


2006: Bringing the global gun crisis under control

The world's governments will meet at the United Nations in New York
between 26 June and 7 July to review their agreement from 2001:
the UN Programme of Action on small arms.



1000
KILLED EVERY DAY

2006: Bringing the global



At the beginning of April 2006 a South African police officer shot dead three women and a baby and then four of his police colleagues, before being shot dead himself.

On Easter Sunday two-year-old David Pacheco was killed by a stray bullet that hit his family's car as it travelled through the Bronx, New York City. The bullet was fired in a gunfight between rival gangs, reportedly started because one man was staring at another in a manner perceived as disrespectful.

A week later Indian politician Pramod Mahajan was left fighting for his life after being shot three times by his jealous brother. The attacker used a handgun which he owned legally.

In the same month in Nepal, at least 14 people died during demonstrations when police shot live ammunition at pro-democracy protesters.

A thousand people die every day

Of these 1000 deaths every day, an average 560 are criminal homicides, 250 are direct war deaths; 140 are

Time

A thousand people die every day because of guns, and many more are seriously injured. Spinal cords severed, brains blown out, families destroyed, hearts broken. If the death, injury and disability resulting from small arms were categorised as a disease, we would view it as an epidemic. Guns are a man-made vector of disease and they are manifestly bad for human health. No country is immune.

suicides, while 50 are accidents or cases of undetermined intent.¹ The impact goes beyond these deaths: three people are wounded for every one killed, and there are far-reaching effects on economic development, democracy and the social fabric of the communities in which people live.

Gun violence is often seen as a string of isolated incidents – so gun murder is perceived as a problem unrelated to gun suicide, and gun deaths during conflict as unrelated to gun deaths in the home in the years following conflict. It is also easy and convenient to view the traffic in guns as a separate problem from the terrible human cost of gun violence. But the availability and misuse of guns, the high firearm death rates in many parts of the world and the means by which guns are spread around the world, are aspects of a common global, problem – the uncontrolled proliferation of small arms. As one of the International Action Network on Small Arms (IANSA) members put it: "A dead child is a dead child, whether it is a child soldier in Uganda, a victim of crime in Soweto, or a high school student in the US."²

Taking a broad overview reveals this problem for what it is – a global epidemic that requires global solutions. Guns on the streets of London, Manila and Johannesburg may have come from the same manufacturing batch.

gun crisis under control

Compared to other weapons, small arms pose a unique challenge. Their small size, light weight and portability make them easy to traffic, easy to hide, and easy to use – even by a child. No government on its own can stem this epidemic, because guns do not respect borders.

Whilst governments, international organisations and the media discuss emergency measures to deal with the potential threat of avian flu, small arms continue to slip beneath the radar of world attention. If 1000 people a day were dying of avian flu, the world would sit up and take notice.

The international community, governments, the media and the public must make that leap to put small arms firmly on the global agenda, as a crisis requiring urgent action.

2006 is the year to make this happen

June 2006 will see a global meeting on small arms at the United Nations (UN) in New York. It is an opportunity to reframe the debate about small arms as a global crisis and demand that the international community address it as such. Without concerted effort, however, this meeting is likely only to review pieces of a jigsaw, without reaching a new understanding of or commitment to the steps which must lie ahead.

Common misconceptions dispelled

The pro-gun lobby peddles the myth that 'guns don't kill people, people do'. However, the evidence clearly shows that when guns are

always in wars. For example, 10,854 homicides were committed with firearms in South Africa during 2000. This was almost the same number as total conflict deaths between 1996 and 2004 in the civil war in Nepal (10,884).⁷

A third misconception is that 'illegal' guns are completely different from 'legal' guns and that only the illegal weapons are the problem. This is a dangerous fallacy. The fact is that 'illegal' guns start out in the legal trade and both legal and illegal guns are used to commit armed violence. For example:

- 80 per cent of guns used in crime in Mexico were bought legally in the US.⁸
- 72 per cent of the guns used in crime in Rio de Janeiro were once legally owned in Brazil.⁹

Almost all guns are initially manufactured in a factory by a company that is authorised by a government or even government-owned. It is at some point after their first sale or 'transfer' that they are diverted to the illegal market and misused.

The lifecycle of a firearm

While about eight million new small arms are produced every year, far more significant than the manufacture of new guns is the movement of second-hand guns from one user to another. They last – and remain lethal – for decades. Eastern European weaponry was brokered to African war zones after the end of the Cold War and these guns are still being used in new African conflicts. When war is over, the same guns are then used to commit crime.

is running out...

more easily to hand, people are more likely to die and be injured, whether in war, on the streets, or in the home.

