



progress

Implementing the Nairobi Declaration to tackle small arms in the Great Lakes region and the Horn of Africa

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Editorial

Hon. Ramazani Baya, Minister of Foreign Affairs and International Cooperation Democratic Republic of Congo

THIS PROGRESS NEWSLETTER EDITION 5 is very exciting to read. It highlights the significant progress that Governments and civil society across the Great Lakes Region and Horn of Africa are making towards the establishment of effective controls on the availability and use of small arms.

On 20 November 2004, Heads of State and Governments of the Great Lakes Region signed the Dar Es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region. The Declaration recognises the illicit trafficking of small arms and light weapons as a cause of economic stagnation and poverty in the sub-region. It also calls on States to 'promote common policies to put an end to the proliferation of illicit small arms and light weapons, as well as anti-personnel mines and, in that regard, harmonise and ensure the implementation of existing agreements and mechanisms'.

Encouragingly, significant progress is already underway in this regard. In April 2004, eleven States in the Great Lakes Region and Horn of Africa (Burundi, Djibouti, DRC, Ethiopia, Eritrea, Kenya, Rwanda, Seychelles, Sudan, Tanzania and Uganda) signed the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons. This Protocol will be legally binding once ratified by two thirds of signatory States, and a process is now underway to assist

States in its implementation. As part of this process, the Nairobi Secretariat – the regional small arms control co-ordination body – has convened a series of workshops on a range of issues including: stockpile management; transfer controls; marking and tracing; public awareness; arms destructions; research; and mutual legal assistance. As a result of these workshops, a comprehensive set of guidelines has been developed and will be presented at the forthcoming Nairobi Declaration Ministerial Review Conference in June 2005. These guidelines will be used to inform the review and development of national policy and legislation and will assist States in ensuring that they effectively implement the Nairobi Protocol.

“Encouragingly, significant progress is already underway...”

In another positive development, Governments have also reaffirmed the importance of working in close co-operation and partnership with civil society. At a meeting of civil society organisations and the Nairobi Secretariat in Kampala, Uganda in October 2004, a Communiqué was issued which affirmed the important role of EAANSA (the East African Action Network on Small Arms) as the recognised group of civil society organisations

working in partnership with the Nairobi Secretariat. National Focal Points, the Nairobi Secretariat and civil society organisations also met at the 2nd Annual civil society/National Focal Points round-table workshop, in November 2004. This workshop provided civil society organisations and National Focal Points with the opportunity to identify future opportunities for liaison and partnership and to keep each other informed of current work plans and activities.

As we approach the third Ministerial Review Conference on the implementation of the Nairobi Declaration in June 2005 and the Biennial Meeting of States to review implementation of the UN Programme of Action in July 2005, there is much positive news to report on from within the region. However, the continuing devastation wrought by small arms in the region highlights the huge amount of work that remains to be done. With this in mind, I wish to appeal for financial, technical and moral support from the international community. I also wish to thank the UK Government and other active members of the Friends of the Nairobi Declaration and Group of Friends of the Great Lakes for their unflinching support. Please enjoy the always very informative articles in the *Progress* Newsletter and we look forward to your usual support and encouragement ●

IT IS ESTIMATED that some 640 million small arms are in circulation world-wide, and that nearly five million new weapons are manufactured each year. The global trade in arms brings these weapons into the hands of human rights abusers and violators of international law. The international community needs to take action before this trade in arms gets completely out of control. An increasing number of States and civil society organisations are therefore calling for the development of an international Arms Trade Treaty (ATT).

An ATT would require all States to respect their existing obligations under international law, with regard to the trade and transfer of arms. For example, the ATT would oblige States to refuse to authorise the export or transfer of arms in cases where it would be likely to result in a breach of the United Nations Charter or serious violations of human rights or international humanitarian law.

