

CEPI WORKING PAPER No. 11

A Multi-Pronged Approach to Transnational Criminal Networks: The Case of Latin America and the Caribbean

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Marzo 2006

**Communicating Small Arms and Light Weapons Control Effectively:
A Local and Regional Advocacy Model for Latin America and the Caribbean**

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* Disclaimer: The opinions expressed herein are personal and do not necessarily reflect the views of the United Nations.

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I. Introduction

Small arms¹ and light weapons² are the most lethal weapons on earth (IANSA, 2006, p. 1). They kill or injure at a minimum 500,000 people every year and cause millions more to lose their homes, hopes and livelihoods.³ In spite of their appalling impact, why have small arms and light weapons control efforts encountered so much resistance?

In Brazil, a country with one of the highest small arms and light weapons mortality rates worldwide⁴ and Latin America's main small arms and light weapons producer, 64 percent voted against Article 35 of the National Disarmament Statute in the 23 October 2005 National Referendum, which would have prohibited the sale of small arms and light weapons⁵ and given Brazil one of the most restrictive gun laws in the world.⁶ Brazil's janus-faced stand towards small arms and light weapons is not uncommon in Latin American and Caribbean countries, many of which are at the forefront of international advocacy efforts, while lagging behind in the implementation of their self-imposed control measures.⁷ How can the region's disconnect between international advocacy and local implementation efforts best be explained? Which elements of a strategic approach are missing to prevent and combat the illicit trade and use of small arms and light weapons in Latin America and the Caribbean?

Examining small arms and light weapons' impact on people's lives and why their control has been neglected throughout the Cold War era, this paper analyses Latin America and the Caribbean regional and subregional organisations' essential existing practical and legal responses to small arms and light weapons, highlights those, which require further political and financial support, namely capacity building, project creation and implementation. Selecting transferable best practices and lessons learned of the successful Mine Ban Movement, this paper concludes that strategic advocacy⁸ efforts at the local level and among regional and subregional organisations are imperative to evoke political commitment and create pressure from within nation states and among their neighbours to bring about policy change and thereby eliminate the threat of small arms and light weapons.

II. The Impact of Small Arms and Light Weapons

The proliferation and illicit use of small arms and light weapons threatens the realisation of basic human rights, inhibits developmental progress and humanitarian efforts and increases human insecurity. The exact impact of small arms and light weapons remains difficult to quantify because of poor or non-existent data collection facilities.

1. Small Arms and Light Weapons Promote Human Insecurity

Hapless civilians fall victim to small arms and light weapons in wars, coups d'états, other armed conflicts or in 'peaceful' nations as a result of homicides, suicides, unintentional

¹ Small arms are weapons designed for personal use, like revolvers and self-loading pistols, assault rifles, rifles and carbines, and sub-machine-guns and light machine-guns (Muggah & Berman, Geneva: 2001, p.vii).

² Light weapons are weapons designed for use by several persons serving as a crew, such as heavy machine-guns, hand-held and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missile systems, and mortars of calibers of less than 100 mm and ammunition and explosives (Muggah & Berman, Geneva: 2001, p.vii).

³ As opposed to weapons of mass destruction, whose primary purpose has been to deter enemy forces (Karp, Geneva, 2000, p. 5).

⁴ 40,000 annually (IANSA, 2005, p. 73).

⁵ Except the police, the military and authorised private security companies.

⁶ For the proponents of the ban, the result came as a disappointment, especially because of Brazil's sweeping gun control legislation reform passed by Congress in December 2003 and brought about by civil society, sympathetic media and President Ignacio Lula da Silva. Opponents of the ban argue that the average Brazilian needs a gun to protect him/herself from drug gangs and thieves.

⁷ Thanks to the powerful initiative led by the Colombian Government, for instance, the issue of small arms and light weapons was first discussed at the United Nations in 1993. Moreover, the only legally binding international instrument, the *1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials*, emerged from a Mexican campaign, supported by the Rio Group, to combat one of the main problems of the hemisphere through cooperation and recognition of the transnational impact of the issue.

⁸ Advocacy describes the process of creating support, building consensus, fostering a favorable climate and supportive environment towards specific causes and issues through a set of well planned and organised actions that are undertaken by a group of individuals or organisations working in concert.

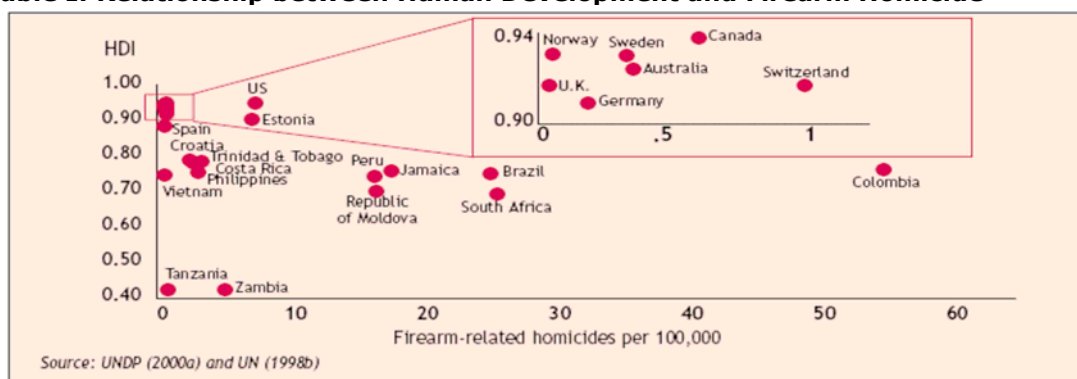
and intentional shootings.⁹ Traditional security concepts focusing on defending the state from external threats (Human Security Report 2005, New York, p. viii), no longer explain and resolve conflicts or the small arms and light weapons threat. This has led to a new security model, "human security", which places human beings as individuals at the centre of the security discourse and aims at safeguarding people from acute threats and empowering them to take change of their own lives (Ogata and Sen in, Human Security Now, New York, 2003 & MacFarlane and Foong Khong, Human Security and the UN, Bloomington & Indianapolis, 2006).¹⁰

2. Small Arms and Light Weapons' Humanitarian and Developmental Impact

Small arms and light weapons' availability and illicit use restrict access to basic entitlements and services, intimidate and coerce whole communities, and inhibit development. They limit freedom of movement and cause forced migration, which contributed to approximately 35 million refugees and internally displaced persons (IDPs) worldwide, 3.4 million of them in Colombia (UNHCR, Geneva: 2006, p.8). Small arms and light weapons empower the marginalised, impatient for promised progress, who use them to protect themselves to attain unpaid commercial gains. Promoting violent solutions to conflicts of interests, small arms and light weapons impede countries' rule of law and threaten democratic development. Ultimately, small arms and light weapons threaten economic development and discourage foreign investment. According to the Inter-American Development Bank, violence costs Latin American countries nearly 15% of their GDP (IANSA, 2006, p.1).

As table I suggests, the increase of firearm-related homicides goes hand in hand with countries' low human development indices:

Table I: Relationship between Human Development and Firearm Homicide



Source: "Small Arms Survey 2001 – Profiling the Problem", 2001, p. 2.

3. The Impact of Small Arms and Light Weapons in Latin America and the Caribbean

By losing 73,000-90,000 people annually to small arms and light weapons and with 60% of all murders occurring by a gun, Latin America and the Caribbean is one of the worst affected regions worldwide (Small Arms Survey, 2002, Geneva). Of the 33 countries in the region, at least eight have firearm homicide rates killing more than 10 out of every 100,000 residents annually (Small Arms Survey, 2002, Geneva). Central America has a small arms

⁹ In countries like Brazil, the USA and South Africa, small arms and light weapons violence is a leading cause of death among young men.

¹⁰ The Human Security Report (New York, 2005, p. viii) states that "Human security is a relatively new concept, now widely used to describe the complexity of interrelated threats... Human security and national security should be – and often are – mutually reinforcing. But secure states do not automatically mean secure peoples... During the last 100 years far more people have been killed by their own governments than by foreign armies. A new approach to security is needed because the analytic frameworks that have traditionally explained wars between states ... are largely irrelevant to violent conflicts within states [which] ... make up more than 95% of armed conflicts.

All proponents of human security agree that its primary goal is the protection of individuals. However, consensus breaks down over precisely what threats individuals should be protected from. Proponents of the 'narrow' concept of human security focus on violent threats to individuals ... Proponents of the 'broad' concept of human security argue that the threat agenda should include hunger, disease and natural disasters because these kill far more people than war, genocide and terrorism combined. Human security policy, they argue, should seek to protect people from these threats as well as from violence. In its broadest formulations the human security agenda also encompasses economic insecurity and 'threats to human dignity' (Human Security Report 2005, New York, p. viii).

and light weapons homicide rate between 30 and 50 per 100,000, without even taking into account related disabilities (Fajnzylbec, Ledeman, and Loazya, 2000 & Small Arms Survey, Geneva, 2002, p.165).¹¹

Table II demonstrates that most gun homicides per 100,000 people occur in Colombia, that the highest overall number of gun homicides is in Brazil and that the United States claims the highest gun ownership rate and total amounts of guns in the region. Hence, the high availability of guns does not necessarily go hand in hand with high homicide rates. Cultural and socio-economic factors matter must be taken into consideration.

Table II: Stockpile Lethality in the Western Hemisphere

Stockpile Lethality in the Western Hemisphere					
Country	Total civilian guns (millions)	Annual gun homicides	Gun homicides per 100,000	Guns per gun homicide	Gun homicides per 100,000 guns
Brazil	20-30	25,603	14.35	780-1,170	85-128
Chile	1.4-2.0	82	0.52	17,000-24,400	17,000-24,400
Colombia	4.2-10.2	21,898	49.54	190-470	220,520
Mexico	3.5-16.5	5,452	5.27	640,3,000	33,156
USA	243-281	10,310	3.45	24,000-28,000	3.78-4.2

Source: Small Arms Survey, 2002, Geneva, p. 53

The immense impact of small arms and light weapons in the region encouraged an exceptional vision and policy initiatives, pushing the region at the helm of international efforts to control small arms and light weapons. Despite Latin America's diplomatic leadership, domestic policies often lag behind. It is thus not surprising that the region's implementation status of the *UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* remains among the weakest (see Annex 1a-d). This disconnect between international advocacy and domestic implementation efforts can be seen in the case of Mexico, which has ratified all salient international small arms and light weapon instruments but whose Constitution grants its citizens the right to own some firearms.¹²

III. Facts and Figures

1. How many small arms and light weapons are there?

Taking into account the lack of precise data¹³, there are at least 639 million small arms and light stockpiles worldwide, one gun for every 11 people, including children (Small Arms Survey, Geneva, 2002, p.6 & 2001, p. 59, 88). Of those 639 million, Latin American countries possess roughly 45-80 million (Small Arms Survey, Geneva, 2002, p.36).