While guns may not be the root cause of violence, they multiply it significantly, increasing the lethality of a situation. A US study showed that domestic assaults involving a firearm were twelve times more likely to be lethal than similar attacks with other weapons.³ Guns are more lethal in suicide attempts than other methods, according to suicide prevention experts.⁴ A study of hospital admissions in Australia showed that the mortality rate of gunshot wounds was twice as high as that for stabbings.⁵ If guns are present, more people die, whether from accidents, suicides or homicides. When firearms are readily available they also fuel a culture of violence which creates fear. This in turn drives more demand for weapons. Conversely, evidence is starting to show that if access to guns is restricted, gun deaths and injuries are reduced. In Brazil, a new gun law in 2003 restricted who could own guns and included a voluntary weapons collection drive. The following year, gun deaths dropped by eight per cent, which translated into more than 3,200 lives saved in one year.⁶

A second misconception is that gun violence can be divided into two discrete forms – war and crime. In reality, gun violence takes place along a continuum, extending from battlefields to the heart of supposedly peaceful communities. The highest levels of gun deaths are not

This is a hypothetical example of the lifecycle of a gun. A Chinese-made AK-47 rifle is sold – legally – during the 1980s to the government of an eastern European country for use by its armed forces. More than a decade later, following the end of the Cold War, it is sold by an arms broker using an end-use certificate showing it is destined for use by the armed forces of a central African country

that is at peace. But the end-user certificate is forged, no checks are made and the gun is diverted into the illegal trade. It ends up in the hands of a rebel group fighting a civil war in a neighbouring country in central Africa. It is used for several years to commit human rights violations. The conflict ends. It is kept by the rebel combatant and used to loot for food. Eventually he sells it on, it travels through two East African countries before ending up in the hands of a cattle-herding community that is battling its neighbours over scarce resources. (Pictured left: Mandari cattle farmer with son and AK-47, Sudan.)



The manufacture, sale, and misuse of guns are all part of the same problem, together adding up to a global crisis. ►

◀ Too many loopholes

Because guns do not respect borders, because they are so easy to traffic and misuse, local and national measures – while important – will never be enough. There have to be global measures so that similar standards operate everywhere. There are a number of national and regional agreements to control the movement of small arms, but global controls do not exist.

- There are no agreed global standards for governments deciding whether to authorise an arms export or transfer.
- There are no international guidelines to assist states in regulating gun ownership among their own citizens.
- There is no legally-binding treaty to control the activities of arms brokers.
- There is no legal requirement for governments to maintain records linking guns to their location (whether military stockpile, police depot or civilian home), nor any requirement for governments to cooperate with other countries in order to trace guns used in crime or war.

What are the consequences?

Here are three examples based on real scenarios:

- 'If we don't sell them, someone else will'. The government of country A, whose police have been firing live ammunition to put down civil unrest, wants to buy a consignment of guns for its security forces. It attempts to buy the guns from country B, which has export criteria that include consideration of human rights standards – so the transfer is refused. Country A then asks country C which has no such criteria. The transaction goes ahead.
- An arms broker, a national of Country D, sits in his office in the capital of country E. He arranges for the transfer of guns from country F to go to a rebel group that is committing atrocities in country G. Country E does not control the activities of arms brokers and since the guns never enter Country E's territory, the arms broker isn't breaking the law. His own country may control arms brokers but only within its own borders – the broker can therefore evade his national laws by setting up business abroad. Either way, the rebel group in Country G gets its weapons and continues to commit atrocities with impunity.
- A convicted criminal, who would not be able to buy a gun legally, asks a friend who has no criminal background to purchase the gun from a legal dealer. If there is no system to register the gun to the person buying it, there is nothing to stop the buyer from handing it over to his friend with the criminal record.

What are small arms and light weapons?

- Small arms are weapons that can be carried and used by an individual, for example, revolvers, pistols, rifles, shotguns, sub-machine guns and assault rifles.
- Light weapons are those that may require more than one person to operate them, for example, heavy machine guns, anti-aircraft guns, mortars, rocket-propelled grenade launchers, recoilless rifles and man-portable anti-aircraft missile systems.

In this report we use the words 'small arms', 'guns' and 'firearms' interchangeably. (Diplomats tend to prefer the military term 'small arms'.)

The officials who participate in UN meetings on small arms control are more accustomed to the disarmament processes for larger conventional weapons, or nuclear, biological or chemical weapons. Such negotiations are usually undertaken with a military mindset. So when the Programme of Action was negotiated in 2001, it was mostly by experts in arms control who had questions of national

security and sovereignty in the forefront of their minds, rather than the impact of small arms on development, the link between misuse of guns and human rights and the factors that drive people to choose to pick up weapons.

