

7: PROGRESS TOWARDS SALW DISARMAMENT, COLLECTION AND DESTRUCTION

7.1 INTRODUCTION

Prior to the adoption of the UN PoA, none of the international or regional agreements on illicit SALW trafficking and misuse addressed the comprehensive collection and destruction of weapons left over from armed conflict in order to prevent them from fuelling future conflicts or armed crime within post-conflict societies or neighbouring states. During the 1990s, the UN system developed and furthered the concepts of micro disarmament and practical disarmament in its first attempts to deal with the proliferation and misuse of SALW in the context of UN-sponsored peacekeeping and observer missions. The PoA was the first global framework to promote SALW collection and destruction and has since been followed by a myriad of regional and sub-regional agreements also addressing these issues, particularly in Africa, the Americas and Europe. In 2006, the collection and destruction of SALW is one of the most robustly implemented and widely embraced aspects of the PoA.

The PoA refers directly to SALW collection and destruction at least seven times (see box below). In comparison to other substantive issue areas its commitments on disarmament and destruction are relatively strong and, while not particularly elaborated in the main text, serve to consolidate the good practices that were emerging by 2001. The task of the 2006 Review Conference is to improve upon these commitments and reflect upon lessons learned in the past five years for enhancing the effective implementation of programmes in this area. It could also bolster weak points in the PoA's commitments related to the need for better integration of gender aspects and a clearer formulation of assistance for implementation in this area. The Review Conference should aim to agree mechanisms to establish and facilitate global co-operative programmes among groups of interested states and other stakeholders to enhance the implementation of SALW and ammunition collection and destruction both within and outside the confines of disarmament, demobilisation and reintegration (DDR) processes. During the January 2006 Preparatory Committee for the Review Conference, several governments, including Canada, the Netherlands, Sweden and the UK backed the idea of enhancing support for implementation of the PoA through raised levels of funding and increased sharing of best practice and technical skill. This would greatly benefit global capacity for SALW collection and destruction as well as other important areas of the PoA.

In recent years, UN agencies and regional organisations have begun to systematise lessons learned and best practices for disarmament, collection and destruction in both post-conflict and prevention settings, particularly in several key regions including Africa, Latin America and South Eastern Europe. However, the international community, particularly civil society and local authorities have also noted the limits of disarmament, collection and destruction initiatives when other complementary measures are not put into place to limit supply and demand at the national, regional and international levels.

The PoA commitments of particular relevance here are:

- II.16** To ensure that all confiscated, seized or collected SALW are destroyed, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered.
- II.19** To destroy surplus SALW designated for destruction, taking into account, *inter alia*, the report of the Secretary-General of the UN on methods of destruction of SALW, ammunition and explosives (S/2000/1092) of 15 November 2000.

- II.20** To develop and implement, including in conflict and post-conflict situations...including, where appropriate, the public destruction of surplus weapons and the voluntary surrender of SALW, if possible, in cooperation with civil society and NGOs...
- II.21** To develop and implement, where possible, effective DDR programmes, including the effective collection of ...SALW...
- II.30** To support, where appropriate, national disarmament, demobilization and reintegration programmes, particularly in post-conflict situations ...
- II.34** To encourage, particularly in post-conflict situations, the disarmament and demobilization of ex-combatants and their subsequent reintegration into civilian life, including providing support for the effective disposition... of collected small arms and light weapons.
- III.16** Particularly in post-conflict situations, and where appropriate, the relevant regional and international organizations should support, within existing resources, appropriate programmes related to the disarmament, demobilization and reintegration of ex-combatants.

7.2 DISARMAMENT AND WEAPONS COLLECTION

Since 2001, 62 countries have carried out some form of disarmament. SALW disarmament and weapons collection programmes are generally placed in two categories: those related to a post-conflict DDR processes and those that take place in the context of crime prevention during peacetime. There are also two key modes of disarmament: those carried out by coercion and those in which participation is voluntary, although in the case of the latter participation may only be on a voluntary basis for a limited period of time, after which the authorities resort to more coercive means.

With half of all peace agreements failing within a five-year period, the distinction between post-conflict and peacetime weapons collection schemes is not always precise. It is widely acknowledged both that SALW disarmament and collection programmes in themselves will not completely resolve a SALW problem but can be an important step towards doing so, and by recognising and addressing various challenges at the local level they can contribute to the wider conflict resolution process. This finding was supported by a recent survey of lessons learned from small arms disarmament processes carried out by the US Department of Defense.