2. Who owns the world's small arms and light weapons?

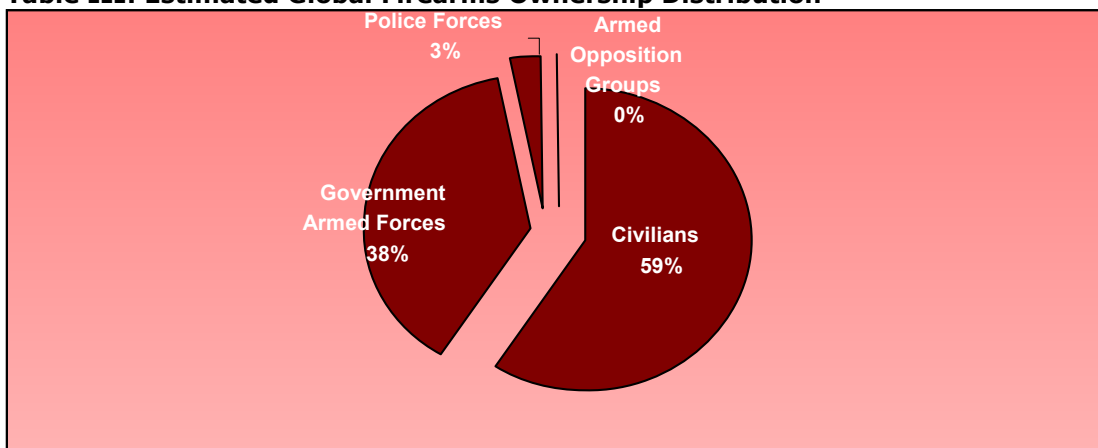
¹¹ In El Salvador, Honduras and Guatemala, the abundance of leftover small arms and light weapons coupled with endemic cultures of violence and high levels of inequality are believed to have resulted in a high injury burden. Rough estimates indicate that for every 1,000 weapons collected from former combatants in the region, there are approximately 100,000 unaccounted weapons in circulation (Godnick, London, 2003, p. 23). Sadly, in Nicaragua, El Salvador and Honduras, more people died of violent deaths in 1998-1999 than during the wars and many urban citizens feel more insecure today than during the war (Small Arms Survey, Geneva, 2002, p. 171).

¹² The OAS identified Mexican territory as a major conduit for gun trafficking from the United States, where criminal organisations maintain a flow of weapons to the drug producing regions of South America. According to a former senior Mexican security official, "Mexico's small arms and light weapons problem is closely interrelated with that of drug trafficking ... To eliminate the small arms and light weapons threat, Mexico would first have to resolve its drug problem" (Interview, Mexico City, 10 January 2006).

¹³ Inquiries undertaken by the Small Arms Survey 2001 revealed that much of the problem is due to simple ignorance; few governments have comprehensive data on all public and official small arms and light weapons available to share. In many cases, the problem is official secrecy. In the few cases where data are available, such as on public small arm and light weapon ownership, no effort has been made to combine the many categories of ownership to arrive at a total figure (Small Arms Survey, Geneva, 2001, p. 60).

59% of the world's small arms and light weapons arsenal - over 378 million weapons- is in the hands of civilians. The remaining 38% are owned by government armed forces, 3% by the police and 0.2% by armed opposition groups, totalling 638.9 million (Shattered Lives, London: 2003, p.20 & Small Arms Survey, Geneva, 2001, p. 77).¹⁴

Table III: Estimated Global Firearms Ownership Distribution



Source: "Shattered Lives," London: 2003, p.20 & "Small Arms Survey 2001", Geneva: 2001, p. 89.

3. How much Profit Do Small Arms and Light Weapons Make?

Producing and selling small arms is a worldwide business. Estimates of the black market range from US\$2-10 billion a year (IANSA, London, 2006, p.1). The 2002 Small Arms Survey estimated the global value of small arms production at around US\$7.4 billion and the value of global small arms and light weapon transfers per year at US\$4 billion. Compared to the illicit drug trade, whose profit margin lies at about 94 billion annually, the small arms and light weapons profit is not that high (2005 Drug Report, Vienna, p.33). Therefore, the illicit small arms and light weapons trade is mostly a by-product of other criminal activities, such as the drug trade.

4. Who produces the World's Small Arms and Light Weapons?

Nearly seven million commercial small arms and light weapons are produced annually. At least 90 countries have the capacity to produce small arms and/or ammunition. As table IV indicates, the world's major producers are the USA, Russia and China. Other important producers include Brazil, Europe and Japan. In Latin America, at least ten countries have the capacity to produce small arms and light weapons (Small Arms Survey, Geneva, 2001, p. 81).

Table IV: The World Most Important Small Arms and Light Weapons Producers



Source: "Small Arms Survey 2002 – Counting the Human Cost", 2002, p. 7.

5. What Kind of International Small Arms and Light Weapons Instruments Exist?

¹⁴ With a total of at least 230 million small arms and light weapons, 84 guns for every 100 people, the United States of America has the world's largest known arsenal of firearms, constituting almost half of all known firearms in the world (Small Arms Survey, Geneva, 2001, p. 6). The total quantity of civilian firearms in the United States is comparable to – or even greater than – the total firearms of all the armed forces in the entire world (Small Arms Survey, Geneva, 2001, p. 66).

a. Legal Background

From a legal perspective, some types of small arms and light weapons are considered especially harmful because they are considered “intrinsically inhumane” in nature. Conceptually and historically, such weapons have been defined by two distinguishing characteristics: first, when indiscriminate in nature because of “strick[ing] military- and civilian objects without distinction” (The 1899 and 1907 Hague Conventions, the four 1949 Geneva Conventions and their two additional Protocols) and second, when causing “superfluous injury or unnecessary suffering” (Article 35 of Additional Protocol I to the Geneva Conventions).¹⁵

The illicit proliferation of small arms and light weapons can result in their indiscriminate and inhumane use (Andrew Latham in *Small Arms Control Old Weapons New Issues*, Geneva, 1999, p. 15). Besides causing death and injury, small arms and light weapons are likely to be used to commit serious violations of international human rights and humanitarian law (Frey, 2004, pp. 37-39) like murder or rape. As small arms and light weapons constitute an essential operational element for military or police forces, achieving a total ban on them like on mines seems unlikely at the moment. However, what types of international small arms and light weapons “control” treaties and political agreements already exist?

b. Existing International Small Arms and Light Weapons Treaties & Political Agreements

At the global level, conventional weapons are regulated by two legally binding agreements:

1. The 1983 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) and its Protocols on Non-Detectable Fragments (Protocol I), on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and other Devices (Protocol II and Amended Protocol II), on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), on Blinding Laser Weapons (Protocol IV) and on Explosive Remnants of War (Protocol V); and
2. The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

No international legally binding convention on small arms and light weapons exists. Instead, there are:

1. The 2005 International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons;
2. The 2001 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition of the United Nations Convention against Transnational Organized Crime; and
3. The 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA).

There are various regional legally and politically binding instruments in Latin American and Caribbean.

(i) The 2005 International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

The most important international initiative for tracing small arms is the unfortunately only politically-binding *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, which was adopted by the General Assembly in December 2005 (New York, 2005, A/60/88). The instrument emerged from an open-ended working group, established by a General-Assembly decision in December 2003, to negotiate an international mechanism to enable states to identify and

¹⁵ Examples of such weapons include cluster munitions or mines.

trace, in a timely and reliable manner, illicit small arms and light weapons. The instrument's drawbacks are its sole focus on regulated small arms and light weapons manufacturing and trafficking through States Parties' existing legislation to improve the implementation of import and export procedures rather than suggesting enhanced legislation.

(ii) The 2001 United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

Shortly before the 2001 Conference, the United Nations General Assembly adopted the *UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* as a supplement to the *United Nations Convention against Transnational Organized Crime*. The Protocol is legally binding and entered into force on 3 July 2005. It commits States Parties, to:

- Promote uniform international standards on small arms and light weapons' import, export and transit.
- Foster cooperation and information exchange at national, regional and global levels, including small arms and light weapons identification and detection.
- Promote international small arms and light weapons cooperation through the development of an international system to manage commercial shipments.
- Assist law enforcement agencies in achieving greater transparency of legal small arms and light weapons transfers.

Many of the Protocol's commitments coincide with other established agreements within the framework of the Organisation of American States (OAS) and other subregional organisations. The commitments should serve to set minimum standards in Latin America and the Caribbean, but unfortunately, familiarity with the Protocol remains minimal in the region, which is exemplified by the fact that only twelve Latin American and Caribbean countries have signed it, and nine have ratified it (See Annex II) (Godnick & Velázquez, London: 2003, p. 12).

(iii) The 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA)

The *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA)* is a politically-binding international instrument, which was unanimously adopted by UN Member States at the *2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*. The PoA aims to develop or strengthen agreed norms and measures with a view to promoting concerted and coordinated international efforts to curbing the illicit small arms and light weapons manufacture, export, import, transfer and retransfer (PoA Frequently Asked Questions, New York: 2005).

Areas emphasised in the PoA's preamble that do not relate to specific PoA commitments include gender, civilian possession¹⁶, export and import controls, state misuse of small arms and light weapons, demand reduction, restricting transfers to non-state actors, MANPADS and ammunitions¹⁷. When it comes to the implementation of the PoA and the reporting thereof, Latin American and Caribbean states have yet a long way to go. Out of 33 states signing the PoA, only three issued reports in 2002, 18 in 2003, 10 in 2004 and 12 in 2005 (see Annex Id).

Despite small arms and light weapons being a threat to humanity that have caused most of the unnatural death and destruction in the twentieth century, why were related international treaties and protocols only enacted in the past decade? Because small arms and light weapons are a post-Cold War problem.¹⁸

¹⁶ Unlike the CCW Protocol II or the Mine Ban Convention and the 2005 United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

¹⁷ Ammunitions defined as the complete round or its components, including cartridge cases, primers, propellant powder, bullets, or projectiles that are used in any firearm.

