

## Issue brief: Transnational arms flows

### Why do transnational arms flows matter for conflict and development?

The relationship between transnational arms flows and the incidence, duration and lethality of violent conflict is complex. While it has been argued that arms flows are symptoms and not causes of conflict, a significant body of research has found that variations in arms flows can significantly affect conflict risks and dynamics, suggesting that they do in fact have a causal impact.<sup>164</sup> A small number of studies have shown arms flows to be a statistically significant predictor of increased conflict risk.<sup>165</sup>

### Impact on conflict, security and development

Arms flows impact on conflict dynamics by providing the means to initiate and sustain war. They can also intensify conflict, at least until the number of arms outnumbers potential users. Easy access to arms can lengthen the duration of conflict by providing the means for conflict actors to persist with armed struggle. However, this is not always the case: plenty of groups agree to stop fighting despite access to further supplies of arms.<sup>166</sup> In other cases, access to arms has proved important in determining the relative military strength of the various parties to a conflict. This can significantly affect their approach – for example encouraging either further military action or the pursuit of a resolution by peaceful means. Arms flows can also be an important factor in supporting a state's capacity to exercise a monopoly over the legitimate use of force, an assumed condition for stability.<sup>167</sup> However, the use of arms by the state itself can be heavy-handed and drive further cycles of conflict. A recent body of research has also shown that the presence of non-state armed groups does not necessarily lead to conflict.<sup>168</sup> Context matters, as is illustrated by the variation in the effects of similar levels of civilian arms holdings between different countries. In short, transnational flows of arms are best conceptualised as an exacerbating factor that drives conflict under pre-existing conditions of fragility.<sup>169</sup>

Most direct conflict deaths in the developing world are attributable to the use of small arms and light weapons (SALW).<sup>170</sup> One study of eight conflicts over a period of four months found that of the 1,364 conflict deaths, 1,225 could be attributed to SALW.<sup>171</sup> Indeed, it is estimated that of the 49 major conflicts in the 1990s, small arms were the key weapons in 47 of them.<sup>172</sup> Links are often made between the availability of SALW and civilian deaths, displacement, violations of human rights and humanitarian law, gender-based violence, transnational organised crime, obstacles to humanitarian access and the use of child soldiers.<sup>173</sup>

Arms have an impact on security beyond armed conflict. The use of arms for criminal purposes could significantly surpass their use in wars. For example, in 2002 “there were a total of 28,989 homicides committed with firearms in Colombia, whilst the country's civil war accounted for a total of 4,195 deaths.”<sup>174</sup> Given their secretive and complex nature, arms acquisitions from international markets create opportunities for large-scale corruption by officials and political elites. It is estimated that “in 2005 the global cost of corruption in the defence sector was at least around \$20 billion per year, equalling all the official development assistance provided to Iraq, Afghanistan, DRC, Pakistan and Bangladesh.”<sup>175</sup> Corruption on such a large scale has a corrosive effect on governance and has been shown by quantitative analysis to be closely correlated with conflict risk.<sup>176</sup>

### The state's role in facilitating global arms flows

The post-Cold War period has seen a significant proliferation in suppliers of cheap weapons, especially SALW.<sup>177</sup> Consequently, SALW production is now “sufficiently dispersed to ensure that states do not face significant problems in obtaining most types of infantry weapons.”<sup>178</sup> But it is the proliferation of SALW into the hands of non-state armed groups that is perceived to be especially problematic in contexts affected by violence and insecurity. There are already an estimated 875 million SALW in circulation worldwide.<sup>179</sup> Their price, portability and ease of use mean that they are of high utility to non-state actors.

Nonetheless, the notion of a bottomless global black market supply of arms beyond state control is largely misplaced. It is the shortcomings of states, as irresponsible suppliers and recipients, which lie at the core of the problem, since nearly all illicit weapons have their origin in the licit trade. The diversion of SALW is often driven by states using the ‘veil of legality’ to acquire arms from international markets before passing them on to non-state actors within their region.<sup>180</sup> These transfers are frequently linked to regionalised political economies of conflict. For example, the in-flow of arms into Zaire and Angola in the 1990s was largely financed by the flow of diamonds out to neighbouring states.<sup>181</sup>

Arms often originate from state holdings within conflict-affected states; weapons can be stolen, sold or rented out illicitly from state stocks, captured in military clashes, provided as part of patronage networks or directly distributed to civilians or non-state groups for their own protection.<sup>182</sup> Regardless of their source, failures to control arms within countries can have knock-on effects for their neighbours. The case of Libya is illustrative, where arsenals previously held by its government were appropriated and have reportedly found their way to as many as 12 countries in the region.<sup>183</sup>

