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# Tackling the illicit trade and diversion of arms and ammunition into and within Africa: the role of China-Africa cooperation



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## Abbreviations and acronyms

<b>AU</b>	African Union
<b>ATT</b>	Arms Trade Treaty
<b>CACDA</b>	China Arms Control and Disarmament Association
<b>ECOWAS</b>	Economic Commission of West African States
<b>EU</b>	European Union
<b>EWG</b>	Expert Working Group
<b>FOCAC</b>	Forum for China-Africa Co-operation
<b>ICGLR</b>	International Conference of the Great Lakes Region
<b>IGAD</b>	Intergovernmental Authority on Development
<b>ITI</b>	International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons
<b>SALW</b>	small arms and light weapons
<b>SAPS</b>	South African Police Service
<b>SRIC</b>	Security Research & Information Centre
<b>UN</b>	United Nations
<b>UNPoA</b>	United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

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Cover photo credit: A herdsman patrols the area around Nakukulas, Turkana, northern Kenya, which has been subject to frequent raids by groups from neighbouring areas. © Sven Torfinn/Saferworld



On 31 July 2019, the Council of the European Union (EU) passed the Council Decision of the Common Foreign and Security Policy 2019/1298 in support of a project on **'Africa-China-Europe dialogue and cooperation on preventing the diversion of arms and ammunition in Africa'** (see box, right). Building on the achievements of a past EU-funded project on 'EU-China-Africa dialogue and cooperation on conventional arms controls' – which ran between 2012 and 2014<sup>1</sup> – the new project is being implemented by Saferworld in cooperation with the Beijing-based China Arms Control and Disarmament Association (CACDA) and the Nairobi-based Security Research & Information Centre (SRIC). This briefing is the first in a series of publications that will be produced under this project.

The 2019 EU Council Decision supporting the implementation of the Africa-China-Europe project is anchored in a range of EU and international strategies and commitments, including the EU strategy against illicit firearms, small arms and light weapons (SALW) and their ammunition, entitled 'Securing Arms, Protecting Citizens'.<sup>2</sup> The dual purpose of the strategy is to: guide integrated, collective and coordinated European action to prevent and curb the illicit acquisition of SALW and their ammunition by terrorists, criminals and other unauthorised entities; and promote accountability and responsibility with regards to the legal arms trade, including through the universalisation and implementation of the Arms Trade Treaty and the effective implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It also supports the African Union and relevant regional economic communities in their efforts against the illicit trade in SALW and their ammunition – as encapsulated, for example, in the African Union 'Silencing the Guns' initiative. In its 2016 EU strategy for China, the EU also reasserted its commitments to maintain regular and substantial dialogue with China to seek – in conjunction with member states – greater common ground on disarmament and non-proliferation, as well as on other important security matters.<sup>3</sup>

## About the project

The project aims to promote three-way dialogue and cooperation between people, organisations and institutions in Africa, China and the EU on tackling the illicit trade and diversion of arms – in particular small arms and light weapons and ammunition – into and within conflict-affected contexts in Africa.

The project raises awareness in Africa, China and the EU on how the illicit flow of arms – particularly SALW and ammunition – to unauthorised entities in Africa exacerbates insecurity and violence and undermines public security, socio-economic development and the effective functioning of state institutions. The project also promotes accountability and responsibility with regards to the legal arms trade, by demonstrating how effective arms export control can contribute to mitigating the risk of arms and ammunition being diverted into the illicit market.

A non-governmental Africa-China-Europe Expert Working Group (EWG) has been set up to: increase awareness and engagement on issues related to the illicit trade and diversion of arms and ammunition into and inside Africa; promote compliance with existing commitments and recommend new policies where necessary; and increase cooperation and action between policymakers in Africa, China and the EU to tackle diversion and reduce arms-related violence. The EWG is made up of nine experts – three each from Africa, China and the EU – who have been drawn from think tanks, research centres and academic institutions.

To read more about the EWG members and keep up to date on their work, visit the official project website: [www.a-c-eproject.eu](http://www.a-c-eproject.eu)

## Introduction

Despite a variety of national, regional and international initiatives in recent years, the proliferation and misuse of arms and ammunition into and within Africa have continued at alarming levels.<sup>4</sup> The illicit trade and diversion of arms and ammunition is fuelling civil wars, intercommunal violence and armed crime, and empowering non-state armed groups to launch attacks against governments, communities and United Nations (UN) peacekeeping personnel. Indiscriminate armed attacks on civilians and other abuses perpetrated by some state security forces also create fear and resentment in communities and play into the hands of radicalised elements that seek to sow division and conflict.

There is therefore an urgent need for practical initiatives that bring together relevant stakeholders in Africa, China and Europe who are involved in arms and ammunition control and transfers, in order to explore new avenues and coordinated efforts to reduce the proliferation and/or misuse of arms and ammunition into and within Africa. Such initiatives should ensure the wide participation of key partners and actors in relevant countries, including government authorities, the business sector, civil society organisations, academic institutions, multilateral agencies, and regional and community-level organisations. The inclusion of African civil society – particularly representatives of communities – is crucial, because they bear the full impact of arms and ammunition proliferation and misuse.

