

**Common Position of Mozambican Non-Governmental Organisations
(NGOs) involved issues relating to disarmament and to the
proliferation of firearms to the Government of Mozambique for the
UN Conference to Review Progress Made in the Implementation of
the Programme of Action (PoA) to Prevent, Combat and Eradicate the
Illicit Trade in Small Arms and Light Weapons in All Its Aspects
(RevCon)**

Maputo May 2006

This common position was discussed and agreed upon during a meeting with Mozambican NGOs engaged in issues relating to disarmament and to the proliferation of small arms and light weapons in Mozambique. The meeting took place in Maputo on May 4, 2006, within the preparatory framework designed by the International Action Network against Small Arms (IANSA) for civil society consultations.

The Mozambican NGOs subscribing to this document acknowledge and support the role of leadership and innovation assumed by the Government of Mozambique in the promotion of and support to bilateral and national disarmament initiatives, namely RACHEL Operations and the Arms for Tools Programme (TAE) implemented by the Mozambican Christian Council (CCM). These NGOs further acknowledge the space the Government of Mozambique (GoM) created for intervention by civil society in arms related issues, particularly the inclusion of civil society representatives in the recently established national focal point – COPRECAL.

Thus the NGOs subscribing this document request the Government of Mozambique to support other UN member states in the continuing implementation of the PoA during the Review Conference taking place in New York between June 26 and July 7, 2006. Furthermore they call on the national delegation to promote and support measures fostering regional and international collaboration enabling and facilitating the implementation of sub-regional and regional agreements and protocols, as well as the PoA, and particularly measures fostering the inclusion of civil society representatives at all levels.

Specifically the subscribers encourage and support the Government of Mozambique to assume a position of leadership and advocacy in the following key aspects of the RevCon:

1. To promote and support measures exploring the impact of small arms proliferation on the development of the countries and societies
2. To support measures that promote, assess and increase the assistance to the victims of armed violence in all its aspects

3. The revision and reinforcement of national legislations and the establishment and promotion of monitoring and control guidelines
4. To establish and to reinforce mechanisms of control and transparency in international transfers of firearms

1. To promote and support measures exploring the impact of small arms proliferation on the development of the countries and societies

Firearms proliferation is usually approached from a criminal and/or judicial perspective. However, there is a growing perception that firearms proliferation has an impact on development issues. Particularly interesting seems to be the interdependence between security and development: if on the one hand it is necessary to promote security to foster development it is equally necessary to promote development in order to foster security.

Hence the subscribers not only encourage the Government of Mozambique to promote and support the implementation of programmes including this interdependence, such as the Bamako declaration *inter alia*, but also request the GoM to promote and support specifically:

- Measures, analysis and research projects that explore the links and the interactions between the proliferation of small arms and the diverse aspects of development
- Programmes that, as an incentive to disarmament and control, promote the increase of social investments in areas where disarmament initiatives, such as weapons collection and destruction, have been carried out successfully. In other words, that disarmament be part of development programmes and that development programmes do not ignore the importance of disarmament and firearms control
- That development and poverty reduction programmes include measures for control, collection and destruction of firearms as a contribution to peace building

2. Measures that promote, assess and increase the support to the victims of armed violence in all its aspects

According to information provided by IANSA, “[T]he World Health Organisation has noted that survivors of armed violence are likely to outnumber annual direct fatalities three to four times.¹ According to a study by the International Rescue Committee in one of the world’s largest refugee

¹ World Health Organisation, Statement by Dr. Etienne Krug to UN small arms conference, July 2001; See also World Health Organisation, Small Arms, Landmines and Health, Geneva, 2004.

*camps, the leading cause of physical disability (32% of all cases) was gunshot injuries."*²

More importantly other UN instruments, such as the 1997 Treaty to Ban Landmines, include specific clauses and standards for assistance to victims. This is not so with the PoA.