#### **Case study: SALW and conflict in Jonglei, South Sudan**<sup>184</sup>

Jonglei state has a long record of being affected by violent clashes that have led to deaths, displacement, obstacles to the provision of humanitarian assistance and longer-term impediments on the region's development.<sup>185</sup> Fighting has frequently broken out between different ethnic communities but also between government security services and rebel militias operating in the area, most recently in December 2013. The conflict has been driven by a number of historical, social, economic and political factors, alongside continued cycles of retribution. However, it is the illicit holding and widespread use of small arms, most notably AK-47s, as well as larger machine guns and rocket propelled grenades, that has greatly intensified the impact of violence.

Whilst highly contentious, disarmament efforts in the state did make some progress in reducing the number of weapons in civilian hands following the civil war. However, communities have been able to rearm by looting stocks of weapons and acquiring weapons that have leaked from other sources. On the local illicit market, in 2012, an old Kalashnikov reportedly cost two or three cows, whereas a newer one cost up to four. Neighbouring states have also been accused of providing significant volumes of weapons to militias in Jonglei, some of which have been used in inter-community clashes. The majority of these weapons, however, originated from outside of Africa. The case of Jonglei makes clear that the illicit holding and use of SALW is largely attributable to the shortcomings of states at both national and regional levels and ultimately, the licit global trade in arms.

#### **What national, regional and international responses have been adopted to address the impact of transnational arms flows?**

The impact of transnational arms flows, and especially SALW, has received significant attention over the past two decades. Measures have been adopted to control the flow of arms by supplying states, individually or in groups, through multilateral and regional arrangements and within countries affected by conflict, fragility and arms proliferation. The significant progress that has been made is however being held back by measures overly focused on process rather than impact, continued gaps in implementation and low levels of capacity and political willingness.

#### **National and regional level responses:**

- **Improved controls by recipient states:** Improved management of arms stockpiles, along with weapons collections, the destruction of surplus arms and the marking of additional arms on import, have all been promoted as means to combat the illicit arms trade.<sup>186</sup> However many of the most fragile and conflict-affected states have struggled to implement such measures effectively. Many are also unable to manage their borders – which are often extensive and porous.<sup>187</sup> Donor support, especially through long-term funding cycles, has been shown to be effective in some contexts. For example, an evaluation of a European Union (EU) project that ran from 1999-2006 in Cambodia has been highlighted as a largely successful initiative to counter SALW proliferation.<sup>188</sup> In some cases UN missions have included support for stockpile management, as in Côte D'Ivoire, or arms procurement, as in Sierra Leone.<sup>189</sup> However, capacity aside, it is often the absence of political will by governments in recipient states to prioritise arms control that remains an overriding obstacle, especially in cases where there are perceived political benefits to inaction and/or the diversion of arms is used as part of a national security strategy.
- **Demand-side approaches:** Programmes to reduce SALW proliferation amongst communities in conflict-affected states have evolved to look beyond gun control and focus on the reasons why people demand weapons, engaging for example on issues related to community security.<sup>190</sup> For example, in Kenya, SALW control bodies have started to be more tightly coordinated with national peacebuilding initiatives, while EU support for SALW programmes in West Africa has been delivered as part of wider packages to strengthen peacebuilding and conflict prevention capacities.<sup>191</sup> Similarly disarmament, demobilisation and reintegration programmes “are shifting away from short-term interventions focused on ex-combatants and decommissioning of arms to more integrated community- and national-based interventions.”<sup>192</sup>