Progress towards an international arms trade treaty

Ochieng Adala, Africa Peace Forum

At the global level, civil society organisations have come together within the framework of the Control Arms Campaign (co-ordinated by the International Action Network on Small Arms (IANSA), Oxfam and Amnesty International) to call for a series of measures to improve the control of arms, including an ATT. A wide range of civil society organisations are now supporting this campaign and in April 2005 over 150 civil society representatives from across the world met in Nairobi at a global conference to promote 'Action for arms control in a world awash with weapons.' This conference was convened by the Control Arms Campaign and Africa Peace Forum (APFO), and attended by representatives from the Kenyan Government and the Nairobi Secretariat on small arms. It provided an important opportunity for people to share their experiences of work-

ing on arms control issues, to develop co-ordinated strategies and to build a truly global campaign in support of the ATT.

Meanwhile, progress at the regional level has been led by the East African Action Network on Small Arms (EAANSA). EAANSA and Saferworld organised an 'Arms Control Strategy Workshop' in Kampala on 1st and 2nd July 2004, which brought together civil society representatives from eight countries in the region: Burundi, DRC, Ethiopia, Kenya, Rwanda, Sudan, Tanzania and Uganda. At this workshop, participants examined the human impact of arms transfers on their respective countries and developed national strategies for building public support for the ATT.

Alongside this growing support from civil society, an increasing number of governments are also supporting the idea

Updates from across the region

In this section we highlight significant recent events and activities that have taken place at the national level across the region, including the ratification by some States of the Nairobi Protocol and the establishment and operationalisation of National Focal Points (NFPs) on small arms control. NFPs are interagency bodies that bring together representatives from a range of government departments that have a role to play in the control of small arms. In many countries the membership of the NFP also includes representatives from civil society. NFPs are playing a crucial role in promoting and co-ordinating efforts towards the control of small arms. They have so far been established in Burundi, Djibouti, DRC, Ethiopia, Kenya, Rwanda, Sudan, Tanzania and Uganda, and are due to be launched shortly in Djibouti, Eritrea and the Seychelles.

Burundi

- **Adoption of the Nairobi Protocol**
On 12 August 2004, the Burundi Council of Ministers adopted the Nairobi Protocol pending the adoption stage by the Transitional Parliament.
- **Meeting of the Burundi NFP**
2–3 September 2004, the Nairobi Secretariat in conjunction with civil

society partners – the Security Research and Information Centre (SRIC) and SaferAfrica – organised a workshop in Bujumbura which looked at the structure, organisation and daily management of the Burundi NFP.

- **Disarmament workshop**
21–22 September 2004, the Institute for Security Studies (ISS) in conjunction with the Economic Community of Central African States (ECCAS) and the Centre National du Volontariat du Burundi (CNV), organised a workshop in Bujumbura, Burundi, on 'Practical Disarmament in Central Africa: Challenges to overcome'.
- **Small arms civil society network**
On 16 October 2004, members of the "Réseau Africain Francophone sur les Armes Légères et de Petit Calibre au Burundi (African French Speaking Network on Small Arms and Light Weapons in Burundi) met at a workshop in Bujumbura. Participants recognised the need to harmonise the activities of all stakeholders in the fight against small arms trafficking and to search for financial and material resources to support the development of a National Action Plan on small arms control.

Democratic Republic of Congo

- **Launch of the NFP**
The official launch of the DR Congo's NFP took place in Kinshasa on 20 October 2004. Honourable Ramazani Baya, Minister for Foreign Affairs and International Cooperation, gave the keynote address and committed himself to work closely with all relevant ministries and other public institutions and civil society within the NFP.