The use of individual versus collective incentives to motivate individuals and groups to hand over weapons is an ongoing debate in the field of weapons collection. As the shortcomings of buy-back or amnesty schemes involving cash transactions or goods in kind have become more evident, the UN and other agencies have begun to embrace Weapons for Development (WfD) programmes, whereby the incentive to hand in weapons is development assistance to a whole community (See Box).

Weapons for Development

The first Weapons for Development (WfD) programmes, for example, the one developed in Albania, were launched in the late 1990s and later refined in Cambodia, Georgia, Mali and Sierra Leone. While the idea was developed well before the 2001 UN Conference, since then WfD programmes have become even more common as international co-operation increased upon adoption of the PoA. However, recent participatory assessments of these efforts in the communities where they were carried

out indicate that WfD schemes are perhaps more successful in bringing actors together to address weapons collection and security issues than in collecting the weapons themselves. In Albania, several successive weapons collection and destruction efforts were able to catalyse broader and more longterm efforts on security sector reform in the country.

The collective incentives of WfD can, however, fail to address the specific context of the region and of armed ex-combatants, particularly in post-conflict situations and have frequently lacked the full participation of the community, thus failing to reflect local needs. Furthermore, in some instances, WfD schemes have been used by local authorities to bargain for aid rather than as a means of reducing the circulation of arms. A disarmament campaign in the Former Yugoslav Republic of Macedonia in December 2003 sought to avoid the problem of communities or authorities using these projects to bargain for development aid by reducing the scope for individual authorities to use these projects for their own political gain and also innovatively side-stepped the issue of collective versus individual incentivisation. Local media, government and businesses joined together to back a raffle sponsored by the United Nations Development Programme (UNDP) for the voluntary surrender of SALW in which each surrendered weapon was exchanged for a ticket enabling civilians to win daily prizes, with the grand prize being a car. While this campaign only resulted in the handover of 7,571 weapons in a SALW-saturated region, it was considered a success in comparison to other campaigns in South Eastern Europe.

Given that the success of such community based WfD programmes is less notable and replicable than is popularly believed, a challenge for the future implementation of PoA disarmament commitments is to ensure that programmes build on lessons learned and are more sensitive to the needs of the particular armed individuals within the community as well as the community as a whole.

7.2.1 POST-CONFLICT DISARMAMENT IN DDR PROCESSES

Disarmament, demobilisation and reintegration is a process generally initiated in post-conflict situations as a means of collecting weapons after the conflict and reintegrating combatants (including armed police, state military and non-state insurgent actors) into the community. DDR programmes have become an integral component of all UN and other multilateral post-conflict programmes, dating back to the experiences of the UN and the international community in Mozambique and El Salvador, to name just two examples from the early 1990s. More recent examples of DDR processes with weapons collection elements include Afghanistan, Colombia, Liberia and southern Sudan. Since 2001 at least 20 countries have embarked upon a DDR process, almost half of them in Africa. These projects are most often directly implemented by an international agency such as UNDP or the Organisation for Security and Co-operation in Europe (OSCE), although there are exceptions to this, including recent projects in Colombia and India. While a great deal of technical lessons have been learned regarding disarmament and demobilisation in recent years, the enormous task of reintegrating ex-combatants for the long term remains a challenge. At the same time, the international community has begun to realise that DDR is equally as political as it is technical.

As DDR programmes are often the first steps in the transition from war to peace, high and often unrealistic expectations tend to be placed on them, not just by ex-combatants but also by other members of society and the international community. These expectations are further fuelled by the fact that, in many post-conflict societies, a DDR process provides the only source of hope and resources. For this reason it is important for the international community to identify ways to link DDR efforts to longer-term development programmes and structures. Lack of co-ordination between DDR initiatives and development agencies has caused frustration in communities when development projects are slow to

materialise. Sometimes obsolete weapons are handed in while better quality weapons are retained. Despite these important lessons, DDR processes and other weapons collection schemes too often continue to ignore local input or pay it lip service only. It is vital to develop DDR in a contextually appropriate way and link it to other measures that will also reduce the demand for and supply of weapons.

The Stockholm Initiative on DDR launched by the Swedish government in 2004 has sought to identify the loopholes and gaps in disarmament by creating a framework for planning and implementation rather than just prescribing a set of technical and administrative steps to be taken. The findings of this process should be taken into account during the 2006 Review conference, particularly in linking the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD DAC) with funding for DDR and SALW collection and destruction.