The larger weapons that they are more used to dealing with tend to be gathered together in stockpiles in a limited number of countries, in locations that are known to the governments of those countries. The stockpiles are generally under the control of government forces, so a decision about the weapons made by the government can be implemented by orders down the chain of command.

The majority of small arms, however, are in the hands of civilians. They are used in every country in the world by a wide variety of users – police, armed forces, security guards, criminals, ordinary citizens. Such a widespread problem demands the engagement of a much broader coalition of public safety agencies and NGOs.

Arms brokers

Brokers are intermediaries who arrange or facilitate the transfer of weapons but who do not necessarily take possession of the weapons themselves. Illicit brokers are often not able to be prosecuted under national arms export or import laws, because the weapons never enter the country where the broker is operating. This leaves brokers able to operate with impunity. Every one of the 13 UN arms embargoes imposed in the last decade has been systematically violated, yet very few of the many embargo breakers named in UN sanctions reports have been successfully prosecuted.¹⁰ Less than 40 countries have controls on arms brokers and even fewer have the necessary extraterritorial controls.¹¹

Governments have been discussing how to regulate arms brokers since 2001 and there is a clear understanding by most nations about what needs to be done. Yet they recently chose a negotiating route that will delay decisions on a legally binding treaty to control brokers until at least 2008. At this rate, many more lives will be lost due to the irresponsible actions of illicit brokers before concrete action is taken.

As a result of activities such as these, 1000 people a day are dying by gunshot, and several thousand more are being injured.

The world has been slow to recognise this crisis and to take action. It took until 2001 before the first global meeting to address the small arms trade took place at the United Nations.

Even then, most of the diplomats at that meeting continued to view the guns used in 'conflict' and 'crime' as different, failed to establish clear global criteria for arms transfers and failed altogether to take account of the two-thirds of guns in the world that are owned by civilians.

The agreement they signed in 2001, after bitter negotiation and many compromises, was called the UN Programme of Action on Small Arms and Light Weapons in All its Aspects.¹² It was not legally binding, which means governments are not required to comply. While the need to restrict supply was openly discussed, questions of demand and misuse were mostly left out. Partly due to the refusal of the United States to countenance any discussion of them, there is no reference to two crucial issues: regulating guns in the hands of civilians (despite the vehement objections of most Latin American and African nations); and transfers of guns to armed groups not controlled by the state.

In June, the Programme of Action will be reviewed at the second global small arms meeting. This time, a lot more needs to happen, as this report will detail.

The cost of gun violence

High-powered firearms are spreading from war zones into urban streets and rural communities where they break down social values. If you have a gun, laws and customs prohibiting murder, robbery, trafficking, assault or rape are easier to ignore. In traditional societies, the influx of guns has had particularly profound effects, increasing the lethality of communal disputes and interpersonal violence, and raising the power of young men over tribal elders to a degree that is ripping communities apart.

"Traditionally spears and bows and arrows were used by people to protect

their cattle, but because of the war and because communities were able to acquire arms it has changed the nature of family disputes. There have been many cases of shootings in families over small disputes that would have been settled by bows and arrows and a warning before. Now such disputes are settled with guns and people are being killed outright. Only last week a son shot his father over such a dispute," says an NGO worker in Juba, Southern Sudan.

Gun violence increases sharply when guns are poured into a situation where there is:

- Little or no law enforcement
- Cultures where disputes are settled through physical violence
- Association between masculinity and violence
- Powerful criminal gangs
- High levels of poverty and social inequality.

The cycle of poverty

Everyone in society is affected by gun violence but poor people suffer the brunt of the impact. Poor people are the most likely to be shot, the least likely to receive treatment and rehabilitation and the least likely to be able to cope with the unemployment resulting from gun injury or disability. And because guns can be used to make – or extort – a living, demand for guns can rise as a result of poverty. A vicious cycle of poverty and violence is created in which guns help to keep poor countries poor.

Last year's big promises to tackle poverty will not be met while the flood of guns remains uncontrolled. Achievement of seven out of the eight Millennium Development Goals is being impeded by armed violence and the availability of guns.¹³

On a local level, jobs are destroyed and opportunities to escape poverty are lost; health and education services are devastated. On a wider scale, national and international companies can be driven out of operation; trade is reduced because transport cannot function; foreign direct investment diminishes; tourists stay away, and the management of infrastructure and national resources is disrupted.

Here are some examples:

- Gun violence is a leading cause of hunger – a survey by the UN's Food and Agriculture Organisation showed that armed conflicts are the largest single cause of food emergencies, responsible for 35 per cent of the these emergencies between 1992 and 2003.¹⁶

International Action Network on Small Arms

IANSA is a global network of more than 700 civil society organisations including democracy campaigners, human rights activists, development agencies, women's groups, religious organisations, doctors, humanitarian workers, victim support groups, academics and lawyers. IANSA members are working toward controls on the international arms trade and for policies to make people safer from gun violence.