¹⁸ As suggested by former United Nations Secretary-General Boutros Boutros Ghali in a January 1995 report to the General Assembly, "light weapons deserve our attention because these are the weapons that are most prevalent in the conflicts the United Nations is actually dealing with and are, in fact, killing people in the hundreds of thousands" (United Nations, Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations, UN Document A/50/60, 3 January 1995, p. 14).

IV. Momentum: Small Arms and Light Weapons – A Post Cold War Problem

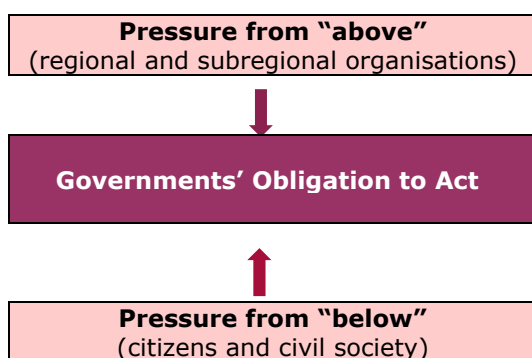
While large amounts of them were smuggled into developing countries during the Cold War to fight proxy-wars (Herby, New York, 2002, p. 97), the world's focus remained on not having weapons of mass destruction fall into the hands of the "wrong" people or get under the control of the "wrong" minds (Klare, Geneva, 1999, p. 3).

Although the demise of the Cold War diminished most external threats in Latin America and the Caribbean, the millions of small arms and light weapons that were poured into the region, during the 1970s and the 1980s remain a regional threat to peace and security and hamper economic, social and political development. This is quite tragic, given that three states - Nicaragua in 1991, El Salvador in 1992, and Guatemala in 1996 - successfully ended their civil wars and democratised.¹⁹ With the peace agreements came programming activities, such as disarmament, demobilization and reintegration (DDR) projects. For soldiers and civilians alike, small arms and light weapons often serve as the only means of personal and economic security. Through DDR projects, ex-combatants and civilians are hoped to surrender their arms, reconcile their differences and return to normal life in post-conflict society (UNDP, Small Arms and Demobilisation, New York: 2005).²⁰

Today, the demand for small arms and light weapons in Latin America and the Caribbean is no longer politically motivated, but driven by criminal profit-making and deeply intertwined with the drug trade (Cucovaz & Ávila Camacho, Geneva, 1998, p. 33). As DDR initiatives are oftentimes trumped by peoples' incentives to remain armed, which actors could best help curb the small arms and light weapons problem with what kind of initiatives?

V. The Essential Role of Regional and Subregional Organisations

Governments are primarily responsible to address the small arms and light weapons threat. However, due to Latin American and the Caribbean governments' differing political commitment and actual implementation efforts on the ground, there is a need for further "convincing" through pressure exerted from "below" by citizens and from "above" by regional and subregional organisations.²¹



While citizens' involvement through civil society, demonstrations and participation in public policies through their voting record is non-ambiguous, what is the role of regional and subregional organisations? In the post Cold War era, regional and subregional organisations have increasingly been perceived as problem-solving actors.²² The changing nature of

¹⁹ The Esquipulas II Agreement in 1987 set a framework for peace, national reconciliation and democratization to end the long-running wars in Central America. This agreement was followed by a UN-sponsored peace process and the establishment of the UN Observer Group in Central America (ONUCA).

²⁰ By late 1990, over 18,000 weapons had been destroyed and more than 22,000 personnel demobilised. Ex-guerrillas or ex-members of the armed forces went into massive forced retirement, in Nicaragua by 80 percent, in El Salvador by 50 percent, in Guatemala by 33 percent and in Honduras by 20 percent.

To date one cannot speak of successful reintegration experiences in the region, nor perhaps anywhere else. Lessons learned about the demobilisation- and reinsertion processes comparing various national experiences need to be compiled. Moreover, future DDR programmes need to be taken into consideration, root causes of wars and violence – unemployment, insecurity, poverty and ineffective veteran reintegration programmes (Managing Arms in Peace Processes, Nicaragua and El Salvador, pp. 4-7 & Smith, Geneva: 1999, pp. 96-97).

²¹ "Top-down" and "bottom-up" initiatives addressing the arms industry, politicians, ex-combatants and the general public are imperative to address the threat (Dr. Erwin Dahinden, New York: UN Publication, 2002, p. xix).

²² This notion even found support in academia through the theoretical framework of "Theories of New Regionalism" (Shaun Breslin, Jean B. Grugel, Björn Hettne, Richard Higgott, and Wil Hout). According to Jean B. Grugel new

conflicts and threats, and consequently of security concepts has resulted in the need of coordinated and strategic multilateral responses by new actors other than nation states such as regional and subregional organisations.²³ Serving as a clearing house for the various stakeholders, regional and subregional organisations can exert positive peer pressure on governments and facilitate “mutual encouragement” as an entry point for national small and light weapons initiatives.²⁴ Regional initiatives could also help coordinate the harmonisation of legislation, facilitate customs cooperation and import-export controls, gather and share information, lead regional advocacy and awareness raising campaigns, voluntary arms exchange, arms registration and arms destruction programmes and overall capacity building initiatives (Gamba, New York, 2002, p. 73 & Herby, New York, 2002, p. 98).

Many of the proposals presented in international fora and instruments like the Programme of Action²⁵, have a regional application (Latham, Geneva, 1999, p. 31). However, shortcomings of regional control efforts remain:

- The uneven implementation of regional agreements by governments (e.g. the Andean Community Decision 552), resulting in loopholes that can be exploited by small arms and light weapons suppliers.
- Insufficient and uncoordinated donor funding with too many conditions attached.
- Control measures remain not integrated in other broad programmes of regional and subregional organisations on issues like poverty eradication or security sector reform.
- Inadequate information-sharing within regional and subregional organisations on small arms and light weapons stockpiles and transfers due to governments’ sovereignty concerns.
- Weak coordination of small arms control measures between geographically overlapping regional and subregional organisations, as well as between the relevant departments of member governments.

Proposals to overcome the above-mentioned impediments to effective action at the regional level exist but have yet to be implemented.²⁶

regionalism “is best understood as a state strategy designed to minimize risks in the uncertain conditions of economic globalisation by promoting activities at the meso-level of the region”. Alike the different waves of democratisation²², there have been different “waves of regionalism”, which take place in a multi-polar world order, are part of a spontaneous process “from below”, are open rather than inward-looking and constitute a comprehensive and multidimensional process in which political aspects such as security, as opposed to economic aspects only, are important.

²³ Diversity of warring parties, their consequences for civilians, and their shifting locations have an impact on neighboring countries and often evolve to regional threats, which can best be addressed by regional and subregional organisations.

²⁴ Efforts to limit the excessive availability of legal weapons on Latin America and the Caribbean are linked to initiatives in favour of self-restricting weapon acquisitions (promoted mainly by Mexico). While these are an important component of subregional confidence-building measures, these are no programmes or specific goals in regional organisations due to the opposition of some countries. Likewise, efforts to collect weapons from civilians in Latin America are limited. The main obstacle for controlling the flow of weapons remains the considerable divergence amongst the United States and other American states with regard to the civilian possession of weapons (Luis Alfonso De Alba, Disarmament Forum, Two, 2002, pp. 49-51).

²⁵ The PoA devotes eight paragraphs to highlighting necessary action at the regional level and includes commitments to: (i) Establish points of contact within regional organisations to aid in the implementation of the PoA; (ii) Negotiate legally-binding regional instruments and implement those that already exist; (iii) Establish and strengthen regional moratoria on small arms and light weapons production and/or transfers and create regional action programmes; (iv) Enhance cooperation between law enforcement, border and customs agencies in the regions; (v) Encourage the creation and strengthening of relevant laws, regulations and administrative procedures; (vi) Create regional mechanisms to promote safe and effective stockpile management; (vii) Support national DDR programmes; and (viii) Develop measures to enhance transparency (The Role of Regional Organisations in Stemming the Illicit Trade in Small Arms and Light Weapons, Geneva: 2004, p.10).

²⁶ They include the: (i) Revitalisation of regional points of contact that coordinate the implementation of regional and subregional small arms agreements and programmes; (ii) Further development of operational support tools within each regional or subregional organisation like databases, protocols, standard operating procedures or monitoring and evaluation mechanisms; (iii) Increased two-wayed flow of information between regional and subregional organisations and Member States; (iv) Identification of key governments to act as a driving force for regional initiatives; (v) Mainstreaming and integrating small arms and light weapons proliferation and misuse into broader organisational priorities such as poverty eradication, development, security sector reform etc; (vi) Cross-regional cooperation by regional and subregional organisations to share information, experiences and lessons learned; (vii) Harmonisation of small arms legislation; and (viii) Broadening the stakeholder base to improve the quality and sustainability of regional and subregional organisations small arms and light weapons work, including relevant regional, national organisations,

Overall, a regional approach should not replace but supplement national initiatives in those areas in which regional or subregional organisations have a comparative advantage, such as inter-state policy coordination.²⁷

VI. Response: An Advocacy Campaign & Increased Involvement of Regional and Subregional Organisations

How can regional actors and citizens bring about change to the small arms and light weapons problem? Through an effective advocacy campaign translating into increased awareness, political commitment and eventually policy change coupled with additional funds for small arms and light weapons control projects. Which elements are needed for an effective advocacy campaign?

1. Research and Prevention

There are various governmental and non-governmental initiatives attempting to analyse the small arms and light weapons threat (PAHO, São Paulo, 2004, p. 53). Various research efforts have been undertaken by members of the International Action Network on Small Arms (IANSA) like Amnesty International, International Alert, Oxfam, the Small Arms Survey, Viva Rio, the United Nations Research Institute for Disarmament Research (UNIDIR) and the World Health Organisation to improve the quality of information²⁸.