- **Societal approaches:** In some areas, the near total absence of state authorities means that social controls are the dominant form of arms control. For example, many clans in the Horn of Africa regulate their small arms themselves.<sup>193</sup> Local and societal-level structures that contribute to arms management, for example through working with traditional leaders to tackle SALW demand in their communities, remain relatively neglected by national governments and international donors.<sup>194</sup> Nonetheless, such interventions carry risks when not evenly implemented between different armed communities or when they undermine the responsibilities of states as ultimate security providers.
- **Regional agreements:** The illicit trade in SALW largely occurs at the regional level, making regional agreements particularly important. Africa has numerous regional agreements and multilateral mechanisms designed to address small arms proliferation. However, East Asia and South Asia have none.<sup>195</sup> Furthermore, capacity and political will to effectively implement regional initiatives is often patchy, especially when relations between states are strained.
- **Regional organisations:** Regional organisations, such as the Regional Centre on Small Arms in the East and Horn of Africa or the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), have been created to help fill capacity gaps with technical assistance and through facilitating joint actions, information exchange and other programmatic initiatives between countries. It is not clear that investing in this type of support has resulted in significant improvements in security.<sup>196</sup> As at national level, political will is key to the effectiveness of regional organisations.
- **Arms export controls:** Many, but by no means all of the major exporting states are now “formally committed to considering the impact the transfer might have on human rights, humanitarian law, internal repression, destabilising accumulations of arms, an existing conflict, regional and international peace and security, socio-economic development, crime, corruption, terrorist acts and diversion, among others.”<sup>197</sup> Policy commitments to such criteria have not however been effectively translated into decision-making processes relating to arms transfers in many states.<sup>198</sup> For some emerging arms exporters, most notably China, who are taking an increasingly larger share of the market, criteria guiding transfer decisions do not assess risks in a meaningful way. Furthermore, the activities of international brokers, who can play their role from almost any jurisdiction on the planet, can be extremely difficult to control.

#### International level responses:

- **Arms embargoes:** The UN Security Council places mandatory arms embargoes on specific states or areas. 25 embargoes have been imposed since 1966 (only 12 have been subsequently lifted). UN panels of experts, and in some cases peacekeeping missions, are tasked with monitoring these. Embargoes have also been agreed by regional organisations, such as the EU. Surprisingly under-researched, the effectiveness of embargoes is disputed. Studies have shown that in some cases embargoes are effective, and that many more are at least partially effective.<sup>199</sup> However, a significant body of evidence shows that arms often continue to reach warring parties despite embargoes. For example, the UN has identified numerous breaches of existing embargos on Somalia, Darfur and Eritrea.<sup>200</sup>
- **UN Arms Trade Treaty (ATT):** There are several multilateral agreements related to arms transfers. However, they are often voluntary, restricted in scope, lacking effective implementation and inconsistent with one another.<sup>201</sup> The ATT, agreed by the UN General Assembly in 2013 and likely to enter into force by 2015, offers an opportunity to bring together many of these piecemeal agreements and address existing shortfalls. In addition to complying with specific prohibitions on arms transfers, states parties to the treaty are obliged to assess the risks that the transfers from or through their territories could fuel instability, be used in violations of international human rights or humanitarian law or facilitate transnational organised crime. By January 2014, 115 states had signed the ATT and eight had ratified it. The effectiveness of the treaty, which will enter into force after the 50th ratification, will be largely dependent on national-level implementation.
- **UN Programme of Action:** Problems related to effective implementation are also found in the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA), agreed in 2001. It sets out a range of voluntary measures for states to take to manage all aspects of the SALW problem, including the control of small arms transfers, regulating small arms brokering, managing stockpiles, marking and tracing small arms and assisting other states in PoA implementation. States are expected to provide to the UN Office for Disarmament Affairs (ODA) national reports on their implementation of the PoA commitments, but do not always do so. Furthermore, review conferences have failed to agree on a framework of measurable indicators to assess the actual impact of implementation.
- **Transparency and information sharing:** Transparency and information sharing mechanisms have the potential to play important roles. In 1991 the UN Register of Conventional Arms was agreed, which committed states to report publicly on any imports or exports of seven categories of major conventional

arms plus SALW. However, the process is voluntary and not universal. In recent years the number of states submitting reports has fallen.

### How can the efforts to tackle arms flows be measured?

There are several challenges associated with measuring arms flows, their impact and the effectiveness of efforts to address them. There is a serious absence of information on the illicit flow of arms given that the trade is almost always covert in nature. Although far from comprehensive, data on the licit trade is more widely available. However, context-specific factors play an important role in determining the impact of arms flows. For example, an assessment of the risk of a sudden influx of arms into a particular country can only be made alongside consideration of other conflict drivers, such as the presence of heightened political tensions or significant horizontal inequalities. In order to measure the proportion of global licit arms flows that risk driving conflict, data on their flow could be used alongside or combined with other global data sets on conflict and fragility, including for example the Global Peace Index.<sup>202</sup>