Lessons have been learned from the positive and negative DDR experiences in recent years regarding incentives for disarmament. Increasingly, it is being realised that, given the mobility of small arms and ex-combatants as well as the regionalised nature of many conflicts, it is important to avoid creating opportunities for ex-combatants and other armed groups to shop around for the best package of incentives. The most commonly-cited example of this is that of Liberia, where demobilised combatants were provided with US\$300 for their participation in the DDR process. This figure was largely based on the precedent established previously in neighbouring Sierra Leone but was later called into question when it emerged that combatants in neighbouring Ivory Coast were receiving US\$600-900, resulting in some Liberian ex-combatants crossing the border in the hope of benefiting from the better package. It also appears that little thought has been given to follow-up and second phase disarmament initiatives once the DDR process has come to fruition. There is also a certain amount of tension between DDR programmes, which essentially offer individual incentives and cash for weapons and ensuing WfD programmes, which reject such notions.

In addition, recent experience on the ground has demonstrated that the prevalent practice of using the number of combatants to be demobilised in a 'one combatant = one weapon' formula is flawed. While some combatants may indeed hold more than one weapon, a recent survey of DDR processes in 2005 demonstrated that not one single effort resulted in more than 0.75 arms per demobilised combatant.¹ This survey indicated the percentage of weapons turned in per combatant to be: Afghanistan, 0.75; Colombia, 0.61; Aceh/Indonesia, 0.28 and Liberia, 0.26. It is also common knowledge that in many DDR processes combatants turn in damaged, old or obsolete weapons and frequently hide caches as a contingency should the peace process fail.

The rule should be that weapons collected from disarmed combatants are destroyed rather than recycled. However, there is an argument for providing collected weapons to government forces rather than spending resources on obtaining new ones. This practice was adopted by Afghanistan's New Beginnings Programme (ANBP), currently co-ordinated by UNDP and the UN Assistance Mission to Afghanistan (UNAMA), where 20,000 of the 36,571 small arms collected from more than 60,000 demobilised militia members have, to date, been transferred to the use of the Afghan National Army, with more expected to be transferred at a later point. Such recycling should be the exception rather than the rule and where it occurs, it is vital that there be analysis to ensure that only weapons appropriate for use by the military and police are passed on.

The PoA calls for the addressing of the special needs of women and children in armed conflict and gender considerations are slowly being integrated into DDR mandates, but there is still a long way to go

¹ Caramés, Albert, Fisas, Vicens and Luz, Daniel, *Global Analysis of DDR Programmes During 2005*, Barcelona, Escuela de Cultura de Paz, Autonomous University of Barcelona, February 2006.

towards systematically building norms that integrate and effectively deal with women and youth combatants. Unfortunately, women's groups have been unable to engage substantively in the formulation of the disarmament process and broader DDR, despite a mandate for such engagement via the 2000 UN Security Council Resolution 1325 on Women, Peace and Security. This omission limits the comprehensiveness and effectiveness of those disarmament measures implemented thus far. In Liberia, UN Security Council resolution 1509 mandated that specific attention be paid to child and women combatants in that country's disarmament programmes, however the planners of the DDR process failed to design the programme to account adequately for these combatants' needs. The DDR programme for former child combatants was characterised by fraud and time consuming problems that should have been worked out in the planning stages. The decision to pay the former child combatants a cash stipend was especially problematic. Precious resources were wasted and the DDR programme ran out of funds that were needed to support rehabilitation programmes. There have also been complaints that civil society was not sufficiently consulted about the design of the DDR process.

In southern Sudan the UNDP-supported DDR process has made substantive attempts to include a mandate for gender sensitivity in the disarmament process, including the hiring of a UN gender focal point to assist in dealing with issues of particular concern to the women directly and indirectly involved in that country's armed conflict. One major issue in the initial stages of the disarmament process has been whether or not to provide assistance packages to women that attempt to demobilise without physically possessing a weapon. Many women insisted they were warriors and not just 'assistants.' While the UN Security Council Resolution 1590 of 24 March 2005, which provides the mandate for the entire UN mission, including DDR, does recognise UNSC Resolution 1325 on Women, Peace and Security, implementing provisions that fulfil the spirit of that Resolution in practice remains elusive. At the same time, personnel on the ground have noted that it is difficult for men to disarm when some women continue to encourage them to go to war.

