

# **The Small Arms Crisis: What Will Work**

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arms control. Governments renewing their own weapons systems should publicly destroy small arms being replaced, ensure these weapons do not pass into the hands of children caught in some squalid intra-state conflict.

It is very important that the North deal with its end of the problem first. This is not commonly accepted. The fact is that the support in the South for curbing demand is spotty. Attachment to these weapons has been established, not only for legitimate defence needs, but also as a means to force political change and provide authority through coercion.

The Carnegie Commission on Preventing Deadly Conflict had it right. One cannot deal with small arms in isolation. As the Commission concluded, “operational” approaches to preventing deadly conflict are last minute band-aids (which is not to say they are without effect). One has to deal with the structural causes of conflict and ultimately build a “culture of prevention.”

What this means is that, even when a conflict has ended, there is no singular reliable formula for weapons collection and disarmament. Those arms will only be returned if people see a real chance of peace, a substitute for their gun. Inadequate attention has been given by the development community to the necessity of fair and effective functioning of the police, courts, and jails. This broaches the necessity of a “security first” approach to development.

In post-conflict situations, there may be moments of opportunity when the desire for peace is real. International organizations and donors of all kinds must be prepared to move quickly, for example, in implementing “weapons for development” programs. These moments can pass quickly. Perhaps a fund could be established (although this would not be easy) to facilitate early action. The creation of an agency to oversee the implementation of collection and destruction programs could also ensure disarmament promotes larger programs of peace and development. There is also the potential for some private sector involvement, based on past experience. These programs need to be tailored for local needs; there is no single recipe. And it is quite clear that “cash for weapons” does not work.

The reintegration of combatants into society after conflict is of critical importance. The reintegration of combatants into society after conflict is of critical importance. The reintegration of combatants into society after conflict is of critical importance.

in the South Caucasus in initiating action to control small arms. This merits international attention and support.

The development of norms is usually a slow process. They are, of course, what ultimately create a “culture of prevention.” The new norms need to go right through the system, from arms sales to the appropriate use of weapons such as assault rifles. The latter belong only in the hands of the military.

There is a major and early opportunity to move this issue forward. This is the wonderfully named UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It is an opportunity not to be missed.



## The Global Issue of Small Arms

The world's deadly excess of small arms and light weapons has grown to become one of the greatest threats to the security of states—and of people. This class of weapon is relatively inexpensive, remains operational for many years, is easily transported, and now fuels armed conflict in over 42 countries. Often wielded by largely untrained combatants (including children) small arms—assault rifles, grenades and mortars and others—have been the weapon of choice in 46 of 49 deadly conflicts since 1990.<sup>1</sup> Estimates of the numbers of assault rifles in the hands of non-state actors range between 100-125 million. Since 1990, conflicts worldwide have resulted in the deaths of more than 4 million people, producing 20 million refugees and 24 million displaced persons.<sup>2</sup> The vast majority of victims have been women, children, the elderly, and other non-combatants. This global spread of small arms has been facilitated by continued production from countries in the North, which benefit from a market worth an estimated \$5-\$7 billion in annual trade. As well, however, many weapons circulate through the South from one conflict area to another.

Small arms and light weapons have been defined in various ways, but are conventionally understood to include weapons designed to military specifications for use either by an individual or a small crew as lethal instruments of combat. It is generally accepted that “small arms and light weapons” include revolvers, self-loading pistols, rifles, assault rifles, machine-guns, grenade launchers, small-calibre mortars and shoulder fired anti-aircraft and anti-tank missiles. For the purposes of this report, the term “small arms” will encompass this group of weapons.

The commerce in small arms, like any market, is defined in the dynamics of supply and demand. In the analysis that follows, we recommend actions on both sides of this insidious trade. We consider first measures to suppress supply; then we look at ways to reduce demand.

## Suppressing Supply

### Sources

The universally exercised right to maintain adequate defence forces for the purpose of state security renders a global agreement on the complete ban of small arms impossible; even an agreement on “control” is difficult. The direct approach that was taken to ban anti-personnel landmines will not work here. The challenge facing the world is the sheer volume of weapons, estimated as high as 500 million, flowing through legal, illegal and covert channels.

To secure real progress, certain governments will need to go beyond their stated support for cracking down on the illegal trade in small arms—and examine their own role in the

legal trade. The shocking reality is that 80 to 90 per cent of the supply of small arms originates from the five permanent members of the UN Security Council, and Germany (an aspirant to a permanent seat).

