in the Arab Region National and Regional Measures

**Proceedings of the regional workshop on
"Small Arms and Light Weapons in the Arab region:
National and Regional Measures"
Held Under the Patronage of
HRH Prince El-Hassan bin Talal
May 6 – 7, 2001
Amman – Jordan**

**Organized by
The Regional Human Security Center at
The Jordan Institute of Diplomacy**

Funded by

The Government of the Netherlands

Table of Contents

	Page
Preface	8
Briefing Pape	11
<i>Ms. Lilian Peters</i>	
<i>Mr. David Jackman</i>	
Introduction	15
<i>Dr. Glenn McDonald</i>	
Opening Address	20
<i>Dr. Atef Odibat</i>	
<i>H.E. Prof. Kamel Abu Jaber</i>	
<i>H.E. Dr. Marjanne de Kwaasteniet</i>	
Small Arms and Light Weapons: Profiling the Problem	30
<i>Dr. Glenn McDonald</i>	
The UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects	45
<i>Mr. David Jackman</i>	
Small Arms and Light Weapons Control - National, Regional, and International Measures	56
<i>H.E. Dr. Abdullah Toukan</i>	

Small Arms and Light Weapons Proliferation	60
<i>Dr. Marouf Bakhit</i>	
Small Arms and Light Weapons	77
Arab Cooperation in Coordinating and Synchronizing Legislations	
<i>Prof. Mohammad Mohied-Din Awadh</i>	
Small Arms and Light Weapons	99
Arab Cooperation in Implementing Laws	
<i>Dr. Ahamd Abdal-Haleem</i>	
Practical Disarmament:	119
Small Arms and Light Weapons Collection and Destruction	
<i>Mr. Sami Faltas</i>	
The Issue of Small Arms and Light Weapons	131
Background and Address in the UN Framework	
An Egyptian Perspective	
<i>Mr. Ala' Khairat Issa</i>	
Small Arms and Light Weapons in Yemen	137
Colonel Mohamed Yahya Al Dailami	
The Phenomenon of Light Weapons Proliferation in Jordan	
	143
<i>Major General Dahir Fahad Al-Fawaz</i>	

The Phenomenon of Small Arms and Light Weapons Proliferation in the Arab Region - Commentary Notes	170
<i>H.E. Mr. Khalil Abu Hadid</i>	
Various Dimensions of the Small Arms and Light Weapons Phenomenon in Morocco	173
<i>Mr. Matoky Jamal</i>	
The Phenomenon of Small Arms and Light Weapons Proliferation in Palestine	176
<i>Mr. Khaled Kuzmar</i>	
Weapons in Yemen between the Danger of Proliferation and National Traditions	189
<i>Mr. Izz Al-Din Said Al-Asbahy</i>	
Varied Causes, the Same Death - Lebanon or the Over-Armed Society	196
<i>Mr. Fadi F. Malha</i>	
The Security, Social and Environmental Impacts of Small Arms and Light Weapons Proliferation in Western Sudan (Darfur)	201
<i>Dr. Hussein Elobeid</i>	
Workshop Program	207

Preface

The proliferation, misuse, and illicit trade in small arms and light weapons pose a major threat on human security. Thus, around half a million people are yearly killed by these weapons. In other words, around 1500 people, including women and children, are daily killed. While, small arms and light weapons are not the principal causes of wars, they undoubtedly intensify and prolong these wars.

Hence, the issue of small arms and light weapons, with its various aspects, is one that warrants immediate attention worldwide. In this regard, the United Nations held its first international conference on "The illicit trade in small arms and light weapons in all its aspects", in July 2001. The conference took place after many years of preparation. Thus, since the mid 90s several international and regional organizations drew out a number of agreements and protocols, to address and tackle the problem of small arms from various perspectives.

The timely workshop on "Small Arms and Light Weapons in the Arab Region: National and Regional Measures" is the first initiative in the Middle East to address the problem. The workshop was held during 6 – 7 May 2001, and organized by the Regional Human Security Center, at the Jordan Institute of Diplomacy (JID). Moreover, the workshop was held under the patronage of His Royal Highness Prince El-Hassan Bin Talal, and was funded by the Government of the Netherlands.

This book is the result of the proceedings of the above workshop. The order of the papers, that have been presented, corresponds with the workshop programme. These papers vary in nature, quality and style. Thus, the reader shall notice that some are academic in nature, while others are based on practical experience, and yet others are a reflection of personal viewpoints. In addition to the presented

papers, the book includes an introductory chapter by Dr. Glenn McDonald, Senior Researcher, Small Arms Survey, Switzerland. It also includes a briefing paper by Ms. Lilian Peters, Middle East International Affairs Representative, American Friends Service Committee, and Mr. David Jackman, Associate Representative, Quaker United Nations Office, New York. Here, it remains to be said that the observations and conclusions contained in this book are those of the authors, and do not necessarily reflect the views of the Regional Human Security Center, or the donors.

Moreover, this book is the first of its kind in addressing the issue of small arms and light weapons in the Middle East. While the individual papers reflect the diversity of the issue in the various Arab states, they all agree on the necessity to address and tackle the problem. The measures that have been suggested to tackle the problem include, Arab coordination, amending and enforcing the needed legislations, and raising awareness on the issue. Here, it is hoped that the issue of small arms and light weapons in our region is one that is dealt with seriously and pragmatically, and not considered a mere security or developmental jargon.

For support in the organization of the workshop, and the publication of this book, gratitude is extended to the Government of the Netherlands for their kind support and funding. Special thanks are due to H.E. Professor Kamel Abu Jaber, former President of the JID, for all his help and support throughout. Also, to H.R.H. Princess Dr. Wijdan Ali, former Vice President and Dean of Scientific Research at the JID, for her guidance and support in the early stages of the project. Thanks are also extended to Dr. Glenn McDonald, Mr. David Jackman, and the Public Relations Section at the JID, especially to Ms. Suzan Qasem. Also, to Mr. Basil al-Kayed and Mr. Mohammad Balkar. Last, but not least, special gratitude is extended to all those who presented their papers, and who have been kind enough to share

with us their views and information. As well as to all those who made the effort and took time to participate in the workshop.

Briefing Paper

Quaker United Nations Office

June 2001 No. 2/01

First Steps: Exploring Small Arms Issues in the Arab Region

Lilian Peters

Middle East International Affairs Representative

American Friends Service Committee

Amman and

David Jackman

Associate Representative

Quaker United Nations Office

New York

For observers following the small arms issue, the Middle East is a puzzling region. Admittedly, some things are clear. For example, there is no question that small arms are held and used there in great numbers. Governments rely on them for national security and civilians possess them for traditional purposes, for self-protection and, sometimes, for criminal activities. The view of Arab states toward the upcoming July 2001 UN conference on small arms¹ is equally clear. They think the conference's Program of Action should be confined to supporting member states in their efforts to strengthen controls within their borders and to exploring, but not yet negotiating, broader international agreements on marking, tracing and brokering of small arms.

¹ Its full name is the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The conference was mandated by the UN General Assembly in late 1999. The preparatory process has included three sessions in 2000 and 2001 leading to the Conference itself, July 9-20, 2001.

In other words, the Arab group places itself on the conservative side regarding global controls, and on the reticent side regarding their own internal experience with the weapons. So far, the numbers of small arms present in Arab states - whether state or civilian owned - and the impact of those weapons on countries in the region are not yet part of the international dialogue on small arms. This situation leaves many unanswered questions. Are Arab states really unified in their regional views on small arms? How do they view their internal struggle with small arms proliferation and how open are they to sharing information about it?

On May 6-7, 2001 The Regional Human Security Center, at the Jordan Institute of Diplomacy in Amman, invited governmental and non-governmental representatives to a "Regional Workshop On Small Arms In The Arab Region: National And Regional Measures." The meeting, funded in part by the Netherlands and Canada, began with a look at issues from a regional perspective and at the global effort to negotiate a comprehensive program of action at the UN conference in July.

In Amman Arab states expressed familiar positions on the UN conference. Broadly, they view it as explicitly focused on arms control with a narrow focus on illicit transfers, and they support a cautious approach that allows little opportunity to widen the conference scope to include human rights, humanitarian or development dimensions. Even technical and administrative issues such as marking, tracing and brokering of small arms receive only qualified support.

What was evident in Amman were some of the reasons behind these positions. For Arab states, the continued conflict with Israel still dominates their security picture. This means that small arms are seen as a subsidiary arms control issue, one that is attached to the dynamics of the ongoing Arab-Israeli conflict and of much less concern to regional states than controls on nuclear or major conventional weapons systems.

In general, government speakers stick to a hierarchy of security issues that puts Israel and nuclear weapons first and minimizes the effects of small arms proliferation. At present, unlike some other regions, the Arab group does not perceive its small arms problem as a humanitarian issue, nor does it view the issue as a seriously destabilizing influence. This approach side steps a deeper problem. Many Arab states may not have sufficient trust in each other to begin serious collaboration on improved policing and border controls or on the transparency that would make these improvements possible.

Perhaps the most important opening toward a new regional policy on small arms is represented by the Arab insistence that "root causes" of small arms proliferation must be addressed. For them this means dealing with the main political conflict (Israel), the main humanitarian issue (Palestinian refugees) and the poverty and underdevelopment in the region. None of these can be addressed easily, and probably any real progress on any of them will depend on an integrated solution involving all these issues. Nevertheless, the emphasis on root causes is an admission that the scope of the small arms problem does include conflict management, humanitarian and development aspects. Whether this can be fashioned into a politically operational opening, rather than a rhetorical one, is still to be seen.

The Amman workshop confirmed that some Arab states do have political and social problems connected with small arms. Most refreshingly, some government and NGO representatives offered detailed accounts of their national histories, procedures and problems regarding small arms. In doing so, they made an implicit statement about the need for greater transparency among Arab states on small arms issues. Jordan, as host of the event, was the most detailed in its diagnosis and treatment reports from a government perspective. Yemen also presented a

warts-and-all picture of the severity of its problems and its need for outside assistance. Similarly, an NGO report on western Sudan provided a candid picture of the impact of unrestricted small arms proliferation.

Looking at the destabilizing influence of conflicts across the Arab region and at the emerging presence of organized crime networks, one could easily make the case for stronger regional cooperation - if only to deal with criminality and terrorism. The conference noted the absence of this kind of border and policing cooperation and many speakers recommended first steps in collaboration and transparency.

Like the UN conference itself, the meeting in Amman is important as the first of what should be many steps in opening the small arms issue to scrutiny and international action. While it may not be reasonable to expect any comprehensive actions on small arms to be forthcoming soon in the region, there may be possibilities for fruitful exploration of particular topics, such as the reduction of surplus arms or combating criminal networks. Such meetings could be part of the follow-up process proposed in the UN Conference's action program.

Introduction

Dr. Glenn McDonald

Senior Researcher

Small Arms Survey

Switzerland

The Regional Workshop on Small Arms in the Arab Region, held in Amman, Jordan under the patronage of His Royal Highness, Prince El-Hassan Bin Talal, on 6–7 May 2001, was the first gathering within the Arab world devoted to a discussion of the small arms issue. Hosted by the Regional Human Security Center (RHSC, located at the Jordan Institute of Diplomacy), with support from the Government of the Netherlands, it brought together government and NGO officials from Arab states, along with government representatives and international experts from outside the region.

The Amman workshop came at a time of heightened international attention to and activity on the small arms issue. In July 2001, the *United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* convened after several years of preparation. This was an unprecedented high-level effort to achieve international agreement on the various dimensions of the small arms phenomenon and the measures needed to address it. The Conference concluded successfully with the adoption, by consensus, of a *Programme of Action*. Regional preparation was a crucial component of the UN Conference process. Meetings were held in the months preceding the Conference in virtually every part of the world as states attempted to reach common understandings on their approach to the Conference and to the small arms question in general.

Yet, the UN Conference was only one element of a much larger and more complex array of efforts in this area. The small arms issue emerged onto the international agenda, as a subject in its own right, in the mid-1990s. An initial concern was the use of these weapons in an upsurge of new internal conflicts in the post-Cold War period. Yet, it soon became apparent that the small arms phenomenon had many different dimensions. The first concrete steps taken, at the regional level, to address the question focused on the problem of illicit arms trafficking. The 1997 *Inter-American Convention* and the 1998 *Model Regulations*, both adopted by the Organization of American States (OAS), were designed to curb the illicit arms trade by strengthening controls over the movement of weapons. The initiatives of the European Union (EU), also begun in 1997, have tackled the issue from various angles, including the critical supply-side aspect in the form of the 1998 Code of Conduct, which governs the arms exports of EU member states. On the demand side, one can cite the moratorium on arms imports agreed by the states of West Africa in October 1998, along with a broad range of efforts conducted throughout the world to collect and destroy excess weapons, especially in post-conflict situations. Other important initiatives on small arms have been agreed in a wide range of regions and sub-regions, including southern and eastern Africa, the Pacific Islands, and the Euro-Atlantic region. As of May 2001, the Middle East was one of the few regions in the world without common initiatives on small arms. The reasons for this were discussed, with frankness, at the Amman workshop.

The first legally binding measure on small arms to be agreed at the global level, the UN *Firearms Protocol*, was opened for signature a few short weeks before the opening of the UN Small Arms Conference in New York. The Protocol, however, focuses quite narrowly on a crime and law enforcement approach to the small arms issue. The UN Conference *Programme of Action*, by contrast, captures many more of the elements that characterize the small arms phenomenon, though with

some important omissions. Notwithstanding the increasing attention paid to small arms worldwide, the problem, in its various dimensions, remains acute. Recent research has highlighted the vast numbers of weapons in circulation, the many paths they take to illicit markets and uses, and the broad range of harmful impacts they have, especially in human terms.²

Discussion at the Amman workshop illustrated both the complexity of the small arms question and the diversity of the Arab experience with these weapons. As reflected in several of the presentations, small arms proliferation appears most acute in countries emerging from or still prey to armed conflict, such as Sudan and Yemen. National papers presented at the workshop from the representatives of such countries as Morocco, Syria, and Tunisia stressed that small arms were not a concern—at the national level—thanks to strict regulation of their possession, use and movement. Other countries, especially host country Jordan, presented a more varied picture of their experience with small arms. In fact, many of the elements highlighted in the Jordanian presentations appeared relevant to the broader Arab world. These included the tension between the modern state and traditional forms of social organization, between the rule of law and private justice. The need for Arab states to cooperate on certain facets of the small arms issue (e.g. illicit trafficking) was another key theme of the workshop presentations, whatever the situation at the national level, as was the critical need for peace.

As the rest of this book shows, there were many points of agreement at the workshop. The need to address "root causes" was undoubtedly among the most prominent. Meeting participants were quick to point to the ongoing Arab-Israeli conflict, coupled with Israel's possession of weapons of mass destruction and

²Small Arms Survey, *Small Arms Survey 2001: Profiling the Problem* and *Small Arms Survey 2002: Counting the Human Cost* (Oxford: Oxford University Press, 2001 and 2002).

overwhelming military advantage, as road blocks to a complete resolution of the small arms issue at the national and regional levels. Other "root causes" of small arms proliferation that were identified by participants included poverty, underdevelopment and the weakness of state authority in some parts of the Arab region. Despite these constraints, however, there was consensus in Amman that the small arms issue could and should be tackled independently, at the national and regional levels. It was a subject with its own significance, centered on the individual and the concept of human security.

At the national level, Arab country participants were unanimous in stressing the importance of strong regulation in minimizing problems with these weapons. The strict regulation of civilian possession and use was clearly essential, participants agreed. So too the rigorous control of the movement of small arms, including import and export, as well as storage. Another important national measure highlighted by participants was education. Awareness raising on the dangers of firearms— for example, through media campaigns—was identified as a key instrument for altering cultures of violence.

Looking to the regional level, there was broad recognition that coordination and cooperation among Arab states were crucial components of effective action on small arms. Chief among the areas of concern was the illicit trade in small arms. Measures proposed by participants designed to tackle this problem included enhanced border controls, cooperation between law enforcement agencies, and common measures aimed at combating illicit arms brokering. The importance of information exchange, at least in the area of illicit small arms (e.g., information on customs seizures), was also emphasized by most participants, though there was widespread skepticism and suspicion of broader transparency measures that would involve disclosing information on legal weapons (production, exports, stockpiles).

Another point emerging from the discussion in Amman was the need to increase state capacity in many of the areas highlighted for attention. Participants emphasized the need to break out of the vicious circle of underdevelopment, which typically exacerbates small arms problems and, in turn, renders appropriate action more difficult given the scarcity of available resources.

This brief review of the proceedings gives some sense of the scope and quality of the discussion in Amman. The papers, which form the bulk of this publication, provide the details. The historical significance of the meeting cannot be overstated. The Amman workshop constituted a key first step in the process of grappling with the small arms phenomenon in the Arab region. Unfortunately, the complexity of the task—already inherent to the issue itself—is amplified by the persistence of political conflict within the region, especially that involving Israel. Yet, these difficulties have not deterred Arab states from engaging with the small arms issue. A crucial second step along these lines came in July 2001—just two months after the Amman workshop—with the adoption by the UN Small Arms Conference of the *Programme of Action*. This document, agreed by all participants including Arab states, constitutes the first global framework to guide the work of national governments, regional and international organizations, and civil society in combating the illicit small arms trade in all its aspects. The dialogue begun in Amman offers an invaluable source of practical ideas and proposals for moving forward with the implementation of the *Programme of Action* and, in turn, enhancing human security across the Arab region.

Opening Address

Dr. Atef Odibat

Director

Regional Human Security Center at

The Jordan Institute of Diplomacy

In The Name of Allah, The Most Beneficent, The Most Merciful.

Excellencies

Ladies and Gentlemen

Before I present to you Dr. Kamel Abu Jaber, the President of the Jordan Institute of Diplomacy, I wish to welcome you all, and to wish you a pleasant stay.

The Regional Human Security Center, the organizer of this workshop was established at the Jordan Institute of Diplomacy last year, with the support of the Canadian government. The center, which is the first of its kind in the world, aims to address the various issues that threaten human security in order to bring the attention of national, regional and international interests to these issues. The center has also carried out a number of unique national and regional activities. The brochures that were distributed to you earlier further explain the nature of these activities.

This workshop, which is honored, to be held under the patronage of His Royal Highness, Prince El-Hassan bin Talal, is carried out with support from the government of the Netherlands. Moreover, the importance of the workshop lies in the fact that it is the first of its kind in the Arab region. Also, in the fact that it

tackles highly sensitive issues, as the issue of small arms and light weapons represents a great danger to people all over the world in general, and in this region in particular. Furthermore, the UN statistics reveal that more than half a million people are killed by small arms and light weapons annually. This indicates that around 1500 people including children, women, and elders are killed daily. Thus, we may consider small arms and light weapons to be the real weapons of mass destruction today.

There is a lot of hope that this workshop will generate ideas, views, and suggestions for appropriate measures to be undertaken in order to limit the proliferation and misuse of small arms and light weapons. Also, due to its innovation, the recommendations of this workshop will be of interest to the Third Ministerial meeting of the human security network, which is to be held in a few days time in Petra - Jordan. As well, these recommendations will be of interest to the up-coming UN conference on illicit trade of small arms and light weapons, to be held in New York in July of this year.

It gives me great pleasure to present to you his Excellency Dr. Kamel Abu Jaber, the President of the Jordan Institute of Diplomacy.

Opening Address

H.E. Prof. Kamel Abu Jaber
President
Jordan Institute of Diplomacy

In the name of Allah, The Most Beneficent, The Most Merciful.

I would like to welcome you all at the Jordan Institute of Diplomacy, where the Board of Trustees is presided by His Royal Highness Prince El-Hassan Bin Talal. On your behalf and mine, I extend my sincere thanks and gratitude to His Royal Highness Prince El-Hassan Bin Talal, for his patronage of this workshop. Also, I am honored to convey to you the greeting of His Royal Highness, and who wishes this workshop all success.

Gratitude is extended to the Government of the Netherlands for the support and funding it has provided. Special thanks are due for Her Excellency the Ambassador of the Netherlands, Dr. Marjan de Kwaasteniet, for all her sincere efforts in making this workshop possible.

This workshop is part of the activities of the Regional Center for Human Security at the Jordanian Institute of Diplomacy. The center is supported by the Canadian Government, and the Jordanian Ministry of Foreign Affairs, which is also a member of the center's consultative council.

I would also like to extend my thanks to his Excellency Mr. Aqel Beltajy, Minister of Tourism and Antiquities, Professor Waleed Al-Maany, President of the University of Jordan, and Major General Dhahir Al-Fawaz, the Director of Public Security

Department for all their efforts, and participation in this workshop. Last but not least, I extend my thanks to our kind guests for taking time to participate in this workshop, and I welcome you all to Jordan, your second homeland.

I am grateful for the security and safety, which Jordan enjoys, under the leadership of His Majesty King Abdullah II, who works day and night to realize stability through political, economic and social development.

Please allow me to share with you some ideas, pertaining to the background for our workshop. Since its establishment, Jordan believed, that justice is the basis of governance, and that it is closely linked to security. It also believed that security could not be achieved, unless it adopted the balance of justice. This would be realized through natural and human resources development, based on building civil societies and a state of law.

Moreover, Jordan has acknowledged the link between political, economical, and social openness and stability and security. Thus, Jordan has made serious efforts to remote itself from violence, and adopt the principles of dialogue and persuasion instead. This has made it possible to contain any opposition, and to rehabilitate it. Furthermore, mediation, and rational judgment has always been significant in the Jordanian system.

Hence, political, economical, and social thoughts were adapted to the needs of society and not the other way round.

Selectivity is choosing the best between two or more options, and resorting to reason to manage life and its affairs, without abandoning spiritual or social values. Thus, modernity and tradition have been combined in reach of a state of social peace.

Jordan today, as most modern Arab countries, is the heir of a set of political and social heritage. It is also working hard, to adopt a new political culture instead of the one which was prevalent in the past centuries, and where many Arab societies no longer governed themselves. During those times, the state was alienated, and did not intervene in the affairs of its subjects, except in rare occasions to preserve peace and stability. In those occasions, the state was represented by guards and tax collectors who depended on sticks and bars.

In such circumstances, and in the absence of security, local proverbs that further promote the carrying of weapons became popular. Also, a sense of proud feeling in carrying weapons grew, not only as a mean for personal security, but also as fundamental to one's identity and manhood of identity. Thus, it was considered shameful in our society, if a man did not carry a weapon.

Some people might argue that weapons by themselves are harmless, and are merely pieces of metal. Also, that the blame should be on the intention of the person who carries weapons and uses them. Such an argument, hides the fact that carrying a weapon may give a feeling of superiority to some people of a certain age group. Thus, to these people using a weapon becomes natural and familiar, and even something that is expected of them. In addition, the availability of weapons leads to committing of crimes.

Jordan today is undergoing a transitional phase, which is a difficult one. Thus, if we take a closer look at the internal and external challenges, and at the time factor. We find that change is taking place in an extremely short period of time, which explains the existence of the primitive along side with the modern at the same place and time.

It is common knowledge that carrying weapons contradicts the simplest concepts of civil society, where justice is realized through the civil law. If such contradictions are present in our society today, we have to be patient and work seriously towards the prevalence of the culture of civil societies. This would be done through dialogue, education and setting good examples.

The prevalence of civil societies means that the law rules, and security is realized through resorting to the law. Also, where no one is permitted to take the law in his own hands irrelevant of his status or rank. Moreover, justice that used to be realized in many Arab societies by means other than the law, became possible today through the principle that everybody stands equal before the law. Also, the state which has been alienated in the past, became the primary factor behind the society's development and well being, and improvement in its living conditions.

Here, it is worthwhile to mention that since the 80s, Jordan has stood in support of serious International attempts to redefine the concept of security. Thus, security is to be extended from mere military security and the protection of borders externally, and police security internally to cover security with all its human aspects, a security that guarantees the individual's right to freedom from fear and freedom from want. Furthermore, Jordan supported the U.N General Assembly's adoption of the International Human System during the 80s. It also contributed to the success of the International Criminal Court project, and in formulating its charter during the 90s.

As can be seen, such initiatives arise from Jordan's attempts to set the bases for good citizenship within the establishments of the state of law.

Opening Address

H.E. Dr. Marjanne de Kwaasteniet
Ambassador of the Netherlands to Jordan

Excellencies

Ladies and Gentlemen

It's a great honor to address you this morning. May I thank first of all Dr. Kamel Abu Jaber, who realized that Jordan can play a role in raising awareness on the problem of small arms in the Arab region, and who made available the facility of the Jordan Institute of Diplomacy to make this regional workshop possible. I also want to thank Dr. Odibat, the Director of the Regional Centre for Human Security, who developed the program of the workshop, and invested a lot of energy in getting everyone here today. I'm very pleased to address an audience composed of so many national experts on small arms and light weapons.

Less than 10 weeks from now, the UN conference on small arms will take place in New York. Certainly this event will play an important role in pushing the agenda of small arms and light weapons further. However, global action needs to go hand in hand with national and regional action, and it is my hope that this meeting contributes to the development of regional action proposals to tackle small arms and light weapons in the Middle East. The overall spread of small arms and light weapons nowadays poses one of the biggest threats to human security. Not only does the availability, and misuse of small arms and light weapons allow interstate wars, and violent conflicts to go on for almost indefinitely. It also endangers a state's prospects for long-term political, economic and social development.

We certainly all agree that there are far too many small arms in the world, estimates show a number of 550 million firearms, and this number does not include illegal firearms that are circulated in our world. As well, the number of small arms products and producers both legal and illegal is still growing. We also all agree that small arms cause far too many deaths in the world. Each year at least 500 thousands people are killed by small arms in interstate wars, and internal conflicts, in criminal fights or as a result of terror, as victims of homicide, suicide or acts of violence. Despite that the range of the causes of deaths shows that the problem of small arms is very complex, and it needs to be addressed in a comprehensive way. Small arms are a fact of life, and so is the legitimate right of states to defend their freedom, and of individuals to live without fear, but this double utility of small arms has far reaching consequences. Not only there is need to prevent and fight the illegal flow of arms, also the possession of legally held small arms need to be regulated in order to prevent small arms becoming illegal. To that end a wide range of measures need to be developed and adopted.

It is only recently that the issue of small arms has emerged on the international agendas, but numerous initiatives on the national, regional and international levels have been undertaken in the past few years. Many states have revised the national legislation, or introduced new laws to regulate the possession and transfer of small arms. It is amazing to see how many national, and regional organizations have developed legal or political frameworks to combine efforts in order to prevent, and fight the uncontrolled spread and misuse of small arms. Let me just mention a few here. In 1997, the organization of American States adopted a convention against the illicit manufacturing, and trafficking of firearms. The member states of the European Union adopted in 1997 a program on illicit trafficking, and in 1998 a code of conduct on arms export. Also, in 1998 the South African Development Community endorsed a regional program on small arms, and the Economic

Community of the West African States agreed on a moratorium for small arms. As well, last year witnessed three initiatives: First the Nairobi declaration, for the countries in East Africa and the horn of Africa, secondly the OSCE document on small arms, and thirdly the Bamako declaration of the organization of African states. More importantly, these initiatives clearly show that the prevention of, and the fight against the uncontrolled threats and accumulation of small arms, is being seen as the responsibility of every country of the world.

The agreements mentioned above include both, countries that produce and export small arms, and countries that are heavily affected by small arms. As a logical and complementary development, global awareness is raised as well. In July, the United Nations will hold its first conference on small arms. This conference aims at adopting a program of action, which will serve as a basis for further action on a national, regional, and international level. It is however reported that all initiatives, whether undertaken at a national, regional or international level enhance each other. Sometimes, the international action is needed to tackle the multi-faceted problem of small arms and light weapons. Sometimes, regional action might be the preferred way to effectively address the problem of small arms and light weapons. We are gathered here in order to explore ideas for such regional measures, and to put our hands together in order to start developing a regional approach to the problem of small arms and light weapons in the Middle East.

Small Arms and Light Weapons: Profiling the Problem

Dr. Glenn McDonald

Senior Researcher

Small Arms Survey

Switzerland

Introduction

The Small Arms Survey is an independent research project located at the Graduate Institute of International Studies in Geneva, Switzerland. It was established in 1999 with the financial support of the Swiss government. Additional funding is currently received from Belgium, Canada, Denmark, Ireland, the Netherlands, Norway, Sweden, and the United Kingdom. The French government is also providing funds to translate the first edition of the yearbook into French. The Survey aims to serve as the principal source of public information on all aspects of small arms – acting as a resource centre for governments, policy-makers, researchers, and activists. The Survey also sponsors a wide range of field research and information-gathering efforts, especially in affected states and regions. The project has an international staff, based in Geneva, who work closely with a worldwide network of field researchers and partner institutions. It is, in short, a collaborative project of the small arms research community.