Among the multilateral initiatives that have sought to address the proliferation of arms and ammunition – in particular small arms and light weapons (SALW) in Africa – the triennial Forum on China-Africa Co-operation (FOCAC) has paid attention to this issue over a number of years. Since 2000, FOCAC has provided a mechanism

for high-level dialogue and cooperation between China and African countries, particularly in the areas of mutually beneficial economic cooperation and trade. Recognising that addressing the many challenges posed by SALW proliferation is essential for advancing economic cooperation and trade agendas, FOCAC has incorporated the issue within wider dialogue on political affairs, peace and security. Accordingly, having previously addressed the issue of the illegal trade and circulation of SALW in 2012, the forthcoming Seventh Ministerial FOCAC Conference and Summit – planned for the latter half of 2021 in Senegal – provides an important opportunity to both raise this issue once again and to adopt specific cooperative measures that would help reduce the impact of the proliferation and misuse of SALW and their ammunition.

This briefing makes the case for FOCAC to – once again – address the proliferation of illicit SALW and ammunition at next year's conference. It begins by presenting an overview of FOCAC's previous engagement with arms and ammunition issues, before highlighting the concurrent initiatives that have been developed over the past two decades to address the problem, at both the international level and regionally within Africa. The briefing then goes on to outline a variety of existing weapons and ammunition proliferation threats in Africa through the elaboration of three distinct case studies. Each study explains the nature of the arms and ammunition problem in a specific national context, highlights the impact on human and national security, and points to some key areas where targeted action could potentially make a difference. Finally, the briefing highlights a number of important priority areas where practical and sustainable actions can be effective in tackling the illicit trade and proliferation of SALW and their ammunition into and within Africa. These priority areas are consistent with the objectives and prescriptions of many pre-existing regional and international conventional arms control agreements.



## I. FOCAC and SALW

FOCAC was launched in 2000. Over two decades it has developed an extensive remit – covering economic, political, social and cultural cooperation – which has, from time to time, addressed the issue of SALW proliferation in Africa. It has held a total of seven ministerial conferences (with three upgraded to summits), the last of which was held in 2018 in Beijing. At the first FOCAC ministerial conference in 2000, the final declaration saw both sides pledge to ‘enhance cooperation in stopping the illicit proliferation, circulation and trafficking of SALW’;<sup>5</sup> this was followed in December 2003 by the Addis Ababa Action Plan<sup>6</sup> which mentioned SALW as one of a number of security threats facing African countries. At the November 2006 Beijing Summit and Third Ministerial Conference, the 2007–2009 Action Plan was agreed, committing China to ‘continue to support and take part in the humanitarian de-mining operations in Africa and the effort to combat illicit trade in small arms and light weapons’ and to ‘provide financial and material assistance and related training for African countries within its capacity’.<sup>7</sup> In 2012, the Beijing Ministerial Conference issued an Action Plan<sup>8</sup> in which China committed to supporting African countries’ efforts ‘to combat the illegal trade and circulation of SALW’. Although the Action Plan agreed at the Johannesburg FOCAC Summit of December 2015 covered cooperation in the fields of military and police relations, anti-terrorism and law enforcement, it did not specifically address issues related to SALW and ammunition.<sup>9</sup>

More recently, in the final declaration of the seventh ministerial conference and summit<sup>10</sup> held in 2018, China pledged to support ‘predictable and sustainable UN funding for Africa’s independent peace operations and the initiative to “Silence the Guns in Africa by Year 2020”’. This is significant because the ‘Silencing the Guns’ campaign<sup>11</sup> specifically includes commitments geared towards stemming the proliferation of SALW and addressing its impacts. One of the six practical steps identified in the African Union (AU) ‘Master Roadmap’ for ‘Silencing the Guns’ by 2020 aims to ensure the effective implementation of agreements on landmines and the non-proliferation of SALW.<sup>12</sup>

Paving the way for the 2018 FOCAC pledge, in 2017 China decided to channel support to African states on two SALW-related projects through the UN Peace and Development Trust Fund, namely:<sup>13</sup>

- supporting African states in achieving the AU vision of ‘Silencing the Guns in Africa by 2020’, for which it committed USD\$435,917 for the August 2018 to December 2019 period, implemented by the UN Office for Disarmament Affairs
- strengthening the UN-AU partnership and supporting the AU’s ‘Silencing the Guns’ initiative, for which it committed \$969,670 for the January 2018 to December 2019 period, implemented by the UN Department of Political and Peacebuilding Affairs

Although it is encouraging to see the dedication of resources towards addressing SALW proliferation and misuse in Africa – and the ‘Silencing the Guns by 2020’ initiative in particular – more publicly available information is needed about such initiatives and their impact to increase their visibility and help coordination with similar efforts by other international organisations.