It is also becoming evident that even the best-conceptualised DDR process will not be successful unless it is implemented in an effective and transparent manner. For example, in Colombia, the unique process of the disarmament and demobilisation of the right-wing paramilitaries (and not the two leftist guerrilla groups) has been lauded as a model of proactive government action and successful confidence building, but it has also faced criticism for the lack of oversight of the process allowed to the UN and the Organization of American States (OAS). This highlights the importance of transparency and the need for impartial and frequent observation during the DDR process, particularly around the collection and final disposal of small arms and other weapons.

These examples indicate that Security Council resolutions probably bear more weight on the nature and scope of DDR processes than the PoA. It is also clear that there is a real need to focus on effective and transparent implementation if DDR is to be successful. A better-funded mechanism for supporting PoA implementation could benefit future DDR initiatives.

7.2.2 CIVILIAN DISARMAMENT PROGRAMMES

The PoA is less precise in its treatment of weapons collection efforts that do not fall within a DDR process or an immediate post-conflict timeline. SALW collection efforts, both in the developed and developing world, are carried out in a variety of other environments that are not directly linked to peacekeeping missions. Some collection programmes are related to urban crime prevention in situations where youth gangs have proliferated, while others seek to prevent violence from breaking out in countries in proximity to those experiencing or emerging from conflict. They may also be carried out in parallel to a DDR process in order to encourage non-combatant civilians to turn in weaponry. Civilian disarmament programmes may focus on specific types of weapons that have been made illegal (e.g.

military assault rifles and rocket launchers) or specific types of users (e.g. members of youth gangs). They may also be accompanied by other measures and public awareness campaigns on issues such as safe storage or no celebratory shooting or even drives to get people to register weapons legally with authorities.

Despite the strong link between domestic SALW proliferation and the international criminal trade, one of the challenges encountered by the international community in supporting such initiatives is that they do not fall under a specific international mandate in the way that peacekeeping and DDR missions do.

In some cases, however, a national law may provide a sufficient mandate, as in Brazil, where the mandate for weapons collection and subsequent destruction came from a 2003 National Disarmament Statute that also included restrictions on carrying civilian weapons in public and requirements for the marking of ammunition. In 2004 and 2005 Brazil's government carried out perhaps the largest civilian voluntary weapons collection programme ever implemented in the developing world, collecting 459,855 weapons in exchange for cash payments of US\$100-300, which was accompanied by a drop in the homicide rate by 8% in 2004 – the first drop in recent history.² Much of the programmes' success can be attributed to the organisation and planning carried out by the National Disarmament Commission and 27 state commissions throughout the country. The broad-based inclusion of the army, police, NGOs, church groups and hospitals contributed greatly to the programme's success. public weapons destruction events also provided tangible evidence to participants that those weapons would not be used again.

The South African experience of early 2005 indicates that economic and material incentives are not always required to succeed in collecting weapons from civil society. The national police force recovered 80,147 firearms in a South African firearms amnesty programme implemented in the first six months of 2005. The programme, which was run by the police, also removed from circulation hundreds of hand grenades and mortars. The broad interest that many citizens had in surrendering legal and illegal weapons led to the amnesty programme's extension from March to June 2005. While the amnesty absolved participants from being prosecuted for the illegal possession of firearms, it did not absolve them from prosecution for crimes committed with those weapons. All weapons received were subject to forensic analysis to determine if they were linked to a crime. This latter feature of the South African amnesty programme responded to the prevailing criticism that these programmes can be used by criminals to get rid of guns with impunity.

In the United States, gun buy-backs continue to be implemented in cities throughout the country, particularly in co-operation with local police forces, despite the fact that the federal government has suspended the financial support once provided to municipal authorities to carry them out. For example, in Allegheny County, Pennsylvania the local government and housing authority have implemented a 'Goods for Guns' programme for twelve consecutive years, exchanging handguns for supermarket vouchers. In 2005, the programme only succeeded in collecting 231 firearms. Local police are clear that the programme does not recover weapons from hardened criminals but that it does reduce the risk of accidents, suicides, use in family disputes and theft. Cities and communities across the US continue to use gun buy-back programmes as ways to reduce weapons possession, raise awareness about violence and build links between police and the community. They take place despite the fact that the federal government and some states promote firearms possession through policy and legislation. In 2004 local communities in the states of California, Florida, Ohio and New Mexico carried out buy-back programmes, to name just a few.

