

# Peace agreements, DDR and weapons control: Challenges and opportunities

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## Introduction

The Centre for Humanitarian Dialogue is a Geneva-based conflict mediation organisation that provides discreet and confidential mediation services to parties in violent conflict. Through this work in several protracted conflicts, we know first hand the challenges faced when addressing weapons issues in peace processes. It is, therefore, an honour to be able to contribute some of these reflections to the discussion today.

We wish to extend our appreciation to Peru for convening the meeting; and to Argentina for its energetic commitment to the small arms issue during the last year, and through its Presidency.

Over the last decade, much attention has been directed at the refinement of disarmament, demobilisation and reintegration (DDR) programmes in peace processes. In the recent past, initiatives such as the soon to be released UN Integrated DDR Standards and the Stockholm Initiative have contributed to greater understanding and clarity for more effective practice. The Security Council's role in this last decade has also been notable, increasingly encouraging detailed disarmament in nations starting the long process of recovering from war.

In this context, and noting the linkages to the upcoming Review Conference for the 2001 UN Programme of Action on small arms in June 2006, today I wish to identify four key challenges and opportunities for reducing and controlling these tools of violence:

1. Inclusion of stronger references to DDR and weapons control in peace agreements;
2. The need to pay greater attention to reintegration measures;
3. The importance of a holistic view of weapons holders; and
4. Opportunities arising for the UN Peacebuilding Commission.

## Key challenges and opportunities

*1. DDR and weapons control provisions in peace agreements continue to be weakly referenced, leading to ambiguities and difficulties in implementation.*

The importance of less ambiguous and more detailed DDR and weapons control clauses in peace agreements has been a consistent sub-plot of the Council's deliberations over the last few years. The Secretary General has reiterated the importance of this in his annual reports. Indeed, he identified this specific issue in one of the 12 recommendations for action in his 2002 report. This highlights that DDR is often been viewed as a process divorced from the political dynamics of the larger peace process – rather than potentially contributing to addressing some of the grievances that led to war. Progress has been made on more detailed provisions for disarmament, and to a lesser extent demobilisation in Security Council resolutions, perhaps because agreements themselves remain largely silent on most matters addressing DDR and weapons control.

Consistent with the Security Council's mandate to encourage disputing parties to the peaceful settlement of conflict, Member States are well positioned to encourage warring parties on this matter. In this regard, the HD Centre is making a contribution by working to provide international mediators, and parties to peace negotiations, with accessible information on weapons control in peace processes. You will find information on these efforts in the paper I will circulate.

Independent disarmament and weapons control advisors to peace negotiations and processes could also provide an invaluable resource for those around the negotiating table. An initial task of such advisors would be to develop information on a range of quantitative and qualitative data needed for planning, and highlight options for conflict parties.

Much can be done during the negotiation stage to better prepare for DDR and weapons control through mapping and planning activities. This has also been consistently referred to in Security Council discussions and reports from the Secretary General. Countries in transition are often 'data-free environments' and accurate information can be hard to find in a time when inflation of numbers of weapons and combatants is

common. However, beyond information on weapons and weapons holders, and new sources of guns and supply routes, other contextual information is also necessary: information such as attitudes and perceptions of the provision of justice and security; motivations to acquire and possess weapons; existing laws (often outdated) and policies related to weapons possession, use, production, storage and trading.

*2. The strongest provisions predominantly relate to disarmament and demobilisation, with weaker references to strategies for the reintegration of combatants.*

Reintegration represents a key investment in violence prevention, and highlights the nexus between development, peacebuilding and the consolidation of the rule of law. The problems associated with funding for demobilisation and reintegration in particular is well recorded, and indeed the Secretary General and others have identified some solutions on this front. The move to fund reinsertion activities (covering short-term needs and establishing residence in either former or new communities) from the assessed budget is positive. However, further attention is required to link and support reintegration more effectively in terms of timing, resources, and political will.

#### *Flexibility in approaches*

A related point is the importance of flexibility and preparedness in sequencing the components of DDR, and weapons control provisions more broadly. It is now increasingly recognised, and processes in Afghanistan and Haiti provide examples, that DDR cannot always stick to a fixed sequence. Overlapping or mixed order processes are a sign of greater adaptability to complex circumstances and should be encouraged further. Quick impact projects and their rapid funding are an important strategy to defuse spoilers, and provide incentives for sticking with DDR. If complex circumstances demand a greater degree of flexibility, such approaches are best referenced clearly in agreements as a possibility, and can be further encouraged by the Security Council.

*3. Although combatants remain the key target of disarmament efforts, the realities posed by armed civilians, militias and civil defence groups/forces also need to be acknowledged more consistently.* Whilst the blurred line between civilians and combatants is generally accepted, in DDR programmes the distinction is largely maintained, insufficiently addressing the challenges that armed civilians pose for effective weapons control. Violent conflicts over the last twenty years have featured a range of armed individuals and groups: civil defence forces, militias, paramilitaries, criminal groups, armed gangs, child soldiers and mercenaries. Numerous civilians who may not have been involved in the conflict may also possess a range of weaponry for reasons such as hunting, self-protection, or status.