The Action Plan from the 2018 Summit also led to the establishment of the China-Africa Peace and Security Cooperation Forum. The Forum held its first meeting in Beijing in July 2019, which was attended by more than 100 representatives of defence ministries from 50 African countries.<sup>14</sup>

While there are clear opportunities and avenues for cooperative action for China and Africa to tackle SALW proliferation and misuse in Africa, sustained political will together with the coordination of efforts by various agencies, forums and mechanisms is required if a tangible impact is to be achieved. China could potentially derive more value from its efforts by linking its current engagement with existing regional SALW control initiatives. For instance, China could engage with regional integration bodies such as the Economic Community of West African States (ECOWAS), the East African Community (EAC), the Intergovernmental Authority on Development (IGAD), the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS), and regional political mechanisms such as the International Conference on the Great Lakes Region (ICGLR), the Regional Centre on Small Arms (RECSA) and the Africa Standby Force (ASF), all of which have SALW mandates and programmes. IGAD’s conflict early warning mechanism, ICGLR’s peace, security and development pact, the ECOWAS Convention on SALW, and the Nairobi Protocol on SALW are examples of specific ongoing initiatives that China can support to reduce the impact of SALW in Africa.

Likewise, at the international level, China-Africa cooperation on tackling the illicit trade and diversion of arms should also include renewed commitment by China and African states to implement existing agreements – such as the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA) and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (ITTI). For the latter agreement, timely responses to tracing requests following the discovery of illicit arms are critical to enabling concerned states to take prompt action to identify and close down lines of illicit arms supply.



China's accession to the Arms Trade Treaty (ATT) on 6 July 2020 also provides a significant opportunity to cooperate with African ATT state parties in tackling the illicit trade and diversion of arms and ammunition. By joining the ATT, China is making a number of serious commitments that must be reflected in its domestic transfer control regime. These include not transferring arms where there is a risk of diversion to armed groups or other unintended recipients, and not allowing arms transfers where there is a risk of their use in the commission of serious violations of international human rights or humanitarian law. China is also committing to reporting publicly on the exports and imports of a broad range of conventional arms, including SALW.<sup>15</sup> As an ATT state party, China could draw upon its economic and political influence to promote the Treaty's universalisation in parts of Africa where the ATT has had limited uptake and to encourage wider adherence to global norms around responsible arms transfers.<sup>16</sup> China could also cement its commitment to the ATT regime by providing financial support to the Treaty's Voluntary Trust Fund, which, among other things, provides support for initiatives that seek to build African states' and other countries' capacities for effective arms transfer control.

China's increasing concerns around terrorism, violent extremism and regionalised conflicts in Africa provide a strong justification for it to once again prioritise SALW in cooperation arrangements with Africa. In this regard, it is important for China and FOCAC partners to ensure that: combatting the proliferation and misuse of illicit SALW and their ammunition is recognised as a problem in its own right; action to address this problem is a consistently high priority; commitments made are reinforced by practical action; and initiatives are pursued in a transparent and accountable manner. This will help to demonstrate the benefits of China-Africa cooperation in this area and to build wider international appreciation of the China-Africa partnership. The 2021 FOCAC Summit will provide an opportune moment for China and African partners to consolidate their joint commitment to tackling the proliferation and misuse of SALW and ammunition in Africa, by establishing a sustainable programme of action that creates synergies with existing national, regional and continent-wide initiatives. To this end, it is highly recommended that a prospective FOCAC 'Cooperative Programme of Action on SALW' contains activities, targets, resources and timelines within a flexible framework that takes account of the specific and varying circumstances of individual countries.

## II. SALW proliferation in Africa: three case studies

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No two countries are impacted in exactly the same way by SALW and ammunition proliferation and misuse. While there are some shared experiences among countries in particular sub-regions, the specific scope, nature, dynamics and impact of SALW and ammunition proliferation and misuse is a product of each country's geographical, social, political and economic situation. Accordingly, any cooperative framework for action to address illicit SALW and ammunition in Africa – including any that are adopted by FOCAC – should be based on a clear understanding of the complex range of circumstances that drive this problem in specific contexts. Any programmes supported by the framework should prioritise the people and communities who are most affected, engaging communities and civil society in their design and implementation.

This section contains three case studies that illustrate contrasting experiences of SALW proliferation and misuse in three African countries situated in different sub-regions of the continent. These case studies have been chosen because together they demonstrate a variety of different challenges that SALW and ammunition proliferation and misuse pose in the African context – and, in doing so, point to a diverse range of issues that must be addressed if efforts to turn this tide are ultimately to achieve a measure of success.

## Case study 1: Burkina Faso

### The nature of SALW proliferation and misuse in the country

Burkina Faso is a land-locked country in the Sahel region of West Africa. It is bordered by Mali to the north and west, Niger to the east, and Côte D'Ivoire, Ghana, Togo and Benin to the south. It suffers from instability in the north as a result of the conflict that has affected neighbouring Mali since 2012, and in the east where insecurity has increased since 2018. Since 2015, the country has faced a sustained threat of attacks from armed groups: between April 2015 and May 2020, there were 580 recorded attacks which caused the deaths of 436 personnel from security forces and 1,219 civilians, as well as the forced displacement of approximately one million people and the abduction and disappearance of 181 individuals.<sup>17</sup> Burkina Faso also experiences the wider regional instability that has arisen as a consequence of the fall of the Libyan *Jamahiriyah*<sup>18</sup> in 2011 and the subsequent dissemination of the vast military stockpiles that had been accrued there. Although there is no evidence to suggest the existence of direct flows of equipment between Libya and Burkina Faso, weapons and ammunition originating from the diversion of Libyan stockpiles do circulate in the illicit sphere in Burkina Faso.