In addition, the post-Cold War era has been marked by what is generally accepted as an extensive small arms surplus.<sup>3</sup> States with inventory and production have been reluctant to destroy their over-supply; they export it instead, especially to zones of conflict where demand persists. This is a trade that makes deadly conflict more likely—and more lethal.

Few governments publish statistics on the sale or transfer of small arms, or release information about sales activities of private companies. This must change. In the absence of reliable data from governments, the UN and member states should encourage and subsidize the development and publication of arms-trade information from nongovernmental sources.

### **Utilizing the 2001 Conference**

Too few serious efforts to control the cascade of small arms have yet been undertaken. In 2001, the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects can mark critical progress in generating stronger international action against a global menace to human and state security. Expectations are high among those who are ready to act, and popular opinion will be sympathetic. The opportunities for cooperation between governments and others in the global community are rich with potential.

There is no easy response to the challenge of small arms—no one treaty or singular strategy. But this must not deter UN member states from action. At the Conference, a realistic and minimal objective would be agreement on an effective international Action Program to reduce small arms proliferation and combat illicit trafficking. The scope and success of the Conference will inevitably be affected by the fate of the draft Firearms Protocol, currently under negotiation in Vienna with the Convention against Transnational Organized Crime. If wide definitions are adopted within the Protocol, the 2001 Conference will be well placed to implement and reinforcing that new agreement. If, on the other hand, states move to a narrower Protocol, limited to commercial transactions, the 2001 Conference could discuss an extension of Protocol provisions to cover state-to-state transactions.<sup>4</sup>

Regardless of the outcome of the Vienna negotiations, agreements reached at the 2001 Conference must build upon and complement the achievements of the Protocol. The Conference must also integrate the practical steps that can be taken from lessons learned. This report proposes a range of measures that can be taken to restrict the flows of small arms and mitigating demand.

We suggest focusing first on those weapons that kill most non-combatants. Some will find this does not go far enough. By limiting immediate objectives, however, there is a

significantly improved probability of tangible results. Practical steps towards enhancing transparency and strengthening the rules of the legal trade are possible (above all in assault rifles and grenade launchers, and hopefully in machine-guns). Further progress ought to be possible in establishing arms monitoring regimes in conflict-prone areas; more systematic disclosure of the illicit arms trade; and the creation of a code of conduct which would, among other things, define who should not be allowed to buy small arms. We return to the importance of the 2001 Conference in the pages to follow.

## **Enhancing Transparency and Information Exchange**

Opening the small arms trade to public scrutiny is an essential precondition to reducing its terrible costs. Enhanced transparency yields multiple benefits: First, it can build confidence in zones of tension, by dispelling the secrecy and uncertainty that inspire insecurity and arms races. Second, transparency exposes sudden or excessive arms flows that serve as early warning of impending or renewed conflict. Third, disclosure can stigmatize small arms exports—and shame the exporters.

### ***Publish Imports and Exports***

While the illicit arms trade is understandably hard to monitor, even the legal trade is

FAL and AR-15/M-16 assault rifles, the RPG –7 grenade launcher, and then the RPK machine-gun.

AK-47, FN FAL and AR-15/M-16

## ***Marking and Tracing of Weapons***

International efforts to prevent the diversion of arms to illicit markets can be strengthened by improving capacity to back-trace illicit small arms to their source. To make arms flows more traceable, three elements are required: systems to ensure clear and reliable marking of all arms; adequate record-keeping for arms production, possession and transfers; and international arrangements to enable timely and reliable tracing of lines of supply across borders by relevant authorities.<sup>5</sup> Marking will help law enforcement or intelligence officers track the supply routes of weapons that are originally acquired legally, and later enter the black market. A specific agreement on the issue of marking and tracing of weapons ought to be achieved at the 2001 Conference.

## **Regional Approaches and Transparency**

### ***OAS Convention***

Regional groupings are working at greater transparency. In November 1997, members of the Organization of American States signed a Convention Against the Illicit Manufacture, Traffic, Sale and Transfer of Firearms, Ammunition, Explosives, and Other Materials, which provided for the creation of a “register of manufacturers, traders, importers and exporters” of these products. No states have yet, however, made any information available<sup>6</sup> to indicate the effectiveness of the OAS Convention. The OAS convention only entered into force in July 1998, and some would argue it is too early to expect any useful data. Still, two years have passed.