Nevertheless, there remains a need to clarify the scale of the problem, create a comprehensive profile on where the dangers are greatest and what the exact small arms and light weapons numbers, their root causes, impacts and consequences are to help shape future policies and evoke public interest to deal with the problem (Small Arms Survey, Geneva, 2001, p. 6). For an advocacy campaign to be successful, further research is required to outline supporting evidence which is to serve as a basis for targeted local and regional advocacy messages. Academics, policy makers and implementers need to examine the "supply and demand" of small arms and light weapons, what their root causes are and consequently, which preventive and combat responses would be most successful.²⁹

2. The Effective Small Arms and Light Weapons Advocacy Campaign

The feeling of insecurity, lack of confidence in police forces and the justice institutions, is one of the major concerns in Latin America and the Caribbean and has led people to seek individual defence mechanisms like small arms and light weapons.³⁰ Although small arms and light weapons kill and maim 480-485,000 persons more every year than do mines, the Mine Ban Advocacy Campaign has been more successful in publicising and bringing about change to its cause. While there are significant differences between the mine ban and the small arms and light weapons movements, the *Ottawa Process*, which culminated in the creation of the *1997 Mine Ban Convention* in less than fourteen months, which was awarded the Nobel Peace Prize that same year, and which made it possible to imagine the day without mines in less than eight years, bears useful lessons for the small arms and light weapons case.

a. The Mine Ban Movement: Principal Lessons Learned

(i) The Crafting of an International Norm

The international mine ban campaign created a global norm banning mines through raising the public's and policy makers' awareness on the negative humanitarian

civil society groups, technical specialists and the private sector (The Role of Regional Organisations in Stemming the Illicit Trade in Small Arms and Light Weapons, Geneva Forum, Geneva: 2004).

²⁷ Interview with Helen Verspeelt, Regional Liaison Specialist, UNDP Bureau for Crisis Prevention and Recovery, New York, 29 September 2006.

²⁸ Reforms in the police, prison and justice systems are important steps for improving perceptions of safety among populations. Reducing impunity through improvements in the police, prison and justice institutions is therefore a central and strategic challenge for violence prevention in the region (PAHO, São Paulo, 2004, p. 53).

²⁹ Although the responsibility for controlling small arms and light weapons proliferation and misuse lies with all exporting and importing countries, many of them are reluctant to release their small arms and light weapons data, let alone confront the consequences of their transfers.

³⁰ Interview with Pablo de Cicco, Customs Director, and César Schiaffino Davison, National Customs Officers and RILO Representative, Montevideo, Uruguay, 20 March 2006.

consequences of mines and providing them with knowledge on the issue through multi-media campaigns supported by celebrities like Lady Diana. This changed attitudes and ultimately policies and legislation (Dyer and Goldring, Geneva, 1999, pp. 41-58). The *Ottawa Process*, which led to the signing of the Mine Ban Convention, was an unexpected accomplishment within international diplomacy, a fast-track diplomatic initiative.

Appalled by the terrible carnage caused by mines in Afghanistan, Angola, Cambodia and Mozambique, NGOs and international organisations like the International Campaign to Ban Landmines (ICBL) and the International Committee of the Red Cross (ICRC) took on the problem as an advocacy issue in the early 1990s, putting mines on the global political agenda. Becoming a hot issue for popular singers and media experts in addition to world personalities like Archbishop Desmond Tutu, Gracia Machel, Jimmy Carter and the United Nations Secretary General Kofi Annan and key journalists, support to the ban had even begun to reach governments. In addition to the pressure exerted by NGOs, the media and the Nobel Prize momentum, a core group of committed governments, namely Austria, Belgium, Canada, Denmark, Ireland, Mexico, Norway and Switzerland met with the ICBL and the ICRC in early 1996 to deliberate on a ban on the margins of the Convention on Conventional Weapons process.³¹

The idea of a convention banning mines began to resonate with the core group when, in his concluding speech of the first Ottawa mines conference in October 1996, Canada's Minister of Foreign Affairs, Lloyd Axworthy, called on the international community to join Canada in negotiating a convention banning mines by the end of 1997.³² 14 months later, Axworthy hosted 2,400 representatives from 122 signatory and 35 observer governments and numerous international and non-governmental organisations in Ottawa to sign the *Mine Ban Convention* and agree on a global "Agenda for Mine Action" to ensure the full implementation of the Convention.³³

Hence, the success of the Campaign was based on a well crafted message, which defined the anti-personnel mine problem in primarily humanitarian terms highlighting their impact on populations and communities, which evoked a sense of urgency among the international community and addressing the issue operationally.

(ii) Programmatic Work

The aftermath of the Russian withdrawal from Afghanistan in 1989 marks the start of the United Nations and NGOs' programmatic involvement in mine action. In the early 1990s, programmes started in Angola, Cambodia and Mozambique and in 1996 in Bosnia. Today, the United Nations supports mine action in 35 countries. In addition to advocacy, NGOs and commercial companies sprang up to provide specific services, such as removing mines from the ground or teaching people how to protect themselves from danger in a mine-affected environment (Martin Barber, Washington D.C., 2005).³⁴ By now, mine action is not just about mines. In many countries, unexploded ordnance (UXO) poses an even greater threat to people's safety.³⁵

³¹ Core group members would play a role in bringing along their own subregional and regional communities, namely the OAS and OAU to the EU, the ARF and the G-8, which resulted in 10 global, regional and subregional multilateral meetings, each designed to 'pressure' national decision-making on the anti-personnel mine ban issue. The success of the group was its affiliation with NGOs and a slowly evolving integrated multinational team that worked with an extraordinary sense of common purpose (Cameron & Lawson & Tomlin Toronto, 1998, pp. 160-185).

³² The mine ban emerged from the CCW negotiations, a framework the group of core governments bypassed to prevent diplomatic obstacles that those, opposed to the mine ban, had put in place under the cover of the CCW's consensus decision-making mechanisms.

³³ One major concern was how states assessed the humanitarian costs associated with mines relative to their actual military utility; how they answered this question was generally an accurate reflection of where they stood concerning the Ottawa Process, as the costs associated with their use could clearly be understood in both humanitarian and security terms (even though expert opinions were at least divided on the question of the military utility of mines).

³⁴ There are five programmatic areas of mine action: (i) removing and destroying mines and explosive remnants of war and marking or fencing off areas contaminated with them; (ii) mine-risk education to help people understand the risks they face, identify mines and UXO and learn how to stay out of harm's way; (iii) medical assistance and rehabilitation services to victims, including job skills training and employment opportunities; (iv) advocating for a world free from the threat of mines and encouraging countries to participate in international treaties and conventions designed to end the production, trade, shipment or use of mines; (v) helping countries destroy their stockpiles of mines (E-MINE, New York, 2006).

³⁵ UXO comprises bombs, mortars, grenades, missiles or other devices that fail to detonate on impact but remain volatile and can kill if touched or moved. Some of the main sources of UXO are cluster bombs. Mine-action programmes

(iii) Preliminary Conclusion

The Mine Ban Movement's success has demonstrated that publicising the linkages between a specific weapon and its humanitarian impact can galvanize public and governmental support. Understanding these linkages in the case of small arms and light weapons and making them public is the basis for summoning an international momentum. Axworthy's gamble and the successful global diplomatic Mine Ban Campaign he launched were an indication that the end of the Cold War opened up new opportunities for middle powers to influence the course of international affairs concerns, one of which could be small arms and light weapons control.

b. Effectively and Innovatively Advocating on Small Arms and Light Weapons Control

Based on coordinated research and data collection efforts, organisations like the IANSA, which was modelled after the ICBL and is comprised of 500 member NGOs like Oxfam, should launch innovative and targeted advocacy initiatives to animate governments to implement small arms and light weapons programmes at the national level (Ed Laurence, Bonn, 2005).

Norms need to be promulgated, a broad international agenda needs to be developed and data need to be clarified to strengthen the precedent for international action. This process requires four basic elements: (i) forging a consensus on norms and objectives, (ii) advocacy efforts to raise awareness and build support, (iii) creating a core group of like-minded governments and (iv) consolidating leadership.

(i) Forging a global consensus on norms and objectives

The negotiation of a clear and relatively straightforward consensus goal that all stakeholders could support and that could be easily grasped by the global public is imperative (Gasparini Alves, Geneva, 1998, p.4). In the mine campaign, all involved NGOs and later a number of governments agreed on the objective of a comprehensive ban on anti-personnel mines. This option is not open to advocates of the small arms and light weapons campaign, because they are a major and indispensable part of the inventories of the military, paramilitary and police forces of every country in the world. Instead, an alternative objective must be developed focusing on the control of small arms and light weapons through an extensive process of consultation and debate by the disarmament, development, public health and humanitarian relief communities.

(ii) Raising Awareness to Build Political and Financial Support

Regional and sub-regional organisations, in conjunction with national and international NGOs must raise both public awareness of the small arms and light weapons threat and foster global support for effective operational measures to address the problem. A compelling focus around which the public conscience can be mobilised is placing small arms and light weapons' public health, developmental, environmental, criminal justice in the deleterious humanitarian dimension.³⁶

(iii) The creation of a core group of like-minded governments

In addition to effective NGO lobbying, the success of any global campaign on small arms and light weapons will depend on the ability of a number of like-minded states, animated by regional and subregional organisations, to forge a core group capable of vigorously advancing the small arms and light weapons agenda in a variety of regional and global fora. The most likely candidates for participation in such a core group are those that played a similar role in the Mine Ban Movement, especially those states that have expressed an interest in promoting human security, namely Canada, Japan and Mexico.

typically address problems of mines, UXO and "explosive remnants of war," which includes UXO and "abandoned ordnance," or weapons left behind by armed forces when they leave an area.

³⁶ Arguments could be based on facts like: (i) small arms and light weapons kill and maim 500,000 persons annually, which are 489-485,000 more than do mines; (ii) excessive accumulations of light weapons cause casualties during and after war; (iii) small arms and light weapons are deeply implicated in human rights abuses and violations of international humanitarian law; (iv) small arms and light weapons undermine institutions of democratic governance and non-violent conflict mediation; (v) small arms and light weapons impede human development; and (vi) small arms and light weapons contribute to criminal violence.

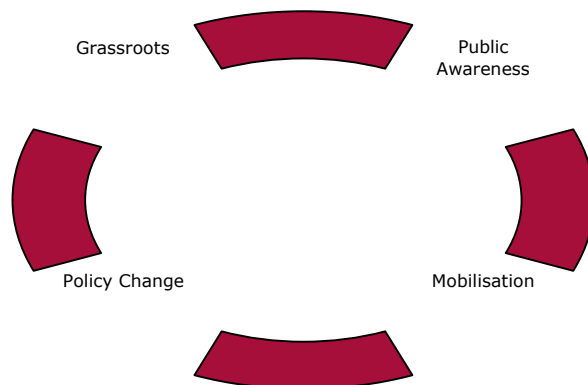
(iv) Leadership

One or two states of the core group need to exert sustained, innovative and energetic leadership. Unlike in the mines case, the Small Arms and Light Weapons Campaign will not involve a single treaty outlawing a single weapon. Instead, it will attempt to address the various aspects of the problem in a coherent fashion. This will require leadership in diverse regional and global control fora. It will also involve a concerted and sustained effort to try to secure for the light weapons issue a prominent place on an already crowded global agenda. Finally, and perhaps most problematically, it will involve trying to establish and redefine norms dealing with a type of armament that is the mainstay of military, paramilitary and police forces around the world and which currently enjoys the presumption of nearly unqualified legitimacy (Tulliu & Schmalberg, Geneva: 2003, pp. 7-8 & Latham, Geneva 1999, pp. 32-41).