In urban environments within Burkina Faso, there are also problems of armed violence and organised criminality, though to a lesser extent than some neighbouring countries like Mali and Niger. Beyond the availability of arms, key factors driving instability, violence and the demand for weapons and ammunition in the country and the wider region are poverty, lack of economic opportunity, political factionalism, the weakness of the state's authority, and impunity for security forces who are guilty of abuses that are often based on ethnicity.<sup>19</sup>

### The drivers and sources of SALW proliferation

Non-state armed groups operating across the Liptako region (the joint borderlands of Burkina Faso, Mali and Niger) are known to share common supply chains and logistical support networks, with weapons and ammunition originating from common points of diversion.<sup>20</sup> In particular these groups appear to have access to readily available stockpiles, most often generated from state-owned arsenals (either through capture during armed offensives or other forms of losses) and to a much lesser extent from local illegal markets. As a result, these groups do not generally need to activate long-range, articulated and logistically complex supply networks to maintain significant operational capacity.



A young woman, who is among 300,000 internally displaced people because of violence in northern and eastern Burkina Faso, holds a baby in the village of Yagma near Ouagadougou, 17 September 2019. © Issouf Sanogo/AFP via Getty Images

Since 2011, the stockpiles accrued by the Libyan *Jamahiriyah* have been spread across many African countries, particularly in the Sahel region.<sup>21</sup> Libyan arms have fuelled insurgent movements in Burkina Faso's neighbouring countries such as Mali, Chad and Niger. However, there are also reports of weapons and ammunition across the sub-region coming from other available African sources such as Côte d'Ivoire,<sup>22</sup> Nigeria<sup>23</sup> or Sudan.<sup>24</sup> In Burkina Faso, since 2015 al-Qaeda and Islamic State-affiliated groups have been able to access weaponry originating from a large and relatively diverse range of manufacturers from Asia, Europe, the Middle East and South America.

SALW are commonly used in attacks by armed groups in and around Burkina Faso, with research showing that small calibre infantry weapons – variants of Kalashnikov assault rifles in particular – are most commonly used.<sup>25</sup> Weapons and ammunition collected in the aftermath of major attacks by armed groups or seized by national security forces during counter-terrorism operations between January 2016 and May 2020 include a variety of models and types. The diversity of one reference sample<sup>26</sup> – which included a total of 96 weapons manufactured in 12 countries and 3,036 rounds of ammunition manufactured in 22 countries – illustrates the capacity of armed groups to gather military equipment through various opportunistic supply mechanisms, originating both from governmental stockpiles and local illicit markets. While the majority of the sample is composed of relatively old weapons and ammunition, the proportion of recently manufactured (post-2000) equipment is not negligible: 11 weapons (worth 11.45 per cent of the sample) and 470 rounds of ammunition (equivalent to 15.48 per cent of the total). Some ammunition probably originated from diversions that occurred less than a year after the equipment was delivered to its first legal consignee, highlighting the extent of the challenges regional states experience in securing effective control over government stockpiles.

### **The impact of illicit SALW**

The Sahel region has become a major new front for armed groups, which are armed predominately with SALW. These groups have perpetrated attacks with increasing frequency against a range of government, military, civilian and international targets in Burkina Faso. In one attack on the town of Arbinda in December 2019, at least 35 civilians were killed as they retreated from a clash with government forces. Since 2015, armed attacks in Burkina Faso, which have also impacted neighbouring Mali and Niger, have killed hundreds of people and displaced more than half a million civilians.<sup>27</sup>

With the population on course to double over the next two decades, armed violence and insurgency is compounding the developmental challenges already facing Burkina Faso and neighbouring countries. When more resources are required to take on the insurgents, levels of disaffection among young people rise – as does the likelihood of radicalisation.<sup>28</sup>

### **Possible responses**

Efforts to prevent conflict and armed violence in the Sahel region will require a wide range of comprehensive actions to prevent and reduce the ready access to SALW and ammunition and address the drivers of violence.<sup>29</sup> Given that a significant proportion of the SALW and ammunition that end up in the hands of non-state groups are obtained from government arsenals, improved provision for stockpile management and security should be considered a priority. Research conducted in Burkina Faso also points to the need for a better understanding of the types of post-delivery diversion schemes that facilitate the transfer of SALW and their ammunition from their authorised owner to an unauthorised recipient, thereby fuelling insecurity, violent extremism and regional instability. Deeper knowledge of these dynamics can equally contribute to efforts to elaborate efficient arms and ammunition transfer control measures and, in particular, thorough pre-export supply chain controls as well as monitoring and diagnostic activities that address recipient countries' potential for arms and ammunition proliferation and misuse.<sup>30</sup> When a lack of adequate governance and state-sponsored violence are likely to be among the root causes of conflict and also reasons for the existence of, and support for, armed groups, efforts must also be made to put the concerns and interests of the civilian population at the front and centre of strategies and initiatives, such as supporting increased economic opportunities for young people in particular.