² 'Vidas Populadas': a joint report of UNESCO with the Brazilian Ministries of Justice and Health, Brasilia, September 2005.

As with DDR, the participation of civil society organisations in voluntary weapons collection schemes is vital to their success. If carried out on a sufficiently large scale, as in Brazil, they can contribute to reductions in armed violence, particularly when accompanied by other complementary arms control and security measures. The recovery of military SALW such as grenades and mortars in peacetime collection schemes indicates that these programmes provide opportunities to remove dangerous weapons that are not justified for civilian use. Countries such as New Zealand have chosen to create a framework for a permanent weapons amnesty programme. Like DDR, an additional benefit of voluntary civilian disarmament programmes is getting civilians and security forces to work together constructively where they have never previously done so. As a short-term measure they may indeed reduce supply to prevent some acts of violence, but eventually must be supplemented by others measures to reduce both demand and supply

7.3 SALW DESTRUCTION AND DISPOSAL

Since 2001 at least 73 states have destroyed some SALW. The destruction of surplus, seized, collected and confiscated weapons, ammunition and explosives is a key means of reducing the stock of weapons available for illicit circulation, thereby reducing the burden placed on managing large stockpiles and security systems. Increasingly, SALW destruction is carried out in public ceremonies in order to build public faith in disarmament and raise awareness about issues related to arms and violence. Public destruction also demonstrates that weapons collected or confiscated will neither return to use nor fuel further violence, whether they come from an armed militia or a citizen. To date, there has been no global process on the disposal or destruction of SALW and/or ammunition. The PoA established strong commitments to dispose of these categories of weapons and there is particular emphasis that this should be done via destruction. A number of states have introduced new policies of destroying all or at least most surplus, collected and/or confiscated weapons.

The OSCE and its member states have made substantial contributions to this issue by establishing best practice for both the identification of and destruction of surplus SALW. However, parallel best practices have not yet been adopted in Asia, Africa and the Americas. Ultimately, the decision to destroy surplus SALW³ is as much political as it is technical. While members of government delegations in international fora may agree to the comprehensive destruction of surplus SALW in principle, it is much more difficult to convince those government officials directly responsible for stockpile management to move forward in this regard without clearer mandates to do so. Only a few countries outside the OSCE are strongly encouraged to destroy surplus SALW through bilateral diplomacy as is, for example, Nicaragua by the US in the case of man-portable air defence systems (MANPADS) and there is little incentive to do so. Many OSCE member states are motivated to destroy surplus instead of selling or maintaining holdings by their ambitions to join the EU and NATO. There are no comparable economic and security motivations to be found in Africa, the Americas and Asia.

Destruction projects have been among the most widely supported SALW projects. Nevertheless, available resources for support remain far from commensurate to the size of the problem. Regional organisations such as the EU, NATO, the OSCE, the South Eastern European Small Arms Clearinghouse (SEESAC) and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) have been the primary agents of action on small arms destruction in their respective regions. Other donor governments such as Germany, Canada, Japan, the UK and the US have also contributed resources and training to increase global capacity to destroy SALW. Unfortunately, with the exception of a few pockets of destruction activity in Afghanistan, Cambodia and the Pacific Islands, most of Asia, the Middle East and North Africa have neither benefited from available resources nor participated in emerging norms and practices in this area and would perhaps gain from further encouragement and support mechanisms at the global level.

³ Organisation for Security and Co-operation in Europe, *Handbook of Best Practices on Small Arms and Light Weapons*, Vienna, OSCE, 2003.

Although there are numerous methods of destroying SALW, most fall into one of three categories: crushing, burning or cutting. The UN and OSCE have developed technical guidelines for destroying weapons and both provide technical assistance upon request from interested states. The US Department of State's Office for Weapons Removal and Abatement also provides bilateral assistance to governments seeking to destroy SALW. While political issues may have some effect on the way that surplus, confiscated or voluntarily collected SALW are destroyed, they tend not to substantially influence the choice of destruction method.