Our principal research product is a yearly publication, like the project called the *Small Arms Survey*. The first edition is being published by Oxford University Press as we speak. In this first yearbook, subtitled *Profiling the Problem*, we seek to present the current state of knowledge on several key aspects of the small arms issue. While we have also sought, through primary research and analysis, to fill a

few important gaps in our collective knowledge, the first edition of the *Survey* raises as many questions as it answers. Future editions will be devoted to addressing them.

We start the first edition of the *Small Arms Survey* with the question of small arms production, then move to stockpiles. We deal with the small arms trade in three separate chapters, on brokering, legal transfers, and illicit transfers. We then turn to the crucial question of effects, before concluding with a review of multilateral measures designed to combat small arms. There is a lot of information in our first yearbook, but here I shall present only our main findings.

The definition of small arms and light weapons used by the *Small Arms Survey* encompasses both military-style weapons (for example, assault rifles) and commercial firearms (for example, handguns). It follows, in other words, the definition set out in the 1997 *Report of the Panel of Governmental Experts on Small Arms* (UN document A/52/298, 27 August 1997):

- *Small arms*: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns, and light machine guns.
- *Light weapons*: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank and anti-aircraft guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missile systems, and mortars of less than 100mm calibre.

Production

Turning first to the question of global production. New production is the second component of global small arms supply, the first being the re-circulation of existing stocks and the sale of surplus weapons.

We estimate the total value of small arms production, including ammunition, to be at least USD 4 billion worldwide for the year 2000. Over half of this total, USD 2.6 billion is small arms ammunition. In terms of volume, our figures indicate that some 4.3 million new small arms were produced in 2000 (approximately 3.5 million in the US and the rest from producers in Europe, the Russian Federation, and other countries). Yet, these figures may well underestimate the size of the industry given the current lack of detailed information about such major producing countries as Russia and China.

It is interesting to note that the figure of 4.3 million new small arms for 2000 represents a decline of some 30 percent from the annual average of 6.3 million during the period 1980-1998. This decline in production has, however, been accompanied by the ever-widening distribution of production. Small arms is now, by far, the most widely distributed sector of the global defence industry. The number of companies producing small arms has more than tripled – from just under 200 in the 1980s to approximately 600 today. This production is occurring in at least 95 countries, including an increasing number of developing countries. Licensed production, especially in developing countries, is another important feature of this industry.

Of course, small arms production includes not only legal production, but also the illicit kind. Illicit small arms production takes place in many countries, in both the North and the South, whether in the form of small private workshops or larger

production lines. It is impossible at present to assess the total value and volume of this production. The information is simply not available.

Generally, we lack the kind of detailed and reliable information, which would allow us to assess the size and economic significance of global small arms production (both legal and illicit) with complete confidence. At present, the US is the only country that provides detailed statistics on the value and volume of its production of small arms and ammunition. We think our estimates are good, yet they remain estimates, subject to future refinement. This is true throughout the yearbook. In improving our understanding of the small arms problem over the coming years – not only in the area of production – greater transparency will be essential. By this I mean more information – detailed, reliable information – from government and industry sources.

To conclude on the issue of production, it is clear, despite the limits of the data, that the availability of small arms and light weapons remains very high – thanks in large part to new production. The industry has become increasingly competitive, with an expanding number of suppliers, resulting in lower prices for many weapons. At the same time, demand for new small arms from governments and non-state actors persists. It is now easier to obtain these weapons than ever before.

Global Stockpiles

The task we set ourselves in chapter 2 of the *Survey* was to estimate the global stockpile of small arms. Basically, we wanted to interrogate the figure of 500

million small arms (or firearms) that has circulated in several fora, including the UN, over the past several years.

One caveat. The chapter only looks at firearms (handguns, rifles, shotguns, machine guns). In subsequent editions of the *Survey*, we hope to expand our enquiry to look at other types of small arms and light weapons, such as mortars and rocket launchers.

Our research indicates that there are at least 550 million firearms worldwide. This figure excludes illegal private gun ownership, which we cannot currently estimate. For other types of ownership – we have four categories – the breakdown looks like this:

police:

own 3.3 % of the total
government armed forces:

41.1%
private legally owned:

55.4%
insurgents and non-state forces:

0.2%

Perhaps the most interesting figure here, right after the relatively small proportion of firearms owned by the police, is the tiny share held by insurgent forces. The enormous havoc rebel factions can wreak upon life, welfare, and political stability does not require large weapons holdings; we estimate the number of firearms under their control at approximately 910,000 (only 0.2 percent of the total).

I will not try to explain here how we reached our estimates. In the relative absence of hard data, we basically extrapolated, globally, from specific cases for which we had good information (for example Canada). Each of the four categories of ownership mentioned above presented its unique statistical problems, yet in all cases a conservative approach was taken. Total global firearms holdings (legal holdings) are probably well in excess of our current, minimum estimate of 550 million.

With at least 230 million firearms all told, the US has the world's largest known firearms stockpile (almost half the total). It appears that some 98 percent of these are privately owned. Complete firearms statistics are currently available for only a handful of countries, including – besides the US – Argentina, New Zealand, and the UK. While the proportion of the population owning guns is much lower in the latter three countries than it is in the US, it turns out, in every case – including the quite modestly armed UK – that official guns are massively outnumbered by those in civilian possession. Note that these figures, in contrast to the global figures given earlier, involve some attempt to estimate numbers of illegal firearms.

Brokers and Transport Agents

Chapter 3 looks at the role played by brokers and transport agents in the illicit arms trade. These are two types of intermediaries who help bring small arms suppliers and users together. Note that we have focused only on the illicit arms trade (the grey and black markets). Brokers obviously play a perfectly legitimate role in the *legal* arms trade.

Section one of this chapter examines the various actors and activities involved in illicit arms brokering. A distinction is made between dealers, who primarily purchase weapons for resale, and brokers, who mainly facilitate and negotiate weapons deals and organize the needed transport and financial services. Transport agents, the subject of the second section of the chapter (freight forwarders, charter companies, etc.) are usually distinct actors with a crucial role in the clandestine transport of arms.

Our research shows that a great many illicit arms transfers begin as legal, or apparently legal, transactions that are subsequently diverted to illicit end-users or uses. It is also clear, in many cases, that arms brokers and transport agents cannot operate, even in the *illicit trade*, without some degree of official government support.

Brokers and transport agents also benefit from the advantages of globalization. The privatization of many defence industries, advances in communications technology, and the rapid growth of transnational business, financial, and transport networks have all facilitated their activities. At the same time, with their involvement in both commodities (diamonds, for example) and weapons deals, brokers fuel the "globalization of the war economy" – linking international markets to warring parties.

Part of the chapter on brokers is also devoted to a brief review of national controls and current international initiatives in this area. Our research points to the following. At the national level, although most countries have laws governing the arms trade, very few of these laws adequately cover the services provided by brokers and transport agents – who, of course, exploit these loopholes. At the international level, co-operation between states to control illicit arms brokering is still in its earliest stages. Nevertheless, effective collaboration among states is crucial given the transnational nature of these activities.

Legal Transfers

Chapter 4 looks at the *legal* trade in small arms and light weapons. We estimate this trade, worldwide, at between USD 4 – 6 billion annually. This represents at least 80 to 90 percent of the total trade in these weapons, including its illicit component. While it is the illicit trade, more than any other part of the global arms business, that spawns and exacerbates civil conflict, corruption, crime, and random violence, the legal trade remains an important part of the small arms problem.

Legal transfers often contribute to destabilizing accumulations of small arms and feed into the black market – whether by adding to insecure stockpiles (a primary source of illegal weapons) or, more generally, by altering local market conditions: increasing supply, driving down prices. An additional problem is the legal transfer of small arms to zones of conflict, or to countries which have a record of diverting arms to the illicit trade. Unless appropriate controls are in place, small arms exports often wind up in the hands of unintended and undesirable end-users.

Of the 60 countries known to be legally exporting small arms, we have identified the top exporters, in order, as: the US, Germany, Brazil, and the Russian Federation. Virtually all countries in the world import small arms.

The task of assessing the global, legal small arms trade has been made much easier by the increasing number of countries which produce annual arms export reports, containing comprehensive data on the value and, in some cases, volume of exports to specific countries. Some countries also provide information on arms transfers as part of their national customs data. All together, nearly 30 countries provide public information on their arms exports. Nevertheless, data on *small arms* exports, especially quantities, remains quite rare. At the same time, there is a lack of uniformity in reporting standards, which prevents us from getting a clear picture of the legal small arms trade. Improved transparency on arms exports will be essential to efforts to tackle the small arms problem.

Illicit Transfers

In chapter 5 of the *Survey*, we shift our focus from the legal to the illicit trade. We use the word "illicit" as a general term to cover both the grey and black markets. "Grey market" transfers are typically conducted by governments or government agents. They tend to be covert as they strain the bounds of national or international law and policy. "Black market" transfers occur without government consent or control, though corrupt government officials may be involved in these transactions for reasons of personal profit. Here the violation of national or international law is clear.

Though the two markets are often difficult to untangle, our research indicates that the grey market is generally much larger, both in terms of value and volume. Covert, grey market activity tends to involve the supply of small arms to non-state actors (rebel and insurgent groups) in regions of conflict. While less common now than during the Cold War period, grey market transfers continue to occur. Today, especially in Eastern European and Commonwealth of Independent States (CIS) countries, suppliers' underlying motivations are more often financial and commercial than ideological. The evidence we have gathered suggests that the black market, as a rule, depending on the region, is much smaller than the grey market. Recipients of black market arms tend to be individuals and criminal groups.

While, as I indicated a bit earlier, the illicit small arms trade appears to constitute only a small portion of the total trade – our best estimate is 10 to 20 percent of the total – it is clear that it disproportionately fuels crime, civil conflict, and corruption.

Besides trying to ascertain the broad patterns and characteristics of the illicit small arms trade, we devote considerable space in chapter 5 of the *Survey* to a series of regional and country studies. The focus here is on conflict zones as we attempt to identify the most common sources, suppliers, and recipients of illicit small arms. I would refer you to the yearbook for the details.

Effects

Chapter 6 of the yearbook deals with the question of effects. There is a growing awareness that small arms pose a serious risk to human security. Which is to say

that the study of the effects of small arms is expanding beyond a narrow military or law enforcement perspective to one that is multi-faceted and focused on individuals and communities. The effects of small arms availability are wide-ranging. We seek to illustrate this in the yearbook by incorporating the latest findings from a broad variety of perspectives – including public health, criminology, and development.

The chapter on effects seeks to answer two main questions: first, what is the relationship between the high availability of small arms and use? second, what are the *direct* and *indirect* effects of small arms on individuals, communities, and states in the North and the South?

In answering the first question (the potential correlation between availability and use), the chapter looks at everything from the impact of small arms on public health to the implications of their proliferation for international humanitarian law and social and economic development. Taken as a whole, this broad, often disparate, literature appears to confirm that there is a relationship between availability and use – more specifically, at a minimum, that small arms proliferation exacerbates conflict and crime. That said, it is clear that cultural and political institutions also condition the extent to which these arms are used in acts of violence. Seriously affected states include such extreme cases as Somalia and Albania (situations of state collapse) and also, it seems, the US, where a number of prominent researchers have identified a positive correlation between the rate of firearms ownership and the incidence of homicide and suicide – though the debate on this continues to rage.

With respect to the second question posed in the chapter – the direct and indirect effects of small arms – it is evident that the human cost stands out. Direct, human

costs include homicide and suicide, accounting for at least 200,000 deaths per year in countries at peace. In societies affected by armed conflict, we estimate that small arms claim the lives of 300,000 civilians, *each year*. Millions more are injured, maimed, and terrorized.

These are the direct effects of small arms. Their indirect effects are multiple and more difficult to measure with precision. First, gun violence is now widely recognized as a problem of public health. The costs of firearms injury are extremely high and consume valuable, often scarce, national resources. For example, it has been estimated that in Canada the injury bill for firearms is the equivalent of USD 640 per person per year. In the South, countries such as Brazil and Colombia appear to be losing anywhere from 10 to 25 percent of their annual GDP due to the financial costs of gun violence.

Increased incidence of crime is another indirect effect of small arms proliferation. Coupled with economic exclusion and underdevelopment, gun availability has prompted many youths, and also ex-combatants, to turn to crime as a means of securing or advancing their livelihoods. The chapter also reviews the important impacts small arms have in humanitarian or human rights frameworks. These include the phenomena of internal and cross-border displacement, the militarization of refugee camps, and child soldiers. From a development perspective, small arms reduce access to and use of health and education facilities, as well as foreign direct investment and agricultural output. These are the *macro impacts*. At the *micro level*, small arms distort household decision-making, migration patterns, local investment and spending, and social cohesion.

The effects chapter of the *Survey* should, in no way, be taken as the last word on its subject. Limitations in existing theory and data, along with space constraints,

have precluded much more than a review of the current state of knowledge in this area. We hope, however, in future editions of the *Survey*, to develop and refine various perspectives on the issue, and to introduce new techniques to assess small arms impacts. We still have a long ways to go to capture the full range of effects induced by the widespread availability of small arms.

Multilateral Measures

The last chapter of the yearbook reviews the wide range of multilateral initiatives taken, since the mid-1990s, for the purpose of tackling the small arms problem. This activity, occurring at the sub regional, regional, and global levels, is accelerating in advance of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, scheduled for July.

A wide range of actors is involved: intergovernmental organizations, the UN system as a whole, NGOs, civil society, concerned governments, and coalitions between these.

The measures covered in the measures chapter include:

- the OAS firearms instruments (the *Inter-American Convention* and the *Model Regulations*);
- the West African Moratorium;
- the latest initiatives in southern and eastern Africa;
- EU measures;
- recent OSCE initiatives (including the *OSCE Document on Small Arms and Light Weapons* agreed in November 2000);

- the UN *Firearms Protocol* (though, given our publishing schedule, we were not able to incorporate discussion of the final text agreed in early March); and
- the July 2001 UN Conference.

Despite the increasing level of activity on small arms issues, few concrete, practical measures have been developed to date. Those, which have been finalized, are not yet fully operational. This prevented us from conducting any analysis of "best practice" in this year's edition of the *Survey*. Nevertheless, we were able to say a few things about the basic design and conditions of implementation of small arms measures. First, implementation mechanisms must be viable and practical. It is important to involve, in their design, those operational agencies that will eventually be responsible for implementation on the ground. Second, the shortfalls in human and material resources that prevent many countries of the South from fully implementing small arms measures need to be addressed. (This is a problem with the OAS instruments.) Finally, there is the need for uniform political commitment and conditions of relative peace in regions wanting to overcome a problem of small arms proliferation.

There are important gaps in the approaches taken so far to the small arms issue. As I hope I have shown so far – as reflected throughout the first edition of the *Survey* – the issue is broad, encompassing international security, disarmament, developmental, and humanitarian aspects. Yet, there has been an emphasis to date – especially in the more practical initiatives, such as the OAS instruments and the *Firearms Protocol* – on the law enforcement approach to the problem, focusing solely on transnational crime and international arms trafficking. Whatever the specific outcomes of the July UN Conference, it offers a rare opportunity to articulate, in one form or another, the complete small arms agenda.

The multilateral small arms process, with its different levels, actors, and approaches, is clearly in its infancy. Much remains to be done, although, as illustrated in this year's *Survey*, significant progress has already been achieved. The road ahead is long, but the first steps have now been taken – including, I would add, this important workshop.

The UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Mr. David Jackman

Middle East Associate Representative

Quaker United Nations Office

New York

Is this a global issue?

Why is the United Nations taking action against these weapons?

Virtually every part of the UN system is dealing with the direct and indirect consequences of recent armed conflicts fought mostly with these weapons. Small arms and light weapons are increasingly used as primary instruments of violence in the internal conflicts dealt with by the UN, they are responsible for large numbers of deaths and the displacement of citizens around the world, and they consume large amounts of United Nations resources. Many of these conflicts have inflicted heavy casualties on the people involved, the vast majority of whom have been civilians, mostly women and children.

The excessive and destabilizing accumulation and transfer of small arms and light weapons is closely related to the increased incidence of internal conflicts and high levels of crime and violence. It is, therefore, an issue of legitimate concern for the international community.

The easy availability of small arms and light weapons has led to the targeting of UN peacekeeping and humanitarian field staff as well as its non-governmental partners on the ground.

- “Blue Helmet” peacekeepers are unable to completely disarm warring factions because these groups sometimes hide their best weapons or only turn in old, unusable ones, as “insurance” if hostilities resume.
- The UN’s development projects and those of donor countries are damaged if not destroyed when groups carrying these weapons ransack towns and villages.
- Peace negotiators and mediators are obliged to return to the negotiating table because one or more factions decide that they can get more on the battlefield than they can at the negotiating table.
- Refugees under the UN’s protection are sometimes moved and controlled by armed groups; children are victims and also enslaved into being combatants and porters by warring factions.
- Humanitarian aid delivered by the UN is often commandeered or controlled by armed gangs.
- The arms embargoes imposed by the UN Security Council are increasingly violated due to the illicit trafficking of small arms and light weapons.

Since the mid-1990s the United Nations has placed the issue of small arms and light weapons firmly on the international political agenda. The UN has promoted awareness of the problems posed by these weapons. It established a number of expert groups — notably the Panel of Governmental Experts on Small Arms [A/52/298], the Group of Governmental Experts on Small Arms [A/54/258], and the Group of Experts on the problem of ammunition and Explosives [A/54/155] to study the nature and causes of such accumulations and transfers of small arms and light weapons and to recommend ways and means to prevent and reduce them. States, regional organizations and nongovernmental groups refer to these reports extensively.

The UN has also dealt with small arms in the context of other issues such as the protection of civilians in armed conflict, the role of the Security Council in the prevention of armed conflicts, children and armed conflict, and disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.

In the field, the UN has been involved in collecting and destroying weapons in a number of its peacekeeping operations. It has also conducted a "weapons for development" pilot project in Albania, collecting weapons from civil society in exchange for community-level development incentives such as roads and bridges.

The Secretary-General of the United Nations has taken a personal interest in the small arms issue. In his Millennium Report, the Secretary-General noted that controlling the proliferation of illicit weapons is a necessary first step towards the non-proliferation of small arms. He maintained that small arms and light weapons must be brought under the control of states, and states must be held accountable for their transfer. As the international community prepares for the 2001 Conference, a milestone in the UN's history and the first major UN disarmament conference since 1987, the Secretary-General has urged Member States to take advantage of the Conference "to start taking serious actions that will curtail the illicit traffic in small arms"

How can small arms be controlled?

This is a difficult question. Unlike nuclear, chemical and biological weapons, there are no agreed international norms and standards dealing directly with small arms and light weapons. At the same time, many of the over 100 States which do not export these weapons rely on them for their legitimate national and collective defense and internal security needs. States uphold the right of individual and

collective self-defense, as recognized in Article 51 of the Charter of the United Nations, and the legitimate security demands of all countries. It is also generally recognized that small arms are traded globally for legitimate security and commercial considerations.

Therefore to ban small arms and light weapons as the international community has done in the case of anti-personnel mines (the Ottawa Convention) would be a difficult if not impossible task. Other global measures to combat the excessive and destabilizing accumulation of small arms and light weapons must be identified. That is one of the reasons why the General Assembly decided in December 1999 to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects [A/RES/54/54V] in June/July 2001. The Assembly established a Preparatory Committee and requested it to recommend to the Conference a draft final document which will include a program of action.

What is the 2001 Conference about?

The Conference will focus on the "Illicit Trade in Small Arms and Light Weapons in All Its Aspects" as its title indicates. The Report of the UN Group of Governmental Experts on Small Arms [A/54/258], issued in September 1999, provides further clarification of what may be discussed by the Conference. The Group of Experts recommended that "The primary focus of attention should be on small arms and light weapons that are manufactured to military specifications. Other types of firearms used in conflicts may, however, also have to be considered in dealing with the problems in the most affected regions of the world. In this overall context, ammunition should also be considered".

The “objective” of the Conference is one of the issues to be discussed by the Preparatory Committee.

In the report of the Group of Governmental Experts on Small Arms, it was recommended that the objective of the Conference should be to develop and strengthen international efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. To this end, the Group recommended that the aims of the Conference should be to:

- Strengthen or develop norms at the global, regional and national levels that would reinforce and further coordinate efforts to prevent and combat the illicit trade in small arms and light weapons in all its aspects.
- Develop agreed international measures to prevent and combat illicit arms trafficking in and manufacturing of small arms and light weapons and to reduce excessive and destabilizing accumulations and transfers of such weapons throughout the world, with particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the proliferation of small arms and light weapons have to be dealt with urgently.
- Mobilize the political will throughout the international community to prevent and combat illicit transfers and manufacturing of small arms and light weapons in all their aspects, and raise awareness of the character and seriousness of the interrelated problems associated with illicit trafficking in and manufacture of small arms and light weapons and the excessive and destabilizing accumulation spread of these weapons.
- Promote responsibility by States with regard to the export; import; transit and retransfer of small arms and light weapons.

Final Summary for March Preparatory Committee
March 19-30, 2001, UN Headquarters, New York

This was the third and final round of negotiations on preparations for this UN conference, the first attempt by UN member states to address this crucial humanitarian and development issue. Despite generally substantive debate, there was a disappointing lack of urgency to the negotiations, which struggled along at a slow pace for much of the two-week meeting. The PrepCom did not reach any conclusive decision on the Draft Programme of Action to be recommended to the July Conference for final negotiation and adoption.

The draft text under discussion during this third session differed substantially from the first draft, issued at the second session of the PrepCom in January 2001. Many feel that this second draft has been greatly watered down. Delegates expressed general appreciation for a simpler, but comprehensive and balanced document. The main tension of the negotiations at the third session was between progressive governments seeking to introduce much of the language that had been removed, and other member states who felt that the current draft is a much simpler, workable document and wished to negotiate few changes to it.

The process of the negotiations was muddled, with two readings of the Draft Program of Action and several nighttime negotiating sessions in the second week. No final decision on amendments, deletions or insertions of new text was taken. This means that there will be a lengthy period of (probably closed) negotiation at the Conference itself. Closing the PrepCom, the Chair expressed his hope that the atmosphere of cooperation and compromise that he felt characterized the

negotiations thus far would continue at the Conference. There will not be any inter-sessional meetings.

Representatives of UN agencies, such as the UN High Commission for Refugees; UN High Commission for Human Rights, UN Development Program and UNICEF addressed the PrepCom. Many of these agencies highlighted the humanitarian impact of small arms proliferation, and emphasized the links between disarmament and development in the context of small arms.

Difficult Issues Needing Resolution

Preamble

Much of the first week's negotiations were taken up with discussion of the Preamble, which currently stands as the political declaration of the Conference. Main issues generating debate were: language, scope (narrow vs. comprehensive interpretation of 'illicit trade'); definition of 'small arms and light weapons'; causes of conflict; territorial integrity; international co-operation; good governance; self-determination; nuclear disarmament; human security dimensions of small arms problem; links between arms trafficking and criminal activity.

Sections II-IV

Regional initiatives: increase the role of regional initiatives and organizations in implementing measures, building on existing activities and measures.

Criteria for export controls: China and Colombia felt these an imposition on national sovereignty. Introduced by EU, strong support from Canada, Mali, Japan,

Bulgaria, South Africa; Ethiopia; Ghana; Nigeria. Creation of universally recognized system of marking and tracing.

Creation of international agreement on brokering, or mandate to negotiate this:

The US advocated development of 'model brokering regulations'. Many States stressed the importance of utilizing the feasibility study on restricting the trade of weapons to manufacturers and intermediaries authorized by States, submitted to the PrepCom.

Prohibition on transfers to non-state actors: Firm position from US that this is unacceptable. Discussion of weapons for hunters and collectors. Switzerland introduced new language 'to governments or entities duly authorized by governments'. Broad support, but no final agreement on this language.

Civilian possession of firearms designed for military purpose. US insistence that could not accept limitations on this issue.

Suggestions for new language included:

- Acknowledgment of the humanitarian and socio-economic impact of the illicit small arms trade (introduced by the EU).
- Reintegration of war-affected children.

Decisions taken at the Third Session:

Presidency of Conference: after much debate this was given to Ambassador Camillo Reyes, Permanent Representative of Colombia in Geneva. Ambassador Donawaki (Japan) settled for Presidency of the Ministerial segment of the Conference. Sir Michael Weston (UK) was given Chairmanship of a text-drafting committee during the Conference.

The Conference will be held at the Ministerial level (that is, Foreign Ministers of members states will attend part of the Conference).

NGO modalities of participation: a deal was made that gives NGOs with ECOSOC accreditation access to the Conference. These NGOs must submit their intent to attend the Conference to the Secretariat, but were assured by the Chair that they will not be subject to a second screening. All other NGOs must submit in writing their intention to attend, together with documentation proving the relevance of their work to the scope of the Conference. The time-scale for this process is not yet clear. NGOs will be invited to make presentations at the Conference during a session specifically allocated for that purpose.

The Prep Com also adopted its Draft Report and Draft Rules of Procedure.

The governments of the Netherlands, Brazil, Mali and the UK have proposed a "Small Arms Destruction" day, to be held on the opening day of the Conference. The governments hope that States will organize, on a voluntary basis, and together with civil society where possible, public events on the destruction of small arms and light weapons on that day.

2. Positions of Key Member States

'Progressives': European Union (Sweden as President), Canada, Norway, several African states Suggested new language on, particularly, criteria for export controls, marking/tracing, child soldiers, DDR, women; indicators of surplus stocks; prevention of diversion; role of civil society.

South Africa: surprised many at the less progressive positions that it took, contrary to expectations. Some speculated that SA was restrained due to its role within the Non-Aligned Movement (NAM). Argued consistently that the current Draft Program of Action is balanced.

Permanent Five: US: appeared very isolated. Was very clear about its non-negotiable positions: civilian possession of weapons; transfers to non-state actors. Considerable divisions within the delegation (a mix of State Department, Department of Defense, Bureau of Tobacco Alcohol and Firearms and Treasury). Introduced new language on: brokering regulations, suggesting that PrepCom should suggest appropriate venue to begin development of these; more detailed language in export controls; enforcement of embargoes. Wishes to see more aggressive measures on end-user guarantees, third party transfers. Very clear that Conference must not go beyond its mandate to address only the illicit trade.

China: blocked most attempts to introduce new language, often citing national security and sovereignty as reasons. Also used linguistic details to block or delay negotiations (e.g. 'Proliferation' of 'circulation').

Russia: tried to resist major changes to document and argued that the PrepCom should not go beyond the original mandate of the conference.

UK: supported EU statements and text suggestions. The UK is launching a long-term Weapons Collection and Management and Destruction Program with significant allocation of funds. Also proposed that the UN launch an International Arms Surrender Fund, to operate through UNDP.

Arab League: argued that current document is balanced, stressed legitimate rights of States to self-defense and self-determination. Despite Jordan acting as spokesperson, all states involved made statements or interventions, contributing to the slow pace of negotiations.

Sweden spoke for the European Community. Namibia spoke for the Southern African Development Community (SADC). South Africa spoke for the Non-Aligned Movement (NAM). Vietnam spoke for Association of South East Asian Nations (ASEAN). Vanuatu spoke for the Pacific Islands Forum Group.

Small Arms and Light Weapons Control - National, Regional, and International Measures

H.E. Dr. Abdullah Toukan

Former Minister

Jordan

Small arms and light weapons control is one of the major challenges facing the current international system, in the wake of the twenty first century. The accumulation and illicit proliferation, of these types of weapons, around the world could become the greatest threat to the international system and states stability. It has become broadly accepted that in order to establish basic human security, controlling the spread of small arms and light weapons is vital.

In recent years the United States has identified international crime drug trafficking, terrorism and internal and regional conflicts as major security threats. Speaking before the UN General Assembly in 1995, President Clinton highlighted these threats and urged states to work with the United States "to shut down the gray markets that outfit terrorists and criminals with firearms".