A Peace and Reconciliation Committee in Abyei-Cok, outside of Rumbek, South Sudan, discusses grievances with the community as part of efforts to stop the proliferation of small arms among civilians, 20 April, 2018. © UNMISS / Eric Kanalstein

## Case study 2: South Sudan

### The nature of SALW proliferation in the country

South Sudan has a population of more than 10 million people. A land-locked country in East Africa, it is bordered by Ethiopia to the east, Sudan to the north, the Central African Republic to the west, the Democratic Republic of the Congo to the south-west, Uganda to the south and Kenya to the south-east. Proliferation of arms – particularly SALW and ammunition – is one of many issues facing South Sudan, and one which the country has been struggling to address since it gained regional autonomy in 2005 and then independence from Sudan in 2011. The widespread availability of arms and ammunition in South Sudan and their misuse, coupled with poor governance, have fuelled the growth in the number and variety of non-state armed groups and a cycle of instability and conflict – while the prevalence of illegally owned firearms among communities and individuals poses a further threat to human security. One research estimate in 2016 concluded that as many as 601,000 illicit arms may have been in circulation in South Sudan;<sup>31</sup> in 2017, a community-level study carried out by Saferworld in Rumbek and Kuajok provinces concluded that at least 80 per cent of households owned a gun.<sup>32</sup>

### The drivers and sources of SALW proliferation

The illicit arms circulating within South Sudan come from a variety of sources. Many are a legacy of the war with the Khartoum government and the extensive distribution of arms and ammunition by government authorities to

non-state actors.<sup>33</sup> The post-independence civil wars (2013–2015 and 2016–2018) between Southern Sudanese factions resulted in looting of government stocks and further distribution of SALW to armed groups by South Sudanese government officials – who provided weapons to members of their own communities and home villages – as well as by members of state security services. Similar actions have been carried out by the Sudan People's Liberation Movement/Sudan People's Liberation Army in Opposition (SPLM/SPLA-IO). Beyond this, a lack of proper stockpile management arrangements for SALW owned by state (government security forces and the police) and non-state forces (such as the SPLM/SPLA-IO) has also meant that poorly secured SALW and ammunition have often been obtained by other actors, such as armed groups and criminals. Soldiers are also returning home to their communities with weapons, which are then susceptible to theft or sale.<sup>34</sup>

Arms embargoes imposed in 2004–2005 by the UN (on transfers of weapons for use in Darfur) and by the EU on Sudan in 1994–2004 (subsequently amended to include South Sudan) have seemingly had little impact on the availability of arms into and within the country, with South Sudanese government and opposition forces alike acquiring SALW from various sources, including via international brokers and from neighbouring countries.<sup>35</sup> Such cross-border transfers include, in some instances, the diversion or unauthorised re-export of weapons, ammunition and aircraft that were legally exported to South Sudan's neighbours from some of the top suppliers, potentially breaching relevant end-use undertakings or assurances.<sup>36</sup>

Compounding this supply, the demand for illicit arms stems from both the absence of effective security service provision at the local level – creating the need for communities to acquire arms to protect the sources of their livelihoods from rival communities – and the pursuit of illegal activities such as the practice of cattle raiding by pastoral communities, where guns are primarily acquired for use during such raids. Criminal elements have also procured small arms for the purpose of committing violent crime.

### **The impact of illicit SALW and their misuse**

Weak levels of state governance and state-sponsored violence, together with weapons in the hands of civilians and non-state armed groups in South Sudan, are perpetuating a cycle of political instability and conflict, contributing to innumerable injuries and deaths, a deteriorating security situation across the country, and hindering economic development. Amid the long-standing cycles of political and civilian violence and armed confrontation, there are frequent armed clashes between rival groups and communities in many areas – including Warrap, Unity, Lakes and Jonglei States – which have resulted in the killing and maiming of civilians, with women, children and the elderly enduring the greatest suffering. These clashes have been fuelled by the presence of arms in the hands of civilians and militias. In August 2020, the UN Commission on Human Rights in South Sudan expressed grave concern at an increase in violence in large parts of the country, reaching unprecedented levels in some areas. For example, on 8 August 2020 at least 75 people were killed and a further 76 injured following violent clashes between a non-state armed youth group from the Dinka Luanyjang community and the state's forces, the South Sudan People's Defence Forces (the army of the Republic of South Sudan – formerly the Sudan People Liberation's Forces) based in Tonj (Warrap State). The Commission noted that the 'slow pace of disarmament and the continued proliferation of both heavy and light weapons, despite the recently renewed UN arms embargo' were contributing to the worsening situation.<sup>37</sup> Incidences of violent cattle raiding have surged across the country, while a deteriorating relationship between farming communities and armed cattle herders could also result in violence.<sup>38</sup> Armed banditry in towns and on highways also prevents free movement of civilians and stifles economic activity.