7.3.1 SURPLUS DESTRUCTION OF SALW AND AMMUNITION

Since 2001 at least 39 countries have destroyed surplus SALW and/or ammunition. The scale of resources and expertise required to destroy large surplus stockpiles of SALW and ammunition and the amount of political will that is necessary from donor and recipient countries has become increasingly clear through recent experience such as the planned destruction of 1.5 million SALW and 1.5 million tonnes of ammunition in the Ukraine. This project has also shown that large efforts of this sort cannot be financed by a single country. The first phase required technical and financial support from NATO, OSCE and the individual governments of US, UK, Germany and Canada in excess of US\$10 million. However, the size of the Ukraine's arms industry and military mobilisation during the Cold War mean that, in terms of scale and resources required, this is one of the larger international efforts to destroy surplus. While similar support is required throughout the world for the identification and destruction of surplus SALW, the scale of investment required in most other countries would be far more modest.

More robust international activity has taken place in regard to promoting and supporting the destruction of man-portable air defence systems (MANPADS) due to their attempted use and acquisition by terrorist groups against civilian and military targets (see Chapter 5 for a more detailed discussion of MANPADS). The G-8 countries and the General Assembly of the OAS governments have expressed support for the destruction of (surplus) MANPADs. While MANPADS represent both a real and potential threat, other categories of surplus SALW that are being sold legally and illegally hold greater responsibility for perpetuating armed conflict, terrorism and crime on a daily basis across the globe. Equal emphasis needs to be placed on promoting destruction of all surplus SALW, although the MANPAD issue provides a clear entry point for international collaboration.

7.3.2 DESTRUCTION OF VOLUNTARILY COLLECTED WEAPONS

The PoA calls for the destruction of voluntarily surrendered weapons, preferably in public ceremonies and involving actors from civil society. Destroying voluntarily surrendered SALW is generally a commitment made by those who organise disarmament initiatives to those giving up their weapons with good faith and in the name of peace. This guarantees that those weapons will neither be re-used against those disarming, their families and their communities nor recycled to fuel new conflicts or criminal use.

Ever since the UN-sponsored weapons collection programmes of the early 1990s in, for example, El Salvador, Mali and Mozambique, the destruction of SALW collected in voluntary surrender in buy-back and amnesty schemes has been common practice. It has also become customary to carry out symbolic 'Flames of Peace' with all or part of the recovered arms as a symbolic and visually powerful message. Bilateral support for the destruction of voluntarily surrendered weapons is significant, with the US providing considerable financial input into such initiatives. Whether or not voluntarily surrendered weapons are destroyed in such a dramatic fashion is less important than demonstrating both to those who hand in their weapons and the broader public that the weapons are being destroyed promptly and will not be used against them or their communities. As mentioned above, in Brazil the recent national

disarmament campaign required that all weapons surrendered be destroyed within 48 hours of their receipt, although compliance with this turned out to be difficult to achieve in all cases, due to a combination of logistical, technical and bureaucratic issues.

Public destruction events, whether they are with surplus, confiscated, voluntarily surrendered weapons or any combination thereof, can involve a diverse array of government and civil society actors. Recent experiences in Albania, Brazil, Cambodia and Mozambique among many others demonstrate that civil society and the media can participate in public destruction events by assisting in their planning and promotion, as well as organising civic activities and awareness-raising activities, using the destruction of small arms as a tool to focus the public's attention. In March 2006, 14,936 pistols, automatic and hunting rifles and grenade launchers were destroyed in Belgrade, Serbia at a private US-owned steel plant, with the support and presence of the Serbian police, German embassy and SEESAC/UNDP.

Careful analysis should be carried out before making the decision to integrate collected weapons into police or military arsenals, particularly after a voluntary collection scheme. It may be justified under certain circumstances, when government budgets are stretched and those weapons are appropriate for their use; however, collected weapons should never be re-sold to the public.

In the cases of WfD schemes, such as those in Albania, Cambodia and Mali, it is extremely important that the participating communities are able to see their weapons destroyed, as there are often (understandable) delays in the provision of promised development and infrastructure projects and there is no reason to perpetuate further doubts regarding the disposal of the weapons. Beyond WfD schemes, many voluntary weapons collection schemes open themselves up to public criticism when there is ambiguity as to when the weapons collected will be destroyed at all.