In general, arms control programming lags behind other areas in the development field as there has been relatively little investigation into “the best practices for establishing baseline criteria and performance and success indicators for SALW issues and for monitoring and evaluating SALW projects”.<sup>203</sup> The success of SALW programmes at national level is often judged on criteria such as number of weapons collected or the outputs and capacities of institutions. These indicators often fall short, for example by overlooking the number of weapons still in circulation or failing to assess the risks still faced by the population. One area of current focus is on household surveys, which may prove useful in gathering data on experiences and perceptions of security at community level and the degree of SALW proliferation. At the global level, there is little adequate information to track or monitor the assistance being provided by international donors and “no basis for measuring what impact, if any, a given activity has had towards achieving international and regional goals, and whether or not assistance was optimally used to help achieve these goals”.<sup>204</sup>

Notwithstanding these serious challenges and shortcomings, a number of key resources and data sets are available that can help programme staff assess the impact of international arms flows on conflict in a particular context, and develop appropriate indicators for measuring progress against mitigating these impacts. The table below identifies a range of key resources and data sets, outlines how they could be used to inform in-country programming, and offers examples of potential indicators that could be generated from each resource.

<p><b>UN International Small Arms Control Standards (ISACS)</b></p> <p><b>Link:</b> <a href="http://smallarmsstandards.org/isacs/">smallarmsstandards.org/isacs/</a></p>	<p>Framed by existing international agreements such as the UNPoA, the ISACS provide policymakers and practitioners with in-depth information and guidance on SALW control issues. This includes a detailed guide for conducting in-country surveys which may be especially useful for evaluating the nature of the problem and/or the effectiveness of measures to address it. National surveys/mappings are also available for a number of countries.</p> <p><b>Example indicator:</b> If someone in your community wanted to obtain an illegal small arm, how easy would this be? (<i>ISACS household survey question</i>)</p>
<p><b>UN Office on Drugs and Crime (UNODC) Homicide Statistics</b></p> <p><b>Link:</b> <a href="http://unodc.org/unodc/en/data-and-analysis/homicide.html">unodc.org/unodc/en/data-and-analysis/homicide.html</a></p>	<p>UNODC Homicide Statistics include data on intentional homicide covering 207 countries and territories. Although not considered comprehensive, data is gathered from criminal justice or public health systems (and therefore is only as reliable as these systems themselves). It includes specific information on homicides by firearms which is broken down in different forms and years. This information can be useful in assessing the impact of arms on security. However, the UNODC data excludes violent deaths from conflict and so must be used with caution. Data sets on direct battle deaths, such as that provided by the <a href="#">Uppsala Conflict Data Program (UCDP)</a>, can be used to measure direct conflict deaths but does not distinguish which weapons are the cause of death.</p> <p><b>Example indicator:</b> Intentional homicide by firearm rate per 100,000 population.</p>