### **Possible responses**

Adequate levels of governance and accountability mechanisms are critical elements to foster successful arms control as well as armed violence reduction and prevention initiatives. National and international efforts to strengthen these aspects are key to ensuring an environment that is conducive to tackling the illicit trade in arms and ammunition. However, other lower-level interventions aimed directly at strengthening physical security and stockpile management can provide immediate relief to acute levels of uncontrolled weapons and ammunition proliferation and misuse in a specific context. For example, with the leaking of weapons and ammunition from government forces playing a significant role in the continuing proliferation and misuse of SALW and ammunition in South Sudan, efforts to greatly improve the physical security of stockpiles and improve conditions for, and oversight of, state armed forces would appear to be a priority. Along with adequate infrastructure, clear procedures and regulations are required for managing state-owned stocks, including marking firearms and ammunition (both in individual rounds and crates), to improve the accountability of those trusted with possession of SALW and ammunition. Adequate and timely remuneration for professional military and security personnel, coupled with penalties for misuse of arms and ammunition (such as breaches of standard operating procedures at weapons and ammunition storage sites and 'loss' of weapons), would also help to reduce the incentive to transfer or lend weapons for financial gain. However, given the precarious security situation – coupled with inappropriate and misguided attempts at security sector reform in South Sudan<sup>39</sup> – it is quite possible that the conditions may not currently be ripe for conducting a comprehensive programme to build state capacity for stockpile management; as such, a more limited and step-by-step approach could potentially be more viable.

Removing illicit weapons from civilian hands while increasing government provision of professional and accountable security services may also help reduce the availability of and demand for SALW and ammunition. Ideally, progress towards these goals would be achieved by undertaking peaceful civilian disarmament initiatives such as weapons amnesties or even gun buy-back schemes, as appropriate. However, given that recent attempts by the South Sudanese authorities to pursue civilian disarmament have been chaotic and sometimes repressive in nature, resulting in significant loss of life,<sup>40</sup> any further civilian disarmament initiatives would need to be carefully thought through and much more responsibly executed.

All of these measures will require support from regional and international partners who can provide resources and relevant experience in establishing and coordinating effective initiatives to address the spread and misuse of SALW and ammunition in South Sudan. The approach taken by the state authorities will also need to be significantly adapted, so that any programmes are developed and carried out in a way that clearly engages with and reflects the interests of the civilian population.





South African Police Service personnel during President Cyril Ramaphosa and Minister Bheki Cele's launch of the National Anti-Gang Unit. 2 November, 2018. © GCIS

### Case study 3: South Africa

#### The nature of SALW proliferation in the country

South Africa is the southernmost country in Africa. Its coastline stretches from the Atlantic to the Indian Ocean. It is bordered by Namibia, Botswana, Zimbabwe and Eswatini, and it surrounds the enclave of Lesotho in the east. South Africa is one of the few countries in Africa that has a significant firearm violence problem but which is not experiencing armed conflict or insurgency. This has roots as far back as the late 1980s, when the country was in the grip of a serious firearm crime epidemic that was driven by turbulent political circumstances and the widespread availability of firearms. Since then, the scale of illicit firearms ownership has fluctuated, depending on how stringent authorities are in enforcing firearm control policies.

#### The drivers and sources of SALW proliferation

From the mid-1980s to the mid-1990s,<sup>41</sup> South Africa experienced a significant rise in firearm-related crime. This was fuelled by the loss or theft of guns from licensed owners, weapons supplied by the apartheid security forces to militia groups, and weapons smuggled into South Africa by liberation movements. The South African Police Service (SAPS) began to implement more rigorous firearm control measures from the late 1990s, which gained momentum with the establishment of the Firearms Control Act (2000). More thorough vetting of firearm licence applicants by SAPS during the period 2000 to 2010 led to a considerable reduction in the number of approved firearm licence applications. This was accompanied by a substantial decline in the loss or theft of licensed civilian firearms, from 29,009 in 1998–1999 to 7,289 in 2015–2016. SAPS also prioritised the seizure of illegal firearms, both within

South Africa and in neighbouring Mozambique; these were destroyed along with surplus and obsolete SAPS weapons. Between 1998–1999 and 2013–2014, SAPS reported that it destroyed 1,189,884 firearms.<sup>42</sup>

As for the origin of the firearms involved, Chinese-manufactured weapons have historically been widely owned by licensed firearm owners in South Africa, as they are typically more affordable than those manufactured in Europe and the US. Accordingly, because of the high level of loss or theft of licensed firearms, Chinese-manufactured arms have featured prominently in police seizures of unlicensed or illegal weapons.<sup>43</sup>

The reduction in the loss or theft of licensed firearms and the seizure and destruction of such weapons from 2000 onwards appears to have had a significant effect on murder levels in South Africa. According to data published by the UN Office on Drugs and Crime, there was a 33 per cent decline in the number of firearm murders between 1998 and 2007, shrinking from 12,413 in 1998 to 8,319 in 2007.<sup>44</sup>

More recently, however, there has been an upturn in firearm crime in South Africa, which appears to be linked to a rise in the availability of illicit weapons that have mainly been sourced via the police as well as by licensed firearm owners. Criminals and organised criminal groups seeking to acquire firearms have increasingly targeted firearms under SAPS' control; they have also abused the licensing system, frequently using corrupt practices to fraudulently obtain firearms.<sup>45</sup> An increase in losses and thefts of firearms previously licensed to civilians in South Africa has also contributed to a growth in firearm crime and violence, with SAPS reporting that there were 15,779 cases of illegal possession of firearms and ammunition in the 2019–2020 reporting period.<sup>46</sup>