Of all the practical measures being developed under the OAS Convention, the importance of creating a harmonized system of marking weapons at the point of manufacture and import is consistently stressed by security officials.<sup>7</sup> This imposes greater accountability on manufacturers, exporters, importers and



## **Monitoring and Early Warning Factors**

### ***Weapons Monitoring and Destruction***

One of the most tragic realities has been the inability of the United Nations to monitor the location, collection, and destruction of arms in several post-conflict peace operations. In Mozambique, UN personnel witnessed weapons being collected, only then to watch the uncontrolled redistribution of these same weapons. Eventually these weapons contributed to bloodshed and disorder elsewhere in southern Africa. A weak mandate, and inadequate capacity, accounted for this inability to monitor weapons after they had been collected. It is imperative that peace mandates, and resources, provide for effective weapons monitoring and destruction.

### ***Utilizing Early Warning Indicators to Prevent Conflict***

One of the real experts in this area, Edward J. Laurance, Director of the Program on Security and Development at the Monterey Institute of International Studies, points out that tracking small arms flow and accumulation can give early warning of conflict. During any peace operation, closer monitoring of insecure arsenals, black markets, border crossings, frequencies of violent attacks and civilian weapons possession, can all yield advance warning of renewed conflict.

### ***Monitoring Weapons Surplus Transfers***

As noted earlier, states have been too reluctant to destroy weapons when replacements are acquired, and instead export their “surplus”. A closer monitoring of these surpluses and their disposition would warn of the dangerous arrival of arms into a region or country at risk of conflict. Any expense of monitoring, or of ensuring the destruction of surplus





in the system assist the weaker partners to establish effective and reliable mechanisms for policing the illicit market.

As part of such efforts, Jeffery Boutwell and Michael Klare, two other experts in the field, have proposed that a technology should be developed and deployed internationally that would: help track small arms flows, identify illicit supply sources, and improve law enforcement and customs prosecution of illegal suppliers and traders. Developing computer databases and communications systems that can facilitate international cooperation would increase the transparency of weapons flows.<sup>12</sup> The 2001 Conference could aim to agree on international information exchange arrangements to increase intelligence co-operation among governments and others.

## **International Standards**

### ***Code of Conduct***

If sufficient political will is to be created to support this agenda of supply suppression, a code of conduct for arms transfers will be necessary. Commitment to a code of conduct would help strengthen responsible state behaviour. Such a code should bar the sale or transfer of small arms to any state that is ruled by a military dictatorship, that fails to respect the human rights of its citizens, that violates UN arms embargoes or that cannot ensure the security of the weapons already in its possession. Obviously there will be disagreement about which state fails the test. But the principle can be asserted, and practical measures taken to begin enforcing it.

### ***EU Code of Conduct***

In May 1998, EU foreign ministers agreed to an EU Code of Conduct for Arms Exports. Many believe, however, that it failed to meet its objective of setting truly “high common standards.” On all four contentious issues, the weaker option was chosen: weak human rights criteria; no multilateral consultations before undercutting; no public annual reports on arms exports or on the Code’s implementation; and no legally binding status for the rules. Furthermore, the Code does not provide for public transparency or public provision; and nor does it provide for

There are concerns among some states and civil society groups that, on its own, this proposal could be unbalanced.<sup>15</sup> A more coherent approach would be for governments to adopt and adhere to strict criteria on the transfer of arms, thereby requiring all end-users—governmental or not—to meet the same high standards of behaviour. But there is a very strong argument that, beyond pistols and rifles, no non-state actor can make a good claim to need the weapons comprised in the usual definition of small arms and light weapons. It is also true that if strict criteria for transfers were enforced by governments, then an additional agreement to restrict supplies of weapons to non-state actors would be all the more legitimate and secure, in conjunction with programs for democratic development and reform of the security sector. Meantime, however, it is equally true that cutting transfers of arms to non-states would enhance the security of civilians generally.

## **International Norms**

The ultimate aim is to reduce human suffering and the threat to human freedoms that these arms represent. The immediate objective is to address that part of the problem that would bear the most benefit. Real and effective action will tend to solidify and strengthen international norms against uncontrolled and dangerous trade in small arms. Similarly, norm-building reinforces actions that meet the dual tests of legitimacy and effectiveness. While it may take time to clarify and win support for these norms, like-minded countries are certain to support reforming action, even as others oppose it. The critical normative rule, as these events progress, is that “the right to arms” has limits. It does not extend, even for states, to the acquisition of arms for the purpose of engaging in genocide, or the oppression of peaceful political opposition, or the punishment of dissent. The right to acquire arms for self-defence carries an obligation to maintain such weapons under effective government control at all times, and to preclude their diversion to illicit purposes.