Ethiopia

- **Establishment of the NFP**
On 29 September 2004 a 'Consultation Workshop on the establishment of a National Focal Point in Ethiopia' was held in Addis Ababa.
- **New firearms legislation**
The Government is currently developing new firearms legislation that will regulate the ownership and use of arms and other related materials.
- **Ratification of the Nairobi Protocol**
On 9 November 2004, the International Landmine Ban Treaty and the Nairobi Protocol were officially endorsed and approved by the House of People's Representatives.

of an ATT. Within the Great Lakes Region and the Horn of Africa the need for strong controls on the transfer of arms has already been recognised within the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons. States in the region have recently been developing a comprehensive set of guidelines to inform implementation of the Protocol across a range of issues (see *Editorial*) and as part of this process they agreed a set of transfer control guidelines that incorporates many of the principles of the ATT. For example, the guidelines recommend that licences be required for the import, export and transit of small arms and that each licence application be assessed on a case-by-case basis against set criteria. These criteria outline a series of considerations to be taken into account before licences are issued, such as the likelihood that transfers will lead to the violation of human rights or international humanitarian law. The guidelines are designed to inform the development of national policy and legislation on small arms control and so the next step will be for States to incorporate and implement these criteria

at the national level. Some States are already in the process of doing so, and it is very encouraging to note the level of support within the region for the principles behind the ATT.

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“Governments ... have further demonstrated their support for stronger transfer controls through their involvement in two major international conferences on the issue.”

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Governments in the Great Lakes Region and the Horn of Africa have further demonstrated their support for stronger transfer controls through their involvement in two major international conferences on the issue. The Kenyan Government attended the civil society conference in April 2005, and prior to this, on 20–22 February 2005, the Tanzanian Government hosted an ‘International

Workshop on Global Principles for Arms Transfers.’ This meeting was attended by representatives from 32 governments from around the world, as well as representatives from civil society, and signalled an important step towards the building of international consensus on the need for stronger controls. There was general agreement that all transfers should be authorised through a permit or licence and that existing obligations under international law should be respected. The conclusions of this meeting will be shared with other Governments at the forthcoming Biennial Meeting of States to review implementation of the UN Programme of Action, in July 2005.

Increasingly, states, civil society and the international community are recognising the importance of respecting international law and protecting civilians from the negative effects of arms proliferation. It is now important that they use opportunities such as the Nairobi Declaration Ministerial Review Conference in June 2005 and the UN Biennial Meeting of States in July 2005 to further explore and promote the development of an international Arms Trade Treaty ●

Kenya

- **National Action Plan implementation** Implementation of Kenya’s National Action Plan (NAP) on small arms control is underway and activities that have taken place thus far, include:
- **Training of trainers on small arms** A one-week training of trainers course took place in Naivasha on 1–5 November 2004. The course was designed to build the capacity of civil society organisations to take action on small arms and support the implementation of the NAP. The workshop was organised and facilitated by the National Council of Churches of Kenya (NCCCK), the Kenya NFP, Saferworld and SaferAfrica. Participants at this workshop will now deliver similar trainings at the local and provincial level.
- **Provincial Task Force Training** Eight Provincial Task Forces, consisting of police, other law enforcement agents and civil society organisations, have been formed and trained to oversee implementation of the NAP at the provincial level.
- **New small arms policy** The NFP has convened a team of experts tasked with developing a new national small arms policy, and the drafting of the policy is underway.

Rwanda

- **Awareness raising seminar** The Rwanda NFP participated in awareness raising seminars organised by SaferRwanda in June and October 2004. The objective of these seminars was to explore practical ways of tackling the proliferation and misuse of small arms and light weapons through a community-based policing approach.
 - **Adoption of the Nairobi Protocol** On 10 November 2004, the Council of Ministers chaired by His Excellency Paul Kagame, President of the Republic, adopted the Nairobi Protocol pending the final adoption stage by Parliament.
 - **Workshop on the structure of the NFP** On 25–26 January, a workshop on the structure, organisation and daily management of the Rwanda NFP was held in Kigali.
- Sudan**
- **DDR committee** Following a recommendation by the cabinet of Ministers, presidential decree no. 375 was issued calling for the formation of a demobilisation, disarmament and reintegration (DDR) committee.
 - **Information committee** An information committee has been formed and tasked with disseminating information regarding the dangers associated with the illicit

possession and trade in small arms and with promoting a culture of peace.

