The proliferation of small arms and light weapons: definitions and challenges

Denis Jacqmin - Group for Research and Information on Peace and Security

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Group for Research and Information on Peace and Security

- Independant research institute based in Brussels
- Main areas of expertise
  - Small arms and light weapons
  - Arms production and transfers
  - Non-proliferation of weapons of mass destruction
  - Conflicts, security and governance in Africa
  - Peace and security in Asia-Pacific
  - Foreign and defense policy of the European Union
- Audience: governments, regional and international institutions, think thanks, media, civil society, etc.
Territoires contestés en mer de Chine méridionale : quels enjeux pour l'Europe?

En mai 2014, le Vietnam célébrait le 60e anniversaire de la fin de la bataille de Dien Bien Phu. Célébrations nationales et hommages aux héros de guerre étaient à l'ordre du jour. Cette année, cepandant, le passé et le présent se sont rencontrés de façon assez inquiétante...

Le traçage des armes sur les lieux de conflits : leçons et perspectives

During the last couple of decades, increasing attention and resources have been dedicated to tracing illicit weapons in conflict areas. This Paper underlines the importance of this discipline and the value of the evidence-based information it generates, not only to identify...
Defining SALW (I)

**Small Arms**

Revolvers and self-loading pistols, Rifles and carbines, Sub-machine-guns, Assault rifles, Light machine-guns

– **Individual** weapons. May be carried by an individual.

![Images of various firearms including pistols and rifles]

**Light Weapons**

Heavy machine-guns; Grenade launchers; Recoilless rifles; Portable launchers of anti-tank missile and rocket systems; Portable launchers of anti-aircraft missile systems; Mortars of calibres of less than 100 mm;

– **Collective** weapons. May be carried by a small group of people, or transported by a pack animal or a light vehicle.

![Images of heavy machine-guns, grenade launchers, and mortars]
Defining SALW (II)

Ammunition and explosives
- Ammunitions (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
- Hand grenades
- Landmines
- Explosives

Other equipments
- Components and spare parts
- Law enforcement weapons
- Less-lethal weapons
Characteristics of SALW

- Variation in users and in context of use (conflicts, crime, security)
- Easy to use, carry, transport and conceal
- Little maintenance and logistical support needed
- Long life-span (50 to 100 years)
- Most weapons are useless without ammunition

The case of the Kalachnikov

- Widespread: 70/100 million units
- 4/5 kilos
- 600 shots/minute
- More than 160 by-products
- Present in stockpiles of more than 80 countries
- Widely used by non-state armed groups in conflict zones
- Black market prices vary (Libya: 500 - 8,500 €)
Legal instruments on SALW

United Nations
• 1996-1999: Reports of Governmental Experts on SALW
• 2001: Programme of action to fight the illicit trade in SALW
• 2001: Protocol of Firearms (Convention on Transnational Crime)
• 2005: International Tracing Instrument
• 2013: Arms Trade Treaty

Regional level
• Africa: ECOWAS, ECCAS, SADC, Great Lakes and Horn of Africa
• America: (OAS)
• Asia: (ASEAN, PIF)
• OSCE
• EU

=> national level implementation
Ownership: how many SALW and who owns them

• At least 875 millions of firearm (average estimation)
• Conditions of ownership, use and stockpiling vary widely
• Around 650 millions owned by civilians (270 millions in the USA)
• Around 79 millions civilian firearms are duly registered
• Difficult estimates
  o States: secrecy an lack of knowledge
  o Civilians: depending on national legislation
• Figures are constantly increasing
Production of SALW

Industrial production
• Around 95% of worldwide production.
• More than 1,000 companies in a hundred countries produce at least one category of SALW.
• 700,000 to 900,000 firearms produced each year.
• Capacities to produce ammunition in around 80 countries.
• Capacities to produce light weapons (or their components) in more than 60 countries.