The creation of new and authoritative norms is neither as abstract nor as remote as sometimes assumed. It is entirely practical to expect, for example, that an international consensus can quickly cohere around the control of small arms as a public health imperative—and thus as an obligation under national and international law. Already, the

More than 250 NGOs, a group of committed governments, scholars, and some elements of the media are even now directing public and political attention to the scandal of small arms proliferation. Much more can and should be achieved, to inform publics globally of small arms issues—and of the remedial actions at hand. As a start, governments with NGOs and others can collaborate more vigorously to focus minds and move hearts on two crucial issues: war-affected children, and the pernicious black markets in gems and drugs that finance much of the small arms trade.

***Child Soldiers: War as a Way of Life***

It is chilling to learn that over 60 percent of children in Rwanda do not care if they ever grow up. The continuing conflict there has taken its toll, even among the “survivors.”

### **Disarmament**

Successful disarmament programs can only occur once local security is assured. In a post-conflict situation, disarmament is often not viewed as delivering an obvious gain in personal security. There is usually little trust conferred on state officials, people who may well have been “on the other side” during the conflict. As long as security is not credibly assured, weapons will remain hidden away for an emergency. In these circumstances, many people will keep small arms if only as an essential of personal, family or community security. Weapons will not be relinquished easily unless there is a general belief that they are not required for personal safety. Indeed, seeking to disarm communities whose security cannot be realistically assured has proven to be profitless—if not downright dangerous.

#### ***Disarmament and United Nations Peace Operations***

Daunting factors affect prospects for “disarmament” in this area. These often include the ready availability of weapons across regions, hard-to-patrol borders, weak or non-existent disarmament mandates, lack of funding, and the freedom of insurgents/militants to operate with impunity in an atmosphere of violence. The recent *Report of the Panel on United Nations Peace Operations* identifies the cold realities of current conflict situations, and makes recommendations that should assist in achieving the so-far unrealized objectives of disarmament. It is important that the Secretary-General determine whether the proposed forces and the mandate of a mission are in fact commensurate with the political and military conditions on the ground before agreeing to deploy any peace operation.

#### ***Addressing Civilian Weapons Possession***

In the past, peacekeeping mandates have not often addressed the issue of weapons possession by civilians. This is a serious defect, impeding civilian disarmament as a necessary post-conflict priority. The issue was not addressed in El Salvador, for example, and led to persisting social violence. It is essential that disarmament mandates are both comprehensive and flexible enough to allow for changes on the ground. An abundance of evidence<sup>18</sup> makes plain that complete, clear and integrated mandates for civilian disarmament, security enhancement, and weapons destruction are necessary elements of post-conflict peacebuilding.



generators, as in Mozambique. But a straight payment of cash for weapons presents its own problems. In Albania, it was ruled out on grounds that large cash infusions would trigger price inflation—raising the demand for guns as their value rose. Instead, community benefits included improvements to infrastructure or local policing. In structuring incentives, the most successful approach has been a mix of personal and community benefits. This mix of incentives should address individual motives for keeping weapons, along with community approaches to demand reduction.

### **Destruction of Weapons**

Even among peace operations with disarmament mandates, plans have lacked a weapons destruction component. In Mozambique, three regional warehouses full of small arms

## Directions for the Future: Learning from Successful Disarmament

### *Disarmament Requires Local Demand*

The incentives, places for exchange, type of destruction and duration of microdisarmament programs will all vary. Across all the cases, however, one essential element remains constant: Successful disarmament requires strong local support and participation. The weapons collection in Mali in 1996 has been heralded as a positive model for other countries emerging from conflict<sup>22</sup>. The Mali experience is instructive because the peace process was genuinely a homegrown initiative, traditional UN involvement was limited, the “security first” approach was applied, and there were positive spillover effects into the surrounding region.

There is a more cautionary lesson in the experience of the Bonn International Centre for Conversion. The BICC has set up a help desk for requests and non-financial support for microdisarmament initiatives. It was designed to offer assistance to grassroots and local groups, but instead has found that requests for assistance are coming from international organizations and governments.<sup>23</sup> This further reinforces the perception that the drive to control small arms is so far an initiative mostly of the North, rather than something seen as a high priority in the South.