(v) Innovation, not Duplication: Best Practices of the Millennium Campaign³⁷

The Millennium Campaign is a positive example of how an innovative advocacy campaign with effective messages, such as: *"The best way to get citizens to understand an issue is to have citizens communicate it to other citizens"* or *"We are six billion voices and this world will do what we say"*, has captured people's and policy makers' interest.

Being initiated by the United Nations Secretary General in 2002 with the mandate to inform, inspire and encourage people's involvement and action to hold their governments accountable in the achievement of the Millennium Development Goals³⁸, hence, to raise awareness, build political will, and change policy to achieve the Millennium Development Goals, the "Millennium Campaign" is a successful example whose ideas could in part be transferred to the Small Arms and Light Weapons Campaign. Targeting all countries around the globe, the Millennium Campaign's strategy was to develop specific messages for parliamentarians, NGOs, local authorities, trade unions, faith based and youth organisations, and the media to stimulate action at the grassroots level, resulting in public awareness, mobilisation and ultimately policy change.



When communicating the Millennium Development Goals, the Millennium Campaign was facing several challenges: Signed in 2000, the Millennium Development Goals are no longer "news" and their language is inaccessible to the public. Finally, consisting of eight issues and various additional targets, the Millennium Development Goals are difficult to localize. Opportunities on the other hand included the fact that there is something new in the debate around poverty, that the Millennium Development Goals are defined and measurable targets agreed upon at the highest level of government and with a finite end in 2015. With this in mind, the Millennium Campaign has been successfully communicating its messages through various media products.³⁹

³⁷ Interview with Anand Kantaroo, Global Media Coordinator of the Millennium Campaign, Mexico City, 21 July 2006.

³⁸ The eight Millennium Development Goals (MDGs) range from halving extreme poverty to halting the spread of HIV/AIDS and providing universal primary education, all by the target date of 2015 and form a blueprint agreed to by all the world's countries and all the world's leading development institutions. They have galvanized unprecedented efforts to meet the needs of the world's poorest (What are the Millennium Development Goals, New York, 2006, <http://www.un.org/millenniumgoals/>).

³⁹ Some examples include: (i) producing and broadcasting 6x30 second spots across Nickelodeon's global network; (ii) engaging 18 celebrities including Michael Douglas, Shakira, the Tigres del Norte and Richard Gere through public service announcements in English, French and Spanish; (iii) pitching stories to major newspapers like the New York Times; (iii) setting up portable and cost-effective "voice boxes", mobile studios which record citizen's messages for support around the globe and broadcast them on major TV Channels like New York One; (iv) National Millennium

VII. The Regional and Subregional Response in Latin America and the Caribbean

1. Organisation of American States (OAS)⁴⁰

a. Regional Small Arms and Light Weapons Legislation

Under the auspices of the Organisation of American States (OAS), the Western Hemisphere was the first region to develop a legally binding treaty against the illegal trafficking of firearms, with the adoption of the *Inter-American Convention Against the Illicit Manufacturing and Trafficking of Firearms, Ammunitions, Explosives and other Related Materials* (CIFTA) in 1997 and thereby set a reference point for other regions (De Alba, Geneva, 2002, p. 52).⁴¹ All OAS Member States signed the Convention and 25 ratified it (Annex III). CIFTA is the only existing legally binding regional agreement dealing with small arms and light weapons proliferation in relation to law enforcement and crime control. Articles 20 and 21 establish a Consultative Committee to document its ratification and implementation, and to promote information exchange, cooperation among national authorities, training and technical assistance and the facilitation of CIFTA enforcement measures (Godnick & Velázquez, London: 2003, p. 13). Unfortunately, although Article 4.1 obliges Member States to adopt legislation that criminalizes the illicit small arms and light weapons manufacturing or trafficking, no requirement exists on the harmonisation of legislation (Andre Stemmet, New York, 2002, p. 22).

With the adoption of the *Model Regulation for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition* in 1998, coordinated by the Inter-American Drug Abuse Control Commission (CICAD), Member States formulated a series of practical guidelines to enforce the CIFTA effectively.⁴² The regulations consist of a series of harmonised measures and procedures for the supervision and control of the international movement of firearms, their parts and components within the Western Hemisphere. Proposals also outlined for record-keeping and information exchange on imports and exports, including the quantity, type and serial number of small arms and light weapons. In 2002, the OAS General Assembly proposed a resolution for the proliferation and illicit trafficking of small arms which not only acknowledged and promoted aspects of CIFTA and the Model Regulations, but also considered salient points of the UN PoA.⁴³

b. Regional Programme Activities

Unlike the OAS Mine Action Program, which was created in 1991 in response to requests by Central American countries affected by mines⁴⁴, no OAS program on small arms and light weapons exists to date. Until recently, small arms and light weapons concerns used to be part of the CICAD structure, which – together with counter-terrorism initiatives – forms

Development Goals Campaigns, like the British Click Campaign, the White Band Campaign (www.whiteband.org), the Brazilian Supermarket Shopping Bag Campaign, the eight Millennium Development Gates set up in pedestrian zones of different European cities or the "Stand Up Campaign", in which Guinness World Records authenticated how many people stood up on 17. October, for the International Day against Poverty.

⁴⁰ For membership questions of any of the mentioned regional or subregional organisations, please see Annex IV.

⁴¹ The Convention was adopted with commendable speed since the process of its negotiation had been initiated in 1996 by Mexico.

⁴² Interview with Michael Sullivan, Senior Attorney of the Organisation of American States, Washington D.C., 13 April 2006.

⁴³ The resolution asked Member States to: (i) provide information by no later than 15 July of each year, on the implementation of national, regional and global aspects of the UN PoA; (ii) designate a focal point as a link for the OAS Secretary-General and the UN PoA; (iii) develop a study of brokers and shippers in arms trafficking; (iv) request that the OAS Permanent Council organise a seminar on identification, collection, stockpile management and destruction of small arms and light weapons; (v) encourage those Member States in a position to do so to destroy small arms and light weapons confiscated and those under their control in excess of any legitimate need and motivate them to safeguard their stockpiles; and (vi) encourage Member States who have not yet done so to consider signing or ratifying the United Nations Protocol on the Production and the Illicit Trafficking of Firearms, Their Parts, Components and Ammunition.

⁴⁴ At the beginning of the 90's, the governments of five Central American states, namely Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica requested OAS assistance in clearing mines from their national territories as an integral component of a regional peace process. The OAS General Assembly responded with a series of resolutions, which provided the mandate for what became known as the Assistance Program for Demining in Central America (www.aicma.oas.org).

the OAS' current programmatic focus. Small arms and light weapons now fall under the OAS Department of Multidimensional Security, which assigned the OAS Mine Action Program Director and the Director of the OAS Public Security Department to develop a small arms project⁴⁵, which is to address small arms and light weapons concerns on a small scale.

Since 1999, CICAD and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) have been developing a framework of strategic cooperation in form of a Memorandum of Understanding to provide training for government officials on the Model Regulations and CIFTA. As a result, political and bureaucratic personnel were trained in Peru and Martinique in 1999 and 2000, public security forces and customs agents in Trinidad and Tobago and in Costa Rica in 2001 and police officers and customs agents in 2003. CICAD and UN-LiREC also collaborated on the development of the Small Arms and Light Weapons Administration System (SALSA) an electronic information exchange among OAS countries (Godnick & Velázquez, London: 2003, p. 15). Furthering the work already started by the Model Regulations, the OAS and UN-LiREC are also addressing the issue of explosives (Pérides, Geneva, 1988, p. 50). Although the OAS has started addressing the small arms and light weapons problem, some programmatic areas remain either untouched or are currently carried out by UN-LiREC.

2. The Andean Community (CAN)

All the Andean countries have been arms suppliers to the Colombian conflict at one or the other of its stages. In July 2001, Member States of the Andean Community, MERCOSUR and the government of Guyana and Suriname established a *South American Cooperation and Peace Zone*. Although this cooperation does not directly deal with small arms and light weapons, it addresses them as part of the fight against transnational crime (William Godnick and Helena Vázquez, London, 2003, p.20). In June 2002 during the Conference of Andean Community Ministers of Foreign Affairs and Defence, the Governments of Bolivia, Colombia, Ecuador, Peru and Venezuela made four commitments to small arms and light weapons control⁴⁶:

- Adopt measures to combat illicit arms trafficking given its link to the global problem of illegal drugs, terrorism, transnational organised crime, and mercenary and other criminal behaviour, as well as its direct impact on the security of populations, the aggravation of international conflicts and the obstacles it creates to peace building;
- Adopt means to combat illicit traffic of small arms and light weapons destined to disrupt the democratic institutional order of States;
- Establish an Andean Working Group to develop an action and follow-up plan for specific bilateral and subregional cooperation projects to combat and eradicate illicit small arms and light weapons trafficking; and
- Implement the recommendations of the UN PoA, particularly those recommendations at the regional level.

Perhaps the most concrete and comprehensive subregional instrument in the region is the Andean Community Decision 552, the *Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects*, which was adopted in 2003 and is a mixture of the UN PoA and CIFTA. The Andean Plan is an agreement with obligatory implementation between Bolivia, Colombia, Ecuador, Peru and Venezuela, and lists concrete guidelines for action at the domestic, subregional Andean and international levels.⁴⁷ The Action Plan has even been integrated into greater subregional frameworks including the *Common External Security Policy* and the long-term establishment of the *Andean Community Zone of Peace*. However, implementation at the national level has been slow (Comunidad Andina, Lima: 2003, pp.5-7).⁴⁸ Governance crises in Bolivia and Ecuador, political problems in Peru and

⁴⁵ Interviews with Carl E. Case, Technical Consultant of the OAS Mine Action Program, Christopher Hernández-Roy, Director of the OAS Public Security Department, Steve Montblatt, OAS Officer in Charge, Department of Multidimensional Security, Washington D.C., 13 April 2006.