This is a necessary focus as the Small Arms Survey estimates that 60 per cent of the global stockpile of some 640 million guns is in civilian hands.<sup>1</sup> The majority of users and abusers of guns globally are men – who are also the primary direct victims of armed violence, particularly between the ages of 14 and 44 years.<sup>2</sup> It has been noted that in the aftermath of civil wars in the 1980s and 1990s, “civilians perceived greater insecurity, often as a result of documented increases in violent crime. Ironically, in places such as El Salvador and South Africa, civilians faced greater risk of violent death or serious injury *after* the end of the conflict than *during* it.”<sup>3</sup> Evidence from post-conflict settings also suggests that violence towards women, and particularly ‘intimate femicide’, rises dramatically.<sup>4</sup> Guns, therefore, add a lethal element in displays of men’s power over women.

The ready availability of weapons is certainly one factor explaining this upsurge in violence: paramilitary or covert organisations will reorient into criminal organisations, and prolific weapons make criminality easier and more lethal. Weak policing can further contribute to this security vacuum. In addition, DDR programmes can lead to significant decreases in security ‘forces’ who provided *de facto* public security.

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<sup>1</sup> *Small Arms Survey 2002, Counting the Human Cost*, Oxford University Press, Oxford, p. 79

<sup>2</sup> World Health Organisation (2002), *World Report on Violence and Health*, Geneva, pp. 274-275

<sup>3</sup> Call, Charles T and William D Stanley, (2001), ‘Protecting the People: Public Security Choices after Civil War’, *Global Governance* 7:2, April-June 2001, p. 3

<sup>4</sup> Tracey Fitzsimmons (2000), *The Post-Conflict Transcript: Women in Central America, Haiti and Bosnia*, paper presented at the Latin American Studies Association conference, Miami, March 2000; Mathews, S. et al. (2004), ‘Every six hours a woman is killed by her intimate partner’; Medical Research Council Policy Brief, Medical Research Council, Cape Town.

Armed civilians will continue to present a challenge to the work of the Security Council, peacekeeping operations and peacebuilding. Through increased inclusion in peace agreements and peace implementation strategies, reducing and regulating civilian access to weapons is eminently possible. The focus on armed civilians in Security Council resolutions and statements regarding Haiti are evidence of both this need and potential for more consistent attention in other settings.

#### *Strengthening laws*

A related point includes the necessary focus that is often placed on controlling illicit weapons flows across borders. Equal attention needs to be directed at strengthening national arms laws as they relate to civilians, security forces and other weapons holders. Often these laws are hopelessly outdated and inadequate for the volume of weapons circulating within and between nations, and the norms that may exist regarding weapons possession and use after years of war and violence. This focus does not need to wait until the DDR process is over. Indeed, simultaneous efforts can send a powerful signal of change and restoration of order to civilians, former warring parties and security forces alike.

Yet good laws can only be effective if they are properly enforced. In nations recovering from war, where the authority of the State may have been severely eroded and human, physical and financial resources depleted, efforts at strengthening and reforming the justice and security sectors are as important as they are challenging. Reforms will be guided by considerations of representativity, accountability, and supervision of the security forces. Police forces can be actively supported to enforce the laws (workforce, equipment and premises, databases), as well as training and awareness of both the substance of the laws and basic principles on the use of force and firearms.

*4. The Security Council can encourage the Peacebuilding Commission to provide advise and information on a range of DDR, weapons control and violence reduction approaches.* Although the detailed modalities of the PBC have yet to be fully established, there are strong grounds for encouraging a focus on DDR and weapons control issues in its portfolio. The stated goal of the PBC is to establish an advisory body to effectively address the challenge of assisting countries in transition from war to lasting peace. DDR has been recognised as a area for attention, however it should not be where a weapons control focus ends.

In fact, the Peacebuilding Commission represents an opportunity to advance comprehensive weapons control and DDR measures in post-conflict situations. It could encourage greater attention to the reintegration of ex-combatants, acknowledging the long-term nature of such work; and it could drive a systematic focus on all weapons holders and users, including civilians, and law enforcement officials, as well as the integration of armed violence reductions strategies into existing measures. The 2005 General Assembly resolution 60/68 provides a framework for further action for the Peacebuilding Commission to consider at the Council's encouragement.

To conclude, a long-term goal of violence reduction in post-conflict societies can be achieved through three complementary approaches, of which DDR is a first step:

1. ***Taking weapons out of circulation*** ➔ through DDR programmes; community-based weapons collection in exchange for development assistance; and amnesties.
2. ***Controlling access*** ➔ Instituting a regulatory framework (standards and institutions) to control weapons that remain in circulation; police and military stockpile management; and, action to eradicate the illicit trade in small arms and light weapons including adopting weapons moratoria to prevent cross-border flows or consolidating existing embargoes.
3. ***Transforming armed violence*** ➔ Changing attitudes related to weapons possession and misuse; strengthening justice provision and policing; weapon-free zones; and, promoting sustainable development strategies linked to security needs and realities.