The availability of small arms has increased the duration and violence of conflicts, encouraged the participants involved to move away from conflict resolution and incited them to use violent means. There is a thriving global black market in small arms and light weapons. These arms are particularly attractive to drug and arms smugglers, as they are cheap, and easily concealed and transported.

Due to their operational characteristics, small arms and light weapons are especially suited to post-Cold War internal conflicts. These weapons have fuelled

lethal wars, not between states, but within states and between groups of armed individuals, irregular troops and armed gangs and warlords with no political or social foundations. These types of conflicts were referred to as "low intensity conflicts," and have resulted in the death of well over one million people in the past decade. The vast majority of these casualties-as many as 90 percent-are civilian victims of indiscriminate warfare.

A panel of experts concluded that in 1996, about 35 million people across twenty-three countries were victims in one way or another, as a consequence of intra-state conflicts. In an American governmental expert committee report it was concluded that more than 80% of war victims are not combatants, but women and children, and that more than 200,000 soldiers are children less than 16-years old. No one knows with any precision how many of these weapons are out there, but a credible estimate of 500 million has been put forward by private researchers and reiterated by UN officials

Physically moving small arms and light weapons around the world has never been easier. The movement of money electronically and the confidentiality offered to banking customers by some countries have made this much easier for the arms brokers, drug dealers and terrorists. These groups are also finding that weak states provide a safe haven from which they can run their operations.

The United Nations has certainly been at the forefront of efforts to restrain the spread of light small arms and light weapons, from both a conflict prevention and crime prevention perspective. The United Nations conference, in 2001 on small arms is believed to be a watershed event, where all the efforts of NGOs, international organizations and certain governments will be channeled into a more systemic approach to the small arms and light weapons problem. This conference

will announce to the world that the international norms and codes of conduct with regard to small arms and light weapons have changed fundamentally and have already been adopted by the European Union and certain other countries. The 2001 conference should also address the weakness of supplier states.

Measures to address the problems associated with light weapons do not need to focus exclusively upon the weapons themselves, indeed this might even be counter-productive. It is believed by many that solely focusing on the control of small arms and light weapons might deflect attention away from efforts to deal with the root cause of conflict and violence.

While the vast supply of small arms and light weapons may not be the root cause of conflicts, it certainly encourages the resort to warfare (as opposed to other means of conflict resolution), thus creating more demand.

In addition, the easy availability of these types of weapons lengthens the duration and lethality of conflicts, not only causing immense casualties but also creating massive refugee flows. Even in a post-conflict peacemaking and peacekeeping efforts, the United Nations found that small arms and light weapons pose the principal threat to international troops in their efforts to establish or maintain peace among combatants.

In addition to regional or international agreements, most governments have national policies in place to regulate imports and exports of small arms and light weapons. Some of which include increased information sharing, stronger laws and regulations, and improved security for surplus weapons storage. One approach might be improved national transparency and oversight of small arms and light weapons that would contribute toward stronger controls.

In order to ensure that legally traded weapons do not fall into the hands of those who abuse human rights and threaten peace and stability, Codes of Conduct can be developed on the transfer of such weapons. In the past, supply nations were more than eager to supply and sell weapons to anyone who would buy them; consequently they provided weaponry to abusive regimes that have used them for repression. Codes of conduct could help in preventing future transfers of such military weapons to such regimes and countries.

It is hoped that whatever route the international community takes to curb small arms and light weapons, an agreement should be arrived at integrating it with the efforts of Conflict Prevention and Resolution. For in Conflict Prevention, we start addressing the underlying roots that give rise to violent responses, and not just sending an international committee whose sole mission is to bring a cessation to violence. This integration should also incorporate a set of Codes of Conduct that states and political groups will have to abide by, and that will restrain them from initiating any conflict as a means to their political programs.

Small Arms and Light Weapons Proliferation

Dr. Marouf Bakhit

Major General (Ret.)

General Coordinator of Peace Issues

Ministry of Foreign Affairs

Jordan

The issue of illegal small arms and light-weapons touches on a wide range of complicated and differing contexts and aspects. It also poses difficulties of considerable magnitude. It also separates the core issue of increasing proliferation and use of small-arms from broader factors such as sociology, conflict studies, the history of warfare, technology of weapons manufacture and distribution, psychology of violence, black economies and the like. It is sufficient to say here that the culture of violence manifested in global and civil conflicts, and glorified in cinematic 'action' and 'martial' media, has increased the problem.

War has changed significantly in its form during the five decades of peace following the Second World War; extending the violence, traditionally manifest between nations, into violence within nations and societies. Approximately 160 inter-state and intra-state wars, including 100 major conflicts, have been fought in developing countries leading directly to about 20 million deaths. Out of the 82-armed conflicts between 1989 and 1992, 79 were internal. Other recent studies show that 91 out of 96 armed conflicts in the years (1989-1995) were also internal. Since the beginning of the twentieth century, society itself, rather than regular forces deployed on defined fronts and lines of battle, increasingly became the principal target and victim of wars. As a result, the ratio of civilian to military

casualties in military conflicts changed dramatically. This ratio increased from 1:1, in the First World War to 20:1, in the Vietnam War. This trend was facilitated by modern military technology, which made available more reliable aircraft, the multiplicity of firepower and improved command and control mechanisms capable of destroying large numbers of people. As the stakes become higher and antagonists more unscrupulous, the ethical rules according to which war was waged were abandoned. An example of this was the use of ballistic missiles against civilian centers during the Iran-Iraq war.

This is significant because the nature of wars have changed from total high-intensity wars between states, fought by regular armies involving a wide range of weaponry, to intrastate wars. These wars which are fought by irregular forces, insurgents, criminal or terrorist groups that often intermingled with the general population, led to a rapid and widespread proliferation of small arms within society itself. These weapons, are portable, easily concealed, and easier to use by the untrained owner. Moreover, small arms are now the principal cause of death in armed conflicts. According to the International Committee of the Red Cross (ICRC) these arms are responsible for 90 percent of war casualties. Nonetheless, at the same time, the pre-occupation with more effective and alarming weapons of mass destruction (nuclear, chemical and biological), with sophisticated means of delivery, distracted policy-makers from focusing on the threat of proliferation of small arms to societies and citizens. Indeed, these weapons were regarded as insignificant to have an impact on national security or the international balance of power.

Consequently, no serious efforts were exerted to curtail small arms proliferation until recently. The effort launched in the early 1990s involved the United Nations (UN), some individual governments, non-government research organizations and

academia who focused on issues concerning intrastate warfare, crime, drug trafficking and small weapons proliferation. This came within the climate of increased urgency and alarm to look at issues and concerns regarding landmines, armed street-violence, organized crime and fatal domestic violence, which appear across the world in American, European and Asian cities.

While recognizing the various views regarding the definition of small arms and light weapons, it is sufficient for our purpose to use the broad definition that the UN *1995* panel of Government Experts on Small Arms introduced. Small arms and light weapons are those “used by all armed forces, including internal security forces, for inter alia, self protection or self defense, close or short range combat, direct or indirect fire, and against tanks and aircrafts at relatively short distances. Small arms are those weapons designed for personal use, and light weapons are those designed for use by several persons serving as a crew”. The categories of small arms and light weapons are alarmingly diverse.⁽¹⁾

International Efforts

At the 50th Session of the UN General Assembly, a draft resolution on the establishment of an expert panel to discuss the small arms proliferation issue was introduced, and a panel of Governmental Experts on Small Arms, comprising representatives from 16 countries, was established. Perhaps, the most significant international step addressing this issue was in January *1995* when the Secretary

¹ Based on the broad definition offered here, the panel has recognized three categories of these weapons; Small arms, light weapons and ammunition and explosives. 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, hand-held, under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missiles and rocket systems, portable launchers of anti-aircraft missile systems, mortars of calibers of less than 100 mm. Ammunition and Explosives include cartridges (rounds) for small arms, shells and missiles for light weapons, mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems, anti-personnel and anti-tank hand grenades, landmines and explosives.

General (SG) of the UN, Boutros Ghali, in his report titled "An Agenda for Peace", stressed the need for practical disarmament or (Micro disarmament) in the context of the conflicts that the UN is dealing with. In many of such conflicts, light weapons are widely used resulting in the killing of hundreds of thousands of people. In 1997 the panel drafted a Secretary-General's Report containing 23 recommendations. Consequently, a Group of Governmental Experts on Small Arms, comprising representatives from 23 countries was formed in 1998. The group recommended 27 measures in the Secretary-General's Report issued in 1999. Specifically, both Secretary General's Reports contained the following sets of measures: first, measures for reduction of excessive accumulation of small arms, and second, measures for preventing the destabilizing affects of their proliferation.

Specifically, the SG reports call for taking all appropriate measures by the UN Security Council to ensure the effective implementation of arms embargoes that relate to small arms and light weapons. At the same time, the UN should support all appropriate post-conflict programmes related to disarmament, demobilization, and reintegration. Further, all states should exercise the utmost restraint in transfers of small arms to areas in which there are ongoing conflicts. Finally, states should promote campaigns with the cooperation of civil society to raise awareness of the dangers associated with the proliferation of small arms and illicit arms trafficking. Most importantly was the UN decision to convene an international conference on the illicit arms trade in all its aspects in June/July 2001.

Outside of the UN, regional organizations and NGOs have also been active, and their activities are an important part of the general international effort to deal with the issue of arms proliferation. Efforts have recently been made at various levels. Examples include the European Union (EU), Organization of American States (OAS), Economic Community of West African States (ECOWAS), Organization of

African Union (OAU), Southern African Development Community (SADC), Organization for Security and Cooperation in Europe (OSCE), ASEAN Regional Forum (ARF), International Committee of Red Cross (ICRC), and International Action Network on Small Arms (IANSA), and the EPG.

Consequently, various conventions, agreements, programmes, and instruments were proposed with the aim to curb the proliferation of small arms and light weapons. Indeed, light weapons have been the subject of some 12 UN resolutions and documents and a significant study area for several security research organizations and academic institutions. It is worth noting here that certain countries have shown more interest in the issue and have been playing a leading role in the international efforts to address the matter through the introduction of ideas and proposals, as well as providing substantial financial assistance in the related areas.

Difficulties

Although the desire to limit the proliferation of small weapons is strong, yet the problems and obstacles encountered in the process of policy formation and implementation are formidable. While the problems associated with light weapons in intrastate conflicts were self-evident, solutions were not easy due to the following factors: Efforts to examine the issue of light weapons proliferation attempted first to address illicit arms trafficking in order to come out with guidelines for international arms transfers. Other areas of focus aimed at understanding the nature and causes of excessive accumulation and transfer of small arms including their illicit production and trade, in order to propose ways and means to prevent and reduce the excessive accumulation and transfer of these weapons.

Regarding law and order, arms control has generally been defined in military-strategic terms, as controlling weapons intended for use by military forces on behalf of governments or states in interstate conflicts. However, domestic lawlessness has widely been viewed as a legislative and judicial responsibility of individual states. Light weapons are often endemic to lawlessness or criminal activities. The question here is whether these weapons, used in criminal activities, are an arms-control issue in the classic sense. Indeed, there exists a conceptual confusion about the definition of arms control, from an international security perspective, and the definition of small arms regulations, from a domestic law and order perspective begin. Any proposed controlling regime, with different objectives of various actors involved could undermine cooperation and limit any potential success.

Another problem is whether to deal with the issue of small arms proliferation from a security or humanitarian viewpoint. Some argue that light weapons proliferation is a humanitarian issue, and refer to land mines as a successful example of humanitarian-focused arms control. Others might argue that dum-dum bullets, chemical weapons and nuclear weapons are humanitarian issues, and not just international security issues. If the argument in support of establishing a strict control over light weapons and land mines is that although these weapons were designed for and used by the armed forces of a state but were accessible and used by other military and political groups, others may argue that weapons of mass destruction may fall into the hands of non-government groups. This broadens the category and, logically enough, diminishes as a consequence the amount of time, effort and other resources that may be apportioned to each sub-issue.

There is considerable and serious skepticism regarding the intentions of many developed states. Many military and security experts in developing states raise concern about the priority and intentions of initiatives, mostly made by advanced countries, aimed at banning and curtailing conventional weapons. For example, some argue vigorously that industrial nations have supported the ban on land mines because they have the technology and firepower to dispense of land mines. Land mines are simple defensive weapons aimed at delaying the advance of attacking enemy forces. Therefore, banning land mines is to the advantage of industrial countries when they operate in developing countries. This is seen by some analysts, from developing countries, as an attempt to minimize the casualties in armies of industrial nations in case they decide to invade small states for different reasons. Reinforcing these fears is the lack of progress and the lack of political will of major powers to amend international conventions and treaties with regard to weapons of mass destruction such as the NPT or even to ratify some of them, such as CWC. Fear of increased vulnerability, combined with accusations of hypocrisy and allegations of double standards, bedevil attempts to reach regional or international accord in precisely the same way that ecological agreements have been fought with allegations from economically weaker, developing countries that measures proposed to restrict deforestation effectively introduce double standards into global environmental policy.

The supply and demand aspect of the weapons proliferation issue is also relevant, since the low-level technology required to manufacture such weapons expands the number of actors involved in producing and supplying small arms and light weapons and the number of actors engaged in acquiring them. In terms of distribution, the transfer of small arms takes place through diverse channels such as formal and clandestine trade, legal and black or gray markets as well as local manufacturers. [Following the end of the Cold War, government grants and sales

or transfers from surplus weapons depots have contributed to light weapons proliferation. Other avenues of supply, such as commercial sales, technology transfer, covert arms deliveries, government gifts to allied paramilitary groups and assorted black-market channels have all facilitated the spread of small arms around the world.]

Notwithstanding, in view of the increased intrastate conflicts, violent political situations and uncontrolled criminal activities, greater demand is placed on light weapons. In certain circumstances, citizens, groups and communities may also demand light weapons to defend themselves when security forces of the state are unable or unwilling to provide them with the necessary protection. Their linkage with criminal activities occurs in another economically motivated form that causes small arms and light weapons to be targeted against society itself. The high rate of violence in the cities and the activities of the mafia and other criminal groups, all depend on the habitual use of these deadly weapons for protection, punishment and expansion. Dealing with this threat is made more difficult because weapons possessed by non-state actors, especially militants and terrorists, are purchased privately with the lucrative or even exorbitant profits generated by drugs. Thus, these weapons are often alarmingly superior to those available to security forces and law enforcement agencies of the state. Moreover, detection and control of their distribution poses a serious problem. Drugs and the international trade in narcotics are the most serious source and consequence of this problem. The use of small arms and the trade in narcotics represent twin menaces, not only to the health and well being of individuals and societies, but also to international security. The drug menace is decidedly trans-national in character with far-reaching implications for international peace and security.

As such, the proliferation of small arms, the proliferation of drugs and the growth in criminal activities cannot be solved as isolated problems or by individual states. No country is immune to the above-mentioned dangers, which are bound to grow unless challenged by concerted international efforts. So far, no serious and effective efforts have been made to stop this cancerous proliferation. Urgent steps are needed to establish a comprehensive small arms control regime with the aim of monitoring and controlling their manufacture and limiting their export. At the same time, dealing with this problem must be expanded to addressing its root causes at the social level including famine and poverty.

Small Arms Proliferation in the Middle East

Specifically regarding small-arms proliferation in the Middle East, we know that during the cold war era, the military aid programs of the U.S. and the former Soviet Union, were the principal source of light weapons for the Middle East countries. The Arab-Israeli wars, the civil war in Lebanon, the successive wars in the Gulf, as well as the political and military crises in different Middle Eastern states, have all contributed to the proliferation problem and led to an excessive accumulation of weapons in the entire region. This led to unstable internal political conditions and trans-border tensions in the region. While normal military use of small arms is usually practiced under strict military control, such discipline in the use of small arms and light weapons does not exist when such weapons fall in the hands of irregular militias, armed opposition, terrorists or criminal groups.

In few cases, (as observed in the last few years) some governments have even resorted to small arms distribution among the civil population for political, ethnic,

or security considerations. This is generally perceived as a danger to civilian societies and as a source of political instability. Therefore, there is an urgent need for the international community to take drastic measures to isolate such phenomenon and to neutralize any dangers that could result from such civilian militias.

In terms of culture and history, the Middle East is a region where individual possession of small arms is a traditional security need that is supported by cultural considerations. All global cultures arguably continue to rely for their fundamental identities on essentially 'tribal' nations whether the category of inclusion and exclusion is geographical, religious, racial or national. Defence of such 'identities' has been a part of such cultural considerations since the dawn of time, and yet such defensive rhetoric disguises a double-edged sword. This encourages an emphasis on fighting-ability, 'honor' in a violent mode, and prowess in the (largely male & violent) form of tribal consolidation, expansion and policing. On a personal level, in the Latin and in the Arab World, small arms are an important symbol of manhood. The firearm is a physical and powerfully symbolic manifestation of power, confidence and authority. It is commonly regarded as both natural and useful that men carry weapons, and that families and houses have pistols, rifles or machineguns. At the same time, given the numerous conflicts that the Middle East region witnessed, the presence of large amounts of small arms that outlived their conflicts constitutes a core substance of tension.

Economically, trafficking in small arms is a highly profitable business. Given the economic hardship that most people in this region live in, such profitability increases the difficulties in dealing with this problem. Further, due to the long and unprotected borders throughout the region, it is relatively easy for small arms

traffickers to establish and expand their networks. In this context, certain states and sub-regions are regarded as major transit areas for illicit trafficking.

The absence of a detailed and comprehensive database on the extent of this problem is evident. There are no serious collection programs, and in best cases only limited collection programs have been initiated. A variety of such arms remain in circulation and are unaccounted for by the governments of the region.

Finally, the lack of coordination in combating the problem among regional parties has also contributed to the proliferation. The post conflict era requires systematic programs to counter the issue regionally. A regional specialized panel may be required to address the roots of the problem to include: border security, inter-state trafficking, transfer control, national legislation, regional cooperation mechanisms, and public awareness campaigns on small arms reduction and collection programs.

Jordan and the Issue of Small Arms

The issue of small arms in Jordan is an urgent issue today, and has its political, social and cultural roots in our society. Legislation on small arms first came into existence in 1952. Provisions of "The Law of fire arms and ammunition" No. (34) of 1952 regulated importing, manufacturing, trading and the possession of small arms and ammunition in Jordan until now. The 1952 law was modified several times over the years, to improve, organize and control the possession of arms. The Jordanian government has recently introduced a new amendment to the law, narrowing the scope of citizens authorized to carry weapons (under well defined conditions, and for official security functions). As recently as 1992, a special decree was issued, which restricted legal possession to only two types of small arms

(pistols and hunting rifles). Furthermore, a National Small Arms collection program was launched, in which compensations were offered for weapons submission. Citizens response was not satisfactory, thus, the issue remained unresolved. The official figure of licensed small arms in Jordan is around (125,000). Nonetheless, it is widely believed that there are large numbers of light weapons in Jordan unaccounted for by the official authorities. The existence of such weapons is a result of various political, personal and cultural factors.

On the basis of the motive criteria, we can say that the following segments possess such light weapons: Palestinian factions, tribal elements, smugglers and retired military personnel or inhabitants of rural areas. The Palestinian organizations' showdown with the Jordanian state in 1970 resulted in expelling such organizations, at least, temporarily, from Jordan. Since the mentioned organizations used light weapons, it is very likely that it left large numbers of such weapons and ammunition in Jordan in case it needs to use it again. Further, the return of personnel from such organizations to Jordan and the free movement they enjoy, makes it easy for them to transfer and store light weapons. It is widely believed that the likely hiding places for such weapons are refugee camps and on the outskirts of cities.

Tribes living in border areas are important since Jordan has long land borders with Saudi Arabia, Iraq, Syria, the Palestinian Authorities and Israel. There are plenty of Jordanian tribes who have traditionally lived along the northern and eastern borders. Many of these tribes have extensions in neighboring states. Undoubtedly these tribes possess light weapons for reasons of self-defence since they travel long distance across remote areas. It should be noted here that there is also an element of pride in the Bedouin culture based on weapons possession. Therefore, it is rather difficult for the government to control the number of such weapons.

Smugglers thrive on Jordan's central location, which makes it an ideal, perhaps even exclusive, transit route for illegal smuggling activities, both North to South and East to West, and as such, some Jordanians are likely to be associated with such activities, creating further demand for small-arms and light weapons used in this illegal trade. Since the majority of the smuggling activities are concentrated in remote border towns the numbers of light weapons is difficult to assess.

It is widely believed that large numbers of light weapons exist in rural areas since they are used by certain tribes or families who live in those areas. The use of these weapons for recreation, their possession to serve as mementos and nostalgic souvenirs of former service, and their display-value, may be regarded as harmless, but the mere existence of such weapons enables them to be used for reasons other than these mentioned above and as such their possession must be prevented. Any attack on the culture of the firearm in non-military contexts must be totally comprehensive if it is to be fair and effective.

However, Jordan's geopolitical location, its proximity to sources of tension and other regional intrastate conflicts, have created a general atmosphere of anxiety given such external threats, and partially turned it into a transit passage of small arms. Lebanon's 15-year civil war has produced surplus arsenals of small arms that out-lived the conflict and found their way to different destinations through Jordanian territories. This influx has served the purpose of feeding other spots of tension in the region. Jordan was never immune against small arms trafficking despite its persistent military and security efforts to establish strict security control over its borders. As regards Iraq, deteriorating living standards have been directly connected to the establishment of underground networks where illicit small arms

trafficking turned to be a very rewarding business. Naturally political considerations were not absent, especially when it comes to the Palestinian territories where the political dimension and the exponential anxiety it creates amongst neighboring populations becomes a decisive factor. Similarly, terrorist and radical groups fall in the heart of this equation. In many cases, Jordan's internal security and stability was seriously threatened by such a trafficking, with small arms ending up in the wrong hands for terrorist purposes.

Encouragingly, small arms trafficking through Jordanian borders decreased significantly during the last four years due to the large-scale deployment of Jordan's Armed Forces along our northern and eastern borders (presently 16 battalions and 12000 personnel). Although, this was a very costly solution to our border problems, the pay-off has proven to be worth the effort. Finally, Jordan has supported the idea of an international conference discussed by the group of 21 countries in their meeting, held in Oslo on 13 July 1998, for the purpose of combating illicit small arms-trafficking. Jordan remains committed to all international and regional efforts to define the scope of the small-arms issue, and to contribute to its solutions.

Regional Cooperation and Strategy

Proliferation of small arms in the Middle East might not be as urgent as it is in other regions in the world, such as Central America, South America and Africa. Yet it may be regarded as one of the most complex issues on the Middle East disarmament agenda. There is no existing regional instrument addressing the problem, nor any Middle-Eastern expert-level meetings to tackle the issue, which has been addressed only in closed and limited circles. We still lack common

appreciation of the scope and challenges associated with the problem. A credible database does not exist. Some estimate that the illegal traffic accounts for 50% of the international light-weapons transfers. Such an estimate, however, does not exist for the Middle East. The absence of credible figures and statistics has made it difficult to analyze the scope of the problem and its effects on internal and regional security.

Within the framework of our efforts to combat terrorism, crime, drug trafficking, smuggling and efforts to reduce human suffering, regional states should commit themselves to seriously address the issue of small arms. Our societies have moved far from the concept of people taking the law in their own hands. Internal security should be based only on justice and law. Meanwhile, the requirement for regional articulation of the issue has become pressing. Terrorist acts are escalating and never reported small arms have become the terrorist's commonly used tools. High powered assault rifles were the tools of the Luxor massacre in Egypt (killing 62 innocent people). This reflects the need not only to fight terrorism, but small arms as well.

In light of these facts, regional co-operation and coordinated policies in the area of small arms control becomes a demanding requirement. A regional strategy could be based on the following six pillars:

1. The political pillar: Regional states recognize the scope of the problem, and demonstrate sufficient political will to combat small arms proliferation and excessive accumulation committing meaningful resources for this purpose.
2. The legislative pillar: Member states would conclude a declaration of principles, a guideline document, a code of conduct, or an agreement manipulating the issue. A consensus on restraint in arms transfer is a key element here.

3. The security pillar: The issue of national defense, in which production, procurements, imports, exports, and transfers shall be carried out according to the legitimate national security and defense requirements.
4. The national implementation pillar: increased internal law enforcement is a substantial element. That includes the strict control over possession of small arms by citizens, strengthening of border control measures, combating illegal trafficking and black markets, developing and launching effective and comprehensive national campaigns for collecting illegally held small arms and the elaboration of the humanitarian aspects of small-arms that should constitute the primary concern of individual states.
5. The information dimension for want of a better term, would include the establishment of a regional database, the creation of a regional register of small arms and light weapons according to the UN register of conventional weapons, increased co-operation in the area of exchanged information between states and law-enforcement agencies within any given state; transparency measures on small arms production, imports, sales, transfers, deals, and trafficking, and finally, an intelligence co-operation program on combating small arms may be considered.
6. Finally, the ideological or educational element should be emphasized. Education of people into a different consciousness and changing attitudes inclined towards individual propensity to violence, and glorification of weapons, is both essential and unavoidable, particularly in relation to the use of small arms in domestic or 'honor crimes'.

Given that the manufacturing and distribution of such weapons is, and will remain, relatively easy, the psychological structure that defines this problem is in essence always one of insecurity, both within legitimate and illegal activities. Whether

protecting a family in an isolated rural area, or a lucrative operation in the smuggling of narcotics, small-arms and light-weapons *usage* reflects the lack of confidence - regarded negatively or positively - in broader, national and regional capabilities to uphold law and order on individual and social levels. It is at the national level that authority, both in terms of moral legitimacy and the power to enforce such moral values as social practice, must be exercised.

In summary, considerable effort is required at both the national and regional levels, and in political, legal-juridical and ideological or educational dimension, to tackle the problem. Small arms policy must focus on national security concerns as seriously as it addresses humanitarian and developmental issues. Without internal security, in the final analysis, we cannot function securely in our external relations to consolidate investments in the future of our region. Within, but also beyond, the core-culture of pure illegality and lawlessness, the culture of violence as an acceptable means of settling any dispute must be assiduously attacked and eventually defeated.

Small Arms and Light Weapons Arab Cooperation in Coordinating and Synchronizing Legislations

Prof. Mohammad Mohied-Din Awadh

Nayef Academy for Security Sciences

Saudi Arabia

Introduction

To begin with, a weapon is any tool or material that can be used in attacks that are either offensive or defensive. There are innocent tools that have not been initially made to be used as weapons, but that are suitable to be used in attacks such as a butcher's knife, chopper, axe used by gardeners to clip and trim trees, special scissors used in pruning trees, the ordinary axe, and others. These tools are called weapons allegorically, if they are used in cases other than what they were initially made for.

There are a variety of weapons such as:

- Cold Metal Weapons (White Weapons): These include swords, sabers, daggers, spears, knives with single and double edges, and spear blades, sticks with end spiked spheres, jack knives, chains or any other tool that can be used in attacking people without a justification for obtaining it for personal or occupational use.¹

¹ Review the first table on white weapons attached to the Egyptian weapons and ammunition law no. 394 in 1954, modified by law no. 97 for the year 1992. It is noted that this table was cancelled by law no. 75 for the year 1958, but was readopted by law no. 196 - 1981. Egypt was one of the first countries concerned with weapon holding and trade. In 1904 law no. 16 was issued, regulating carrying and holding of weapons. This was followed by law no.15, for the year 1905, annexed with a table of weapons and ammunition that are allowed to enter Egypt, in addition to a chart for weapon trade. In 1917 law no. 8 was issued, substituting the law of 1904. After that, law no. 58 was issued in 1949 substituting the law of 1917, while weapon trade was left to the law of 1905. The current law no. 394 of 1954 which covers obtaining, holding and trading in

It is observed that some Arab laws do not classify white weapons under weapon categories. An example on this is the Kuwaiti law for weapons and ammunition (ordained by law no.13 for the year 1991), which does not include white weapons in the first article of its listed terms.

The first article, item (H) of the Saudi weapons and ammunition regulation no. M/8 on 19/2/1402H² defined white weapons as items that cut, pierce, smash or bruise such as swords, daggers, knives, lances, sticks, and others. Article 12 of this regulation stipulates: "the operations of importing, selling, acquiring or selling white weapons are not subjected to licensing. The Minister of Interior has the authority to subject these activities to special regulations, and to prohibit carrying these weapons in certain times or places".