International action for the prevention of conflict is unlikely to be sustainable if it does not include significant indigenous support. Local community-building avenues—including media, NGOs, academics, trade unions and women’s organizations—must be recognized and included in the planning of microdisarmament. With respect to funding, the UN has established two separate trust funds to support weapons collection—one administered by the UNDP and the other by the Department for Disarmament Affairs. More work needs to be done to make these mechanisms fully effective. Member states and the relevant UN agencies should build on administrative reform already under way to ensure that these funds become more responsive to the financial needs of national or locally based programs.<sup>24</sup>

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to hold the perpetrators of violence legally accountable domestically and internationally, and to strengthen local justice systems that can protect individual rights.

Aid programs should reinforce the capacity of civil society organizations by providing support for education and training, along with increased funding of local peacebuilding initiatives contributing a culture of prevention.

### ***Role for the Private Sector***

As the power and influence of the business sector has grown, so has its potential to contribute to sustainable development and the prevention of conflict. Private sector action reflects both self-interest and altruism. Self-interest looks to the destructive and risky effects that firearms and violence exact on business and the general economy. In both Panama and El Salvador, for instance, the private sector paid for almost half the total program costs of microdisarmament. In significant contrast, however, practitioners who work in this field in Asia and Africa generally find that private sector sponsorship of disarmament programs is not even considered an option for the communities with which-10.9(act on beis5 72 of conf the preventsia intolueventi Tlf UN cs shof al ponetwho fects tjook iiiva pri, and





## Annex 1: Experts in the Field of Small Arms

### **Sami Faltas**

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<sup>1</sup> 1996 Yearbook of the Stockholm International Peace and Research Institute. Stockholm: SIPRI, 1996.

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- <sup>2</sup> “Small Arms and Light Weapons: The Epidemic Spread of Conflicts.” Conversion Survey 1997, Bonn: Bonn International Center for Conversion, 1997.
- <sup>3</sup> Ibid.
- <sup>4</sup> Framework Briefing. “The UN 2001 Conference: Setting the Agenda.” BASIC, International Alert, and Saferworld. 2000.
- <sup>5</sup> Ibid.
- <sup>6</sup> Dyer, Susannah L. and Geraldine O’Callaghan. “One Size Fits All? Prospects for a Global Convention on Illicit Trafficking by 2000.” British American Security Information Council. April 1999.
- <sup>7</sup> Ibid.
- <sup>8</sup> Ibid.
- <sup>9</sup> Fung, Ivor. Report of the Director, Programme for Co-ordination and Assistance for Security and Development (PCASED) and the UN Regional Centre for Peace and Disarmament in Africa. April 2000.
- <sup>10</sup> Laurance, Edward J. “Light Weapons and Intrastate Conflict. Early Warning Factors and Preventive Action.” A Report to the Carnegie Commission on Preventing Deadly Conflict. New York: Carnegie Corporation, 1998.
- <sup>11</sup> Ibid.
- <sup>12</sup> Boutwell, Jeffery and Michael Klare. Light Weapons and Civil Conflict: Policy Options for the International Community. New York: Council on Foreign Relations. Chapter 14. <http://www.foreignrelations.org/public/arsmtrade/mdchapt14.html>
- <sup>13</sup> Lansu, Paul. “Light Weapons: The Question of International Regulations. . . .” Melbourne: La Tobe University, 1998.
- <sup>14</sup> Council of the European Union, Joint Action on the European Union’s contribution to combating the accumulation and spread of small arms and light weapons, December 1998, article 3b.
- <sup>15</sup> Framework Briefing. “The UN 2001 Conference: Setting the Agenda.”
- <sup>16</sup> See International Red Cross: [http://www.redcross.alertnet.org/en/conference/background\\_p.asp](http://www.redcross.alertnet.org/en/conference/background_p.asp).
- <sup>17</sup> See Impact of Armed Conflict on Children. UNICEF and United Nations. <http://www.unicef.org/graca/>
- <sup>18</sup> For example, reports from the Lessons Learned Unit concerning Somalia (UNOSOM) and Rwanda (UNAMIR) the UNIDIR series on Managing Arms in Peace Processes which covers an extensive array of countries and the numerous studies of independent researchers and institutes.
- <sup>19</sup> Weapons for Development: Report of the UNDP Mission for an Arms Collection Pilot Program in The Gramsh District – Albania, September, 1998. <http://www.prepcom.org/low/pc2/pc2a38.htm>
- <sup>20</sup>