⁴⁶ Concrete results of Member States from these commitments are yet to be seen and recommendations on how to implement the different action points are missing in the document.

⁴⁷ Interview with Adolfo Lopez, Andean Community Small Arms and Light Weapons Representative, and Diego Cardona, Coordinator of Andean Community Policies of Cooperation, Lima, Peru, 30 March 2006.

⁴⁸ Other initiatives include the "Import, Export and Transit of Firearms Workshop in Lima, Peru in May 2005 (Allan Wagner Tizón, Lima, 2005) organised by the Secretariat of the Andean Community in collaboration with UN-LiREC,

Venezuela and the on-going Colombian armed conflict have complicated the comprehensive implementation of the Action Plan.

3. The Caribbean Community (CARICOM)

The Caribbean Community of Nations (CARICOM) based in Georgetown, Guyana, formed a *Task Force on Crime and Security* in 2002. In the Task Force, small arms and light weapons issues are addressed alongside with drug trafficking and youth violence. With the help of organisations like the INTERPOL Regional Office, CARICOM attempts to assist Member States in the ratification and implementation of CIFTA (Gasparini Alves, Geneva, 1998, p. 50). Some important Caribbean countries have yet to ratify CIFTA including the Dominican Republic (not a CARICOM member), Guyana, Haiti, Jamaica, St. Vincent, the Grenadines and Suriname (IANSA, 2005, p. 72). In May 2005, CARICOM, in conjunction with UN-LIREC and the Government of the UK, convened a subregional meeting on small arms and light weapons transfer controls with the aim of evoking further action.

4. The Southern Common Market (MERCOSUR)

Traditional armed conflicts are not characteristic of the Southern Cone but armed violence manifests itself in urban crime, youth gangs, land ownership disputes, social violence and is associated with collapsing economies.

The MERCOSUR subregion was the first to develop its own mechanisms for small arms and light weapons control following the 1998 *Southern Cone Presidential Declaration on Combating the Illicit Manufacture and Trafficking in Firearms, Ammunition and Related Materials*. The Declaration is supported by the *Cooperation and Reciprocal Assistance Plan for Regional Security*, which tackles different aspects of organised crime, including arms trafficking. On the basis of this Declaration, the Interior Ministers established the MERCOSUR *Firearms Working Group*, consisting of Argentina, Bolivia, Brazil, Chile, Paraguay, Peru and Uruguay, which developed a Joint Registration Mechanism for small arms and light weapons, ammunition, explosives and other related materials within the MERCOSUR Security Information System and includes: (i) a register of individuals and legal entities to buy, sell, exchange, import, export and distribute firearms; (ii) a register of ports of shipment and importation, including intermediate points; and (iii) national registers of individual and institutional firearms owners. The parties also agreed to use the CICAD Model Regulations framework to establish national data processing centres to monitor compliance.⁴⁹ Alike the European Union, MERCOSUR decisions are binding and do not require approval or ratification by national parliaments.⁵⁰

Only small advances have been noted in the emergence of a sub-regional consensus on the systems to be used, despite some significant progress on small arms and light weapons controls at the national level in Brazil and Paraguay, as well as in Argentina and Uruguay.⁵¹

5. The North American Free Trade Agreement (NAFTA)

which was followed by Andean Community Decision 587 on *Guidelines of the External Security Policy of the Andean Community*, mentioned small arms and light weapons as a threat (Decisión 587, Lima, 2004).

⁴⁹ Cooperation activities between the MERCOSUR Triple Border Agreement Command and the 1997 CIFTA Consultative Committee, as provided for in Article 20 of the Convention (Pérides, Geneva: 1998, p. 50) are also slow and depend on political trends. However, in November 2002, interior ministers met and approved a common categorisation, but since then little progress has been made in this arena (Godnick and Vázquez, London, 2003, p.17 & Dreyfus, Itooty de Paiva Dias, Lessing and Godnick, London, 2003, pp. 8-10). With the support of the UK government's Transfer Controls Initiative, the MERCOSUR countries discussed ways forward in dealing with small arms and light weapons transfer controls as the first step in finding ways to link this issue with UN, OAS and sub-regional mechanisms and national laws in May 2004 in Porto Alegre, Brazil (IANSA, 2005, pp. 72-73). The first workshop on the import, export and transit of small arms and light weapons in MERCOSUR countries was held in Washington D.C. at the auspices of the OAS in October 2005 (Taller sobre importación, exportación y tránsito de armas de fuego en el MERCOSUR y países asociados, Washington, 2005).

⁵⁰ Interview with Alvaro Fernández, Representative for International Technical Assistance of the EU-MERCOSUR Project on Customs Cooperation, and Alvaro Hansen, Director of the EU-MERCOSUR Project on Customs Cooperation, 20. March 2005.

⁵¹ Interview with Alvaro Fernández, Representative of International Technical Assistance of the EU-MERCOSUR Project on Customs Cooperation, and Alvaro Hansen, Director of the EU-MERCOSUR Project on Customs Cooperation, 20. March 2005.

Canada and the United States are important exporters of small arms and light weapons and their ammunitions in the international market. In contrast to the rest of the region, however, they have not agreed on a subregional mechanism addressing small arms and light weapons control issues through the North American Free Trade Agreement (NAFTA) (IANSA, 2005, p. 68).

Given its geographic location between North America and proximity to the rest of Latin America, as well as its trade and immigration ties with the United States, Mexico finds itself in a unique situation in the hemisphere with respect to the illegal arms trade.⁵² Since 1994, Mexico maintained constant communications with Central American countries regarding the illicit traffic in arms and collaborated in the establishment of the "Comunidad de Inteleigencia Regional" (CIR) (Robledo Madrid Agenda, Geneva, 1998, p. 73). Nevertheless, Mexico, whose small arms and light weapons concerns are similar to those of its southern neighbours, seems to have been reluctant to accept advice from its Central American neighbours, who - through their recent conflicts - have gained valuable expertise on curbing the small arms and light weapons problem.⁵³

6. The Central American Integration System (SICA)

SICA, the Central American Integration System, is the sub-regional organisation for political and legal integration in Central America,⁵⁴ with headquarters in San Salvador.⁵⁵ There are two mechanisms in force within SICA to tackle illicit arms trafficking: the *Framework Agreement for Democratic Security in Central America* and the *Central American Plan on Illicit Trafficking of Small Arms and Light Weapons*.⁵⁶ In 1995, Central American Presidents agreed to the *Framework Agreement* with the multiple objectives of promoting civilian control of the armed forces, public and economic security and reducing violence and the fight against drugs and arms trafficking (*Tratado Marco de Seguridad Democrática en Centroamérica*, San Pedro Sula: 1995).⁵⁷ The implementation of the *Framework Agreement* has proceeded slowly, given more urgent priorities such as the reconstruction efforts in the wake of Hurricane Mitch, the earthquake in El Salvador, among other factors, and the divisions between those countries that have armed forces and those that abolished them.

Building on the 2004 subregional workshops on the creation of national commissions, stockpile management and transfers, SICA's Ministerial Council of Foreign Affairs issued a resolution to prevent and combat the illicit traffic of small arms and light weapons in Central

⁵² The Caribbean countries, which are largely small islands with diverse cultures and languages, are the margins of multilateral mechanisms on small arms. In addition to being a North American Free Trade Agreement partner, Mexico is seen as a significant transit point for narcotics moving northward, and small arms and light weapons heading south (Godnick and Vázquez, *Small Arms Control in Latin America*, London, 2003, p.23).

⁵³ Interview with Periclés Gasparini-Alves, Director of UN-LiREC, Interview in Mexico City on 24. May 2006.

⁵⁴ All Central American countries, even those which did not witness armed conflict in the 1980s and 1990s, share certain realities: they serve as transit points for the drug trade, they experienced an increase in youth gangs involved in drug use and trafficking and they have encountered a proliferation of private security companies as individual defence mechanisms. The disarmament process associated with the peace accords in Nicaragua in 1991, El Salvador in 1992 and Guatemala in 1996, along with the presence of international observers over the course of several years, has provided the space to debate small arms and light weapons control since the early 1990s.

⁵⁵ The subregional organisation responsible for matters of economic integration is the Central American Economic Integration System (SIECA), with headquarters in Guatemala City.

⁵⁶ The *Central American Plan* receives technical and financial support from UNDP's Bureau for Crisis Prevention and Recovery (Godnick and Vázquez, London, 2003, pp.26-27; Godnick and Vazquez, London, 2003, pp. 10-11). It is an initiative that emerged from the SICA Security Commission in 2002 and is being coordinated by the Political and Legal Office of SICA. The Plan proposes the following activities: (i) Modernisation of national legislation with the aim of achieving subregional harmonisation; (ii) Procurement of state-of-the-art equipment for gathering and analysing ballistics tests and tracing purposes; (iii) Creation of multidisciplinary national commissions to deal with the issue nationally, to include government officials, legislators and civil society; (iv) A Central American awareness campaign on the dangers and responsibilities that accompany the possession of small arms and light weapons; (v) A subregional information exchange mechanism to complement existing OAS and the UN mechanisms; and (vi) Future implementation of voluntary arms exchange programs and arms registration drives. The Central American Plan is ambitious and strengthens certain aspects of the Framework Treaty without having to resolve all the disputes between Central American governments in the short term.

⁵⁷ The *Framework Agreement* addresses small arms and light weapons concerns in at least six articles: (i) Article 11a calls for the strengthening of subregional mechanisms for controlling illicit arms trafficking; (ii) Article 30 appeals for the harmonisation of national laws relating to small arms and light weapons and military equipment; (iii) Article 31 requires providing mutual legal assistance in cases of arms trafficking involving more than one legal jurisdiction; (iv) Article 32 encourages the maintenance of reasonable arms stockpiles; and (v) Article 35c and 37 call for the creation of a Central American arms register.

America on 27 June 2005 (Resolución del Consejo de Ministros de Relaciones Exteriores del Sistema de la Integración Centroamericana, Tegucigalpa, 27 Junio de 2005), as well as a Code of Conduct, which establishes a preventive mechanism to strengthen the subregion's security with regard to small arms and light weapons.⁵⁸

On the programmatic side, UNDP has been implementing a project to strengthen small arms and light weapons control in El Salvador, which will be expanded to neighbouring countries, namely Guatemala, Honduras and Nicaragua. Several Central American NGOs initiated research on small arms and light weapons proliferation, even before the formation of IANSA.