- **Workshop on Darfur** The Sudan NFP participated in a workshop addressing issues relating to the tribal administration in Darfur. The NFP presented a paper concerning the illicit proliferation, possession and trade in small arms in Sudan and in particular the Darfur region.
- **Workshop on the structure of the NFP** 8–9 February 2005, a workshop on the structure, organisation and daily management of the Sudan NFP was held in Khartoum.

Tanzania

- **National Action Plan implementation** The Tanzanian National Action Plan on Arms Management and Disarmament is currently in its fourth year of implementation. Achievements to date have included the establishment of Regional and District Task Forces to oversee implementation of the plan at the regional and district level, and the formation of civil society networks working on the small arms issue.
- **New national small arms policy** The NFP has approved a new draft national policy on small arms control.

Why is a gender perspective important when considering small arms control?

Different groups within the community, including men, women, youth, children, the elderly and the disabled, are affected by the proliferation and misuse of small arms in different ways, and the specific needs and capacities of all groups must therefore be considered if appropriate solutions are to be developed. Different groups of people, including men and women, will also have differing strengths in terms of the roles that they can play in developing and implementing these solutions. The previously neglected role of women as actors for peace should be considered crucial for a number of reasons.

Gender and small arms

Canon Joyce Nima, Uganda Joint Christian Council (UJCC)

- Women can collect and have access to sensitive information, through family and social networks;
- Women can act as guardians of culture within the community;
- Women can influence the actions of others and play a role in encouraging disarmament;
- Improved access to and dialogue with women can improve access to the whole of the community.

However, it is not inevitable that the role of women in relation to conflict be a positive one, and failure to positively harness the potential of women within decision making and other structures may increase the risk of women promoting and participating in armed violence. It is important to take into account the

significance of gender as a factor when developing responses to the problems caused by small arms and light weapons.

Recommendations

Civil society and governments must take gender into account when designing future arms control agreements, projects and initiatives. For example, it is important to involve women in the design, implementation and evaluation of disarmament and weapons collection programmes. Gender should also be included as a category of analysis in research on the use and impact of small arms and National Focal Points across the region should seriously consider including gender ministries, or their equivalent, within the membership of each NFP ●

Further information

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Thank you

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◀ ■ Upgrading the Central Firearms Database

Computerisation of the Central Firearms Database is currently underway.

- **Grassroots initiatives** Public awareness raising programmes and community based policing projects are currently underway at the grassroots level in the Kigoma and Kigera regions, with support from the United Nations Development Programme (UNDP).

- **Arms destructions** Arms destruction events have taken place in Mbeya, Dar es Salaam and Zanzibar, at which a total of 3847 illicit firearms have been destroyed.

Uganda

■ National Action Plan implementation

The implementation of Uganda's NAP is underway. Activities thus far include:

- **Training of trainers on small arms** A one-week training of trainers' workshop for civil society organisations took place in Jinja on 15–19 November. The course was designed to build the capacity of local civil society organisations to support the implementation of the NAP. The workshop was supported, organised and facilitated by the Uganda Joint Christian Council (UJCC), the Uganda NFP, Saferworld and SaferAfrica. Participants at the workshop will now deliver similar trainings at the local and provincial level.

- **Regional Task Force training** Regional Task Forces have been formed to oversee the implementation of the NAP at the regional level.

- **New national policy on firearms** The Firearms Policy Drafting Committee has drafted a new national policy on firearms control, which has now been forwarded to the Government for approval.

- **Arms destruction programme** In August 2004, the National Focal Point embarked on plans to carry out an arms destruction programme with assistance from the UNDP Bureau of Crisis Prevention and Recovery (BCPR) and its Small Arms Demolition Unit ●