In the particular case of Mozambique the lack of support to the victims of armed violence impacts still today on the victims' re-integration in their communities of origin, especially where the victims are women. For instance, many Mozambican women who were coerced to live, by the force of firearms, in rebel bases and in barracks suffer still today from social and family discrimination, adding to the burden of economic hardship due to the disruption that firearms provoked in their lives.

Hence the subscribers encourage and urge the Government of Mozambique to support measures that:

- Consider and include the needs of the victims of armed violence, as well as strategies to approach those needs in the respective national plans of action
- Do not ignore the experience of the victims of armed violence but rather value that experience and use it in programmes of peace education, civic education, sensitising of medical and security officers, including special procedures for these victims, such as for instance the possibility of giving testimony in the absence of the perpetrator
- Include the participation of former combatants, men and women, in the peace keeping missions of the United Nations, amongst others, in order to enrich those missions
- Capacitate the institutions that deal with the victims of armed violence to make them aware of the victims' special needs
- Consider the impact of armed violence on women and children in the different socio-cultural backgrounds
- Do not ignore the indirect victims of armed violence, particularly women and children

3. The revision and reinforcement of national legislations and the establishment and promotion of monitoring and control guidelines

² International Rescue Committee, 'Report on the prevalence of disability among refugees at Kakuma refugee camp, Kenya'. Prepared by Victor Mung'ala Odera, 29 December 2003. Unpublished. The survey was house-to-house in a population of 82,700 refugees from nine nations. Any person found to have a disability was surveyed. The number of people detected was 2846 with physical disability the most common type.

The PoA recommends the adoption of national legislation compatible with the spirit of the document and able to deal with the proliferation of small arms and light weapons. In this context, some countries have already undertaken efforts to adapt their respective laws to international commitments. Other countries, such as Mozambique, have yet to adopt adequate legislation.

Mozambique is currently reviewing its existing national legislation on civilian possession in order to incorporate international commitments. However, it is important to stress that current laws even if inadequate have not led to a growing proliferation of firearms in Mozambique; Mozambican authorities use other codes, such as the import code, to control individual possession.

Thus, the subscribers recommend the Government of Mozambique to support and encourage measures that:

- Regulate and restrict individual possession of firearms
- Include supervision mechanisms on storage and stability of both equipment and ammunition in the national legislation and that the assessment of these mechanisms be done by professionals
- Include mechanisms allowing for the dissemination of technical reports on all aspects relating to firearms, where they do not compromise national security
- Regulate the licensing, import, brokering, purchase, sale and use of firearms and ammunition
- Establish strict criteria for individual possession of firearms
- Impose national systems for the marking of firearms allowing for their tracing, since illegal firearms come out of legal stockpiles through theft or loss
- Establish criteria for the equipment allowed to individuals and to private security companies that should be different from the one used by governmental defence and security forces
- Develop national legislation within a framework of human security as opposed to a military one. In other words, that national legislation discourage individual possession without however opening space for parallel markets
- Regulate labour conditions for private security companies
- Include regular assessment of the necessary requirements for individual possession of firearms

- Include the re-assessment of the initial requirements for individual possession with every renewing of the license
- Include clauses compatible with the PoA
- Include strict criteria for monitoring and evaluation

4. To establish and to reinforce mechanisms of control and transparency in international transfers of firearms

Regulating international transfers seems at first glance to be the task of countries that manufacture and/or broker firearms, which is not the case for Mozambique. Still, this is an issue that concerns Mozambique given the extension and the vulnerability of the national borders. These may be facilitating illegal transfers to neighbouring countries, thus creating instability in the region with the potential spill over to national territory.

In this context the subscribers call on the Government of Mozambique to support measures that:

- Make mandatory the clear agreement of all member states involved in the transfer, including production, brokering, transfer and final user
- Severely penalise violations to UN and other inter-governmental organizations' approved embargoes
- Consider the end use of the firearms as well as the political and military context of the end user
- Include regional and international forms of support enabling effective border controls in order to preclude the possibility of illegal transfers

This document was produced within the framework of advocacy aiming at a gun-free society. Above all this document aims at the disarming of the minds in order to promote a fair society ruled by social justice and free of poverty.

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