7. Other Important Actors

a. United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC)

As regional representative of the United Nations Department of Disarmament Affairs (DDA), UN-LiREC plays a leading role in small arms and light weapons control in the region in diplomatic terms and specific project implementation (Godnick and Vázquez, *Small Arms Control in Latin America*, London, 2003, p.9) since its creation in 1987. UN-LiREC assists States in the implementation of the UN PoA. In particular, UN-LiREC facilitates the:

(i) Development and implementation of firearms-related instruments⁵⁹ through the holding capacity building workshops⁶⁰ and the provision of assistance to States on reporting on the UN PoA, and together with UNDP and other partners, through overall coordination and cooperation.

(ii) Harmonisation and strengthening of small arms and light weapons legislation by providing, in cooperation with CICAD, technical assistance to members of parliament for the analysis and drafting of national legislation and related international instruments.

(iii) Capacity Building through various training courses for law enforcement officials, members of parliament and their advisers, as well as NGO representatives ("Commercial Trade of and Illicit Trafficking in Firearms, Their Parts and Ammunition: Training the Trainers Investigative Techniques Course," Peru: UN-LiREC Publication, 2006).⁶¹

(iv) Stockpile Management and Destruction (The Lima Challenge): UN-LiREC provided assistance to States in the destruction of small arms and light weapons, 52,000 firearms in Brazil, Costa Rica and Paraguay, as well as over 96 tons of ammunition and explosives in Paraguay in 2005 alone. It also provided assistance in improving the security of weapons facilities in Brazil, Costa Rica, Paraguay, Peru and Uruguay.

⁵⁸ The Code of Conduct was signed by the Government of Belice, El Salvador, Guatemala, Honduras, Nicaragua and the Dominican Republic (Codigo de Conducta de los Estados Centroamericanos en Materia de Transferencia de Armas, Municiones, Explosivos y Otros Materiales Relacionados, Managua: 3 December 2005).

⁵⁹ Namely CIFTA, CICAD Model Regulations, the UN PoA, the UN Firearms Protocol, Andean Community Decision 552 on the Andean Plan to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All Its Aspects, several MERCOSUR small arms and light weapons resolutions, the SICA small arms and light weapons project and CARICOM and associated States small arms and light weapons-related resolutions.

⁶⁰ Such as transfer and control initiatives workshops held in the Bahamas, Peru and Brazil in 2005, and meetings assessing preparations for the review conferences in Peru and the Bahamas in 2004 and 2005, in which the development of common criteria in small arms and light weapons imports and exports and transit were discussed.

⁶¹ Courses include both theoretical and practical sessions with simulation exercises, notably on the control of the legal small arms and light weapons trade and the illicit trafficking in small arms and light weapons, ammunition and explosives. Three sets of courses were organized in 2005 only for 329 individuals, 209 of which were law enforcement officials. Training at police academies in Costa Rica and Uruguay to facilitate future subregional courses, which are being expanded to 3,000 officials. It is also developing other training courses on intelligence and international cooperation with the recently created *Regional Public Security Training Centre in Brazil*, where a web of five combined command posts at training facilities are being created in Costa Rica, Peru, Trinidad and Tobago and Uruguay in addition to Brazil, to facilitate coordination on small arms and light weapons-related courses among 33 countries in the region. UN-LiREC trains members of parliaments and their advisers, 50 alone in 2005, on how to craft small arms and light weapons legislation, which form a growing network established through the creation of UN-LiREC's Parliamentary Exchange Initiative Project Database and the Permanent Parliamentary Forum. UN-LiREC also trained members of NGOs to enhance research and advocacy initiatives in the region ("ONG: Organización, Fortalecimiento y Desarrollo de las Capacidades Militantes de las ONG en América Latina y el Caribe", Peru: UN-LiREC Publication, 2005).

(v) Information Exchange through increasing database tools to enhance coordination and to exchange information UN-LiREC's SALSA database was launched in 2005 and operates as a centre for information exchange and assistance for the collection of information related to several firearms instruments. Field-testing of the joint CICAD/United Nations Regional Centre Model Regulations Database provided sufficient information and lessons learned for a new database development phase to improve firearms and ammunition imports, exports and in-transit controls ("Small Arms and Light Weapons: Transfer Controls Initiative", Peru: UN-LiREC Publication, 2005).

(vi) Engagement of the Private Sector through the promotion of dialogue with the small arms and light weapons industry and the commercial sector to assess potential contributions that the private sector could make to prevent firearms trafficking and to address requests made by States in the region in the area of public security.

(vii) Fostering United Nations Coordination: As the regional focal point for the Coordinating Action on Small Arms Mechanism (CASA), UN-LiREC is responsible for the organisation of consultation meetings for coordination in the field (UN-LiREC, Report by the Secretary-General, New York, 2005, pp.5-8). Within CASA a programme was established, whereby United Nations regional centres for peace and disarmament (Lima) would coordinate local information and activities on firearms in close cooperation with UNIDIR, CICP and other institutions, to provide the international community with concrete research and technical expertise in the small arms and light weapons campaign (Pérides, p. 52).

b. UNDP & WHO

There is a growing global recognition that security and development are inter-dependent.⁶² UNDP's support for armed violence and small arms programming focuses on three mutually reinforcing approaches: small arms control⁶³, armed violence reduction and prevention⁶⁴, and disarmament, demobilization and reintegration⁶⁵ (Securing Development, UNDP, New York, 2005, p. 10). UNDP also addresses the humanitarian and development impact of illicit weapons.⁶⁶

UNDP launched a series of projects beginning with a pilot project entitled "Project to strengthen small arms control mechanisms" in El Salvador. The preliminary success of the Salvadoran experience has given rise to similar proposals in neighbouring countries for the near future.⁶⁷ In addition, UNDP is developing a project on arms control and police reform in Haiti and is exploring the possibility of activities in this context, including weapons collection

⁶² Poverty and the denial of basic rights can greatly increase the risk of violence and instability in society and conflict and crime can contribute to the breakdown of social and economic networks within communities.

⁶³ Encompassing a range of weapons control, management and destruction interventions, including 'weapons for development' strategies for voluntary disarmament.

⁶⁴ Focusing on establishing and strengthening local capacities to address violence, promoting non-violent livelihoods and addressing root socio-economic causes of violence, as well as public awareness efforts.

⁶⁵ Supporting the transition from conflict to peace by facilitating the return of combatants to civilian life and demilitarization through the removal and destruction of weapons used in conflict.

⁶⁶ Examples include: (i) Mainstreaming a development perspective into policies and approach for small arms and light weapons control by advocating socio-economic and development benefits; (ii) Building capacities of government officials, security force personnel and other critical partners, especially at the community level; (iii) Strengthening policy and legal frameworks; (iv) Developing voluntary small arms and light weapons surrender schemes, including weapons for development; (v) Facilitating weapons registration, stockpile management and destruction, including related ammunition; (vi) Conducting public awareness campaigns to highlight the importance of small arms issues and promote behavioural change; and (vii) Strengthening regional organisations, cooperation and cross border responses (UNDP, Small Arms and Demobilisation, New York: 2005 & Securing Development, UNDP, New York, 2005).

⁶⁷ UNDP manages programmes in Guatemala to build and strengthen government's efforts and capacities and is implementing armed violence reduction projects in Brazil, Colombia, El Salvador and Haiti. Since 1998, UNDP has supported local and national efforts to address the issue of small arms-related violence in El Salvador through the "Toward Building a Society without Violence" programme, which focuses on youth awareness, the design of communication strategies and training courses, and improvements in the administration of criminal justice (to be replicated by national actors across region). Moreover, with the Government of El Salvador, UNDP launched a new programme in 2001, which includes the following activities: a baseline assessment on small arms trafficking and control in the country, legal reforms on civilian gun laws, and a high profile communication campaign featuring public awareness raising on the issue, public debates and political advocacy. UNDP has supported DDR in peacekeeping contexts in El Salvador and Haiti (UNDP, Small Arms and Demobilisation, New York: 2005).

and destruction, the introduction of proposals to modernise national legislation, management of government stockpiles, and multidisciplinary research.

In 2004, UNDP provided technical assistance and funding for weapons collection and stockpile management and destruction (WMCMD) in Brazil, Costa Rica, Paraguay, and Peru. In addition, training was provided to nearly 800 individuals worldwide with a focus on weapons and ammunition safety and security. UNDP also helped develop the "Small arms and Light Weapons Control & DDR Management Information System (DREAM), software used to register firearms and better manage stockpile inventory (UNDP, Small Arms and Demobilisation, New York: 2005).

Moreover, UNDP and the World Health Organisation (WHO) launched an Armed Violence Prevention Programme (AVPP) that seeks to promote effective responses to armed violence through the development of an international policy framework founded on a clear understanding of the causes, nature and impacts of armed violence and best practices generated from armed violence reduction and prevention initiatives to date. Brazil and El Salvador are the pilot countries for this country-level work (UNDP, 2005 & William Godnick and Helena Vázquez, 2003, p.9).

c. TRESA

TRESA, the Training and Education on Small Arms, is a small arms and light weapons tool.⁶⁸ TRESA is a project of the Bonn International Centre for Conversion funded by the German Federal Ministry for Economic Cooperation and Development, that aims at developing and implementing a methodology for training materials and tools related to small arms and light weapons control for parliamentary representatives, middle- and senior-level government officials, the media, NGOs, communities and inter-community organisations (TRESA, 2005, www.bicc.de).

d. Regional NGO efforts

The fact that three disarmament-related NGOs have received Nobel Peace Prizes in recent years testifies to their influence and relevance today. Many people equate NGOs with lobbying, applying pressure to reluctant governments and trying to mobilize public opinion but NGOs also moved far beyond simple advocacy to being experts on specific aspects of disarmament and security issues, such as landmines; they can be advocates for good causes, facilitators or implementers. Because they are usually issue-based and are frequently seen as experts, NGOs are harder to 'position' on the political spectrum. Participation in policy formulation and policy implementation in addition to advocacy is thus a strength of NGOs (Batchelor, 2002, Geneva, pp. 37-40).