7.3.3 DESTRUCTION OF CONFISCATED WEAPONS

Since 2001, at least 55 states have implemented SALW disposal processes that include the destruction of confiscated weapons. The PoA directly calls on states to ensure that seized and confiscated SALW are destroyed whenever possible. In countries dealing with small arms primarily in terms of crime prevention, including post-conflict countries where crime, banditry and youth violence have replaced political and factional armed violence, the disposal of weapons confiscated by public security authorities has become an issue of increasing importance. This is both because of the often weak stockpile management capacity of some states and, at times, the dispersion of confiscated weapons among the police, judges and other actors in the legal system in cases when arms are being used as evidence in a criminal investigation. It is important that such weapons are destroyed as soon as possible. The South African government has therefore made the destruction of confiscated firearms an integral part of its national firearms policy.⁴ Following the completion of relevant criminal investigations, the destruction of such weapons should take place within six months of seizure if not linked to an open case.

Co-operation between civil society and governments can enhance these programmes. In Brazil, for example, government/civil society collaboration led to the public destruction in Rio de Janeiro of 100,000 confiscated firearms in 2001, 10,000 in 2002, 4,158 in 2003 and 6,500 in 2004. In the state of Rio de Janeiro, civil society collaborated with the state police to computerise hand-written data on more than 100,000 firearms confiscated from criminals and in the process of doing so produced important intelligence and policy information on the origins of weapons used by criminals. Civil society was able to convince state officials and the state parliament to reform the law in order to reduce the period of time for which weapons must be stored before destruction in relation to a criminal or judicial proceeding. The Brazilian disarmament statute of 2003 further institutionalised the destruction of seized weapons

⁴ Firearms Control Act, Government of South Africa, Pretoria, 2000.

throughout the entire country, requiring all seized firearms to be destroyed within 48 hours after being liberated from judicial proceedings. In December 2004, UN-LiREC and the OAS provided support for the Brazilian army to destroy an additional surplus and confiscated 10,048 weapons in the capital, Brasilia.

This example was successfully replicated by the provincial government of Mendoza, Argentina, which analysed and computerised confiscated weapons held by the Ministry of Justice and Security and facilitated their destruction. A relatively successful voluntary weapons collection scheme carried out in 2000-2001 led to a stockpile management improvement programme with the support of UN-LiREC. The provincial authorities were able to reform provincial law to allow for the destruction of confiscated weapons upon the accumulation of 100 firearms in police custody rather than waiting for 20 years as previously required. Other provincial governments in Argentina have also begun to follow the Mendoza example and, in addition, the National Arms Register in the capital, run by the Ministry of Defence, has reported the destruction of 33,977 SALW since 2001, using methods outlined in the UN Destruction Handbook.

In 2002, the Government of China reported that public security authorities confiscated 30,000 military and 2.3 million civilian small arms. If the Chinese government has not already destroyed the enormous quantity of small arms that it has seized, it is crucial that it develops a policy to do so in order to prevent leakage to illicit markets.

The role of local governments and security forces in the destruction of confiscated weapons should not be overlooked, particularly in larger, more decentralised countries. Many local governments are not aware of what is happening elsewhere with regard to weapons collection, destruction and stockpile management. Broader exposure to these measures could contribute to more thorough implementation of the PoA at local levels, when supported by national mandates.

7.4 EMERGING BEST PRACTICE FOR SALW COLLECTION AND DESTRUCTION

SALW collection and destruction is now widely accepted as an integral part of peacekeeping, peacebuilding and conflict prevention as well as part of the fight against organised crime and terrorism. Societies that experience armed violence in the absence of political armed conflict are also adapting these measures to contemporary approaches to crime prevention and good governance. The destruction of surplus SALW has been placed firmly on the international agenda; countries wishing to join the EU or NATO now have to make commitments that surplus weaponry will be destroyed rather than re-sold on the global market. The international community has learned a great deal regarding best practice for SALW collection and destruction in recent years. Key lessons include:

1. There is no single way of creating incentives for the voluntary surrender of weapons. Each context may require a specific approach, which may need to change over time. While exchanges in cash may not be advisable in most circumstances, they may be appropriate in some situations. At other times, collective incentives work best and sometimes a combination of both approaches is helpful.
2. In regions where more than one country is experiencing armed conflict, consideration should be given to the regional impact of choosing one SALW collection scheme or a DDR process in order to avoid setting negative precedents or creating the opportunity for ex-combatants to 'shop around' for DDR packages.
3. Using the formula of 'one soldier, one weapon' is no longer useful for calculating the number of SALW that should be turned in as part of a DDR scheme. In some scenarios, combatants may surrender more than one weapon and in others less.
4. Whether as part of a DDR process or a SALW collection effort focused on crime prevention, there are a myriad of opportunities for civil society to collaborate with authorities and the international community.