Craft production
• Mainly small arms (but change of trend)
• Limited to certain countries and regions (conflict zones, ceremonial weapons)
• 3D printing offers new possibilities
Figure 1
Multi-role IED.
Documented by a CAR field investigation team in Bashiqa, Iraq November 2016.
International legal transfers of SALW: main figures

- Around 8.5 billions USD per year (SAS, 2012)
- Conservative estimate
- Financial value vs volume
- Driven by civilian demand and the emergence of conflicts
- Concentrated offer (exporters) and highly diversified demand (importers)
<table>
<thead>
<tr>
<th>Value (millions USD)</th>
<th>Exporting state (UN Comtrade 2012)</th>
<th>Value (millions USD)</th>
<th>Importing state (UN Comtrade 2012)</th>
</tr>
</thead>
<tbody>
<tr>
<td>500+</td>
<td>1 United States, Italy</td>
<td>500+</td>
<td>1 United States</td>
</tr>
<tr>
<td>100-499</td>
<td>11 Germany, Brazil, Austria, South Korea, Russian federation, China, Belgium, Czech Republic, Turkey, Norway, Japan</td>
<td>100-499</td>
<td>7 Canada, Germany, Australia, France, United Kingdom, Thailand, Indonesia,</td>
</tr>
<tr>
<td>50-99</td>
<td>10 United Kingdom, Spain, Israel, Croatia, Finland, Canada, Switzerland, Mexico, France, Serbia</td>
<td>50-99</td>
<td>16 Russian federation, Mexico, Belgium, Chile, United Arab Emirates, Norway, Philippines, Italy, Saudi Arabia, Estonia, Malaysia, Austria, Israel, Denmark, Turkey, South Korea</td>
</tr>
<tr>
<td>10-49</td>
<td>15 Sweden, India, Philippines, Singapore, Portugal, Hungary, Bulgaria, Argentina, Taiwan, Cyprus, Romania, Australia, Ukraine, Denmark, Poland</td>
<td>10-49</td>
<td>32 Switzerland, Sweden, Spain, Poland, Netherlands, Colombia, Jordan, Lebanon, ...</td>
</tr>
</tbody>
</table>
International transfers of SALW: controls

Nothing more than paper...

- Pre-licencing and licencing
  - Request for an export licence
  - End-user certificate
  - Risk assessment

- Physical transfer
  - Custom controls

- Use and retransfer
  - Delivery verification certificate
  - Physical inspection

- Legal arms trade
- Illicit arms trade
  - The grey market
  - The black market

TRAFFICKING
Illicit transfers of SALW (from the legal to the illegal market)

Grey market: irresponsible transfers
• Transfers that are authorised by a government but are of doubtful legality, due to a significant risk of misuse (human rights abuse, IHL violations) an/or a significant risk of diversion to unauthorised recipients
• Includes secret/covert government sponsored shipments
  ▪ Providing weapons to an embargoed (non) state end-user for commercial or political purposes
  ▪ Aiming to destabilise or overthrow a government by arming non-state actors

Black market: illegal transfers
• Transfers that are not authorised by any government
  • Diversion
  • Mostly local or regional “ant trade”
  • Mainly to conflict zones / high criminality areas
Diversion

1. Diversion from stockpiles

• From government stockpiles
• From civilian stockpiles
• May occur at all level of hierarchy
• Mostly to criminals, rebel groups, non-state actors, terrorists, etc
• Importance of PSSM (Physical Security and Stockpile Management)
2. Diversion of transferred weapons

- Weapons authorised for export to one end-user but delivered to an unauthorised end-user or used by the authorised end-user in an unauthorised way.

  - Mainly to conflict zones or actors under embargo
  - Diversion may happen at any stage of a transfer
  - Problems are not limited to producing/exporting countries
  - Involves complex network of brokers, agents, transport companies, etc
  - Any transport mode (air, sea, land)
  - Falsification of control documents => appearance of legality.
  - End-user certificates can easily be falsified
  - Licence shopping (importance of communication between states)
Preventing diversion

• Denying transfer authorisation for risky applications (art. 11 ATT, PoA, EU CP)
• Communication channels between states (ATT Mexican proposal) and black lists.
• End-user certificates (+verifications)
• Controls on transit and transshipment
• Post delivery controls
• Fight corruption and implement strong PSSM measures
• Merging database of export controls and customs
• Technical innovation (marking and user restrictions)
Working to prevent diversion

Role of the researchers/experts:

- Identify and profiling (marking)
- Mapping and tracing

Life cycle: Manufacture → Legal transaction → point of diversion → entry on the black market → recovery

https://itrace.conflictarm.com/Home/Login

INTERPOL Illicit Arms Records and tracing Management System (iARMS)
Case of FN P-90 from Jordan to criminals

- In 1998, FN delivered 100 P-90 submachineguns to equip Jordanian special forces.
- Order originated from the Swiss arms merchant, Mr Thomet (Brügger and Thomet AG)
- Weapons retransferred from Jordan to Switzerland, from where they were sent to the Dutch armourer, J.F.Y., in Maarsen (NL).
- Weapons were transformed in semi-automatic to be sold on the civilian market in Switzerland.
- The Swiss firm possessed all the legal documents required for import, export, and private sale. Weapons were sold to civilians in Switzerland, to a competitor of FN (Heckler und Koch), 20 remained in NL as payment for the conversion operation. Some were found in hands of armed robbers.