With respect to small arms and light weapons issues, NGOs have tended to focus on one or more of the following activities: research, policy development, advocacy, public awareness and education, and implementation. NGOs emerging at the time included the IANSA, many organisations of which had joined the ICBL previously. At the 2001 UN Conference on Small Arms, the arms control community focused on generating concrete proposals for controlling the legal and illicit trade in small arms and light weapons, while the firearms community focused on limiting any global gun control efforts that might restrict the legitimate trade in small arms and light weapons or infringe on the rights of private individuals in various countries to keep and bear arms (Batchelor, 2002, Geneva, pp. 37-40).

IX. Policy Recommendations

1. Advocacy at the International, Regional and Local Levels

- As with the drug trade, it is as important to examine why small arms and light weapons are "consumed" as to inquire how they are trafficked. **In addition to addressing small arms and light weapons trafficking concerns, policy makers and academics should further research the root causes of the illicit use of small arms and light weapons.**
- Achieving a global consensus on small arms and light weapons norms and objectives has proven more difficult than in the mine case. Contrary to the Mine Ban Movement,

⁶⁸ Interview with Michael Ashkenazi, the TRESA Project Manager at the Bonn International Center for Conversion, in New York on 12 July 2005.

small arms and light weapons constitute an indispensable tool to military, paramilitary and police forces operations, and the civilian possession of small arms and light weapons is strongly supported by a powerful pro-gun lobby (i.e. the National Rifle Association). Consequently, no international instruments exist banning small arms and light weapons. Instead, there are legally binding instruments, like the *2001 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and Components and Ammunition*, which supplements the *United Nations Convention against Transnational Organised Crime*, or politically binding instruments, such as the *2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* or the *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, some of which are barely comprehensible to the general public and do not address key issues, such as civilian possession.

Member states, regional and subregional organisations and civil society should complete and clarify the many diverse control aspects in a coherent fashion to redefine and further establish small arms and light weapons norms.

- Although small arms and light weapons kill many more people than do mines, the Mine Ban Campaign was able to raise more awareness and solicit greater international and national support. **The negative outcome of the October 2005 National Disarmament Referendum in Brazil shows that more advocacy efforts are needed that are global in scope but carried out through local organisations and target local communities to increase their understanding that -rather than constituting tools of self-defence- small arms and light weapons represent a ubiquitous threat to their lives. These grass-roots initiatives should be complemented by increased media campaigns and good-will ambassador initiatives** (similar to Princess Diana's efforts on mines).
- Much of the Mine Ban Movement's success is owed to the leadership and close cooperation between a core group of supportive governments. **Such core group of key stakeholders at the international, regional and national levels has yet to consolidate in the small arms and light weapons case and is needed to advance the small arms and light weapons agenda in regional and global fora.**
- To date, the Small Arms and Light Weapons Movement remains mainly political. **To operationalise and implement the agreed-upon objectives, a key entity at the global level, like the United Nations Mine Action Service in the mine case, needs to be identified to coordinate the production of internationally recognised standards to provide guidance for programmes and organisations when conducting small arms and light weapons operations, facilitate capacity- and institution building and analyse the impact of small arms and light weapons.** At the regional level, such entity already exists in form of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC).
- The development, humanitarian and human rights communities need to learn about the disarmament community, namely its acronyms, jargon and methodology, and the great potential it has in small arms and light weapons control. These organisations need to **work with disarmament experts to move beyond anecdotes on the humanitarian consequences of the traffic in small arms and light weapons. These communities need to collaborate on methodologies to produce data. Tangible and compelling evidence can help policy makers in the control of the illicit use and transfer of small arms and light weapons to agree on a simple aim like Anti-Personnel Mine Ban Movement** (Disarmament as Humanitarian Action, Geneva: United Nations Publication, 2001).
- In the field of small arms and light weapons, there is a lack of human resources, cooperation mechanisms, ideas, motivation and a common denominator which would inspire governments and peoples to generate change. **Regional and subregional organisations should animate member states and develop political will**

expressed in an unequivocal way. Moreover, civil society needs to make citizens aware that small arms are not a problem for states only, but that they affect society as a whole, thereby helping to found a civic movement to act on behalf of small arms and light weapons control initiatives (Péricles Gasparini Alves, *Illicit Trafficking in Firearms: Prevention and Combat in Rio de Janeiro, Brazil. A National, Regional and Global Issue*, Geneva, 2001, pp. 48-49).

- Regional and subregional organisations need to help governments create an appropriate environment which balances the means with the goals of the desired objective – this should be based on a sound and realistic assessment of the human, material and financial investments that are going to be required without which no success is attainable. **Governments must play a more active role in national campaigns, seminars and other senatorial, congressional, judicial and law enforcement meetings. Governments, together with civil society and the private sector, must initiate mass media campaigns to inform and educate the public at large from school children to senior citizens, about the problems involved. Citizens must cooperate with law enforcement officials etc to contribute to prevent armed violence and urge national parliaments to prioritise controlling small arms and light weapons** (Péricles Gasparini Alves, *Illicit Trafficking in Firearms: Prevention and Combat in Rio de Janeiro, Brazil. A National, Regional and Global Issue*, Geneva, 2001, p. 49).

2. The Role of Regional and Subregional Organisations

- The *UN Report of the High Level Panel on Threats, Challenges and Change* identified transnational crime, drug-, **arms-** and human trafficking, terrorism, pandemic diseases, natural disasters and poverty as the new threats facing nation-states and concluded that “today, more than ever before, threats are interrelated”...“we will have to build on the successes of **regional organisations** in developing strong norms to protect governments”. Unlike Europe, these economic umbrellas have not led to the development of regional security arrangements. **For these reasons, states and other actors must look at security at the regional rather than just national levels** (Potgieter in *Small Arms Control Old Weapons New Issues*, Geneva, 1999, pp. 77-82).
- Regional and subregional organisations can be decisive in creating effective national responses to international norms and objectives by enhancing cooperation and coordination between law enforcement agents and border controls, building capacity and by facilitating global norm-building by creating institutional frameworks to lead and coordinate small arms action in a specific region. **Regional and subregional organisations can serve as entry-points for small arms and light weapons control discussions and mainstreaming initiatives into national agendas and budgets, thereby fostering mutual encouragement among Member States and positive peer pressure. Moreover, similar to other non-proliferation, arms control and disarmament contexts, many international proposals (eight alone in the UN PoA) have regional applications, and their realisation requires the support of regional and subregional organisations.**
- Regional and subregional organisations suffer from problems similar to those of Member States, namely the lack of funding and expertise, which hinders effective implementation. In addition, half-implemented regional and subregional instruments are counter-productive to the implementation of global norms and objectives; they represent mere paper commitments with no reference to affected populations and no visible impact and can create confusion over responsibilities and result in reporting and implementing fatigue by Member States. **To truly expand the agendas of the originally regional and subregional economic umbrella organisations to small arms and light weapons concerns, they need to be equipped with more material- and human capacities to mobilise and coordinate activities and ensure the effective implementation of regional agreements. Likewise, increased advocacy efforts targeting Member States are needed at the local level and regional levels to animate Member States to assume their responsibilities and adhere to commitments made in regional and subregional agreements.**

3. Regional and subregional organisations in Latin America and the Caribbean:

- **OAS:** For the OAS to become a true small arms and light weapons umbrella organisation and regional coordinating body, it should provide some of the services, currently being offered by UN-LiREC, namely to serve as a regional clearing house on small arms and light weapons, conduct regional disarmament education, carry out disarmament and confidence building measures and provide technical advice on international agreements and norms.
- **CAN:** Civil society should advocate for the implementation of the Action Plan and UN agencies like UNDP's BCPR should assist governments to establish and implement small arms and light weapons programs in spite of governance crises in Bolivia and Ecuador, political problems in Peru and Venezuela or the Colombian armed conflict. UN-LiREC should continue its discussions with the Andean Community on small arms and light weapons controls, building on the May 2005 meeting.
- **CARICOM:** As indicated by IANSA, a cohesive subregional network of NGOs working on illicit small arms and light weapons has yet to materialise in the Caribbean to promote the ratification of CIFTA by the Dominican Republic, Gyana, Haiti, Jamaica, St. Vincent and Grenadines and Suriname. Upon ratification, regional or international assistance will be needed to craft a region-specific small arms and light weapons action plan.
- **MERCOSUR:** Committed NGOs and supportive governments need to provide leadership to facilitate a subregional consensus on a common agreement and next steps. Moreover, civil society networks should continue advocating for small arms and light weapons controls, building on the May 2004 Porto Alegre small arms and light weapons transfer control meeting, which was supported by the UK's Transfer Controls Initiative and attempted to link this issue with UN, OAS and subregional mechanisms and national laws.
- **NAFTA:** To contribute to regional and international small arms and light weapons control efforts, the North American subregion should conceptualise and enact an action plan addressing their subregion-specific small arms and light weapons concerns. Moreover, Mexico should consider lessons learned and best practices from its southern neighbours to effectively address national small arms and light weapons problems.
- **SICA:** For concrete subregional progress to emerge, SICA needs to receive further technical and financial support, and civil society needs to continue to conduct training and research work, as well as advocacy efforts for legal reforms and awareness raising among all segments of society.

IX. Conclusion

The cost of small arms and light weapons goes far beyond the loss of human life. As governments are first and foremost responsible to curb the small arms and light weapons threat, they need to be further encouraged by their own citizens and regional and subregional organisations to take action.

In line with United Nations Secretary-General Kofi Annan's appeal to "seek regional solutions to the small arms problem through regional and sub-regional efforts" (Report of the Secretary-General, New York, 2005), CAN, CARICOM, MERCOSUR, NAFTA, OAS and SICA bear the capacity for rapid, concentrated regional and subregional action against illicit small arms and light weapons use and trafficking. The 1997 *Inter-American Convention* already forms the basis of a good beginning for cooperation towards the elimination of the illicit traffic of these weapons in the region.

Precedents for sweeping region-wide cooperation on arms control matters already exist in form of the 1967 *Treaty on a Nuclear-Weapons-Free Zone in Latin America* and the Caribbean, the *Treaty of Tlatelolco*. Fourty years ago, the Treaty was a daring, innovative

agreement which stimulated a fundamental change in the international approach to nuclear weapons. It has since come to serve as an example for similar agreements covering the South Pacific (the Treaty of Rarotonga, 1985), South-East Asia (the Treaty of Bangkok, 1995), and Africa (the Treaty of Pelindaba, 1997) (Gasparini Alves, Geneva, 2001, pp. 49-50). It is now up to Latin America and the Caribbean to prove similar strength and vision in the implementation of small arms and light weapons control measures.

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