- Firearms: These include un-galvanized rifles (with smooth internal barrels as in hunting rifles)³ and all types of galvanized rifles and revolvers.⁴ The first article of the Kuwaiti law for weapons and ammunition for the year 1991, was abridged to define weapons as all types and sizes of rifles and revolvers, suitable for shooting that result in fatal injury or killing.

The Saudi regulation for weapons and ammunition no. M/8 of 1402 H, divided firearms in the 1st article, items B&C into two categories:

weapons, cancelled the law issued in 1905. The current law has been modified several times until the year 1992.

² Modified by ordinance no. M/43 in 22/12/1402 H.

³ Included are Grater rifles, Schneider rifles, Remington rifles and Cartridge guns

⁴ Review Table no. 2 and 3, attachments of law no. 394 for the year 1954, related exclusively to the Egyptian Law of weapons and ammunition.

- Individual weapons: defined as weapons made for individual use such as revolvers, and ordinary rifles according to what the executive list specifies.
 - Hunting weapons: firearms with smooth barrels designed for hunting purposes.⁵
 - Military Weapons: Defined in the first article of the Saudi weapons and ammunition regulations no. M/8,1402, as: Firearms, ammunition, and equipments designed exclusively for use in military operations, such as machine guns, cannons, and missiles. This article also includes military weapons that utilize rays, gases, and toxins. As well as, any form of weapon other than individual firearms, hunting, training or antique weapons. It is prohibited to manufacture, import, sell, carry, acquire or repair any of these weapons, their ammunition, equipments or spare parts by any party other than the specialized governmental divisions, (article 2 of the regulation). The 2nd article of the Kuwaiti Law for Weapons and Ammunition of the year 1991, stipulated the prohibition of possession, purchase or usage of cannons, automatic guns and silencers.
- Article 1, item 2 of the Egyptian Weapons and Ammunition Law of the year 1954 stipulated that: "It is prohibited to license weapons listed in the 2nd section of the 3rd table (cannons and machine guns), in addition to silencers and telescopes mounted on firearms. The Minister of Interior is not authorized to modify the list of weapons included in the 2nd part of the 3rd table".⁶

⁵ See the 1st article of the executive list of weapons and ammunition regulations, issued by the Minister of Interior, resolution no. 54/50752 on 23/11/1402 H

⁶ It is noted that the Egyptian Minister of Interior is authorized to issue a resolution modifying the tables annexed to the law, except those shown in the second part of table 3, where the modification is done through addition only as shown in article 1/3 of the law.

Weapons of mass destruction include bombs, and missiles with nuclear, germ, biological or chemical warheads. They also include, those with toxic gas warheads or nerve gases.⁷ Moreover, the use of some of these military weapons are prohibited internationally such as mustard gas, toxic sarin gas, and others. Also, the Geneva Protocol prohibited the use of suffocating substances and germs in wars (17th of June 1925). While the 2nd world war did not witness the use of chemical weapons, Israel used Napalm against civilian and military targets in 1969; it also used the (CS) nerve gas during its aggression against Lebanon.⁸

Germ or biological weapons not only include germs, but also include parasites, viruses, fungi, and (LSD) which affects both the body and mind.

It is evident that all war weapons are destructive to the environment and human beings. Moreover, chemical and biological weapons are relatively easy to make, their preparation is not time consuming, and they can easily be made in simple laboratories. Therefore, to monitor and control their processing is very difficult, and countries and states demand the prohibition of production, and use of these weapons in wars and armed conflicts. The United Nations published a book on chemical and biological warfare in 1969, with an introduction written by the former Secretary General of the United Nations (Uthant). He stated that almost all countries, including small and developing countries, were able to obtain these weapons. This is due to their easy preparation in simple laboratories, or factories equipped with simple devices,

⁷ Some nerve gases are odorless and colorless such as Tebon, Soman and VX. See prohibited Chemical and Biological Weapons and Safeguarding, Dr. Yahyawi and Eng. Motaz Al-Ajlani 1988; Chemical and Germ Weapons, Dr. Nabil Subhi, 2nd edition 1983

⁸ Israel produces weapons of mass destruction and trades in some of these weapons. It also uses some of these weapons against the Palestinian resistance, an example is CS gas

and to their cheap prices. This fact makes monitoring and controlling these weapons extremely difficult. Therefore, states and countries have drawn out rules and regulation for prohibiting the production of these weapons, but did not make the same efforts to prohibit small arms and light weapons.

- Weapons by Purpose: These include parts of weapons, which fit together when compounded or constructed, to be used as weapons and ammunition. These kinds of weapons also include silencers, and telescopes that are mounted over weapons.

However, parts that are not by themselves fit to be used as weapons, and others that are only sound producing, are not considered weapons. On the other hand, parts of rifles or guns that are fit to be used for firing are considered weapons.

As for small arms and light weapons, the team of governmental experts concerned with small arms and light weapons defined in their report of 1997 (A/52/298) these weapons. Their 24 recommendations called for reduced storage and transfer of small arms and light weapons that lead to destabilization. These recommendations would guide the special international conference on illicit weapon trade to be held in New York in July 2001.

We shall discuss hereafter, the definitions of small arms and light weapons, the objectives, and scope of the above mentioned conference. As I perceive our workshop as a prelude to this conference, we shall also discuss the coordination of legislations pertaining to small arms and light weapons in the Arab countries.

Definition of small arms and light weapons

The definition of small arms and light weapons was given in the report of the governmental experts team. This team was assigned by the Secretary General of the United Nations, in accordance with the General assembly's resolution no. 52/38J of December the 9th, 1997. Thus, the team was formed in 1998 and gave the following definition:⁹

Small Arms

These are revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, and light machine guns.

Light weapons

Such weapons are designed for use by a number of people forming a crew or a team. Light weapons include heavy machine guns, hand-held underbarrel and mounted grenade launchers, portable and anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, and mortars of calibers of less than 100 mm.

Ammunition and explosives are an inseparable part of small arms and light weapons, and this is why they are called indispensable weapons. These include cartridges for small arms, shells and missiles for light weapons, anti-personnel and anti-tank hand grenades, landmines, explosives and mobile containers with missiles or shells for single-action anti-aircraft, and anti-tank systems.

⁹ Review p 12, note 5 of the report attached to the Secretary General's memo presented to the General Assembly document no. A/54/258 on the 19th of Aug. 1999.

Small arms and light weapons are considered basic equipment for armed forces and internal security forces. The accumulation of these weapons in countries and their infiltration into criminal hands through burglary, corruption or negligence will destabilize security. It will also increase internal conflicts, and will further lead to increase in crime rates, violence and human suffering.¹⁰

Small arms and light weapons have certain characteristics, which make them favorable for use in conflicts, especially those that involve or are initiated by outlaw forces, organized crime networks and terrorist groups. Such weapons are fatal, relatively cheap, easy to transport and camouflage. They are also easy to maintain, use, and acquire either legally or illegally.

Here, we have to emphasize the right of people to struggle against foreign occupation and aggression through all available means. This includes armed struggle to liberate occupied territories, and regain people's right in self-determination. This was stated in the Arab agreement on combating terrorism, issued by the Council of the Arab Ministers of Interior and Justice in April 1998. Thus, article 2/A of the agreement states that, any struggle against occupation or invasion using all means to achieve liberation and self-determination, based on the principles of the International Law, is not considered a crime. This gives the Palestinian resistance of the occupation its legal status.

Suppressing this resistance by using all kinds of weapons - small, light and heavy, in addition to tanks, aircrafts and naval forces. Also, disregarding any negotiations or other peaceful means to settle the conflict, is an explicit form of state terrorism.

¹⁰ It is observed that accumulating small arms and light weapons does not in itself lead to armed conflicts. These conflicts have their own reasons that may be stemming from complex political, economic, social, economical ethnic, cultural or ideological issues. It is difficult to resolve such conflicts before dealing first with their causes, yet accumulation of weapons intensifies their severity and danger

Legal resistance is unlike terrorist acts that are usually directed against peaceful citizens, instead of the occupiers to attract attention to their cause. The objectives of resistance are liberation, self-determination, and independence. On the other hand, terrorist acts may have political objectives, and in certain cases merely extortion, or protection of organized crime groups known for their criminal activities.

Objectives of the International Conference

The objectives of the conference on small arms and light weapons as outlined by the governmental experts team who sought the assistance of academicians in their endeavor. Also, as reported by the team to the General Assembly of the United Nations in the Secretary General's memorandum:

"The Group recommends that the objective of the conference should be to develop and strengthen international efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

To this end, the aims of the conference should be to:

- a) Strengthen or develop norms at the global, regional and national levels that would reinforce and further coordinate efforts to prevent and combat the illicit trade in small arms and light weapons in all its aspects;
- b) Develop agreed international measures to prevent and combat illicit arms trafficking in and manufacturing of small arms and light weapons and to reduce excessive and destabilizing accumulations and transfers of such weapons throughout the world, with particular emphasis on the regions of the world where conflicts come to an end and where serious problems

with the proliferation of small arms and light weapons have to be dealt with urgently;

Mobilize the political will throughout the international community to prevent and combat illicit transfers in and manufacturing of small arms and light weapons in all their aspects, and raise awareness of the interrelated problems associated with illicit trafficking in and manufacture of small arms and light weapons and the excessive and destabilizing accumulation and spread of these weapons;

Promote responsibility by States with regard to the export, import, transit and retransfer of small arms and light weapons.”

Scope of the International Conference

Also, as included in the report of the Group of Governmental Experts on Small arms, and submitted by the Secretary General, to the General Assembly at its fifty-fourth session:

“The scope of the international Conference will be the illicit trade in small arms and light weapons in all its aspects.

In this context, the primary focus of attention should be on small arms and light weapons that are manufactured to military specifications. Other types of firearms used in conflicts may, however, also have to be considered in dealing with the problems in the most affected regions of the world. In this overall context, ammunition should also be considered.

With respect to the scope of the term “illicit trade”, the Group recommends that the Conference consider all types of illicit transfers of small arms and light weapons. Further, the Conference should consider the illicit manufacture, acquisition, possession, use and storage of small arms and light weapons, since these are closely linked to illicit transfers of such weapons.

As to the meaning of the illicit arms trade in all its aspects, the Group found that aspects of the issue of legal transfers of small arms and light weapons should be considered by the Conference insofar as they are directly related to illicit trafficking in and manufacture of small arms and light weapons. The Group noted that the illicit trade in small arms and light weapons is closely linked to the excessive and destabilizing accumulation and transfer of such arms. The scope of the Conference should therefore not be limited to criminal breaches of existing arms legislation and export/import controls but consideration should be given to all relevant factors leading to the excessive and destabilizing accumulation of small arms and light weapons in the context of the illicit arms trade, including those referred to in the report of the Panel of Governmental Experts on Small Arms.

The Group recommends that the Conference consider a broad range of measures to reinforce and further coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons.”

Setting prohibitive rules for small arms and light weapons is very difficult in contrast to nuclear, chemical and biological weapons. It is known that many countries depend on these weapons for licit needs such as national and collective defense and internal security as mentioned in article 51 of the United Nations Convention. Countries, in general, support possessing such weapons for security needs, yet it is taken for granted that trading in small arms and light weapons

should be done legally according to security tight controls.

Therefore, prohibiting the dealings with small arms and light weapons is a highly difficult task. However, there have to be international measures that fight the accumulation of weapons that result in instabilities. This has led the United Nations General Assembly to issue a resolution in December 1999 to hold a special conference in July 2001, mainly to deal with illicit trade in small arms and light weapons.

The most significant problem related to small arms and light weapons is their availability in many areas around the world. People opt for using them in conflicts today, due to their relatively cheap prices, fatal effects and easiness to carry and conceal, in addition to their long life span and easy use even by children who are less than ten years old. Illicit trade in these weapons takes place illegally by exchanging weapons for hard currency, diamonds, other precious stones, narcotics and other smuggled valuable goods.

It is also observed that trading in weapons is one of the primary activities of organized crime groups. Thus, these groups tend to use weapons in order to escape pursuit, if other means such as corruption fail. However, the common use of weapons by these groups takes place in cases of drug trafficking, or to force their involvements in other licit activities. Also, illicit use of these weapons takes place in cases of assault of UN employees who work in the field of peacekeeping, and humanitarian aids.

During the preparations for the New York conference to be held in July 2001, there were other discussions on the topic of illicit trade in small arms, which took place

in Vienna. These discussions succeeded in drawing out an obligatory protocol for “combating the manufacture of firearms, their parts and ammunition, in addition to illicit trade”.¹¹

Moreover, the protocol was integrated in the U.N. agreement on Combating Transnational Organized Crime¹² on November 2000. Later, it was presented for signing by member states in Palermo (Dec. 2000), and which will become valid only after it is approved by 40 states.

Areas of Legislative Coordination Among Arab States

We have seen the proliferation of small arms and light weapons in post war times. Examples are, post World War I (1914-1918), post World War II (1939-1945), and during civil wars and armed conflicts around the world. As a result, illicit trade and manufacture of weapons increased without any legal control or monitoring. The culture of violence was elevated and encouraged committing crimes and violation of human rights. This reflected negatively on development and stability.

What made things worse, is the fact that the new criminal activities are dependant on the illicit trade of weapons. An example is the organized crime networks whose primary activity involves this kind of trade. While the activities of these networks, whether national or transnational, might not always include weapon trade; they will include other forms of illicit trade such as the trafficking of women, children,

¹¹ Refer to the edited protocol project for the combat of manufacturing fire arms, their parts, components, ammunition and illicit trade, as integral to the U.N agreement on combating transnational organized crime, 2000, document no. (A/AC 254/4/ADD.2/rev.5) on the 5th of May 2000

¹² This does not contradict or interfere with the works of the International Conference on combating illicit trade in small arms and light weapons of 2001. See the report of the governmental experts team on small and light weapons submitted to the Secretary General of the United Nations on August 1999, Document no. A/54/258, p. 11, item No. 9

narcotics and other drugs, migrant workers, stolen cars, forged money, and others. Moreover, organized crime networks often resort to the use of weapons in order to merge their activities with other licit activities. This is done to conceal their criminal nature, and to assert themselves in the legitimate market. Small arms and light weapons could also be used in assassinations. As well as, in terrorizing officials, judges, interrogators, politicians and journalists, in order to escape pursuit and conviction, if means of corruption such as bribery failed. Thus, the use of weapons exposes them.

Some criminal activities involve the use of small arms and light weapons in their operations, in addition to destructive device such as explosive bombs, burning bombs and gas bombs. Former U.S President, Bill Clinton, predicted the use of nuclear bombs by terrorist groups.

Besides the illicit use of small arms and light weapons, as defined by the governmental experts team indicated earlier, there are legal uses for these weapons. For instance, they are used by law enforcers to insure security and stability, also they are used to combat crime and enforce law.¹³ Furthermore, the UN General Assembly endorsed a set of regulations concerning the behavior of officials assigned for law enforcement. This was drawn in the resolution no. 34/169 on the 17th of December 1979, article 3, which states that officials designated to law enforcement are advised to avoid the use of force except in cases of utmost necessity, and within the framework of fulfilling their duties. It is highly recommended to make every necessary effort to avoid using firearms against children. In general, firearms should not be used, except in cases where a suspect resists by using firearms, which threaten the life of others. Also, in cases where any other procedure seems ineffective to arrest the suspect. A report must be

¹³ If they do not misuse their authority and break the law.

submitted without delay to the relevant authorities every time firearms are used. Police regulations usually specify cases where and when shooting is permitted, (see articles 6 and 7, of the Internal Security Forces Regulation no. 501 for the year 1384 H, and article 167 of the Public Security Regulation for the year 1369 H in The Kingdom of Saudi Arabia).

The Kuwaiti Police Regulation for the year 1968 in article 11 instructs the following: "Policemen have the right to carry weapons given to them by the government, in order to carry out their duties. They can also use force when necessary, without resorting to the use of firearms unless using weapons becomes the only way to enforce the law".

Article 12 of the Kuwaiti Police Regulations states that, the executive list defines the authorities that have the right to give orders and conditions for shooting. The Police are not permitted to use force except in the following cases:

- To arrest a convict if he attempts to resist or escape.
- To arrest an accused person for a felony or proved offence if this person attempts to escape or resist.
- To arrest a convict using a warrant of arrest where the convict attempts to resist or escape.
- To arrest a jailed person attempting to escape.
- To disperse a crowd or rally consisting of seven persons or more, and who are contemplating to commit a crime or threaten the public security, if this crowd does not succumb to dispersion after warning, or other means of dispersion.

Weapons may also be used legally in self-defense, and in the protection of

economic, government, and private institutions.

We have indicated previously that these weapons can be used legally for objectives such as the struggle for liberation, self-determination and independence; which are not considered acts of terrorism or offense according to the International Law.

Weapons are also used legally, in protecting national security and sovereignty¹⁴ against any aggression, in accordance with article 51 of the UN Charter 1945. This article stipulates that the Charter does not include any item that weakens or decreases the natural right of countries, either individually or collectively to defend themselves, if an armed force attacked a UN member country. That is, until the Security Council takes the appropriate measures for maintaining international peace and security.

Furthermore, the Council should be notified immediately on the measures undertaken by member countries using the right of self-defense. These measures do not affect the right of the Council to take the appropriate measures to maintain or restore international peace and security.

As a result of the spread of the culture of violence all over the world and the proliferation and accumulation of small arms and light weapons that threaten stability and impair development. Some regional groups started to draw out agreements in order to combat weapon accumulation and proliferation. Such agreements include, the convention adopted by the organization of American States against the illicit manufacturing, and trafficking of firearms. Also, in 1998 the South African Development Community endorsed a regional program on small

¹⁴ The preparatory committee, for the special U.N conference on illicit small arms and light weapons trade, referred to the illicit use of small arms and light weapons in a report on its third convention (March 2001), items 7,8,9.

arms, and the Economic Community of the West African States agreed on a moratorium for small arms. As well, as the Bamako declaration of the organization of African states.

The member states of the European Union adopted in 1997 a program on illicit trafficking, and in 1998 a code of conduct on arms export. Moreover, Algeria issued the legislation no. 6-1997, released on 21 January 1997, and the decree no. 96 of 18 March 1998, both of which regulate the manufacture of military equipments including weapons, ammunition, their import, export, in addition to the acquisition transfer of such weapons.¹⁵

Therefore, it is essential for us in the Arab World to meet such developments by: Coordinating our legislations in this context and synchronizing them with the international legislations; Reaching an agreement in accordance with these developments; Drawing out internal legislations aimed at fighting money laundering; Encouraging information exchange on this criminal trade; Extraditing criminals; and Exchanging experience and cooperating in judicial matters.

The coordination of Arab Legislations can be as follows:

- Adopting the definitions set by the governmental experts team on small arms and light weapons mentioned above. However, there is no need to set regulations to prevent countries from acquiring what is needed from these weapons for their security, with the exception of chemical and biological weapons.
- Setting accurate legal restrictions to regulate the possession and use of these weapons by citizens or civil establishments. Also, drawing out clear characteristics for the types of weapons allowed and those that are forbidden.

¹⁵ See the last report of the experts team on small arms and light weapons p. 22 with the footnote No. 13

- Exchanging information and cooperation on the national, regional and international levels, concerning the manufacture of weapons, their parts, components and ammunition, their distribution and transfer. Also, seeking the aid of concerned international organizations such as the Interpol, and the International Customs Organization. As well as, regional cooperation among heads of police departments, intelligence, customs, and in the field of controlling and monitoring borders to prevent illicit delivery and circulation; and the exchange of information concerning suspicious financial activities.
- Ensuring the monitor and control of weapon manufacturing, illicit transfer of their parts, components, ammunition, and delivery across the borders.¹⁶
- The manufacture of these weapons, their parts and ammunition should be confined to the state or who ever it authorizes, with the imposed restrictions.¹⁷ Moreover, these weapons have to be marked upon their production, so that they can be traced afterwards in case they get leaked to unauthorized ends.
- Thorough examinations, and continuous control on those whom the State permits to trade in weapons, their components and ammunition.
- Imposing strict penalties on the illicit manufacture of these weapons, their parts, components and ammunition; also on their illicit transfer, import and export,¹⁸ due to the dangerous consequences of these activities on security and development.

¹⁶ Illicit manufacturing is assembling weapons or parts of weapons or ammunition that are:

Parts or components that were traded illegally;
Obtained without a license or permission from a governmental authority; and
Obtained without marking the weapons at the time of manufacture

¹⁷ Permission or the authorization to manufacture these weapons or any of their components has to be in accordance with the national law of the producing state

¹⁸ The term illicit trade includes illicit import or export of firearms, their parts, components, ammunition, possession, selling, delivery, transportation from one country to another

- Combating the possession, import, and export of explosives and mines, unless permitted by the state for defense or mining purposes.¹⁹ Also, imposing strict control on their possession, transfer, usage and transport, through the state's territories, to other destinations.
- Controlling corruption that spreads through organized crime networks, active in the field of illicit weapon trade in local markets, which results in money laundering.
- Encouraging people to come forward to turn in small arms or light weapons, their parts or ammunition, through the procedures of sentence exemption.
- Destroying weapons that are not needed for defense or internal security. Also, destroying illicit weapons and avoiding any trade in them.

Conclusion

In order to coordinate and synchronize Arab legislations pertaining to small arms and light weapons, we have to agree initially on a definition. I propose that we adopt the definition agreed upon by the governmental experts team indicated above. The team reached a descriptive definition, and not a conclusive one. Thus, we have to refer to the tables that are annexed to the laws and regulations of weapons, in order to be able to identify weapon categories. Also, to be able to modify these categories as needed, through a decision by the Minister of Interior.

So far, what has been discussed is mainly concerned with small arms and light weapons. Thus, there is no need to touch upon cold steel weapons (white weapons), as some Arab countries have not prohibited their possession, and

¹⁹ Explosives cover:
Explosives manufactured for military uses, including ballistic explosives.
Industrial explosives such as those used in mining.
Explosives made regionally by individuals or groups

others have restricted their ownership, trade, import and manufacture to acquiring a license. The following are some examples:

- The Egyptian weapons and ammunition law no. 394 of the year 1954 stipulates in its article 25, which is a repetition of the added section of the law no. 165 of the year 1981, sentencing on holding cold steel weapons listed in table no.1 without a license. Also, article 28/1 stipulates sentencing on unlicensed trade, import or manufacture of white weapons listed in table no.1.
- The Qatari law for weapons and ammunition no. 14, drawn out in the year 1999, includes table no. 3 that shows the category of white weapons. This category is identical to the one listed table no. 1 annexed to the Egyptian law on weapons and ammunition, which is modified in law no. 97 for the year 1992. Moreover, article 44 of the Qatari law stipulates sentencing on carrying a white weapon without a personal or a professional necessity. This sentence is doubled if the weapon is carried in crowded places, public transport or places of worship.

Cases of illicit trade in small arms and light weapons, their ammunition,²⁰ import, export, manufacture or repair,²¹ their transfer from one place to another, and money laundering all have to be treated as crimes. Also, cases of money laundering, acquired through illicit trade in small arms, are to be treated as

²⁰ It is observed that explosives such as dynamites, hand grenades timing bombs, and other explosive device are not considered ammunition because they are not fit to be used in these weapons

²¹ Repairing means fixing the damaged weapon and restoring it to a condition in which it can be used again. Trading here is done in parts of the weapon and its components, silencers, telescopes mounted over weapons (review article 35 of the Egyptian Weapon Law, with the fourth table annexed to the law, describing the main parts of weapons that are considered weapons in themselves).

crimes.²² Moreover, illicit weapons and ammunition, and the resulting profits should be confiscated.

Store licenses for trade in weapons and repair have to be scrutinized, in addition to licenses given to individuals for carrying and using weapons. There also has to be strict control on weapon storage whether governmental or other, in order to prevent their leakage to undesired groups, or use in destabilizing through corruption, negligence or theft.²³

Furthermore, the proliferation and accumulation of small arms and light weapons, and concealing them from the authorities endangers the security of citizens. Therefore, people must be encouraged to hand over unlicensed weapons, ammunition and explosives by setting procedures for exemption from sentencing in order to encourage people to hand these weapons voluntarily.

²² We suggest the following text: “not excluding the accomplice in the crime of illicit trade in small arms and light weapons, a penalty is to be imposed on those exchanging money or valuables for illicit weapons, and those who conceal the original source of the money or valuables. The penalty is to be increased if the crime is committed during an official event”.

²³ Governments with excess weapons must not export them for commercial ends because this may lead to escalating terrorist acts, and armed conflicts in other countries. Therefore, it would be highly advised to destroy them. Governments should not resort to random distribution of weapons to their citizens in periods of crises and armed conflicts

References

Al-Gwainim, M.S (1988) Internal security Weapons, 1988.

Dr. Yahyaw, S and Eng. Al-Ajalati, M (1988) Prohibited Chemical and Biological Weapons and their Prevention, 1988.

Al-Sayig, Y (1986) Individual Weapons, 1986.

Dr. Subhi, N (1983) Chemical and Microbial Weapons, 1983.

The United Nations, (2000) UN Agreement on Combating Transnational Organized Crime, 2000.

Dr. Al-Gamaz, I (1996) Crimes of Weapons, Ammunition and Explosives in the Kuwaiti Law, 1996.

Dr. Al-Shawarbi, A.H (1990) Weapons and Ammunition Crimes in the Light of Justice and Jurisprudence, 1990.

Dr. Abdul Qadir, M.J (1986) State Security Crimes in Science and Justice, 1986.

The United Nations, (1988) Human Rights, a group of international bills issued by the UN, 1988.

Dr. Hafez, M.M (1994) Weapons and Ammunition Law According to the Most Recent Modifications, 1994.

Qattari Legislations, (1999) Law no. 14 Regarding Weapons, Ammunition and Explosives, 1999.

Council of Ministers, "Administration of Fatwa and Legislation" in Al-Rashood, M.R.H (adaptation) A Collection of Kuwaiti Legislations Volume 6: Punitive and Integral Laws, 3rd ed.

Ministry of Interior, Saudi Arabia The System of Weapons and Ammunition and their Executive Panel.

Bassiouni, C (1993) Commentaries on the International Law Commissions 1991 Draft Code of Crimes against Peace and Security of Mankind, 1

Small Arms and Light Weapons Arab Cooperation in Implementing Laws

Dr. Ahamd Abdal-Haleem

Major General (Ret.)

National Center for Strategic Studies

Egypt

Introduction

The proliferation of small arms and light weapons is considered to be one of the reasons that lead to increased internal disputes, and regional disorders. In turn, these lead to armed conflicts and wars especially in areas of instability. This is a “phenomenon” that cannot easily be resolved, especially in the Arab Israeli conflict areas, and the Arab region in general. Hence, the phenomenon will persist for some time, and its level will be determined by the ability of the Arab countries to cooperate in areas of implementing and enforcing laws, and their ability to control proliferation of small arms and light weapons. Thus, there is an urgent need for Arab countries and the International community in general to discuss the roots of the problem and the reasons behind the internal conflicts in each country. Also, to try to stop the supplying sources of these weapons, and to find effective means for Arab cooperation in implementing and executing laws.

While most efforts are concentrated on restricting weapons of mass destruction and heavy weapons, we find that small arms and light weapons that were designed for military usage, are responsible for a large portion of local and regional turmoil, and killings among civilians. They are also responsible for the increasing numbers of internal armed conflicts and terrorist acts that have taken

place since the end of the cold war. In the context of the Arab-Israeli conflict, we find that Israel's continuous building of settlements and armament of Israeli settlers, not only with small arms and light weapons but also with medium and heavy weapons, lead to constant turmoil in the area. They also lead to the tense political, strategic and military situations that threaten the region, and raise the potential of armed struggles and wars. Therefore, this regional determinant, which is internationally supported, has to be taken into account while planning the coordination on the Arab regional level. However, this does not eliminate the necessity for drafting an agreement of cooperation, and coordination for the implementation and execution of laws when suitable political circumstances become available in the region.

The exact number of small arms and light weapons circulated regionally and internationally is unknown. However, international surveillance indicates that around 50% of legally imported weapons become illicit in the hands of end-users through weapon smuggling, governmental corruption, theft and the like. In this regard, fighting the illicit small arms and light weapons trade becomes closely linked to legal weapon trade. This requires the establishment of an accountable mechanism to control legal weapon trade, and to ensure that legal weapons do not end up in the hands of illegal users. Following this, it will be possible to set out international and regional regulations to prohibit the proliferation of small arms and light weapons. Later, these regulations can be further developed into an agreement on non-proliferation, in accordance with the agreement of non-proliferation of weapons of mass destruction.