5. There is no single method of SALW destruction. Choosing the appropriate destruction method depends on multiple factors, including the quantity and type of weapons to destroy, resources and equipment available, environmental codes and other legal considerations.
6. The economic and security motivations of joining NATO and the EU are sufficiently compelling to persuade aspiring states to increase weapons collection and destruction activities.

Many of these lessons and other related best practices have been compiled in a series of manuals and field guides. Among these are:

- *Disarmament, Demobilisation and Reintegration: A Practical Field and Classroom Guide* (2004), GTZ, Lester B. Pearson Peacekeeping Centre, Swedish National Defence College and Norwegian International Defence Centre
- *Handbook on Best Practices on Small Arms and Light Weapons*. (2003) Organisation for Security and Co-operation in Europe
- *A Destruction Handbook: small arms light weapons, ammunition and explosives*. (2001) United Nations Department for Disarmament Affairs

In addition, the United Nations Department for Disarmament Affairs (UNDDA) is in the process of developing gender-sensitive guidelines for the implementation of the PoA similar to existing guidelines that were developed for landmine action. The mandate for these guidelines originates in the UNDDA's Gender Mainstreaming Action Plan.⁵ Unfortunately, many officials responsible for security policy and practice do not yet see gender as a serious component of PoA implementation. This is a prime opportunity to operationalise the currently non-existent links between UNSC Resolution 1325 and the PoA.

7.5 ISSUES AND PRIORITIES FOR THE 2006 REVIEW CONFERENCE

In contrast to other issue areas highlighted in this report, SALW collection and destruction is well entrenched within the PoA. However, the UN PoA framework needs to further promote it and provide assistance towards it in the countries and regions where SALW collection and destruction has been weak, as well as building capacities and further institutionalising practices where efforts have already taken place. To reach these goals, the PoA would benefit from better integration of gender aspects, a more efficient global mechanism for providing financial and technical expertise and the establishment of UN guidelines for SALW collection and destruction. In this context, Biting the Bullet strongly argues for the following actions at the 2006 Review Conference:

1. The development of a robust implementation support mechanism for DDR and SALW collection and destruction should be negotiated that combines technical support with enhanced funding through a UNDP trust fund, various regional or national Millennium Development Goal processes, and/or other mechanisms. Recent developments at the level of OECD DAC should facilitate increased financial support.
2. In relation to the previous point, DDR and SALW collection and destruction programmes should be linked more systematically with other international programmes of support in the security sector reform, humanitarian and development spheres, also supported by developments in the OECD DAC revised guidelines.
3. The UN should adopt global guidelines for DDR and SALW collection and destruction using the current OSCE guidelines on small arms as a model. Further, the PoA should explicitly link to UN integrated standards.

⁵ United Nations Department for Disarmament Affairs, *Gender Mainstreaming Action Plan*, New York, UN, 2003.

4. Governments should be further encouraged to destroy surplus and confiscated SALW and ammunition through more robust information and sharing of experiences among Member States, as well as through continued funding.
5. Member States should formally acknowledge UNSC Resolution 1325 on Women, Peace and Security within the text of the PoA and promote further sharing of information through UN and regional mechanisms in order to raise further awareness among governments as to the importance of gender sensitivity in DDR and SALW collection and destruction. In this context, support should also be provided for the final development, dissemination of and the implementation of UNDDA's gender guidelines.
6. The spirit of the PoA text related to civil society participation in SALW collecting and destruction needs to be fulfilled to a greater degree. Both local and international civil society organisations have a range of experiences in this field that could enhance the effectiveness and legitimacy of government efforts.

At the January 2006 Preparatory Committee, the Government of Canada called for the development of a formal assistance clause within the PoA for stockpile management and SALW destruction.⁶ In March 2005, the OECD DAC called on its members to provide “support for controlling, preventing and reducing the proliferation of SALW in those activities which qualify as development spending internationally.”⁷ These developments will be important for intensifying support for implementation of the PoA in years to come.

⁶ Government of Canada, 'Preparing for the 2006 Review Conference of the Programme of Action', Statement Submitted to the Preparatory Committee for the 2006 UN Small Arms Review Conference. A/CONF.192/2006/PC/CRP.2., 4 January 2006.

⁷ Organisation for Economic Co-operation and Development, *Conflict Prevention and Peacebuilding: What Counts as ODA?* Paris, OECD, March, 2005.