## The impact of illicit SALW

This unwelcome resurgence in illicit firearms has created a corresponding resurgence in the human cost, with illegal firearms once again the most commonly used weapon in murders in South Africa. According to official SAPS data, between 1 April 2015 and 31 March 2019 some 25,070 people were murdered with a firearm, compared to 19,355 individuals that were stabbed to death with knives over the same period. Since the 2015–2016 reporting period, the number of firearm murders has increased by 32 per cent. Firearms have also been the weapon of choice in attempted murder incidents, accounting for 13,360 cases in 2018–2019. Robbery with aggravating circumstances (which predominantly involves the use of a firearm) has increased substantially since 2011–2012, from 100,769 to 140,032 cases in 2018–2019 (a 39 per cent increase).<sup>47</sup> Globally, South Africa ranks in the top ten of countries with the highest firearm homicide rate.<sup>48</sup>

### Possible responses

Over the past 35 years, South Africa's illicit firearms and armed crime problem has surged, receded and surged again. It seems logical, then, that the strategies that were so successful in reducing the level of illicit firearms availability and violent crime in the past should be reprised. This will require the South African government to: intensify its illegal firearms and ammunition seizure operations; implement additional firearm amnesties; further strengthen criminal justice processes with respect to those found guilty of illegal firearms and ammunition possession; and significantly improve the manner in which firearms under the control of the police are secured (including anti-corruption measures).

## III. Developing synergies and sustainability

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These case studies illustrate a variety of scenarios that are currently playing out in different national contexts across Africa. They demonstrate the wide-ranging effects of SALW and ammunition proliferation and misuse, and the impact that this can have on the economic prospects and lives of affected populations. While SALW and ammunition proliferation and misuse is only one challenge that Africa faces, the instability and insecurity that it creates means that tackling this issue is key to unlocking Africa's economic potential and bringing security, development and prosperity to all of its people, in line with the Sustainable Development Goals.<sup>49</sup>

As noted earlier, over the past two decades FOCAC has shown interest in addressing SALW proliferation in Africa, with the three-year Action Plan adopted at the November 2006 Beijing Summit and Third Ministerial Conference of FOCAC the most substantial commitment to date. While these commitments are a welcome demonstration of political will, information on how they have been operationalised is limited. While China's support for the ambitious AU 'Silencing the Guns by 2020' initiative and the pledging of more than \$1.4 million in support is laudable, the special focus and expected results of this funding is not widely understood. More information on this from both the UN and China would help generate a better understanding of the impact and potential synergies with assistance provided by other international organisations.

Given the continuing high levels of SALW and ammunition proliferation into and across Africa, there is a clear necessity for FOCAC to continue to address this problem. Going beyond previous commitments, FOCAC should seek to create a comprehensive, practical, sustainable and transparent programme of work that is grounded in the needs and perspectives of affected communities and which builds upon and creates synergies with existing SALW and ammunition control and arms reduction initiatives in Africa. This should include programmes that are being taken forward at the continental level – such as the AU 'Silencing the Guns by 2020' initiative – as well as those at regional and sub-regional levels in Africa. At the same time, the multifaceted and varied nature of the SALW and ammunition challenges across Africa is such that while overarching aims and parameters for engagement should be established, the precise nature of the national – or localised – response should be context-specific, with programmes tailored to local realities and legal frameworks.

Efforts by both China and African countries should focus on the effective implementation of existing international instruments to tackle the illicit trade and diversion of weapons and ammunition proliferation and misuse. As noted earlier, as sovereign UN member states China and all African countries are encouraged to implement the UNPoA, which specifies a range of measures to address the supply of and demand for illicit SALW and their ammunition. The ITI, which allows tracing of diverted



SALW, is also a critical tool in international efforts to tackle the illicit trade in SALW. The UN Firearms Protocol<sup>50</sup> – a legally binding instrument that seeks to counter the illicit manufacturing of and trafficking in firearms – requires all states to adopt provisions, such as the marking of weapons, record-keeping and controls over the activities of firearms brokers. China and 27 African countries are also states parties to the ATT and are therefore required to implement a range of Treaty provisions that establish high standards for the international transfer of conventional arms. The ATT Voluntary Trust Fund also provides a vehicle for supporting African countries in the development and strengthening of their arms transfer control systems, helping to prevent illicit transfers and diversion of SALW and ammunition into and within Africa.

Together, these instruments require China and African countries to take a range of actions that, if fully implemented, would make a significant impact on the illicit proliferation of SALW and ammunition in Africa and many other regions. Measures to tackle both the demand for and the supply of arms and ammunition in contexts where the risks of misuse and violence are high are equally important, with both types of approach suitable for cooperative action. However, China – along with other major exporters<sup>51</sup> – has an important role to play in helping to prevent possible diversion of arms and ammunition shipments to the illicit market. This could be achieved through enhanced transparency and accountability in arms and ammunition transfers, by ensuring that pre-export diversion risk assessments are in-depth and comprehensive, and by requiring prospective recipients of arms and ammunition shipments to give, on a case-by-case basis, an undertaking to not re-export or re-assign any arms that are transferred from China. Post-shipment controls also have a potentially important role in making sure that arms importers abide by their end-use commitments. For their part, African countries can help to reduce the stock of the illicit trade by careful management of state stockpiles, as well as measures to remove illicit weapons from circulation and destroy obsolete and surplus ammunition from storages; they can also improve transparency and accountability in their own arms and ammunition transfers while committing to refrain from diverting imported arms and ammunition. Crucially, ensuring that security forces act in accordance with international rules and standards on the use of force and are held accountable would reduce the motivation for acquiring SALW, therefore decreasing the demand of them.