Moreover, sources of small arms and light weapons are diverse and difficult to control. Partly, this is due to the easiness of concealing and transferring of these weapons. Also, due to their long life expectancy, where we find large quantities of

these weapons that date back to the first and second world wars, and are still usable. Furthermore, the proliferation of these weapons is due to their cheap prices and easy use. Thus, we find that those who manufacture, transport, store and repair these weapons do not realize the size of the problem, and cannot contribute to its solution. Many states and countries lack the sufficient means and regulations needed for controlling the export and import, and for determining end-users of these weapons. Even those countries with reasonably sound control systems, still have high ratios of corruption that redirect legally imported weapons to illegal end-users. Moreover, sources of weapon export still have considerable accumulations of old weapon inventories that have remained from civil or international wars. Also, excess in production of small arms and light weapons, and ammunition contributed to their proliferation.

In several regional and internal conflicts, we find that these weapons have led to the spread and prolong of conflicts. They also threaten the signed agreements between states, and contribute to regional destabilization, and eventually they hinder economic, social, and political developments. Therefore, it is the responsibility of governments to work together to prevent and prohibit illicit trade of small arms and light weapons, and fight their transfer across international borders. States have to issue national legislations that sentence illicit transport of small arms and light weapons. They also have to support these legislations, and to assist policemen and custom officials in order to be able to enforce the law, and to trace the end-users of these weapons. The international and regional communities have to offer their help and technical resources to the various countries whenever necessary. Thus, these countries would be able to increase national control, and to ensure the implementation and execution of laws. All this needs to be supported by a "political will" of a country or region to issue the necessary legislations and enforce the law.

The Arab regional community has been slow in learning the lessons of regional disputes, in enforcing the law, and in controlling illicit weapon dealers. Illicit dealers and smugglers were able to benefit from these gaps, and they continued in their transactions, and were able to escape from the law. Eventually, Arab and International governments became aware of the huge amounts of weapon trade and the diverse sources of small arms and light weapons. Thus, they realized the urgent need to develop policies to confront and resist this phenomenon. Moreover, states started to work on increasing their expertise in this field, regulate legal weapon trade, undertake measures for the control of small arms and light weapons, and issue sentences on the infringement of the regulating laws. They also started to establish strict institutional regulations to control the end-users of weapons, increase transparency and sharing of information, and restrict weapon transfer operations.

Therefore, it is of utmost importance to sign a "protocol for fighting the smuggle of firearms and ammunition". It also necessary, to control and legalize the import, export and manufacture of small arms and light weapons. As well as to build the capacity for implementing and executing laws, to provide the essential training for the concerned personnel, to stop illegal export activities, and to increase the security measures on weapon inventories and storages. All this needs to be supported by an adequate system of weapon transport, designing programs to prevent and fight illicit smuggling of conventional weapons, especially small arms and light weapons. As well as arranging for the destruction of excess weapons, especially in conflict areas and post conflict areas.

The up-coming "New York" conference on small arms and light weapons will be as significant as the conferences that were held in "Beijing" on women, and "Rio de Janeiro" on the environment.

From this, arises the importance of our workshop held here in Jordan for the Arab governments and the Arab region as a whole. Here, very sensitive issues that affect development, democracy and human rights will be discussed. In as much as these issues concern governments, they are also important to all civil societies that have an important role in this regard. I hope that we would be able to come up with a draft for the required "work program" in order to facilitate Arab cooperation in implementing and executing laws, and in all the other aspects of the conference.

The Necessary Bases for Arab Cooperation in Implementing and Executing Laws

General Bases

Article no. 39 of the United Nations Charter call for imposing sanctions on countries, when the UN perceives that there is a threat or violation of peace through aggression. This article has been used frequently in measures of imposing sanctions, and embargoes on countries involved in weapon transfer to areas of tension. The UN has requested from its members, including Arab countries, to adhere to these decisions by refraining from the transfer of weapons to areas of prohibition. As well as, to take the necessary measures to impose these sanctions on individuals under their custody. The Security Council called for drawing out national legislations to sentence the violation of sanctions. Thus, the legal base is the first among others towards cooperation.

During the last decade, the International Security Council issued 14 resolutions pertaining to sanctions that were abided neither by countries nor by individuals. Thus, it was not possible to enforce these sanctions, as countries and states are usually provided with weapons through international networks of weapon brokers, ship agents and others.

Weapon transfer in violation of UN resolutions, is considered an illegal action. Therefore, the issue requires the establishment of effective mechanisms that would ensure abidance by international resolutions. The underlying question here is: If there were gaps on the international level, is it possible to close them on the regional level? Also, can regional legislations and regulations fill the gap in national legislations? In regions of tension, how can a balance be set between enforcing the law, controlling conflict resolutions, and ending disputes in these areas?

The Organization of African Unity was able in the Bamako Ministerial Declaration (December 2000) to include items related to this issue. These included, the establishment of organizations specialized in all aspects of weapon control, and the draw out of binding laws pertaining to the prohibition of individuals and states from possessing weapons. Also, destroying excess weapons, designing a work program for collecting and destroying weapons, establishing a central registry for firearms, allowing procedures for increased transparency, monitoring weapon mobilization, and other issues related to regional cooperation and coordination.

It is essential to develop sound systems that regulate legal trade in small arms and light weapons, as there is a close link between prohibiting the transfer of small arms and light weapons, and the implementation of international law. Weapons

are transferred through international networks of brokers who function as intermediaries, and manage the transfer of weapons and arrange payments between exporters and importers. In contrast to the legal weapon manufacturer and exporter, we find that these brokers do not have clear organizational structures. Distorted visions, and lack of pertaining laws and regulations make the distinction between legal entrepreneurs and weapon brokers a difficult task. Therefore, the role of brokers in smuggling weapons across international borders increases, in addition to their role in violating human rights.

Essential Needs

It is necessary to be aware of the sources of small arms and light weapons, and the way they are transferred to illicit markets. It is possible to determine sources of weapons through the following:

- Local illicit manufacturing and modifying of weapons.
- Illicit selling and transferring activities.
- Illicit reselling activities.
- Weapon theft from different sources.
- Seizing weapons from areas of internal conflicts and regional wars.
- Obtaining weapons through forged documents and illicit import.

Therefore, it is necessary to establish a regional database that leads to transparency and verification. This will assist in controlling the sources, and illicit

markets of small arms and light weapons. In this regard, we find that settlers in Israel have the easiest access to weapons without any kind of control.

The control of excess weapons demands good administration, building peace and stability, and cooperation among societies. All this requires a number of factors that include:

- Restricting the mobility of international networks of weapon brokers.
- Setting out mechanisms for collecting and destroying illicit weapons.
- Protecting legal weapons trade.
- Changing the culture of violence that regards small arms and light weapons as essential tools for tension and disputes.
- The importance of countries to abide by the International Humanitarian Law, to respect human rights, and provide security for people.

Therefore, it is essential to:

- Prohibit, decrease and control illicit trade of small arms and light weapons.
- Enhance legislative control on weapon import activities.
- Collect and destroy small arms and light weapons.
- Exchange information, and enhance transparency and accountability.
- Deal with important and urgent issues.

Transparency

There is a need for a regional database that leads to transparency and verification. There is also a need to establish a non-governmental transparency mechanism, in addition to governmental controls. Transparency in the field of small arms and light weapons means providing reliable official information concerning production, ownership, storing, and methods of transport of weapons. This may take place among different governments or between one government and its citizens. Moreover, the information has to be ongoing, reliable and can be verified.

Transparency is an integral part of building trust and accountability. It also plays an important role in the decrease of tension between countries, and reassures other countries in the region that there is a commitment for accountability. Transparency as well, is one of the major features of open governments and societies, and grants citizens and private groups the right to obtain information pertaining to their well being and security. This plays a role in governmental performance and policies.

Transparency is highly important to the issues of small arms and light weapons, especially when:

- S
Secrecy and ambiguity have led to the spread of illicit weapon trade, and transferring of weapons from legal to illicit sources. They have also led to difficulties in distinguishing between legal and illegal weapon transfer.

•

W

Without transparency, it is impossible to determine the size of both illicit weapon industry and trade. Hence, it becomes highly difficult to take positive steps in dealing with all aspects of illicit weapon trade.

Transparency is not only the government policy that entails keeping records and a sustainable and reliable source of information that can be easily verified and checked, but also it is a "political will" which necessitate adopting the principles of transparency. Therefore, governments must have the will and intention to collect, manage, and disseminate information in relation to small arms and light weapons. Moreover, transparency is a two-way approach that all countries in the region have to commit to.

Information

As information is power, we have to share information to achieve security and control of small arms and light weapons trade. The international and regional campaign for the prevention of illicit small arms and light weapons trade has to be accompanied by information exchange between countries, governments, and civil societies active in this field. These organizations may obtain large amounts of information that may help governments in performing their tasks, in exchange for government assistance and support.

We can all make use of the revolution in the field of technology, communications, information, the Internet, and exchange of information. Therefore, the issue of

“information sharing” has to be one of the articles in the draft agreement we aspire to draw out.

Necessary Procedures for Arab Cooperation in Implementing and Executing Laws

The phenomena of globalization and privatization, have a clear effect on the increase of small arms and light weapons trade in general in the Arab region. This requires the need for extensive regional efforts to organize, and control trans-border trade. However, such efforts have not reached the level that enables Arab countries to control the trade. Thus, more coordination and cooperation among Arab countries is required in order to reach suitable agreements. Until such agreements are reached, Arab countries could undertake the following measures:

- E
Each country is to fill the legislative void by drawing out necessary laws to control the phenomenon of illicit weapons trade.
- A
Minimum degree of coordination is to be achieved among Arab countries.
- E
Establishing records for the sell of weapons, and the names of legal and illegal weapon brokers.
- S
Supporting the executive authorities to implement the new legislations.

In general, laws and legislations become effective as a result of the capacity Arab countries to implement and execute relevant legislations. One of the important components in the issue of small arms and light weapons is the necessity to control "supply and demand". However, there are lessons to be learned in this regard.

Supply

Conflicts and disturbances are usually fuelled by international delivery of small arms and light weapons to areas of conflicts. Therefore, regional cooperation is essential to stop the transfer of legal. Moreover, regional efforts have to concentrate on:

- E
stablishing a mechanism to control and monitor weapon transfer.
- D
rawing out a binding agreement that regulates brokers activities and monitors weapon-brokers and their agents. This agreement has to be established on the basis of a control system of export and import.
- C
ooperating on regional and international levels. Also, providing technical support for protecting legal weapon storages, which leads to the decrease in the illicit supply to the black market.

Demand

The demand is usually linked to certain factors that further enhance it. This requires undertaking individual and collective steps to break the cycle of violence in communities, states and in the region. Here, regional efforts have to concentrate on:

- S
upporting a regional fund along international lines, and in cooperation with civil societies to manage the destruction of excess weapons in the area.
- E
nsuring political commitment from states in the region to agree upon an active system of control, to restrict the supply levels of legal weapons so that these weapons would not become illicit ones.

The national policy of one state in this area will eventually become part of regional or even international policy. Therefore, it is essential to establish policies in accordance with common factors in the collective Arab performance. As well as, reaching an agreement on these policies, linking local, regional and international laws, and drawing out regulations and administrative procedures to implement these policies. As for promoting transparency, we have to enhance "harmony" among national and regional factors that contribute in stopping the illicit trade of small arms and light weapons. While the national dimension in this context is important, it is insufficient on the Arab regional level without the proper cooperation and coordination.

Moreover, it is important to undertake vital steps to combat illicit weapon smuggling. These include re-examining civilian acquisition of automatic and

military weapons, coordinating export and import procedures, enhancing the procedures of weapon registry, controlling weapons and ammunition manufacturing and trade, banning weapons from entering the black market, and destroying excess weapons everywhere. Therefore, any regional cooperation or legislation has to take into account the following:

- D
rawing out programs and draft agreements leading to improve legal control on civilian and state acquisition and storing of weapons.
- S
trengthening border control between Arab countries through information exchange, and security coordination.
- D
ecreasing the demand for weapons and increasing public awareness on the dangers of small arms and light weapons through organized media campaigns at all levels.
- P
rohibiting proliferation by diminishing the need for small arms and light weapons, and controlling transfer to ensure delivery to the legal end-user.

It would be wrong to concentrate on some countries and disregard others in the field of production of weapons, for all countries are potential manufacturers or financiers of weapons, exporters of excess weapons, and grant permission for transfer of illegal weapons through their territories. Hence, the cooperation and coordination among Arab countries is very important. All efforts aimed at controlling legal transport of small arms and light weapons should neither be

conceived as an attempt to terminate weapons trade totally, nor as an offence against the state sovereignty as legal trade in weapons is legitimate. The goal is to restrict illegal trade, with due emphasis in this regard to the state's role, without neglecting the human dimension and the role of NGOs.

Arab cooperation and coordination could start with an agreement on a "working program" that may include the following procedures:

- Understanding the relationships between the local and international market, and between legal and illicit trade. U
- Supporting initiatives aimed at regulating civilian ownership of small arms and light weapons, to minimize the dangers of illicit smuggling and misuse. S
- Establishing detailed and precise records of small arms and light weapons, which can be accessed and reviewed to monitor the selling and reselling of weapons. E
- Agreeing on a regional supervisory system for acquisition of small arms and light weapons. A
- Establishing a follow-up mechanism, annual revision of data collecting, information exchange, and technical cooperation in the areas concerned. E

- E
 establishing an active system for the administration and accountability of weapon inventories, and excess weapon control.
- P
 protecting weapon storage, and decreasing the surplus to minimize illicit weapons trade, besides collecting and destroying excess weapons.
- D
 developing a system for declaring the loss of weapons and conducting investigations; in addition to methods of destroying excess weapons.
- C
 controlling legal weapon transfer between countries to minimize the dangers of reaching areas of tension, where they may be used to violate human rights.
- I
 imposing strict controls on brokers activities and prohibit selling and possession of military weapons by civilians, on the one hand, and increasing transparency and accountability on the legal export of weapons on the other.
- S
 securing the necessary sources to support active implementation of the above-mentioned procedures.

Controlling proliferation of small arms and light weapons is considered a big challenge that requires coordinated efforts among Arab countries, especially when large quantities of these weapons are in storages belonging to the armed forces and police. These weapons may become a target for criminal armed groups. Moreover, excess weapons need additional procedures to prevent their leakage to illicit groups, where the difficulty here lies in the fact that some countries are unable to determine accurately the size of excess weapons they possess, and do

not have the means to destroy these weapons. The role of Arab cooperation here is to support these efforts through exchange of information, determining methods for the destruction of excess weapons, and the cooperation in all related aspects. Arab cooperation is to be perceived within the framework of supporting national programs related to small arms and light weapons issues.

There are major principles that demand from all countries to set rules for the use of firearms by police and military officers.

The basic steps towards the above purpose are:

- 1- D
etermining the conditions for carrying weapons by executive officers, and provide detailed description for types of firearms and ammunition permitted.
- 2- E
nsuring that firearms are used only in certain circumstances, in addition to formalizing regulations to limit their usage in an extensive manner.
- 3- L
imiting the usage of firearms and ammunition that may inflict extensive injuries and dangers.
- 4- O
rganizing weapons and ammunition control, storing, and distribution. Yet, hold executive officers responsible for the use of weapons and ammunition.
- 5- R
eporting appropriately on renouncing unnecessary firearms, or their loss.

6- O
rganizing methods of reporting and investigation of any firearm or
ammunition misuse by police officers during their duty.

It is necessary to consider these principles in the framework of local legislations
and laws, and in establishing a mechanism for Arab cooperation in the field of
implementing and enforcing laws.

Therefore, it is possible to formalize regionally the document that is aimed for, as
follows:

- T
o become the primary Arab regional source for legal information related to
small arms and light weapons.
- T
o function as a reference to governments, policy makers, researchers and
private activists in the field of small arms and light weapons.
- T
o act as an independent observer of political initiatives, of national and regional
governments in relation to small arms and light weapons.
- T
o become a reference for the debate and dialogue between countries on the
topics of small arms and light weapons, on the Arab regional level.
- T
o become the base for the establishment of an Arab and regional network for

researchers, research centers, and private organizations involved in small arms and light weapons issues.

- T
to constitute the foundation for a forum of information and expertise exchange, and to agree on methods to activate Arab collective work and initiatives dealing with small arms and light weapons issues.

The prevailing ideas in the area of Arab cooperation and coordination may be summarized in as follow:

- C
coordinating the laws that regulate small arms and light weapons.
- C
coordinating the implementation systems in Arab countries.
- D
drawing out agreements for information exchange and extraditing criminals.
- C
conducting joint training for security systems, and holding seminars and conferences to review security plans and methods of their implementation, and for the purpose of studying new variables in this context.
- T
the establishment of a joint Arab information database to provide necessary information, and to monitor issues related to small arms and light weapons trade.

- E
 establishing regional, Arab and international links to control the illicit international trade networks of small arms and light weapons.
- F
 formulation of a joint Arab legal agreement, besides determining essential work programs needed for implementing this agreement, and initiating joint security forces, required to implement and enforce this agreement.

Conclusion

The state of security and stability in Arab countries, and the agreement on the minimum joint Arab national interests are the primary factors for Arab cooperation in the field of implementing and executing laws.

The Bamako declaration, Brasilia declaration, and the document of the European Security and Cooperation Organization on small arms and light weapons are considered important steps towards defining regional common factors pertaining to issues of cooperation regarding small arms and light weapons. Also, the continuity of peace in post war eras depends partially on the successful removal of weapons, and the rehabilitation of war veterans in civilian life.

In order to support Arab cooperation in enforcing laws, this has to be accompanied by media campaigns encouraging voluntary disarmament and awareness targeting fighters and civilians. This highlights the importance of education for implementing international and national laws.

In any case, we have to consider the following in designing these campaigns:

- D
develop publications and educational tools, with the cooperation of all parties, especially the police force and civil societies.
- S
support strong cooperation between civil societies and governments at all levels to build mutual trust, which also leads to confidence building between the executive forces and the public.
- A
as the state alone cannot deal with all these delicate issues, especially the illicit trade in small arms and light weapons, it has to seek the assistance of local and regional communities.

Practical Disarmament: Small Arms and Light Weapons Collection and Destruction

Mr. Sami Faltas

Surplus Weapons Project Leader

Help Desk for Practical Disarmament

Bonn International Center for Conversion

I shall discuss practical disarmament; its nature, difficulty to achieve, and how it may nonetheless be attempted. Finally, I shall discuss some tools and services that might be useful.

Practical disarmament literally means taking weapons away from people. In our context, I take it to mean removing small arms and light weapons designed for military and police use from the hands of people not specifically authorized to hold them, and then disposing of the weaponry.

A Challenge to State Authority

It is not difficult to see why this is important. The uncontrolled spread and accumulation of small arms is not only a threat to human security, civil society, and international peace and security. It can also develop into a serious danger to the State. In cities across the United States, the far-flung islands of Indonesia and the Philippines, the townships of Johannesburg, the mountains of Albania, the shantytowns of Latin America and a few miles away from here on the West Bank, government authority is being challenged by an epidemic of firearms.

In combination with other problems, the easy availability of small arms can lead to political instability. It prevents the police from properly maintaining law and order. Increasingly, it undermines popular confidence in the government. In the worst case, it can help cause the collapse of a state, as in Somalia.

Thus, one cannot understand why some politicians around the world refuse to seriously control firearms, or do not want to join international efforts to fight the epidemic of small arms. In my view, they are in fact refusing to uphold the authority and effectiveness of their own states. The strangest thing of all is that they do this invoking their constitution or national sovereignty.

Coercive and Voluntary Disarmament

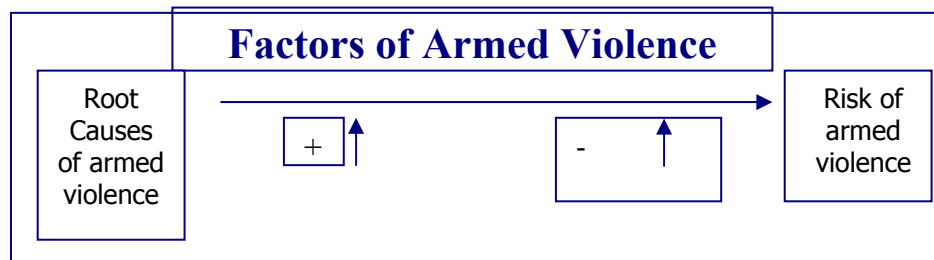
Now there are two basic approaches to practical disarmament. Either one can attempt to forcibly seize the weaponry, or one can try to convince the possessors to give it up voluntarily. Confiscation may work when a fighting force is defeated and captured, or a suspect apprehended. But governments rarely have the means or the solution to disarm an entire population, by going door to door. Besides, we may not find it desirable for governments to have such power. So force alone is not a feasible option.

Simply asking people to give up their weapons will not work either, unless the conditions are unusually favorable. People may be moved to disarm after a shockingly violent crime or in the euphoria of a peace process, but they are only likely to comply if they are fairly confident that surrendering their arms will lead to greater security. They may also demand some form of compensation or reward. Finally, even if all these conditions are met, people may refuse to disarm unless they face the prospect of being punished at a later stage for non-compliance. So

practical disarmament only stands a good chance of success if the conditions are favorable, and a made-to-measure mix of encouragement and punishments is employed.

Factors of Armed Violence

I have described the uncontrolled spread of small arms as an epidemic. Let me qualify this.



Unlike viruses or bacilli, weapons are rarely dangerous in themselves. They become dangerous in the context of human behavior. Also, people who resort to armed violence usually do this for a purpose. This purpose may be good or evil, offensive or defensive, and political, criminal or personal. Let us call these motives or purposes the root causes of armed violence.

To be sure, root causes do not automatically produce violent behavior. Other factors intervene either increasing or reducing that risk. The access to weaponry and ammunition is such an intervening factor. If guns and bullets are not available, no one can get shot. The easier it is to obtain firearms and ammunition, the greater the risk that people will get shot, and the more destruction will be caused. In fact, easy access to guns may be the decisive factor that triggers an outbreak of

such violence. There are also cultural and political factors that may make it easier or more attractive for people to engage in armed violence.

There are also things that can hold them back. These include a certain amount of confidence in the system of criminal justice, good law enforcement, strict gun laws, a culture of non-violent conflict resolution and education.

Peace building is sometimes defined as removing the root causes of armed violence, such as fear, anger, greed and despair. However, I believe that it also needs to address the factors that mitigate or exacerbate the risk of such violence, such as easy access to weaponry on the one hand and effective policing on the other. I think peace building needs to address all major factors that determine the risk of armed violence.

Reducing the Demand for Private Weaponry

If the proliferation and misuse of small arms are to be effectively reduced, one needs to convince people that it is not necessary, desirable or permissible for them to privately possess military firearms. One needs to establish the norm that military weapons should never be in the hands of civilians, or indeed anyone else who is not properly trained, explicitly authorized and strictly supervised.

When people want to be armed, it is usually to:

Avert a threat, such as the danger of becoming the victim of a crime, the risk of being affected by political violence, or the danger of being unduly restricted in one's freedom,

Seize a prize, for instance commit armed robbery, engage in illegal production or trade, acquire political power or enhance one's social standing,

Correct what has gone wrong, for instance avenge a crime, redress a political grievance, or fight social marginalization.

To address such motives, one would need to *convincingly* provide:

Security - This in most cases means reducing the threat to personal safety and civil liberties. If successful, it will convince people that they can rely on the authorities to protect them. Such security was provided by a UN peace mission to the besieged ethnic Serbs in the Croatian enclave of Eastern Slavonia.

Opportunities - The chance to generate an acceptable income, to have a say in decisions that affect one, and to settle disputes peacefully. Some of this was achieved when the United Nations helped local authorities in Gramsh, Albania, to carry out development projects chosen by the population and at the same time collect illegal weaponry.

Justice - Effective law enforcement and the accountability of state officials. Police reform and the decline in violent crime in New York City is a practical example.

Weapons control - The effective regulation of the possession, carrying, supply and use of firearms. This was achieved to a significant degree in the United Kingdom after the killing of primary school children in the Scottish town of Dublin.

Ideally, such measures, taken together, and combined with related reforms, would enhance:

The state monopoly of the use of violence (and by implication, the tools of war). Political scientists have long considered this the defining characteristic of a modern state.

The rule of law: Transparency and accountability, adding up to good government.

The legitimacy that populations bestow on good governments.

The confidence of people in themselves, their community, their government and their future.

It will also be necessary to challenge gun cultures, in which it is considered normal and honorable for men to be armed. If such customs are to be retained, then the types of weapons that are considered acceptable must be restricted (excluding all weapons of war), and strict rules must be introduced and enforced regarding who may carry them, how they may be used, and how they are to be recorded and stored.

Wherever 'cultures of violence' persist, that is to say conditions in which the gun is the key to political power and economic progress, they will need to be changed. The best illustration I have heard of such a 'culture of violence' is the expression "Live with a Kalashnikov, and you will live for free."¹ Please note the distinction I have made between gun cultures and cultures of violence. They are not the same thing and need to be approached differently.

¹ 'Aish bi kalash, 'aish bi balash

Changing cultures is notoriously difficult. Here civil society has at least as important a role to play as government. Parents, teachers, religious and traditional leaders, even sports heroes and artists, may have a critical role to play, alongside any government programmes to change gun cultures and cultures of violence. I also believe that men have a lot to learn from women in this regard.

In this paper, I stress the need for addressing the demand for private weaponry. There is, of course, also the supply side of the small arms market. Demand reduction and national weapon control will lead to nowhere if the international trade in small arms, both legal and illegal, is not monitored, regulated and restricted. Glen Macdonald has just given us a glimpse at the figures, but until the first yearbook of the Small Arms Survey is published, the world will not even know how many small arms are circulating on this planet.

Post - Conflict Disarmament, Demobilization and Reintegration

The end of a domestic armed conflict requires fast and effective action to consolidate the peace in the short term and make it sustainable in the longer term. In UN peacekeeping missions, this is usually referred to as Disarmament, Demobilization and Reintegration or DD&R.

Experience shows that the disarmament of combatants is best included in the peace settlement and tackled immediately after its signing. Unfortunately, this did not happen in several countries, most notably Mozambique and Cambodia. Now these countries face the even more difficult task of extracting millions of unauthorized weapons from the population. Both are making significant progress now, but they have a long way to go yet.

Another lesson learned by peacekeepers is that the destination of the weapons collected from excombatants must be clear from the outset. In the Central African Republic, the UN peacekeeping force MINURCA left them behind, but it is not known where they went. This has fed suspicions that they may show up in new factional and communal fighting.

The period immediately after a peace settlement, when hopes are high and the fighting forces have not yet been disbanded, offers excellent opportunities for practical disarmament. For it to succeed, it must be:

1. Mandatory (prescribed by the settlement and any peacekeeping mandate),
2. Rapid,
3. Definitive,
4. Transparent and
5. Fair.

Disarmament, demobilization and reintegration depend on each other. The UN Report compiled by the committee led by Ambassador Brahimi states that their basic objective is not met unless all three elements are implemented (p.3). Furthermore, all three must be firmly embedded in a programme of national recovery and reconstruction.

The Paradox of the State in Practical Disarmament

As we have seen, practical disarmament is an important objective for states, but one that they cannot achieve without the trust and co-operation of the population. It is a difficult objective because it requires a paradoxical behavior on the part of the State.

On the one hand, the State must rigorously control the tools of war, removing all military weapons from the hands of civilians, apprehending offenders and turning them over to the courts for trial and punishment. That is the Monopoly of Violence and the Strong Arm of the law. However, at the same time, the executive agencies of the State must carefully protect the defenseless, respect the rights and liberties of citizens, scrupulously remain within the boundaries of the law, and answer for their actions to the courts and the elected representatives of the people. That is the Rule of Law. When I say that the two must go together, I am not merely saying this it is desirable. I am also suggesting that the one is not sustainable without the other.

It would be asking too much of governments to expect them to perform this tightrope act without help. They need the scrutiny, the criticism and the support of parliaments, media and civil society organizations

Destroying Surplus and Collected Weaponry

There are basically three ways in which one can dispose of weapons that have been collected in a practical disarmament programme. They can be transferred, stored or destroyed. Transferring the arms to another user may sometimes be justified. For instance, if the weapons were stolen from the army or police, and the original owner is poor and clearly in need of them for legitimate purposes, plus there is strong public support for returning them. If the weapons are sold abroad, they will add to the international circulation of small arms and may cause problems elsewhere. If the proliferation of small arms around the world is to be halted, governments will need to stop exporting their used and collected weaponry.