- Shows the importance of communication between states (Switzerland should have contacted Belgian authorities (country of manufacture), same thing for the Dutch)
- The question of ammunition should have rung a bell among Belgian export control authorities (specific 5,7mm rounds, traffic of ammunition from the factory in Belgium)
Case US-Mexico SALW trafficking

- Study in 2013, “The way of the gun” Univ San Diego
- Mexico does not produce significant quantities of small arms
- Mexico has a very strict regulation on weapons detention
- USA -> Mexico, 250 000 weapons sold in the US to be illegally exported to Mexico.
- Majority of assault rifles (AK-47 copies, converted AR-15)
- 80% of seized weapons in Mexico come from the US
- Main origin: civilian market
  - Lax US regulations especially after repeal of Assault Weapon Ban
  - Border is very difficult to control
  - “Straw men” carry the weapons
Increasing complexity of arms trade

• Transformation of international trade
  • Globalisation means intensification of trade relations
  • Privatisation of entire sectors of the economy (transport, trade, infrastructure)
  • Multiplication of actors involved in international arms transfers
  • Example of MV Faina
• MV Faina Captured by pirates of the coast of Somalia in September 2008.
• On board 33 T-72 tanks, rocket-launchers (RPG) assault rifles and ammunition.
• The ship was released after 4 months of negotiations (3.2 millions US).
• The end-user of the cargo was supposed to be the Kenyan MoD but large suspicions of diversion towards the SPLA (South-Sudan).
Brokering and globalisation

MV Faina : A tale of pirates and secrets...

**Royaume-Uni** : Pays d’origine des entreprises responsables du fret des navires ayant servi à réaliser la livraison de matériel. Une de ces entreprises apparaît comme étant enregistrée à la Chambre de commerce de l’Île de Man, l’un des ‘paradis fiscaux’ britanniques.

**Iles Vierges Britanniques** : pays d’origine de l’une des entreprises impliquées dans la gestion de l’approvisionnement.

**Panama** : pays d’origine de l’entreprise Waterlux AG, propriétaire du navire MV Faina, utilisé pour la livraison d’une partie de l’approvisionnement et temporairement détournée par les pirates au large des côtes somaliennes.

**Belise** : Pays où le MV Faina était immatriculé à l’époque de la livraison.

**Lettonie** : pays d’origine de l’une des entreprises impliquées dans la gestion de l’approvisionnement.

**Ukraine** : Pays d’origine du fournisseur du matériel, la compagnie étatique Ukrinmash.

**Bulgarie** : pays d’origine de l’une des entreprises impliquées dans la gestion de l’approvisionnement.

**Allemagne** : pays d’origine de l’une des entreprises impliquées dans la gestion de l’approvisionnement.

**Soudan du Sud** : destination finale des transferts.

**Kenya** : Zone de transit du matériel lors de la livraison et nationalité de l’une des entreprises ayant contribué à la gestion de l’approvisionnement.

**Antigua-et-Barbuda** : pays d’origine de l’une des entreprises impliquées dans la gestion de l’approvisionnement.
Prices of illegal small arms?

• Extremely variable depending on the context
• Depends on the legislation
• Border control
• Post conflict environment generally means cheap prices (conflict as a sponge)
• Type of weapon, quantity, country of origin, condition, concealable/non concealable, type of ammunition, open market/ underground market, local image/reputation of a type of weapon.
New challenges

- Internet sales (weak point is the delivery)
- 3D printing (still very theoretical)
- Modular weapons (problem for tracing)
Conclusion

• « Small arms are weapons of mass destruction in slow motion »

• Lack of regulation, transparency in trade of SALW and ammunition
  o Transparency ➔ Accountability ➔ Policy change

• Legal initiatives and control measures often incomplete and insufficiently harmonised

• From controls on paper to physical controls/inspections

• Implementing political decisions and settings priorities

• Arms traffickers are often one step ahead of states (loopholes...)

• Weak sanctions, small deterrent, and lack of prosecution

• Broaden the fight against SALW proliferation (SSR, rule of law, corruption, etc.)

• SALW are symptoms ➔ Fight against causes of armed violence