The international agreements mentioned earlier (such as UNPoA, ITI and ATT, among others) highlight a number of important priority areas for the development of joint programmes for practical SALW and ammunition control – many of which are consistent with legally binding SALW control agreements concluded by a number of African regional organisations and the ‘AU Master Roadmap of Practical Steps to Silence the Guns in Africa by Year 2020’.<sup>52</sup> These priorities for practical and sustainable actions include:

- **the development and enhancement of arms and ammunition transfer control systems:** including national legislation, regulations, procedures, internal coordination and training
- **arms and ammunition transfer risk assessment:** including the risk that arms for export might be used in contravention of international law or diverted to an unauthorised recipient
- **end-use certification:** the adoption of model end-use certifications including comprehensive provisions, a ‘no re-export clause’, and verification of authenticity
- **post-shipment verification:** ensuring that steps are taken to check that exported arms and ammunition remain with their authorised end-user and are used for authorised purposes
- **weapons and ammunition – physical security and stockpile management:** improving infrastructure, facilities and training for the management of state-owned stocks and ensuring accountability of those entrusted with SALW and ammunition
- **marking and record-keeping of SALW and ammunition:** building capacity through the provision of appropriate technology, equipment and training on marking and record-keeping procedures
- **transparent implementation of the ITI:** including through timely, accurate and comprehensive responses to tracing requests
- **border controls:** building capacity through support for the development of border infrastructure and training of personnel
- **weapons and ammunition collection and destruction:** supporting amnesties, buy-back initiatives (as appropriate) and other schemes for removing illicit weapons and ammunition from circulation, along with the provision of infrastructure to enable the destruction of illicit SALW and ammunition
- **public awareness-raising programmes:** enhancing public understanding of the dangers of SALW and ammunition

Finally, when constructing SALW and ammunition control programmes and initiatives as per the above, it is highly recommended that this is carried out in accordance with the ‘Modular Small-arms-control Implementation Compendium’ – a set of voluntary, good practice guidance notes developed by the UN, which address the majority of the areas addressed previously. Where the storage and maintenance of ammunition stockpiles are concerned, steps should be taken to fully implement the International Ammunition Technical Guidelines.

## Conclusion

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The time is ripe for a demonstration of political will and renewed focus by FOCAC on the issue of SALW and ammunition proliferation. The Forum is uniquely placed to step up and play a key role in supporting the existing efforts of African countries to respond to the problem. The complexity and the severity of the illicit proliferation and misuse of arms and ammunition, together with the dire consequences for human security, point unequivocally to the need for swift, practical responses. At the same time, it is clear that the focus should not be on creating additional political processes and structures; efforts should instead be concentrated on supporting the implementation of the myriad existing conventional arms control agreements to which African countries and China are already subscribed.

By drawing together supply and demand perspectives, building on existing agreements and commitments, and taking account of context-specific criteria, FOCAC could facilitate the development of a cooperative programme of work which would have a significant and sustained impact on SALW and ammunition proliferation in Africa – helping to advance the cause of peace, security and development across the continent. The current joint project by Saferworld, the Security Research & Information Centre and the China Arms Control and Disarmament Association – including the EWG, which focuses on tackling the diversion and illicit trade of weapons and ammunition in Africa – also presents a crucial opportunity to raise the profile of such an agenda internationally, and to support and promote its implementation.



UNLIREC conducting a demonstration of laser marking of small arms ammunition at the regional UN SaferGuard Technical Workshop on Ammunition Management for Latin America and the Caribbean, 31 July 2018. © UNLIREC



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## Saferworld

Saferworld is an independent international organisation working to prevent violent conflict and build safer lives. We work with people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace.

## The China Arms Control and Disarmament Association (CACDA)

CACDA is a non-profit NGO founded in 2001 that focuses on arms control, disarmament and non-proliferation. Its main activities include the coordination and organisation of research, education and advocacy on issues of arms control and international security. In addition, CACDA has hosted and sponsored seminars and workshops on similar issues in China. Within the context of this project, CACDA has been established as an official partner and will be leading on the implementation of the project in China and contributing to overall project implementation in Europe and Africa. CACDA previously contributed to the implementation of EU-China-Africa dialogue and cooperation on conventional arms controls back in 2012–2014.

## Security Research & Information Centre (SRIC)

SRIC is an independent non-profit think tank which is committed to providing data and information on human security and security sector dynamics in Kenya and the sub-region of the Great Lakes and the Horn of Africa. Within these regions, SRIC aims to influence and contribute to positive change in the security sector dynamics as a research-based organisation. Within the context of this project, SRIC has been established as an official partner in the EU Council Decision to lead on the implementation of the project in Africa.

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