Storing weapons safely and securely is surprisingly expensive. By contrast, dumping or destroying small arms is cheap and easy. While dumping and burning pollute the environment, the damage is much slighter than if the weapons were to be fired in anger. Besides, there are methods of destruction, such as crushing the weapons under heavy vehicles and cutting them with oxy-acetylene torches or industrial shears, which are reliable, low in cost and environmentally safe.

In the interest of safety, ordnance experts should always supervise the destruction of small arms. The destruction of ammunition and explosives should be entirely left to experts. Literature is now available on safe methods of destroying small arms. If small arms are destroyed in public, the political and psychological effect may be very helpful in reassuring people that the guns will not be used again and the authorities are serious in their desire to build peace. This became clear when former Tuareg rebels and government soldiers jointly burned the weapons collected in the northern Mali town of Timbuktu in a bonfire that gained international fame as the *Flamme de la paix*.

It is encouraging that the European Union states, Canada and the United States are now offering money, expertise and encouragement to countries afflicted by the proliferation of small arms, so that weapons can be collected and destroyed. I hope the intended recipients seize this opportunity. I also hope that the donors will soon undertake to destroy all the small arms no longer required by their own security forces. During the Cold War, the countries of the Eastern and Western bloc exported large numbers of small arms to the developing countries. After the Cold War, they disposed of large numbers of surplus weapons, most of which also ended up in the developing countries. Now that the Western countries want to fight the international proliferation of small arms, I think they should stop adding to the accumulation of these weapons by destroying all of their surplus stocks.

Currently, there is only one country in the world that has committed itself to doing this; it is South Africa, which is a developing country.

The Issue of Small Arms and Light Weapons; Background and Address in the UN Framework: An Egyptian Perspective

Mr. Ala' Khairat Issa

Director of Disarmament Issues

Ministry of Foreign Affairs

Egypt

Introduction

Interest in the problems of small arms and light weapons proliferation, especially in Africa and Latin America, emerged during the post civil wars era, where the disputing factions relied on either Western or Eastern support. Also, the interest arose after ex-military men started taking part in civil life, while still possessing their weapons. With the decline in the economic situation in these countries and the increase in poverty, the number of armed cases of violence increased and affected security.

The emergence of new civil disputes in the Great Lakes area and Congo, led to the increase in weapon circulation among disputing factions. As a result, some of the UN peacekeeping forces faced major problems such as weapon proliferation in areas of post civil conflicts. Hence, the high cost of collecting weapons from previously warring factions, took up a large portion of efforts and expenses. The continuation of weapon acquisition by warring factions in Rwanda and Angola, was one of the reasons that led to the failure of UN peacekeeping efforts there.

The actual cause of the small arms and light weapons problem lies in the illicit acquisition and trade. Licit activities are carried out by regular armed and security forces, where these weapons can be subjected to control throughout the stages of production, export, import and acquisition by the state authorities, as opposed to weapons acquired by irregular armed forces and factions.

The stability linked with the state of small arms and light weapons in the Arab region, relative to other areas, is due to the stability of the legislative system. There are strict laws in most Arab countries related to weapons, in comparison to the lack of such laws in other areas affected by this problem.

In this regard, the particularity of the problem is evident. Thus, when certain areas are affected by the phenomenon, a solution is needed that takes into consideration the distinctiveness of these areas. There is also an urgency to confront this problem in the short run, and deal with the social and economic roots of these problems in the medium and long run, which are the causes of the problem.

Moreover, this problem has been internationalized, and addressing it became a priority during the last decade of the 20th century. Some countries supported this, as a result of the end of the cold war, and the declining danger of an atomic confrontation between the West and the East. Other countries took a more moderate stand, trying to achieve a balance between the concerns of countries suffering from the small arms and light weapons proliferation, that are either left behind after civil wars or smuggled, and the right of weapon producing countries for licit trade activities.

Crime and Weapon Control Perspective

The international framework for controlling small arms and light weapons is linked to the work priorities set by the International Community in the conclusion statement released by the General Assembly's first special session on disarmament in 1978. Hence, atomic disarmament represented top priority, second came other weapons of mass destruction, followed by conventional weapons.

Within the international efforts for combating crime, states support national legislations on small arms and light weapons, according to the agreement, which deals with organized transnational crimes, on the basis of the UN General Assembly resolution of 1998. The agreement was actually drafted along with three annexed protocols, one of which was for combating the illicit manufacture of firearms, their parts, ammunition and trade.

Addressing the Issue of Small Arms and Light Weapons in the UN Framework

Two Expert Teams

According to a Japanese initiative, the UN brought together two governmental expert teams, to report their views on the issue of small arms and light weapons. The first team drew out a report in 1997, and the second team in 1999.

Moreover, the first team categorized small arms and light weapons, as those, which varied between bats, knives and daggers to weapons, listed in the UN records of conventional weapons. They also, set a number of recommendations to decrease weapon accumulation, emphasizing that weapon accumulation alone does not lead to conflicts. Thus, the danger lies in the increased intensity of armed

conflicts, as a result of possessing such weapons by the warring factions. The team recommended holding an international conference to discuss all aspects of illicit weapon trade. As for the second group's results, they mainly consisted of a review of what has been implemented from previous recommendations.

Despite the increasing recognition of problems related to this issue, there is no international base or measurement agreed upon to determine the level of excessive weapons that lead to instability. The two teams pointed out that the terms "excessive" and "instability" are relative, and do not exist out of a regional context or a definite state context. They also pointed out that mere weapon accumulation, is not a sufficient measurement to describe it as excessive or destabilizing; for large quantities of weapons that are under strict control by responsible states, do necessarily become a source of violence.

As for regional problems in small arms and light weapons trade, the first team agreed that these problems were specific, where such weapons affect certain regions or states. This is based on UN peacekeeping operations reports and investigation committees.

The expert teams did not refer to the Arab region as an affected area. The report pointed out that this problem exists in South, Middle and North Africa, Central America, South Asia and Europe. This reflects stability in the Arab region in comparison to other areas.

The first step here would be to enhance national legislations in weapon exporting countries, to control manufacturing, export, and trade in small arms and light weapons, in order to prohibit their export to conflict areas or to any side other

than official governmental authorities. Also, to enhance national legislations in weapon importing countries in order to limit weapons acquisition.

The UN Conference on the Illicit Trade in Small Arms and Light Weapons

With regard to the International conference recommended by the governmental experts team on illicit weapon trade in Dec. 1998, the General Assembly approved organizing an international conference on the illicit arms trade in all its aspects, no later than the year 2001. As well as, to form a preparatory committee to prepare for the conference and the topics and recommendations to be dealt with.

The preparatory committee of the 2001 conference developed a work program to prohibit, combat and eliminate illicit trade in small arms and light weapons. However, the committee was unable to push the project forward because of controversial points included, and thus was postponed to the July 2001 conference for further discussions. The group of Arab countries was very active during the third and final sessions last March, and there was comprehensive Arab coordination. This was reflected in the various statements presented by Jordan, head of the Arab group, who clearly presented the Arab countries views and suggested amendments on the work program.

The preparations for the 2001 conference reflected acute differences in views and stands regarding suggested topics. These differences can be seen in the following:

The group of countries, which included China, the Arab countries and the Russian Federation, believed that illicit trade in small arms and light weapons trade, and

leakage should be stopped. To achieve this, special efforts should be made to eliminate poverty, enhance development, and put an end to social and ethnic conflicts.

The European countries and Canada saw that the very existence of small arms and light weapons as the root problem. Also, that this problem must be dealt with in order to achieve total transparency between states regarding production, export, import activities, and national acquisition, even if these were on the expense of national security.

In the light of the above-mentioned factors, it will be difficult for the 2001 conference to find solutions to all problems related to illicit weapons trade, but it might find a common ground for future action towards solving these problems in the long run. The 2001 conference is expected to adopt a political declaration that reviews all aspects of the problem, and a plan of action may follow as well.

Small Arms and Light Weapons in Yemen

Colonel Mohamed Yahya Al Dailami

Head of Assault and Homicide Section

Capital Investigations

Yemen

Small arms and light weapons proliferation in the Republic of Yemen is considered a vast and inter-winded phenomenon. This is due to the inter-connected historical accumulations of armed conflicts that prevailed in Yemen throughout its contemporary history. Also, due to certain social characteristics, such as the social structure, tribal affiliation, and the resulting weapon proliferation and its vast market.

In Yemen, we realize that there is an unclear picture on the existence of small arms and light weapons. Citizens own many weapons, as is the case in many Arab countries. Moreover, the Yemeni citizen owned weapons since the Ottoman invasion, when the people fought the invasion for a protracted period; a fact that left a tendency for owning weapons, and made it a part of the Yemeni characteristic.

In spite of this fact, norms and traditions determined a number of positive regulations in carrying and using weapons. The most famous of these is an agreement known as (*al-Qawa'id as-Sab'een*) meaning seventy rules, documented by tribal heads and agreed upon by all tribes to set rules, for regulating their lives.

It is also difficult to determine the number of these weapons accurately for many reasons, but estimates are over tens of millions of different types of weapons. Nevertheless, the government did not regard it as a priority to deal actively with this phenomenon and limit it, because these weapons did not inflict a security or military danger. The social tribal balance remains a stabilizing factor that curbs the negative aspects of this issue, in addition to the existence of a strong army able to face the negative impacts.

Following, is a historical background of conflicts that led to weapon proliferation in Yemen.

1962-1970 (North Yemen)

The Yemeni revolution started against the Imamate in North Yemen, where regional and international forces intervened and turned Yemen into an arena of military conflict. During this period, both pro and anti Imamate tribes were armed. This fact created a spread proliferation of small arms and light weapons after the civil war. However, there are no precise estimates for the size of proliferation.

1963-1976

The armed struggle against British colonialism and the Yemeni revolution were followed by an armed conflict among revolutionary forces, which resulted in limited proliferation.

1972-1979

The military conflict between North and South Yemen on boundaries, a conflict that can be categorized as a civil war due to the similarity between citizens on both sides. This led to weapon proliferation in border areas, and the emergence of military groups that encouraged this phenomenon.

1978-1990

The political conflict and numerous military coups in the southern part of the country, led to weapon proliferation in most parts of Yemen.

Since the establishment of the Republic of Yemen in 1990, the government adopted programs and plans, in addition to legislations regulating this phenomenon. However, political disputes that took a military form led to the largest weapon proliferation supported by regional and international forces. The aim of these forces was to bring the system down, by working on the following:

Direct armament for separatist forces outside the official scope.

Opening wide all channels for armament and illicit import of weapons, which further led to increased illicit trade in weapons.

Wide spread armament of citizens and tribes, and seeking further supporters by providing them with arms.

1994

The separatist war that spread on a front that exceeded 1000 km, resulted in wide proliferation of weapons that the army was unable to completely confiscate. The situation worsened due to distribution of the vast excess of weapons that have been stored, to citizens in the various areas and villages of Yemen.

Despite the governmental efforts to purchase and trace these weapons, the huge amounts of weapons made these efforts futile.

Causes of weapons proliferation in Yemen is not confined to internal factors only, but also to Yemen's geographical location, near the centers of conflict in the Horn of Africa, which is considered an unstable region and classified as a source of weapon proliferation.

We believe that the project of the international agreement on combating illicit trade of small arms and light weapons is an appropriate base for tackling this problem internationally. However, the size of the problem, its complexity and multi dimensional reality in Yemen, make the necessary measures required by the above-mentioned agreement, exceed Yemen's local abilities.

Nevertheless, the Yemeni government took the following measures:

Opened credit to purchase small arms and light weapons and ammunition owned by citizens. In this regard, amounts spent between 1994-1998 exceeded 5 million dollars.

The Ministry of Interior carried out a new project to modify the current law, regulating weapon acquisition and carrying, where it is being discussed in the parliament.

However, the above steps remain modest, in comparison to the size of the problem in Yemen. Actual programs to reach a solution may take years and immense efforts, in addition to considering this issue a government priority.

We also believe that a number of measures have to be undertaken on many levels such as:

Locally

Issuing strict laws that limit possessing and carrying weapons and confiscating unlicensed ones.

Enforcing control of land and sea borders to stop smuggling of weapons.

Launching awareness campaigns aimed at encouraging citizens to get rid of weapons obtained through crises, and explaining the hazards of keeping weapons at home.

As the state is unable to purchase all weapons from citizens, the state may adopt development projects in cooperation with local councils that may succeed in collecting these weapons.

Regionally

Setting a regional system of cooperation and coordination to limit illicit transfer of weapons across the borders, monitoring this phenomenon and exchanging available information.

Establishing regional centers in areas marked by high densities of proliferation of such weapons, which would work towards controlling the proliferation. Also, to support these centers technically and financially.

Internationally

Setting up a record system to register all weapon deals in order to find out the source of these weapons, in the event of ceasing them handled illicitly.

Supporting an international agreement aimed at limiting illicit proliferation of such weapons.

Attaining international commitments of non-interference in local disputes through providing arms to conflicting groups.

The Phenomenon of Light Weapons Proliferation in Jordan

Major General Dahir Fahad Al-Fawaz

Director

Directorate of Public Security

Jordan

Introduction

Proliferation and misuse of firearms is considered one of the most dangerous international phenomena, which cause sufferings to many societies including our own. For, wherever weapons are spread, sufferings and catastrophes prevail. A prominent example is what the media often brings to our attention, of school students attacking their schoolmates and teachers, in advanced societies.

Wars and internal disputes and the weapons they leave behind, in addition to the freedom of obtaining weapons according to some legislation, are factors that help in weapon proliferation and possession. In the Jordanian society, the habit of obtaining and using firearms has its historical roots that have been inherited from one generation to the next. This habit had its justification in old days, and may have had an acceptable reason at the time, such as to announce a wedding by shooting in the air, because communications in those times were non-existent. This phenomenon became widespread and turned to be a source of anxiety for the Jordanian society, especially after the social and economic changes that took place, and led to the misuse of these weapons. Many weddings and happy occasions turned to be disastrous as a result of the negligible use of firearms.

Moreover, the phenomenon has become dangerous, threatening the society as a whole, as a result of deaths, severe injuries and the deprivation of many innocent people of living a normal life. Therefore, we all have to work to confront this problem, bearing in mind the saying of our late great leader Al-Hussein Bin Talal (Mercy be upon him): "The human being is our most precious possession".

The law has allowed citizens to acquire certain types of weapons under certain conditions, to protect their lives, possessions and honor, or for the protection of companies, and private and governmental institutes.

Acquiring weapons was not left unaccounted for, and the process of issuing weapon licenses was organized through legislations and instructions that ensured regulating the process of dealing with these weapons. Licenses were restricted to pistols and hunting rifles, based on the decision given by the Minister of Interior, where automatic weapons have been withdrawn from citizens due to their dangers.

I hope to be able to explain the phenomenon of weapon proliferation in terms of its concept, ruling legislations, determining the size of this phenomenon, and its dangers. As well as the procedures and regulations carried out by the Public Security Directorate and other state institutions, to limit its dangers and combat its negative effects.

The Concept of Firearms

A weapon is a device used against the enemy, such as swords, spears, bows, sticks, and others, which is a general definition of weapons. However, the scope of our research is limited to firearms, which is an outcome of modern civilization,

where the gases produced from the combustion of gunpowder lead to the discharge of fire bullets.

From a legal point of view, article (12) of the Jordanian weapon and ammunition law stipulates that weapons are: "every firearm, part and spare part of a weapon". The law defined automatic firearms as any type of weapon that shoots one or more projectile through one movement, and weapons that work by the force of gas. Also, firearms that discharge one shot when the trigger is depressed, and then recycle to insert a new cartridge in the chamber, which is then fired by depressing the trigger again, and where no manual manipulation is required. Every part of these weapons or their spare parts are also included in this definition. However, the definition does not include hunting rifles or pistols.

Technically, scientists define weapons as devices with special specifications that are able to discharge bullets as a result of the burning of gun powder. Modern weapons operate as a result of transfer of the mechanical movement from the trigger to the hammer that hits the striking needle, which in turn hits the bullet capsule, causing ignition that pushes the bullet forward.

Types of Light Firearms

Weapons with caliber that doesn't exceed 15mm are considered light weapons, while weapons exceeding this level are not categorized as light weapons.

Furthermore, weapons can be categorized according to the following criteria:

- ***Types of weapons according to use***

Fighting weapons such as rifles, pistols, and light and medium machine guns.

Athletic and training weapons.

Hunting weapons.

- **Types of weapons according to barrel length**

Long barrelled weapons: These include weapons for individual use with long barrels, such as rifles.

Medium barreled weapons: These include several types, and we can find them among military weapons such as machine guns, and others.

Short barrelled weapons: These are guns with magazines and mills.

- ***Types of weapons according to ammunition supply***

Weapons of multi ammunition supply. These contain a fixed or mobile magazine.

Weapons with single ammunition supply such as mill pistols.

- ***Types of weapons according to method of loading***

Hand loading weapons.

Semi automatic loading weapons.

Automatic loading weapons.

The historical and legislative developments of the light weapons phenomenon

Undoubtedly, there is no clear contradiction between the right of society in the prevalence of security and the right of individuals in protecting themselves, their families and property against aggression. Hence, the Jordanian legislation has been careful in regulating the acquisition, and the carrying of weapons since the foundation of the Monarchy. The law prohibiting the carrying of weapons was released in 1924, followed by the resolution prohibiting carrying machine guns,

which was released in 1933. Many legislations regulating this issue were released in the period between the years 1938–1941, according to the requirements of that period, where the country was under the British mandate that prohibited acquiring weapons by the locals in any form.

After the independence of the Hashemite Kingdom of Jordan, law No. 34 of 1952 was released. This law organized possession of weapons and cancelled all previous legislations, in accordance with the political and international conditions prevailing at the time, such as the Israeli occupation of the majority of Palestinian lands and the threat imposed on the Kingdom. Therefore, the law permitted citizens to keep rifles and pistols in their homes to defend themselves, on condition that they obtain necessary licenses. The law also gave the Minister of Interior or his deputies, the authority to give licenses free of charge, for acquiring and carrying machine guns and ammunition within 15 km of the temporary truce line. However the regulations prohibited the import, export and trading of weapons.

During the seventies, due to internal events and the large quantities of unlicensed weapons held by citizens, a temporary law No. 46 for the year 1971 was released. This temporary law is a modification of the original weapon and ammunition law that emphasized penalties against possessing weapons, especially if they were possessed for illegal purposes.

In 1975, light weapon trade became popular because of the wide proliferation of these weapons, and as a result, banning regulations were drawn out. Thus, all such trade, without a legal license from the Ministry of Interior, was banned.

The nineties witnessed an increase in automatic weapon acquisition by citizens, in addition to the phenomenon of shooting in weddings and festivities. These have

led to many injuries and deaths. As a result, the Ministry of Interior drew out a regulation in 1992, which included the following:

Canceling all weapon-carrying licenses, and transferring them to strictly weapon-possession licenses.

Issuing weapon-carrying permits instead of licenses, given to officials in security organization and bank security personnel.

Collecting machine guns, and handing them to the head quarters of the popular army, and canceling the licenses of these weapons.

In the year 2000, firearms regulation No. 75 was drawn out. This regulation set fees for weapon licenses, and limited the duration of these licenses for one year.

It remains to be said that during last year, a new law project was carried out to organize dealing with firearms and weapons. This project faced setbacks at some of its constitutional stages, and currently a new law is being worked on, to tackle this subject in all its aspects.

The size of the phenomenon of light firearms proliferation in the Hashemite Kingdom of Jordan

This phenomenon is one of the major reasons for the sufferings of the Jordanian society. Although there are no precise statistics for unlicensed weapons in Jordan and other countries, we find that statistical studies for licensed weapons that belong to citizens, or weapons seized in crimes or inspection campaigns, reveal that licensed weapons account for 20%, meaning that unlicensed weapons account for 80%.

Table 1 Licensed Weapons until the year 2000				
Type of Weapon	Pistols	Hunting Rifles	Machine guns	Total
Number of Pieces	105659	8578	11075	125312

Table 2 Weapons that were used in crimes and seized During 1996 - 2000										
Years	1996		1997		1998		1999		2000	
Status	Licensed	Unlicensed	Licensed	Un-licensed	Licensed	Unlicensed	Licensed	Unlicensed	Licensed	Unlicensed
number of weapons	102	350	89	445	60	394	100	336	94	306

If we knew, that the total number of licensed weapons (as shown in Table1) until the end of 2000 was (125312), then our expectations for the number of unlicensed weapons proliferated among citizens will be higher than this number.

The dangers resulting from the proliferation and misuse of light weapons

In any society, the proliferation of weapons leads to a security breach, which in turn negatively affects social and economic developments and the stability of society.

The Security Aspect

The responsibility of the various security institutions to achieve and maintain security, increased with proliferation of light weapons in many aspects:

The increase in the percentage of weapons-related crimes such as murder crimes, armed robberies and threats. Also, in crimes where weapons are the main factors, such as weapon smuggling, acquisition and carrying without a license.

Increasing the burden on the Public Security institutions concerning weapon acquisition issues, which are of a delicate and dangerous nature, and require tremendous efforts on the part of security personnel. These efforts entail tribal and legal procedures, in addition to finding the perpetrator and the weapon used in the crime, in order to present both to court.

Increasing the possibility of using illegal weapons to confront and resist security forces. This in itself, maybe one of the reasons that limits, and consumes the efforts of security forces.

Increasing the necessary preventive measures to limit the possible dangers, which requires human and material efforts.

Table 3 Crimes in which firearms were used during 1996-2000					
Type of Crime	No. of Crimes in 1996	No. of Crimes in 1997	No. of Crimes in 1998	No. of Crimes in 1999	No. of Crimes in 2000
Premeditated killing	49	46	39	40	28
Unintentional killing	23	19	10	11	8
Attempted murder	108	156	116	109	96
Armed lifting	158	101	41	43	38
Severe injury	37	0	50	44	41
Firing without necessity	821	766	338	304	284
Threat	Included in cases of shooting		333	323	276
Suicide	24	27	12	10	11
Simple injury	Included in cases of shooting		51	33	22
Armed robbery	8	11	This category is not coded in the control system due to lack of a defining legislation		

The Social Aspect

The proliferation of firearms in our society and other Arab societies is associated with some negative social factors, such as:

Firing as an expression of happiness: This is a way, for a large portion of the Jordanian society this, to express their feelings in private and public occasions. The danger is further increased in crowded places such as major cities, where the possibility of death and injury increases.

Table 4

**Cases in which firearms were unnecessary used
during 1996 - 2000**

Year	1996	1997	1998	1999	2000
No. of cases	127	151	36	44	40

Violence related to cases of honor: This is the result of inherited beliefs that consider killing as the best means to clear shame and dishonor. The proliferation of light weapons helped this practice and resulted in many victims.

Table 5 Honor crimes in which firearms were used during 1996 - 2000					
Year	1996	1997	1998	1999	2000
No. of cases	17	14	8	12	10

Revenge: In many cases, this phenomenon is still considered the first link in tribal violence, related to the use of firearms and leads to social disintegration.

Table 6 Cases of revenge in which firearms were used During 1996 - 2000					
Year	1996	1997	1998	1999	2000
No. of cases	3	1	4	6	5

The Economic Aspect

Proliferation and illicit use of firearms is one of the reasons that harm the national economy. This can be seen through the following:

The illicit trade of weapons, through smuggling in neighboring countries, and selling these weapons in the Kingdom for lower prices than the prices of legally imported weapons. This damages trade, in addition to the fact that dealing in these weapons leads to the massive movement of hard currency to outside the country, and hitting the national economy in one of its major aspects of stability.

The use of ammunition in special occasions and weddings leads to wasting large sums of money with no benefit. As well as the expenditures on treatment of

injured people, as a result to the misuse of weapons, murder cases, armed robberies, and others.

As a result of shootings, inflicting damages on public installations and property such as breaking window glass, cars, and cutting off electricity and telephone cables, either intentionally or unintentionally.

The loss of lives as a result of shooting accidents. Large percentages of deaths concise of youth and children, which can be considered a loss to both the Jordanian society and economy.

Psychological and health aspects

Weapon proliferation among groups of the society affects the psychological and emotional stability of individuals negatively, where:

Citizens feel the lack of security, stability and safety.

Increasing tendency towards aggressiveness, especially among children, which may lead to psychological disturbances in the future, as the case in Western societies.

Spreading anxiety, fear, and psychological disturbances among citizens as a result of seeing weapons carried either legally or illegally by other ordinary citizens, and of hearing fire shots.

People being hit with bullets as a result of their presence in places of ceremonies such as weddings. Also, people being shot at by criminals in murder cases, armed robbery and violence. All these may lead to temporary or permanent handicaps.

Measures of controlling and regulating light firearms in the Hashemite Kingdom of Jordan

In the light of the negative results that are linked to the phenomenon of firearms proliferation, certain control and regulation measures were drawn out to regulate weapon possession and trade. Also, to ensure that these weapons are not misused. These measures include:

First: The laws regulating the use of these weapons

Many legislations took a medium approach, allowing the acquisition of some weapons, under restrictions that guarantee avoiding the use of these weapons as tools for committing a crime or aggression. The Jordanian weapons and ammunition law no. 34 of the year 1952, and consequent regulations concerning possessing and carrying weapons concise the following:

Types of licenses included in article 6 of the weapon and ammunition law, and the underlying conditions which include:

Weapon Possessing license: This license is given to adults (not less than 21 years of age) who have not been convicted for a felony. Article (3/A) of the same law states that all citizens in the Kingdom are allowed to keep rifles and pistols in their houses for personal use with a certain amount of ammunition, sufficient for self defense, on condition that a license is obtained from the Minister of Interior or his deputy, before buying the weapon. The dealer that sells the weapon has to register the number of license and name of the buyer in his records.

Weapon Carrying license: This license is also given to adults (not less than 21 years of age) who are not convicted for a felony. This license authorizes its holder to carry weapons in governorates, districts, directorates, police stations, centers of municipalities and village councils. Article 4/B of the law prohibits carrying licensed weapons in official celebrations, festivities, conferences, meetings, funerals or any other meeting attended by more than 10 people.

Weapon Trading License: This is given to a person or an establishment, by The Minister of Interior or his deputy.

Weapon Manufacturing License: This is given to a person or an establishment, by the Council of Ministers. However, currently there are no special factories for weapon manufacturing.

People who are legally allowed to carry weapons: Article 4 of the weapon and ammunition law identified the following people as suitable to carry weapons without a license:

Officers and personnel in the Jordanian Armed Forces, Public Security Directorate, General Intelligence Directorate, and Civil Defense, under the condition that these weapons are given to them officially as part of fulfilling their duties.

The entourage of His Majesty the King.

Current and ex-Ministers, members of the parliament, members of the consultative council, and governors.

Guards in villages and boroughs, where they must hold documents stating the type of weapon, number, quantity of ammunition which are licensed and certified by the police authorities.

Any government official, whose post requires carrying a weapon.

Any person possessing a legal license.

The Personalization of weapon licenses: The weapon and ammunition law no. 34 for the year 1952, indicates the following: "The weapon license is considered personal and must not be used by anyone other than the person, or the establishment to whom it has been issued. The validity of the license ends with the person's death, or with the liquidation of the establishment. The heirs of the person who possessed a weapon, or their guardian have to act in accordance with the law, within a period of three months after the death. The general regulations for foundations and companies apply to the establishments."

Sentences for the misuse of weapons in the Jordanian legislations: Law number 34 of 1952 covers the following:

Article 11 of the above stated law stipulates: "Anyone who manufactures, exports, imports, possesses, sells, buys, or mediates in the purchase or sell of guns or automatic weapons without a license, for illicit use, is sentenced by execution and the confiscation of weapons".

"Any person who manufactures or tries to export firearms, or ammunition without a license will be sentenced to no less than 15 years of hard labor and the confiscation of the weapons".

"Anyone who violates any other article or regulation under this law, will be imprisoned for a minimum period of three years and the weapon will be confiscated".

Restrictions related to firearms and other types of weapons were stated in the Jordanian penal code no. 16 for the year 1960, where article 155 stipulated: "Weapons referred to in the above mentioned article include firearms, tools or devices that cut, pierce, or bruise and are considered dangerous to public safety".