<p><b>SEESAC Performance Indicators for Monitoring and Evaluation of SALW Control Programmes</b></p> <p>Link: <a href="https://seesac.org/res/files/publication/536.pdf">seesac.org/res/files/publication/536.pdf</a></p>	<p>Supported by UNDP and the EU, SEESAC has a mandate to provide operational and technical assistance as well as information-sharing in South-Eastern Europe. This document provides an overview of performance indicators that could be applicable to SALW control programmes and makes recommendations for evaluation methodologies.</p> <p><b>Example indicator:</b> Changes in street prices of weapons relative to supply and demand.</p>
<p><b>UNPoA Implementation Support System (UNPoA-ISS)</b></p> <p>Link: <a href="http://poa-iss.org/Poa/poa.aspx">poa-iss.org/Poa/poa.aspx</a></p>	<p>The UNPoA-ISS includes national reports submitted every two years by states on a voluntary basis. These reports include a description of the actions individual states have taken to implement the UNPoA, which can be useful for assessing what actions are being taken to address illicit SALW proliferation, especially when combined with research questions identified in the ISACS (see above). However, reporting numbers vary. In 2011/12, 96 countries submitted reports while in 2009/10 118 countries submitted.</p> <p>The UNPoA also provides details on National Focal Points in each country who should be the first point of call for more information.</p> <p><b>Example indicator:</b> Review of UNPoA national report. (<i>Qualitative using ISACS criteria</i>)</p>
<p><b>Implementation Monitoring Project, UN Institute for Disarmament Research (UNIDIR) and Small Arms Survey (SAS)</b></p> <p>Link: <a href="http://unidir.org/programmes/process-and-practice/analysis-of-poa-implementation">unidir.org/programmes/process-and-practice/analysis-of-poa-implementation</a></p>	<p>Noting that measurement of the effectiveness of PoA implementation remains open to question, UNIDIR and SAS launched a multi-year project to assess implementation and impact of the PoA. A tool has been designed to score states using indicators based on PoA commitments. So far, the project has uncritically recorded the self-reporting by states, however as the project develops there are plans to undertake qualitative analysis of those national reports, in which case it could be useful for assessing country-specific progress. The assessment of countries is restricted to those that submit PoA reports in any given year.</p> <p><b>Example indicator:</b> Country score/ ranking.</p>
<p><b>UN Register of Conventional Arms</b></p> <p>Link: <a href="http://un-register.org/HeavyWeapons/index.aspx">un-register.org/HeavyWeapons/index.aspx</a></p>	<p>The UN Office for Disarmament Affairs (UNODA) manages the Register of Conventional Arms, which captures data on reported exports and imports of seven categories of major conventional arms and SALW. Not all states report and not all states report comprehensively. As such, it should be considered only a partial picture. Nonetheless, the Register can be one of several resources used to gather data on weapon flows into countries. Sharp increases may signify a higher risk of conflict. However, any information on changes in the volume of arms flows needs to be contextualised within an assessment of other conflict drivers and broader fragility. Declining rates of reporting to the UN Register in recent years also have an impact on the utility of this resource.</p> <p><b>Example indicator:</b> Increase in arms imports year on year (<i>contextualised with reference to other conflict drivers</i>).</p>
<p><b>Stockholm International Peace Research Institute (SIPRI) Arms Transfer Database</b></p> <p>Link: <a href="http://portal.sipri.org/publications/pages/transfer/splash">portal.sipri.org/publications/pages/transfer/splash</a></p>	<p>Considered to be the most comprehensive database on international arms flows, SIPRI's database should be used when assessing flows into countries. Drawing on a range of sources, it provides information on the source of weapons and volumes (measured according to SIPRI's own Trend Indicator Value (TIV), intended to represent "the transfer of military resources rather than the financial value of the transfer"<sup>205</sup>). However, SIPRI data should not be considered comprehensive. Nor does it gather information on SALW. As with the above, information on arms flows must be contextualised with consideration of other factors.</p> <p><b>Example indicator:</b> Increase in arms imports year on year (<i>contextualised with reference to other conflict drivers</i>).</p>
<p><b>Norwegian Initiative on Small Arms Transfers (NISAT)</b></p>	<p>NISAT's database focuses on SALW flows and may be a useful complementary tool. NISAT uses a variety of sources, including UN Comtrade and national customs data. However, as with other databases, it</p>

<p><b>Link:</b> <a href="http://nisat.prio.org/Trade-Database/">nisat.prio.org/Trade-Database/</a></p>	<p>should not be considered comprehensive. It records flows of arms into countries which may simply be in transit i.e. not the final destination country. Again, information on flows must be contextualised. In addition, NISAT runs a searchable document library, which contains over 40,000 articles on small arms issues, including over 22 000 on illicit trafficking.</p>
<p><b>Document library link:</b> <a href="http://nisat.prio.org/Document-Library/">nisat.prio.org/Document-Library/</a></p>	<p><b>Example indicator:</b> Increase in SALW imports year on year (<i>used alongside or in combination with data on conflict and fragility risks</i>).</p>
<p><b>Gunpolicy.org</b></p> <p><b>Link:</b> <a href="http://gunpolicy.org/firearms/home">gunpolicy.org/firearms/home</a></p>	<p>Gunpolicy.org is a website hosted by the University of Sydney. It provides a vast array of facts relating to a wide range of small arms issues organised by country, by region and by issue area, from firearms laws to numbers of homicides, rates of firearms possession to PoA National Focal Points. It also provides daily global and regional bulletins on small arms policy, armed violence prevention and gun control news published in mass media.</p> <p><b>Example indicator:</b> Estimated rates of private gun ownership.</p>
<p><b>UN Panel of Experts reports</b></p> <p><b>UNSC Link:</b> <a href="http://un.org/sc/committees/">un.org/sc/committees/</a></p> <p><b>SIPRI Link:</b> <a href="http://sipri.org/databases/embargoes">sipri.org/databases/embargoes</a></p>	<p>The UN Security Council (UNSC) resolutions related to the creation of arms embargoes often mandate the creation of expert panels to monitor their enforcement. Reports by the expert panels often include detailed information on arms flows. There is no single repository for expert reports; they must be accessed on a case-by-case basis from the UNSC. SIPRI retains a list of UN arms embargoes and associated documents.</p> <p><b>Example indicator:</b> Number of reported failures of cooperation with UNSC embargoes.</p>