**Suggestions for Security Council action:**

1. *Encourage the systematic inclusion of independent disarmament and weapons control advisors to peace negotiations and processes to provide advice and information to warring parties, and assist in planning for DDR and weapons control;*
2. *Request the Secretary General to provide a review of DDR building on his report in 2000 on the role of UN peacekeeping in DDR (S/2000/101);*
3. *Consider ways in which reintegration efforts could be more strongly linked to disarmament and demobilisation processes to avoid damaging delays. Consideration of clearer references to its importance in peace operation mandates is one possibility;*
4. *Systematically include references to armed civilians in Security Council resolutions and statements concerning DDR and the reduction of armed violence.*
5. *Encourage the Peacebuilding Commission to consider DDR and weapons control in all its aspects as an essential focus in its violence prevention and peacebuilding efforts*

## **Annex 1: HD Centre projects related to mediation, and disarmament in peace processes**

*Development of accessible information for parties to peace processes on weapons control and DDR.* The HD Centre is implementing a project 'Negotiating Disarmament', which aims to provide actors directly engaged in peace negotiations accessible analysis on weapons control, disarmament and violence reduction issues. It seeks to raise the standard on both the understanding and the greater inclusion of weapons control clauses in peace agreements and peace processes. The primary audiences include armed groups, third party mediators, government negotiators and military officials. Other audiences include donors, civil society and international organisations.<sup>5</sup> Direct outputs will include suggestions of adaptable text for peace agreements; additionally a resource guide will be developed for more detailed discussion of a range of topics. Those States interested in contributing to this process are encouraged to do so.

*Dissemination and dialogue of the analysis and suggestions to those actively engaged in peace processes, particularly international conflict mediators and armed groups.* The HD Centre maintains a network of senior international conflict mediators which it convenes annually in collaboration with the Government of Norway, and thus it is ideally placed to encourage these individuals and their institutions to consider more consistent, clear and robust provisions in peace agreements related to DDR and weapons control. Secondly an additional focus, where possible and appropriate, is placed on providing impartial and factual information to armed groups engaged in peace processes in order to sensitise such parties and increase awareness on this complex facet of peace processes.

### **Annex 2: Relevant HD Centre Resources:**

#### Related to disarmament and weapons control -

*Overview of governmental statements made at the small arms PrepCom, 9-17 January 2006, New York*

[www.hdcentre.org/datastore/Small%20arms/UN%20Process/PrepCom\\_Overview.pdf](http://www.hdcentre.org/datastore/Small%20arms/UN%20Process/PrepCom_Overview.pdf)

*Small arms control: A focus on the 2005 Session of the UN First Committee*

[www.hdcentre.org/UN+First+Committee+%28Disarmament%29+2005](http://www.hdcentre.org/UN+First+Committee+%28Disarmament%29+2005)

*International law and small arms and light weapons control: Obligations, challenges and opportunities, Briefing Paper, March 2006*

[www.hdcentre.org/Small+Arms+Occasional+papers](http://www.hdcentre.org/Small+Arms+Occasional+papers)

*Missing Pieces: Directions for reducing gun violence through the UN process on small arms control, July 2005.* In English, French, Spanish and Arabic at: [www.hdcentre.org/Missing%20Pieces](http://www.hdcentre.org/Missing%20Pieces)

*No relief: Surveying the effects of gun violence on humanitarian and development personnel, June 2005.* In English, French, Spanish and Arabic at: [www.hdcentre.org/No+Relief](http://www.hdcentre.org/No+Relief)

Quarterly Human Security and Small Arms Bulletin, available in French, Spanish, English, Arabic and Portuguese at: [www.hdcentre.org/Small+Arms+and+Human+Security+Bulletin](http://www.hdcentre.org/Small+Arms+and+Human+Security+Bulletin)

#### Related to Justice –

*Assistance to Justice and the Rule of Law in Afghanistan*

In English at: [www.hdcentre.org/datastore/Justice/Afghan022004.pdf](http://www.hdcentre.org/datastore/Justice/Afghan022004.pdf)

*The Role of Informal Justice Systems in Fostering the Rule of Law in Post-Conflict Situations: The Case of Burundi*

In English at: [www.hdcentre.org/datastore/Informal%20justice/Burundi%20final.pdf](http://www.hdcentre.org/datastore/Informal%20justice/Burundi%20final.pdf)

*Stateless Justice in Somalia: Formal and Informal Rule of Law Initiatives*

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<sup>5</sup> See [www.hdcentre.org](http://www.hdcentre.org) (small arms programme) for more details on themes.

In English at: [www.hdcentre.org/datastore/Justice/Somalia%20final.pdf](http://www.hdcentre.org/datastore/Justice/Somalia%20final.pdf)

Related to mediation –

*We the women. Why conflict mediation is not just a job for women*, Opinion Piece, Antonia Potter, October 2005 [www.hdcentre.org/datastore/Gender%20and%20Mediation/WetheWomen.pdf](http://www.hdcentre.org/datastore/Gender%20and%20Mediation/WetheWomen.pdf)

Reports from 2003, 2004, 2005 Mediators Retreat available at:

[www.hdcentre.org/Forum+Oslo+and+Mediators+Retreats](http://www.hdcentre.org/Forum+Oslo+and+Mediators+Retreats)

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