Article 156 of the same law stipulated: "Anyone carrying one of the weapons stated in article 155, in public will be imprisoned for a period that does not exceed 6 months and fined an amount of ten JDs".

Second: The role of the Public Security and other security systems in regulating and restricting the proliferation and use of weapons

The Public Security System assumes a major role in the field of combating; regulating weapons acquisition and use, assisted by other security directorates and some other governmental institutions in various fields, such as:

Security Field

The General Security System assumes the execution and follow up of all issues related to firearms. These include regulating and organizing according to the authorities and duties given to the directorate by laws and effective regulations, in many aspects:

The law has given the Minister of Interior, the authority to deputize the Director of Public Security and police chiefs to grant weapon licenses. Therefore, we find that the process of acquiring weapons is subjected to the control of these systems, in coordination with other security directorates that scrutinize the civil records of applicants, to ensure their liabilities to acquire these licenses legal

Table 7	
Licenses for weapons given to citizens until the year 2000	
Type of License	Number
Carrying	2257
Carrying authorization	1791
Acquisition	114288
Type of License not listed	6976
Total	125312

Cooperating with the customs department and border guards: Patrol squads who are fully trained and equipped with modern machinery, comb border areas and external and internal highways, to monitor any weapon smuggling activities through neighboring countries. This does not cancel out the existence of isolated smuggling operations that do not represent a significant phenomenon.

The role of the Public Security Directorate in combating illicit firearms acquisition and trade: In accordance with the laws and regulations that prohibit weapon acquisition or trade without a legal license, the General Security Directorate has always been in pursuit of illicit activities in this context, through confiscating illicit weapons, and monitor their illicit trade and manufacture. Also, handing in criminals who deal with and acquire these weapons illicitly to justice. As a result of the

efforts of the General Security Directorate, and the quick actions undertaken in this regard; along with the cooperation of the police force, other security departments and customs, many weapon smuggling networks from and to the Kingdom were apprehended.

Table 8 Confiscated weapons during 1991 - 2000										
Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
number of confiscated	514	431	480	633	510	738	783	873	586	356

The role of Public Security Directorate in investigating firearm cases: In many crimes where weapons are used, investigations require special and distinct skills and schemes, for when weapons are seized in crime scenes, they have to be dealt with in the most recent and advanced scientific methods to prevent ruining any evidence or trace. Thus, the weapon is picked up along with the other remains of shots, and sent to the criminal laboratory so that traces of materials are examined such as empty bullet shells, or bullet heads, and to conduct microscopic comparisons. Also, the Department of Firearms and Machinery Traces, examines weapons that are found and used in different crimes to collect thorough data on them. In addition to conducting technical tests on firearms before granting licenses as a precautionary measure, samples are taken and each weapon is registered and subjected to examination by advanced computer soft-wares, and compared with the data collected on weapons from previous crimes.

Table 9				
Year	Number of crime cases	Number of empty shells	Number of bullet heads	Number of anonymous crime cases
1997	1219	1164	5	71
1998	5840	5797	4	37
1999	1834	1801	836	31
Total	8893	8762	845	139

A number of scientific techniques are used in the laboratories of the Public Security directorate to examine the remains of bullets that had been fired, such as:

Mechanized system for testing empty shells and bullet heads: this is a computerized system, where data base for weapons is set up, through entering all data related to the weapon and taking microscopic photos of the minute traces and etches on the empty bullet shells and bullet heads and saving these details as a reference to be compared to suspected weapons in the future.

Comparative microscope: this microscope consists of an eye lens, and two object lenses, where items to be compared are put under these lenses simultaneously.

Comparative microscope with screen: this is the same microscope that was mentioned above, but in this case, the eye lens reflects the penetrating ray on an enlarging screen, where delicate and minute traces and etches can be clearly seen.

The role of the Public Security System in providing precise information related to firearms and injuries caused by these weapons: The statistics section in the department of criminal information, prepares precise statistics on all crimes that were committed by using firearms, their outcomes, types of weapons used, victims, the location of the crime and other data that are significant in providing precise information. This information is given to researchers, decision makers, and used in raising the awareness on the dangers of firearms use, and of some social customs connected to the misuse of weapons.

The role of the Public Security in considering the legal bases when using firearms: Jordan does not suffer from any case of illegal weapon use by its security forces, because of the abidance of the directorate and its individuals by the laws and regulations released periodically. However, we find more cases in which the Public Security personnel become victims than the cases in which they themselves use weapons.

Members of the Public Security Forces strictly consider the legal regulations prohibiting the use of weapons. Thus, weapons are only used in cases of extreme necessity, and within the restrictions of duty. Such cases include rebellion and disobedience in jails.

No cases of weapon misuse have been registered, as for isolated incidents that rarely take place, the person who misuses weapons is referred to court.

Restrictive Management Field

A limited number of citizens known for their experience and good conduct, were given licenses for firearm trade according to the law, in order to create a legal gate where citizens may have access to legal weapons and ammunition. However,

things are not left unaccounted for, as the law obligates traders to open special records that list types of weapons, their numbers, origin, and quantity of ammunition, for the purpose of monitoring and controlling by the police force. Also, these dealers were allowed to import limited quantities of weapons and ammunition according to pre-approved licenses.

In order to get a license for these weapons, all related data must be entered in the Public Security Directorate's computers, to be scrutinized and checked for security. Also, to build a special data base for the numbers, types, and specifications of licensed weapons in the kingdom. Experimental samples are also taken, such as empty bullet shells, and experimental bullet heads from every weapon to conduct a microscopic comparison in related experimental cases.

Third: International cooperation in restricting the proliferation of light weapons:

There are security agreements between the Kingdom and a number of countries around the world, among which are:

The Jordanian-Libyan agreement on security cooperation: article (4) of this agreement requires that "both States prohibit the transfer or export of weapons, ammunition, explosives or their parts illicitly".

The agreement between the government of the Kingdom, and the government of the Republic of Uzbekistan to fight crimes, where it has been agreed that the two parties would cooperate in combating illicit dealings in weapons, explosives and radioactive materials.

Agreement signed between the government of the Kingdom, and the government of the Republic of Rumania, emphasizing mutual cooperation in the field of combating illicit trade in military raw materials, nuclear technology, weapons, toxic materials and explosives.

Close cooperation between the government of the Hashemite Kingdom of Jordan and other governments on issues of weapon smuggling, terrorist groups, and exchanging information concerning stolen and lost weapons. Turkey, Colombia and Peru are among these countries.

The Public Security and other directorates apply all regulations and rules and methods recommended by the International Aviation Organization regulating transporting and carrying weapons on board, which states the following:

It is necessary that countries which signed the agreement, must grant special permits to the concerned personnel for carrying weapons on board, so that they are able to fulfill their duties according to the laws of concerned countries.

It is necessary that these countries prohibit carrying weapons, unless the assigned and qualified personnel see that the weapon is not loaded with ammunition. Even in this case, the weapon has to be kept out of reach during the flight.

These countries must also notify the captain of the plane about the number of armed personnel and the location of their seats on board.

Fourth: Awareness and mass media

The Public Security Directorate broadcasts various programs through the media, on the dangers of using firearms and related negative aspects such as shooting during weddings and other occasions. Lectures are also given in schools and universities on the dangers of these phenomena, and their effects. These lectures are supported by reliable statistics from the Directorate, highlighting the size of the phenomena, and increase in the number of victims.

Recommendations

In order to limit the phenomenon of firearms proliferation, and to combat its dangers and effects, we recommend the following:

Intensification of international cooperation in the field of light weapons through:

Holding specialized courses for the concerned authorities, which attract experts in the field of firearms and ammunition for the purpose of reviewing new inventions in the field. This will increase the experience of participants in dealing with weapons from legal, technical, and security considerations.

Signing relevant international agreements to report stolen or lost weapons, or weapons that were used in serious incidents in these countries, in order to be circulated through the Interpol.

Increasing international cooperation in preparing a computerized system that can assist in tracing the history of weapons through type, number and other related details. It will be possible to track weapons, from their origin through countries,

places and persons that dealt with these weapons, making it possible to locate these weapons whenever necessary.

Intensifying international efforts in the field of information exchange, regarding weapon smuggling mobs and the plans utilized by these mobs.

Providing the police force with updated technical device to detect and test the validity of firearms before licensing. This will ensure the safety of the user, and the information will be kept on record for future inspection of weapons that were used in committing crimes. Also, enhancing computer use in the field of examining traces of firearms, and computer networks with neighboring countries to follow up investigations in cases where weapons are transported across borders after their use in crimes. As well, utilizing facilities and device that help to discover places where weapons have been hidden.

Intensifying border crossings control and highway patrols to prevent weapon smuggling, in addition to the use of modern devices and weapon detectors.

Intensifying control on licensed weapon dealers by scrutinizing their records, checking the quantity of weapons bought or sold, and ensuring that these records are updated with the recent statistics of weapon type, number and place of origin.

The necessity of entering all available information on weapons in special computer softwares for easy reference and access whenever needed.

Increasing awareness among people on the dangers of irresponsible weapon handling and the resulting negative effects, through the media, the family, and educational institutes.

Enhancing laws and legislations that regulate weapon dealings. Also, issuing sentences on firing in weddings, celebrations, illicit acquisition of weapons and other crimes related to firearms.

Notes on the Statistical Tables

Through the statistics of (1996-2000), we find that the highest ratio of firearms use was in 1988, accounting for 4.07% of the total number of committed crimes; the lowest ratio was in 1997, accounting for 2.41% of total crimes committed.

Cases of shooting without a cause during 1997, formed the highest ratio, accounting for 68.03% of the total cases in that year. The lowest ratio was during 1998, accounting for 14.92% of the total crimes committed in that year.

Crimes of threat to use firearms accounted for 14.70% of the total crimes in 1998, 16.5% in 1999 and 14.90% in 2000.

The highest ratio for committing crimes using firearms within the area of the police department of the capital Amman during 1998, accounted for 38.39% of the total crimes where weapons were used in the Kingdom, 35.16% in 1999 and 36.02% in 2000. This is due to the population density in the capital and the vast responsibilities of the police. The Ajloun police directorate has the lowest percentage of crimes where weapons were weapons, accounting for 0.93% in 1998, 1064% in 1999, and 1.57 % in 2000 of the total cases.

4.37% of criminals in the most serious crimes for the period 1996-2000 were juveniles. As 45.54% were between 18-27 years of age, 28.33% were between

28-37 years of age, indicates that the youth accounted for 73.87% of crimes during the mentioned period.

Foreigners who had committed crimes between 1996-2000 accounted for 1.82% of crimes committed during that period.

57.99% of criminals in the most serious cases were unemployed and 25.01% had private businesses; the lowest category was among housewives.

The number of people injured as a result of these cases were 3434 during 1996-2000, 207 of these were foreigners, accounting for 6.03%, and 495 were females accounting for 14.4% of the total number of victims.

The number of victims among juveniles was 380, accounting for 11.07% of the total number of victims, 39.23% of victims were between 18-27 years old, 25.16% were between 28-37 years old, hence, 64.39% of victims were among the youth.

Of the most significant cases referred to in the enclosed statistics, 55.9% of victims were unemployed, 22.19% had private businesses, 07.11% were military personnel and 06.52% were students.

Most motives for using weapons have been personal differences, accounting for 28.50% of motives; followed by planning for a crime, which accounted for 11.32%, and crimes without an articulate motive accounting for 10.58%.

The number of deaths resulting from firearms use during 1996-2000 were 376 cases, accounting for 10.95% of the total number of victims.

The number of licensed weapons was 125312, pistols accounted for 84.32%, machine guns accounted for 8.84% and hunting rifles accounted for 6.84%.

91.20% of the total number of issued licenses was for weapon acquisition, licenses for carrying weapons accounted for 1.80%; permits for carrying weapons accounted for 1.43% of the total number of licenses till the 11th of March 2001.

The number of confiscated weapons during the period 1991-2000 was 5868; the highest ratio was in the governorate of Zarqa accounting for 20.21% of the total number of confiscated weapons, followed by Al-Balqa governorate accounting for 14.42%, followed by the capital.

22.80% of licensed weapons were issued during the period between 1970-1979.

24.69% of licensed weapons were licensed during the period between 1980-1989.

45.37% of licensed weapons were licensed during the period between 1990-1999.

Reviewing these statistics, we find that 19.55% of the total confiscated weapons were licensed weapons. Unlicensed weapons accounted for 80.45% of the total amount of weapons used in the period between 1996-2000.

The Phenomenon of Small Arms and Light Weapons Proliferation in the Arab Region ; Commentary Notes

H.E. Mr. Khalil Abu Hadid

Ambassador

Ministry of Foreign Affairs

Syria

I would like to begin by commenting on the title of the workshop. For the title "The Phenomenon of Small Arms and Light Weapons Proliferation in the Arab Region", in one way or the other points a finger of accusation on the Arabs as contributing to the phenomenon. Instead, I would like to see another title corresponding to what is being discussed currently in the preparatory committees for the UN conference on illicit weapons trade, which is to be held in New York in July 2001.

We realize the importance of the up-coming conference in solving the problem of illicit weapon trade. That is without denying the right of nations to own weapons, to sustain internal and regional security, which is the right guaranteed by the article 51 of the U.N. Charter.

The problem of proliferation has caused great set backs all over the world, but it is unfair to spread this judgment on every part of the world. Our region has a particularity, where Israel continues to occupy Arab land, yet Israel itself owns a huge arsenal of weaponry. Apart from small arms and light weapons, Israel owns considerable stocks of nuclear mass destruction weapons.

We are also aware that the weaker side always gets pressured. Syria, as the rest of its Arab neighbors is prohibited from acquiring weapons even for self-defense, or for liberating its territories from foreign occupation. There is also a tendency towards limiting, and getting rid of small arms and light weapons that we own, and that are used in self-defense.

The weapons used by the Arabs in general, and the Syrians in particular, are negligible if compared with the Israeli arsenal. In addition, Israel produces weapons with the assistance of the U.S. and other international groups.

Here are some points discussed by the preparatory committee for the UN conference:

Firstly, regarding the new international documents for the control and transfer of weapons, we do not feel that we need these documents. There are several agreements and protocols to control and monitor. Thus, what we really need is a political will exercised by active international elements to implement these agreements without any double standards or discrimination. Also, to maintain the strategic balance within certain geographic territories and internationally.

Secondly, regarding the marking of small arms and light weapons, we believe that this responsibility lies on the shoulders of the manufacturing states. The marking process is costly, and our country needs the funds for development purposes instead. In Syria, we register weapons using a system of high accuracy, in coordination with the authorities. There are also organized registers to serve this end, thus there is no chance for losing track of these weapons, and ending up in the wrong hands.

Thirdly, strengthening the law enforcement authorities helps in limiting the illicit trade in small arms and light weapons; in addition to the cooperation among the custom authorities in the Arab world. As the conference will deal primarily with illicit small arms and light weapons trade. It is advised that we adhere to the topic of conference, so that the conference agenda will not expand further to include proliferation and possession of small arms and light weapons. Else, this will have dangerous consequences on the entire Arab national security. Here, as Arabs we are all obliged to take a unified position in order to support our views in accordance with our national interests.

Various Dimensions of the Small Arms and Light Weapons Phenomenon in Morocco

Mr. Matoky Jamal

Ministry of Foreign Affairs and Cooperation

Morocco

The fact that this workshop is being held on the eve of the third meeting of the preparatory committee of the UN conference on small arms and light weapons, gives this initiative special importance.

To begin, I would like to make the following comments:

My paper, in accordance with the suggestion of the Institute, focuses on the various dimensions of the small arms and light weapons phenomenon in the concerned Arab country. However, the topic suggested does not apply to the Moroccan Kingdom. Within this framework, I may suggest changing the title of my paper to read as follows: "The absence of small arms and light weapons phenomenon in Morocco".

The "Moroccan distinction" in this respect, contrary to some Arab countries in the Mashriq, is based on the draw out of significant policies to prevent the proliferation of small arms and light weapons in the country. However, to be objective, this phenomenon acquired some momentum in a limited frame of time during foreign occupation of Morocco. The national resistance, and the army of liberation in legitimate self-defense, resorted to arms as an effective option to expel the occupier. However, since Morocco achieved its independence in 1956, consecutive governments gave special importance to the necessary legislation needed to prevent the proliferation of weapons, whether in the hands of individuals or

groups. They also took the initiative to further issue laws that would make it possible to control this phenomenon.

The most important general features that distinguish the case of the Moroccan Kingdom in relation to nonproliferation of small arms and light weapons, may be summarized as follows:

The presence of an important core set of laws that cover any potential legislative loopholes which might be exploited by one or more parties to threaten public security; and the security and safety of the citizens. These laws impose strict sentences on the use, stockpiling, and trading in arms. In this regard, it is worth mentioning that on a government initiative, the Moroccan Parliament ratified last autumn, a new law that bans carrying cold steel arms, such as knives and the like. The only exception made regarding small arms and light weapons was to regulate the possession of hunting guns, which requires obtaining a special license with strict conditions.

The absence of an industrial base for the production of arms raises two points: Morocco is not an arms exporting country, hence it imports when necessary. Import of arms, according to the Moroccan legislation, is a monopoly of the state. Local private companies, or individuals are strictly prohibited from undertaking such operations. This has prevented the emergence of black markets, or criminal mobs able to exercise such activities.

On the field level, there is organized and close coordination among all government departments concerned, to monitor this phenomenon nation-wide or along the borders; and to offset any attempt of illegal training on arms.

Morocco, though free of this phenomenon, is always ready to effectively participate on regional and international levels in drawing out legal mechanisms to combat the phenomenon of small arms and light weapons proliferation.

The Phenomenon of Small Arms and Light Weapons Proliferation in Palestine

Mr. Khaled Kuzmar

Coordinator

The International Movement for Child Protection

Palestine

The phenomenon of small arms and light weapons proliferation in Palestine differs from any other country. This is due to the Israeli occupation, and its role in the spread of this phenomenon in Palestine and the neighboring countries. This phenomenon could be discussed through the following three phases:

First Phase:

The Israeli occupation and preceding phase.

Second Phase:

The Post-Oslo Agreement and the Establishment of the Palestinian Authority.

Third Phase:

The Palestinian Intifada.

First Phase: The Israeli Occupation

Everyone is aware of the Israeli occupation and its violations of the international laws, in the Palestinian territories. The illegitimacy of the occupation, and the validity of the struggle against it in all forms, is internationally recognized and

agreed, as stated in U.N. doctrines. Thus, Israel cannot confiscate the Palestinian right to struggle against the occupation.

I believe that the agreements signed between the Palestinian Liberation Organization (PLO), and Israel on limiting the number of permitted weapons for the Palestinian authorities is unjust. The occupying force must not have the right to determine the number of policemen needed by the Palestinian Authority, or the number of weapons.

Israel has invoked the phenomenon of weapons proliferation in the Palestinian areas, and in neighboring Arab countries by its recurring aggression on these states. Thus, the military atmosphere created by Israel led to the increase in demand for small arms and light weapons.

Israel spread its fully equipped forces and army units in the Palestinian territories. Here, they used not only small arms and light weapons, but also heavy weaponry against Palestinians causing death, despair, and chaos.

Israel seized the Palestinian lands through occupation, and gave these lands to the Israeli settlers to build settlements. Currently, there are hundreds of thousands of settlers fully equipped with every kind of weapon.

These weapons are constantly used against the Palestinians, who are the landowners, in spite of international recognition that settlements are war crimes. These illegal settlements have turned into military bases, shelling houses and killing their inhabitants. Israel, through its dependence on U.S support and its control of the largest media establishments, has succeeded in justifying its crimes against the Palestinians. Also, blaming the victim through international propaganda

campaigns designed to mislead the world public opinion, and justify Israel's militaristic tendencies through the following:

Israel's abstention to join international agreements to ban the proliferation of nuclear weapons; and the agreement on prohibiting the use of land mines. Thus, claims that it lives among enemies, and that its security needs do not allow for such compromise.

The occupation forces kill Palestinian citizens, using different types of weapons, even those prohibited internationally. As well, claiming that the Israeli army is retaliating against Palestinian fire, disguising the fact that these forces commit such crimes in retaliation to stone throwing by teenagers here and there.

In my opinion, there is no way to talk about putting an end to the weapon proliferation phenomenon, so long as there are occupied Arab territories. On the other hand, putting an end to the occupation will bring back stability to the Middle East. Moreover, the international declarations supported the right of a nation to resist occupation, and the right of all occupied nations in self-determination.

The Israeli occupation is the main reason behind the phenomenon of the proliferation of small arms and light weapons, not only in Palestine, but also in the whole Arab region as well. I shall discuss this issue through the following points:

The spread of the above mentioned phenomenon.

The laws and legislations that underlie.

The Spread of the Phenomenon of Small Arms and Light Weapon Proliferation in Palestine

Several factors of political, economic, social and psychological natures play a role in the spread of this phenomenon in the Palestinian society. Small arms and light weapon proliferation is most common among the following strata of the Palestinian society:

Members of the Palestinian resistance carry arms to confront the Israeli occupation. The possession of these arms is concentrated among all the political parties, and parties confronting the Israeli occupation, as well as among Palestinian citizens who do not belong to any party. As for the sources of these arms, they are various, the most important being the occupation forces.

Since its start, the Israeli occupation tried to spread fear and insecurity among the Palestinians through allocating infiltrated agents, and providing them with various kinds of arms on the pretence of self-defense. Often these arms were used against Palestinian civilians without any control measures, which resulted in many deaths

The Israeli occupation promoted the proliferation of small arms and light weapons in the various Palestinian areas, and transformed these areas to storages of weapons. These weapons were proliferated at two levels:

The first level: In the hands of the Israeli army who were spread in the Palestinian areas, where these weapons vary from hard to light ones.

Every one is aware of how the Israeli army uses these weapons against the Palestinian civilians, and the massive number of Palestinians who are being killed as a result of the use of these weapons.

The second level: Since the early years of the occupation, and the Palestinian diasporas, the Israeli occupation illegally transformed the Palestinian lands into the possession of the Israeli settlers and built settlements for them. In time, 200 thousand inhabitants possessing hundreds of thousands of various kinds of arms and weapons lived on Palestinian lands. The settlers illegally got hold of Palestinian lands, and threatened the livelihoods of the Palestinian People. They also fought against the Palestinians rights to live, by using these weapons against them without any control from the Israeli occupation. This resulted in the wounding and death of hundreds of Palestinian civilians.

The Roots of the Phenomenon

All types of weapons did not form a dangerous phenomenon in the Palestinian society during the occupation period. This is due to the fact that their acquisition was restricted to the Palestinian resistance, a number of agents, and a very small number of individuals. Possessing weapons was marked by absolute secrecy, in fear of pursuit by the security and investigations, even if the weapons were not used against the occupation forces. The standard sentence for holding weapons, without any intentions of use, was a minimum of one year in prison. At the same time, the occupation forces turned a blind eye to weapons carried by their agents and informants, even if these were used against Palestinian civilians.

After the Palestinian Authority took over, strange and new phenomena emerged, i.e. the proliferation of small arms and light weapons among civilians, in addition to

carrying weapons by security personnel beyond their official duty. Also, to bypass regulations and laws out of the feeling that as long as they are members of the security, they will be protected from the law. Meanwhile, some organizations declared their acquisition of weapons, because the security prohibition that existed under occupation has ended after the Palestinian authorities took over.

Development of the Phenomenon

As a result of years of occupation and the deprivation among Palestinian youth from training, carrying, and acquiring weapons, a large number of youth joined the Palestinian police forces. This, has also led others to buy and trade in weapons. In time, this trade encouraged other forms of trade, such as drugs and stolen cars. Thus, conflicts of interest arose between people known for their patriotism, and others acting under the consent of the Israeli intelligence who were aware that the weapons were used to create disturbances.

Moreover, the above-mentioned practices grew, and started to affect everyone because some elements began deceiving the authorities, and their society. Also, they started to claim that they belong to one faction of resistance or the other, and sometimes they sought protection by claiming falsely that they are followers of certain leaderships. That is, in spite of the fact that the security systems and leaderships declared that all should abide by the law, without exception.

Laws and Legislations Regulating the Phenomenon

Before the Israeli occupation, there had been a number of laws to regulate this phenomenon in the West Bank and Ghaza strip. As, the Jordanian laws were presiding in the West Bank, the sentence law no. 16 for the year 1960 sentenced

any one who possessed these weapons without a license. The same also applied in the Palestinian law in the Ghaza strip.

However, with the Israeli occupation, these issues became under the jurisdiction of the Israeli military judiciary. The occupation issued many military orders to fight the phenomenon of the proliferation of weapons; and all issues concerned with this were forwarded to the Israeli military court. Moreover, the main aim of the Israeli occupation was to stop the proliferation of weapons only among the Palestinians.

As for the proliferation of weapons among Israeli settlers and agents. The military orders were issued to allow the armament of these groups, and to encourage their use of weapons without any reservations. This led to disastrous consequences, as the weapons were used solely against the Palestinian citizens and civilians.

The Second Phase: The Post-Oslo Agreement and Establishment of the Palestinian Authority

The Oslo agreement resulted in the establishment of the Palestinian Authority and in dividing the Palestinian lands into three areas as follows:

Area A, which concise 18% of the lands in West Bank and Ghaza strip, and falls under the security and civil jurisdictions of the Palestinian Authority.

Area B, which concise 30% of the lands in the West Bank and Ghaza strip, and falls under the security jurisdiction of Israel and civil jurisdiction of the Palestinian Authority.

Area C, which concise 50% of Palestinian land, and falls under the security and civil jurisdictions of Israel.

In accordance with the above agreement, the Palestinian Authority was allowed to set up police and security systems with certain restrictions drawn out by Israel (which are unjust to the Palestinian Authority).

Thus, restrictions were put on the number of people recruited, their armament, and the number of light weapons allowed.

The Phenomenon of Small Arms and Light Weapon Proliferation in the Areas that Fall under the Jurisdiction of the Palestinian Authority

As a result of years of Israeli occupation, and the prevention of Palestinians from possessing weapons, the Palestinian youth longed for possessing and carrying weapons. This has led many Palestinian youths to join the police force, and to acquire weapons in a legal way. This has also led others to purchase weapons and trade in them; this kind of trade became associated with other forms of trade such as drugs and stolen cars. In many cases, the occupation encouraged this, due to the fact that these weapons were used only in the areas under the Palestinian jurisdiction and not against the occupation. These uses had adverse social and security effects on the Palestinian society, as well as on the civil societies that have been founded on respect for the law and human rights.

The Legal Status

Law no. 2 of the year 1998 regulates acquiring firearms and ammunitions, in addition to silencers and telescopes. It also prohibits their use, and possession unless there is a license from the Ministry of Interior.

However, these legal measures did not put an end to this phenomenon in the Palestinian society. This is due to the inability to enforce the law as a result of the prevailing situation. Also, trade and illicit possession of weapons takes place by members of the Palestinian security forces outside their official duty. Besides, these laws have not been elevated to the level of being part of a social culture that forbids holding, misuse, and possessing weapons illicitly.

Furthermore, legal texts and administrative regulations prohibit firing of arms in social occasions. These include, article 89 of the punitive law no. 74 of the year 1936 applied in Gaza, and articles 154, 155, 156 of the punitive law no. 16 of the year 1960 applied in the West Bank. As well as, law no.2 of the year 1998 regulating weapons and ammunitions, especially article 14, which stipulates, "Carrying weapons is forbidden in public places, conferences, meetings, weddings, festivals, and others". Also, administrative orders were issued by governors, which prohibited random shootings in weddings, and asking citizens to report such cases. The problem does not lie in the existence or non-existence of laws and regulations, it lies in the fact that not all people who violate the law are brought to justice.

Impacts of the Phenomenon

The direct impacts of weapon proliferation are negative and bring instability, and insecurity to the community. They also threaten people's safety, and property. The indirect impacts of this phenomenon are just as dangerous. These are reflected in the way personal and collective disputes are resolved, where armed civilians take the law in their own hands, and act as judges. Moreover, weapons are concentrated among certain groups in certain geographical areas. Thus, these groups invoke riots and chaos when a member of their community is brought to

justice, in order to influence the legal system to lessen the sentence or even intercept it.

The Phenomenon of Small Arms and Light Weapons Proliferation in the Areas that Fall under the Israeli Jurisdiction

These areas are vast and exceed well over 80% of the lands in the West Bank and Ghaza strip. Here, the occupation authorities fight the proliferation of weapons among the Palestinians especially among members of the resistance. This is done through strict sentencing measures against all those who possess weapons among the Palestinian citizens, even those who carry an official license from the Palestinian Authority. Also strict sentencing measures are taken against all those who use weapons. The sentence varies from a number of years in prison for possessing weapons, to tens of years in prison for using weapons.

The above concerns only Palestinian citizens. As for the Israeli settlers, the situation differs completely, as the occupation authorities not only provide arms for them, but also justify their use of these weapons against the Palestinian civilians, and no measures are undertaken against these settlers.

The Third Phase: The Palestinian Intifada

Since the start of the Intifada in 28/9/2000, a lot of serious developments took place in Palestinian lands. This phase reflects the adverse impacts of the proliferation of weapons among the Israeli settlers and the spread of the Israeli army in the areas under the rule of the Palestinian Authority. Thus, every day we hear about the death and wounding of several numbers of Palestinians by the Israeli soldiers and settlers.

We believe that the above situation will not cease as long as the Israeli occupation prevails, and as long as the International community remains silent. As well, Israel capitalizes on the U.S. support, and the silence of the West, in its aggression against the Palestinian People. It also controls the international news agencies to promote its policies and conceal the realities.

As for the proliferation of weapons in the Palestinian areas that fall under the jurisdiction of the Palestinian Authority during the Intifada. The prevailing situation does not permit the Authority to tackle the issue at this stage due to the comprehensive aggression practiced against it, and against the Palestinian people. Also, due to the siege and curfews imposed on Palestinian towns and villages. Moreover, a state of paralysis prevails, and the only concern that remains is to fight the Israeli aggression. However, this does not mean that the problem of small arms and light weapons proliferation has ended, but will reappear at any stage where peace and stability persist.

Conclusion

We believe that we cannot discuss the prevention of small arms proliferation in the Palestinian Society in isolation of the underlying factors. The most important factor being the Israeli occupation, which has led to the emergence of this phenomenon not only in Palestine, but in the neighboring countries as well. Israel now possesses massive numbers of small arms, light, heavy and nuclear weapons, which in turn threatens the existence and the future of the entire region.

Until today, Israel still refuses to put an end to this dangerous phenomenon, it also exempts itself from any related international agreements. Thus, it still refuses to

join the Ottawa agreement to prevent landmines, and the treaty for the prevention of nuclear weapons proliferation.

Here, we see the need for the International community to bear the responsibility of compelling all countries to respect the international agreements. Also, to exercise pressure on the occupying country to respect all concerned treaties, so that the Palestinian people are able to regain their rights, and the region is freed from the need for armament and this phenomenon is eventually suspended.

Measurements and Recommendations

Activate the role of the Palestinian Authority through its security system to put an end to the phenomenon of small arms proliferation.

The security system must support the judicial system in order to create the needed conditions to carry out its role in combating this phenomenon by bringing law violators to justice.

Compliance with regulations and standards of using and possessing weapons by the security personnel, in addition to enforcing strict sentencing on those who trade with weapons.

Investigating the sources of these weapons, for most of these sources are suspicious.

Efforts of Palestinian armed factions and the security forces must unite to fight this phenomenon, so that fighting it eventually becomes part of the social culture.

Linking this phenomenon to the issue of human rights, and exposing its threatening impacts on democracy, human rights, and the sanctity of law.

Weapons in Yemen between the Danger of Proliferation and National Traditions

Dr. Izz Al-Din Said Al-Asbahy

Director

Center of Information and Rehabilitation for Human Rights

Yemen

Visitors to Yemen are shocked from the scene of weapons, especially in remote and rural areas. Weapons here are part of the national character and are linked to heritage, tradition and norms, rather than to violence and killing.

Weapons are proliferated among the various social strata, even among university students, where weapons appear increasingly in weddings and celebrations, to the extent that one easily can find a picture of a groom holding a kalashnikov machine gun. Moreover, weapons are considered tools of expression; anger, greeting guests, and firing in the air in weddings is an expression of happiness. They are also used instead of loud speakers, announcing an emergency in the desert for example, or in rural areas. Another example, to stop a passing car, a bullet is shot in the air, two bullets are for warning, but more mean that there is an attack. Weapons in Yemen are a source of pride, and determine the social status. However, before going into more details I would like to define our concept of weapons in this paper.

The Meaning of Weapons

Our understanding of weapons here is limited to firearms, and explosives and not cold steel weapons such as daggers and swords. All Yemenis consider daggers as a social heritage and part of the local costume. Therefore, they are not considered weapons.

Article one, item 5 of the Yemeni law, regulates carrying weapons and defines weapons as: Every personal firearm, whatever its variety, and every spare part or part; this includes rifles, machine guns; pistols and hunting rifles. Thus, we realize that weapons here are concerned with firearms, whether traditional guns, pistols or hunting rifles, emphasizing that they are personal weapons, i.e. belong to the citizens not the military or security establishments. Hence, the statistics to be mentioned are not related to official establishments in the country.

Size of Weapons

There are no precise statistics on the number of weapons in Yemen, or the size of circulation; and what has been mentioned about their numbers does not exceed press releases. The Yemeni media mentions the existence of around 50 million pieces of weapons, but this number is not the result of an official statistical study, and may be attributed more to guessing.¹

A closer look at the status quo, makes this number a doubtful one. The number 50 million is three times the population of the country. According to the population census of the year 1997, the number of population in Yemen was

¹ In a recent report in the London based *Al-Hayat* newspaper, 17/4/2001, mentioned the number of weapons in Yemen between (50-70) million pieces

16482000, 8229000 of whom were males, that accounted for 49.9% of the total population, and 50.1% were females.

The youth under 15 years of age accounted for 48.83%, 50.9% of these were males. Hence, the number of males who are able to carry weapons does not represent more than a quarter of the total population, which is around 4 million and a half. Thus, by dividing 50 million pieces of weapons by that number, we get 12 pieces of weapons for every person, which is quite exaggerated. We must also take into consideration that most city dwellers do not carry weapons.

Weapons are concentrated in rural areas where the law has allowed carrying and acquiring weapons without any license. Yet taking into account that people in the middle and southern regions of Yemen, do not acquire weapons for social considerations, we find that the geographical area where weapons are circulated is limited. This indicates the need to conduct a precise study on the number of weapons in Yemen.

Varieties of Weapons

The law in Yemen allowed the acquisition of personal firearms only, such as machine guns, pistols, and hunting rifles. However, we find in Yemen much more weapons of heavier and medium varieties, such as heavy and medium weapons owned by tribes who are in constant disputes. In a recent report, April 2001, a journalist described his visit to a weapon market in Yemen, where he saw a "forest" of weapons in shops and kiosks. He stated: "The display of weapons may have been random; hand grenades and mines are stacked over one another, either on the ground or over low wooden shelves. Whereas, pistols and ammunitions are stacked in drawers on the sides, while the large pieces and heavy machine guns are displayed in front of the stores".

Sources of these weapons vary from Russian to American, Chinese, Czechoslovakian, Brazilian, French, British, Spanish and Korean. Prices of pistols start from 50.00\$, while a Russian Kalashnikov starts from 500.00\$ a piece.²

The Right to Weapon Acquisition

The Yemeni legislation does not prohibit the acquisition of weapons, but regard it as a legal right of any citizen. Article (9) of the Yemeni law on weapon states: "Citizens in the Republic have the right to acquire rifles, automatic guns, pistols and hunting rifles, necessary for personal use, in addition to a quantity of ammunition enough for self defense". This article gives the right for carrying, and acquiring weapons without a license. Also, without limiting the number of weapons or ammunition. Thus, it could be said that this law regulates the possession of weapons, but does not prohibit them.

Moreover, this law states: "regulating carrying personal weapons in governorates and cities and weapons' trade in the Republic". (Item 1, article 3). Here, it can be seen that the law also exempts rural areas of the rulings of this law by further stating: "carrying weapons is prohibited in the capital Sana'a and the capitals of governorates, and other cities defined by the Minister, without a license". Thus rural areas are left without any regulations.

Although the law was issued on the 30th of May 1992, there is still no decree that lists the cities where carrying weapons is prohibited. According to the 1994 consensus, the number of small cities in the country is 226, and the number of villages is 37598, while the urban population does not exceed 25% of the total population.

² Al-Hayat newspaper, Tuesday, 17th of April 2001

Weapon Proliferation and Dangers to Human Rights

Here, I shall link between the spread of crimes by the use of firearms, and the arms proliferation as a Yemeni tradition. Moreover, official statistics point to the occurrence of 45000 crimes, where weapons were used during the last four years. Among these, there were 611 murder cases in one year, which makes this phenomenon a highly detested one.³

Another statistical report pointed to 16000 crimes that were committed in 1999, while statistics released by the Ministry of Interior, pointed to 16517 registered crimes committed during that year. This indicates an increase of 2877 crimes in comparison with the year 1998. Official statistics also pointed to more than 1200 murder crimes committed during 1999, 102 tribal wars, 107 kidnappings and 155 suicide cases.⁴

Analyzing these numbers we find that acquiring weapons has contributed to the spread of crimes, and violence. That is, despite the fact that the Yemeni culture considers weapons as part of the national identity and customs, and not to be used for killing unless for protecting one's life or honor.

However, reason for not issuing a more strict law, is the existence of powerful parliament forces and political coalitions that have opposed issuing such a law. The arms regulation law no. 40 of 1992 that gives a legal cover to the continuation of the proliferation of weapons carrying in Yemen, remains active.

³ Al-Shoura news paper, issued on the 22nd of April 2001

⁴ Al Ray newspaper, issued on the 31st of October 2001

Suggestions for Confronting the Phenomenon

Facing the above phenomenon needs continuous efforts rather than a political decision with a limited effect.

The process faces legal problems, and cultural and social barriers. Therefore, it is essential to solve these problems through real political management.

Legal Barriers

It is necessary to review the current law, and issue legislations that prohibit carrying weapons. This would be done through a gradual process, starting with large cities, and applying the law equally on all citizens including governmental, political and social figures.

Executing the law in a more serious manner. As well as, limiting the number of entities that issue licenses.

Cultural and Social Barriers

It is necessary to adopt the civilized notion that the nationalist figure does is not distinguished by carrying firearms, which became popular during the last four decades, because of the numerous wars in Yemen. These are the 1962 revolution, the 1967 war for independence, and the internal conflicts of 1972, 1979, 1986, and 1994.

Thus, weapon proliferation resulted from unstable conditions and internal wars, which do not exist now. Hence, it is necessary to:

Adopt a policy of spreading social awareness on the dangers of carrying fire arms, and show that weapons are not a symbol of manhood, chivalry or commended traditions.

Raise people's awareness on the dangers of weapons circulation, through informing them about the size of the tragedies of crime, and catastrophes of tribal wars.

Varied Causes, the Same Death - Lebanon or the Over-Armed Society

Dr. Fadi F. Malha

Lawyer

Institute for Human Rights

Lebanon

Under the topic of this conference, I shall explain the realities and reasons behind acquiring small arms and light weapons by the Lebanese society. Thus, I shall not address the topics concerned with any other kind of weapon.

The various strata in the Lebanese society of unique composition and cultural diversity, have a common trend that is possessing arms. The Lebanese citizen, whatever his religious, denomination or social status, would acquire arms. So much, so that almost no Lebanese house lacks weapons. However, even if the Lebanese agree on acquiring arms, each one would have his own reasons for this. This is due to the Lebanese diversity, history, reality and vision. The Lebanese citizen would acquire weapons irrespective of their legitimacy. He would justify this to himself on the basis of many rationalizations: historical, legitimate, overcoming fear, realizing aspirations, for self or communal defense, liberating the homeland, or defending one's integrity.

In the absence of official statistics, experts estimate that the number of small arms possessed by the Lebanese people, i.e. the ordinary citizens, is about half a million piece. This is in a country inhabited by no more than three million people. The Lebanese individual often possesses several weapons concurrently, such as a revolver and an automatic gun for example. That is, if these were considered sufficient.

Acquiring arms is legitimized by the legislative decree no.137, issued on 12 June 1959, which categorizes arms and regulates their possession, carrying, and trading. The kind of arms under the subject of this conference were defined and categorized by the Lebanese legislation in chapter one, article 2. The first category includes all kinds of war rifles, and automatic rifles, and their ammunitions. The fourth category includes all kinds of revolvers, their ammunitions, and cold steel arms. The second chapter is concerned with the manufacturing and trading of arms, while the fourth chapter is concerned with possessing, and carrying arms and ammunition. Article 24 regulates the prohibition of possessing, and transporting arms without a license.

As can be derived from the above, possessing certain kinds of arms, manufacturing, and trading in arms by civilians are permitted by licenses issued by the Lebanese authorities. Thus, each authority issues licenses according to its jurisdiction, and within the conditions stipulated by the law. However, the case of possessing and carrying weapons is considered an exceptional and relative issue. Naturally, there are many kinds of such licenses, governed by security considerations of the issuing authority. The thousands of licenses issued represent, in the opinion of officials, only 10% of the arms owned by Lebanese civilians. The remaining arms, as commonly known, are illegitimate and their possession is subject to sentencing by the law. However, this issue is never discussed except when such arms are used in illegally. It is unthinkable for any Lebanese government to discuss the issue, not to mention attempting to resolve it. To discuss the reasons for this, it is imperative first to present the reasons behind such armament.

Historical Reasons

The Mountain of Lebanon has a long history of possessing arms, since the establishment of the Lebanese Entity, known in the 16th century as the Principality of the Mountain of Lebanon. Later, to become the Lebanese Republic in the mid 20th century, where every citizen was a combatant carrying his own weapon, and prince or shiekh called on him to fight in defense of the homeland. It may be recalled that Ibrahim Pasha Al-Misri attempted in the 19th century to confiscate the arms of the population. That attempt led to a revolution that brought down his rule, and expelled him from Lebanon.

Regrettably, the history of Lebanon is full of sectarian strife, since possessing arms became one of the preconditions of existence and of defending this existence. We hope that this page has been turned over forever. However, fear for the future needs a lot of time to deal with, much more than any other matter. An example of this, is the recent war that swept Lebanon. Even though not sectarian in nature, this war brought back fear, for the several strata of the Lebanese population, for their lives and future.

Cultural and Social Reasons

Lebanon is an Arab country, and shares with other Arab countries the male view of what represents manhood. In the region of Ba'albek and the Mountain, we still say, when a baby boy is born, "We have been increased by one gun". Also, when a man is asked about the number of his boys, he would naturally be asked, "How many guns do you have?" As well, there is a regional reality, which often influences our internal situation.

Regional Reasons

The war with Israel affects the internal situation of Lebanon, especially since Lebanon is a confrontation state. Also, since a part of its land (Shabaa farms) is still under occupation. Liberating its South through armed popular resistance, Lebanon is convinced that it would be impossible to complete this liberation through any other way. Another reason is the presence of the Armed Palestinian Resistance on the Lebanese soil. There are more than 400,000 Palestinian refugees in Lebanon, who live in camps outside the authority of the Lebanese state.

Moreover, the Lebanese people are united in demanding equity for their Palestinian brothers, their right of return, and the establishment of a Palestinian state on Palestinian soil with Jerusalem as its capital. Yet, various significant strata of the Lebanese population realized that at some point, the Palestinian Resistance has lost vision. Thus, some thought that the road towards liberating Jerusalem passed through some Lebanese cities. As a result, fighting broke out between the Palestinian Resistance and the Lebanese. Some of Lebanese sided with the Resistance, while others fought against it.

It is to be remembered, that the legitimate Lebanese authority then was unable to protect the security of the civil Lebanese society. This fact, intensified the Lebanese feeling that acquiring arms was the only way to protect the Lebanese entity. As well, another reason is the feeling that the Lebanese war has resulted in the emergence of two groups; the winners, and the losers. The war brought instability to the Lebanese society, and made some groups feel that the authority

was unfair in the way it dealt with them. As a result, there was a lot of concern and fear about the future.

Security Reasons

Acquisition of arms under the pretence of self-defense is a weak justification. Despite the fact that the economic situation is bad, the level of crimes committed against people and properties is low, and is under security control.

What has been mentioned earlier is neither normal nor acceptable, whether in terms of progress or in terms of human rights. However, there is something that we can change within our own capacities, irrespective of regional conditions, or the internal contradictions of the society. It is to develop the cultural, and social thought in such away, that manhood would not be measured in terms of acquiring arms. Another development aspect, relevant to the evolution of political thought in our society, is where a citizen sees himself as equal to others in having the same rights and obligations, and represented in the governance system. In short, it is the democratic cycle that constitutes the ideal framework for evolution and progress. Implementing democracy in our systems is a fundamental precondition for establishing a state of law, which protects all, removes causes of fear, and supports the future. This is what we aspire for, though it may not be easy, as in the light of regional developments peace is receding.

The Security, Social and Environmental Impacts of Small Arms and Light Weapons Proliferation in Western Sudan (Darfur)

Dr. Hussein Elobeid

Director

Center for Humanitarian Affairs

Sudan

Background

The findings of this paper are the outcome of a research supported by the Norwegian Church Aid (NCA), and Save the Children Sweden. The implementing agency is the Center for the Humanitarian Affairs Resource Management (CHARM). National and international NGOs also participated in the survey.

Darfur, Western Sudan is bordering Libya, Chad and the Central Republic of Africa. Darfur is also at the transitional zone between the south and the north of Sudan. The total population of Darfur is 5,626,000, whereby the rural population constitutes more than 80% of the population. There are 65 tribes in western Sudan with their hierarchies and distinct social structures. Moreover, the ethnic backgrounds are Arabs and non-Arabs, and 80% of the economic activities are agricultural and pastoral in nature.

The area has witnessed conflicts for a long time. Moreover, the instability in neighboring countries has affected the region due to cross border connections. Whereas, the main causes of the conflicts are:

The competition over the natural meager resources.

The political instability of the region.

The weak system of governance.

The presence and proliferation of small arms and light weapons.

Despite general improvements in some of the above elements, conflicts have been on the rise, particularly over the last decades. This is mainly due to the presence and proliferation of small arms and light weapons, which is a significant phenomenon. Also, as Darfur lies at the border of Bahr el Ghazal, which is an area of conflict in southern Sudan, small arms and light weapons and ammunition are easily traded across the borders for cheap prices.

The Security Impact

It is well known that by the end of the cold war, most of the eastern block stockpiles of the small arms and light weapons have found their way to the developing countries, among them is Sudan. The European Community in the year 2000, maintained embargoes against 11 of these countries, Sudan again was one of these. The warring parties in the region, the armed robbery gangs, and the drug dealers have institutionalized with time, their own ways of flooding the area with small arms and light weapons.

The security forces have already captured 13 types of illicit small arms and light weapons. These are Klashincov, Jim4, Jim3, Belgian rifle, revolvers, rifle10, rifle5, light rifle, Magnum machine gun, Morris rifle, landmines, explosives, and hand grenades.

Since 1994, police records have shown the following cases, increased by the availability and proliferation of the small arms and light weapons:

856 incidents of armed robbery.

736 intercepted incidents of drugs trafficking.

248 security personnel were killed, while the loss in livestock exceeded 100,000.

Since 1994, 12 tribal conflicts took place, resulting in losses in human lives. In the year 2000, 22 police officers were killed while trying to curb conflicts in the various areas.

Officially, the minimum age for recruitment in the military service is 18 years. Although the Popular Defense Forces (PDF) are under military control, however setting the age for admission is up to the decision of the tribal leaders. In this regard, 50% of the tribal leaders reflected that there is no strict criterion that prevents children recruitment. The overriding issue seemed to be the readiness of children who are willing to come forward for recruitment. Moreover, strict birth control is not universally applied in that part of the country. The worst aspect of the small arms and light weapons proliferation can be seen in the phenomenon of child soldiers. Already, there are 4,759 children under police custody for committing armed crimes that constitute around 8% of the total number of these crimes.

The Social Impact

The dominant military culture has a long history in Darfur, and its neighboring countries. Unfortunately, the elite in the area also played a role in this scenario, as using weapons seemed to be the shortest way for achieving personal objectives. Armed drug trafficking is the most profitable enterprise in the area, while armed robbery became an established business. Thus, small arms and light weapons and ammunition trade is flourishing. This situation resulted in the disruption of children's education, and schools in remote areas are no longer accessible by teachers and students because of lack of security. For the same reason, water resources have been abandoned, except those in safe areas.

The agricultural activities are decreasing, and the area has transformed from a self-sufficient region to an aid-dependent one. Retail business and commodity trade have been limited to big cities. Also, and for security reasons, many roads in the countryside became impassable. Negative social phenomena such as unemployment, high crime rates, increased incidence of sexually transmitted diseases including HIV/AIDS, street children, and others, have increased. As well, pasturing and livestock herding is practiced under the armed protection.

Furthermore, community-based development is at a standstill, as well as the restoration of roads, bridges and water collection. Social institutions ceased to function because teachers, health personnel, and other professionals refuse to risk their lives, despite the relatively high salaries. The number of school dropouts is high, and 26% of children at the school entry age, cannot have access to basic education. Nationwide, the area has the 2nd highest number of street children.

No economic or social compensation is provided what so ever, for the victims of

the small arms and light weapons proliferation. As usually happens, men migrate out of the region looking for job opportunities. Women are expected to generate income, look after the elderly and raise the children. In essence, women and children incur the social impacts of small arms and light weapons proliferation.

In the year 2000, a national campaign was planned to collect small arms and light weapons from the region, whereby just over 9441 pieces were collected. This represents about 7% of the estimated total number of illicit small arms and light weapons available.

The Environmental Impact

More than 50% of the population in the area has good knowledge on how to use small arms and light weapons, while the number is higher in rural areas. While 70% of the total population believe that it is legitimate to possess small arms and light weapons for self-defense, 25% possess small arms and light weapons in case they get involved in tribal conflicts. Religious beliefs, self-defense, local culture and joining the PDF are a favorable environment for the use of small arms and light weapons.

The survey showed that 70% of incidents resulting from small arms and light weapons occurred in remote rural areas, and 20% of them were due to competition over meager natural resources-water and fodder. Overgrazing, and lack of natural resources replenishment due to the insecurity caused by the small arms and light weapons proliferation, is the underlying cause of the problem. Moreover, national and international efforts to curb the effects of desertification and deforestation could not be executed, because of the insecurity created by the small arms and light weapons proliferation.

Conclusion

The sudden growth of the global and regional trade, and trafficking of small arms and light weapons (both licit and illicit) on the one hand, and the conducive environment for the small arms and light weapons proliferation on the other, have contributed to the adverse impacts already discussed. The whole issue is multi-faceted and multi-factorial, as are the strategies for remedy and control. The phenomenon of small arms and light weapons proliferation is a developmental and environmental concern, as well as an issue of security and human rights. The local communities are already displaced, the social fabric has disintegrated, and socioeconomic development ceased because of the small arms and light weapons proliferation.

Thus, a lot of work should be done at the control and monitoring levels, as well as at the policy and planning levels. Furthermore, the gender and age perspectives of the issue raise a humanitarian concern, as women and children incur the adverse impacts. The high numbers of child soldiers in the region is the inevitable outcome of the small arms and light weapons proliferation.

Under the Patronage of H.R.H. Prince El-Hassan Bin Talal

**The Regional Human Security Center at the
Jordan Institute of Diplomacy**

**The Regional Workshop on
"Small Arms and Light Weapons in the Arab Region:
National and Regional Measures"**

May 6 - 7, 2001

Programme

Sunday, May 6, 2001

8:30-9:00

***Registration, Al-Hussein Hall, Jordan
Institute of Diplomacy***

9:00-10:00

Opening Ceremony

H.E. Professor Kamel Abu Jaber,
President, the Jordan Institute of Diplomacy

H.E. Dr. Marjanne de Kwassteniet,
Ambassador of the Netherlands to Jordan

H.R.H. Prince El-Hassan Bin Talal

10:00-10:30

Coffee Break

10:30-12:00

First Session: Background Papers

Chairperson: H.E. Dr. Abdullah Toukan, Jordan

Mr. Glenn McDonald, Senior Researcher, Small Arms Survey, Switzerland

"Small Arms: Various Dimensions"

Ms. Agnes Marcaillou, Chief, Regional Disarmament Branch, Department for Disarmament Affairs, United Nations, New York

"Preparation for the Upcoming UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects"

Mr. David Jackman, Associate UN Representative, Quaker UN Office, New York

"Efforts of the United Nations to Combat the Proliferation and Misuse of Small Arms"

12:00-12:15

Coffee Break

12:15-13:45

Second Session: Regional Measures

Chairperson: Dr. Atef Odibat, Director, Regional Human Security Center, Jordan Institute of Diplomacy, Jordan

H.E. Dr. Abdullah Toukan

"Control of Small Arms: National, Regional and International Measures"

Major General Dr. Ma'rouf Bakhit (ret.), General Coordinator of Peace Issues, Ministry of Foreign Affairs, Jordan

"Small Arms: Various Approaches and Strategies"

Major General Fo'ad Ahmad Helal (ret.), Egypt

"Various Measures to Combat the Proliferation and Misuse of Small Arms in the Arab Region"

13:45-15:45

Lunch (University of Jordan)

Hosted by Professor Walid Al-Ma'ani, President, University of Jordan

16:00-17:30

Third Session: Legal, Legislative and Practical Measures

Chairperson: Major General Mohammad Al-Shayyab (ret.), Consultant, Majlis El-Hassan, Jordan

Professor Muhammed Muhye al Deen Awad, Naif Arab Academy for Security Sciences, Saudi Arabia

"Small Arms: The Development and Coordination of Legislation in the Arab Region"

Major General Dr. Ahmed Abdul Haleem (Ret.),
National Center for Strategic Studies, Egypt

*"Small Arms: Arab Cooperation in Law
Enforcement"*

Mr. Sami Faltas, Surplus Weapons, Project Leader,
the Netherlands

*"Practical Disarmament: Small Arms
Collections and Destruction"*

17:30-18:00

Coffee Break

18:00-19:30

Fourth Session: National Papers

Chairperson: Lieutenant General Salem Al Turk
(ret.), General Director, Economic and Social
Association for Retired Service Men and Veterans,
Jordan

Mr. Ala' Issa, First Secretary, Foreign Ministry,
Egypt

"The Phenomenon of Small Arms in Egypt"

Mr. Sabri Al-Shabani, Foreign Ministry, Tunis

"The Phenomenon of Small Arms in Tunis"

Colonel Mohammed Yahya Daylami, Ministry of Interior, Yemen

"The Phenomenon of Small Arms in Yemen"

20:00-22:00

Dinner (General Police Directorate Club)

Hosted by H.E. Major General Taher Al Fawaz, Director, General Police Directorate, Jordan

Monday, May 7, 2001

9:00-10:30

First Session: National Papers

Chairperson: H.R.H. Princess Dr. Wijdan Ali, Vice President, Jordan Institute of Diplomacy

H.E. Major General Taher Al-Fawaz, Director, General Police Directorate, Jordan

"The Phenomenon of Small Arms in Jordan"

Mr. Khalil Abu Hadeed, Foreign Ministry, Syria

"The Phenomenon of Small Arms in Syria"

Mr. Matoky Jamal, Ministry of Foreign Affairs and Cooperation, Morocco

"The Phenomenon of Small Arms in Morocco"

10:30-11:00

Coffee Break

11:00-13:00

Second Session: National Papers

Chairperson: Professor Ali Zaghal, Director of Refugees and Forced Migration Studies Center, Yarmouk University, Jordan

Mr. Khaled Kuzmar, Coordinator, Legal Program for the International Movement on Children, Palestine

"The Phenomenon of Small Arms in the West Bank and the Gaza Strip"

Mr. Ezaldeen Sa'eed Al-Asbahi, General Manager, Center of Information and Rehabilitation for Human Rights, Yemen

"Notes on Small Arms in Yemen"

Mr. Fadi Malaha, Institute for Human Rights, Lebanon

"The Phenomenon of Small Arms in Lebanon"

Dr. Hussein Obeid, Director of the Center for Human Issues, Sudan

"The Phenomenon of Small Arms in Sudan"

13:00-17:00

Lunch (Jerash)

Hosted by H.E. Mr. Akel Biltaji, Minister of Tourism and Antiquities, Jordan

17:30-19:00

***Third Session: Round Table and Concluding
Remarks.***

Chairperson: H.E. Professor Kamel Abu Jaber,
President, Jordan Institute of Diplomacy