The involvement of people from so many different sectors means that IANSA's thinking and action are grounded not only in research and information, but also in the direct experience of our members on the frontline. Whether they're in the slums of Manila, the battlefields of Congo or the streets of Medellín, they see the destructive reality of gun proliferation first-hand.

- Of the 32 countries at the bottom of the UN Development Programme's (UNDP) Human Development Index, 22 were affected by armed conflicts. And nine of the 10 lowest countries on the index have experienced conflict at some point since 1990.¹⁷
- According to the UNDP, more than 20 per cent of the population of sub-Saharan Africa was directly impacted by civil war during the 1990s.¹⁸
- World Bank economist Paul Collier estimates that a typical civil war in a low-income country costs US\$50 billion per year – or 250 per cent of an average country's GDP.¹⁹
- Net losses to agricultural production from armed violence in Africa were estimated at \$25 billion for 1970 – 1997, or three-quarters of all aid in the same period.²⁰ In several African states, violence reduced tourism by up to 50 per cent in the late 1990s, depriving them of valuable foreign exchange.²¹
- The Inter-American Development Bank roughly estimated that the annual cost of armed violence to Latin America was some US\$140 billion, or 12 per cent of GDP.²² ►

The biggest exporters of guns†

Country	Value of exports (US \$ millions)
USA	\$533m
Italy	at least \$250m
Brazil	\$164m
Germany	at least \$159m
Belgium	at least \$145m
Russia	\$41 – 130m
China	\$100m
Austria	at least \$86m
UK	\$79m
Japan	\$65m
Switzerland	\$54m
Canada	\$52m
Czech Rep	at least \$51m
France	at least \$48m
Spain	at least \$47m
Norway	\$45m
Turkey	\$30m
Finland	\$26m

†Based on publicly available information

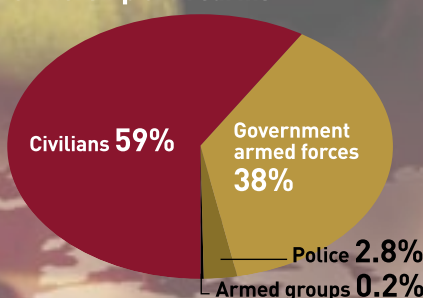
Facts and figures

Size of the gun trade

The gun trade is worth US\$4 billion a year, of which up to US\$1 billion may be unauthorised or illicit.¹⁴ This sounds like a lot of money until you put it in perspective. The value of the annual global coffee trade is between US\$70 and 80 billion. The damage resulting from gun proliferation is out of all proportion to the money that is made from selling guns. When the full cost of gun violence is taken into account, the profits of the gun trade pale into insignificance.

- There are about 640 million small arms in the world or one for every ten people on earth. The vast majority of these are in the hands of civilians.
- Eight million new guns are being manufactured every year by at least 1,249 companies in 92 countries.
- In addition, 10 to 14 billion units of ammunition are manufactured every year, which is enough to kill every person in the world twice over.

Ownership of firearms



Firearms are spread across the globe

Figures available include:

Europe	at least 84 million firearms ¹⁵
Latin America	45-80 million firearms
Middle East: civilians	45-90 million firearms
Middle East: police and military	13-17 million firearms
North East Asia: police and military	22-42 million firearms
Sub-Saharan Africa	30 million firearms
USA	248-286 million firearms

◀ The cost to health and health services

'Are you going to take a child off the respirator to put on the firearm injury patient?' asks Olive Kobusingye, an emergency surgeon from Uganda who now works for the World Health Organisation (WHO) in Congo-Brazzaville.²³

In South Africa, the average cost of treating a gunshot victim is \$10,308. In the US, it is \$20,304.²⁴ Of course, the people most likely to be shot are usually too poor to cover these costs. But even if the government pays the bill, poor people pay the price as resources are drained away from other health problems, including HIV/AIDS, and from services such as education.

Dr Walter Odhiambo, a surgeon from Kenya and member of IANSA, tells the story of a 16 year old Congolese boy whose jaw was shattered by a bullet. The son of a diamond prospector, he was shot by rebel soldiers who thought he had diamonds on him. It took a year for him to raise the money from friends and family to have it treated. He travelled to Nairobi for the operation to insert a steel plate into his jaw which took nine hours and cost \$6,000. The cost of the operation is equivalent to:

- A year of primary education for 100 children
- Full immunisations for 250 children
- One and a half years of education for a medical student.

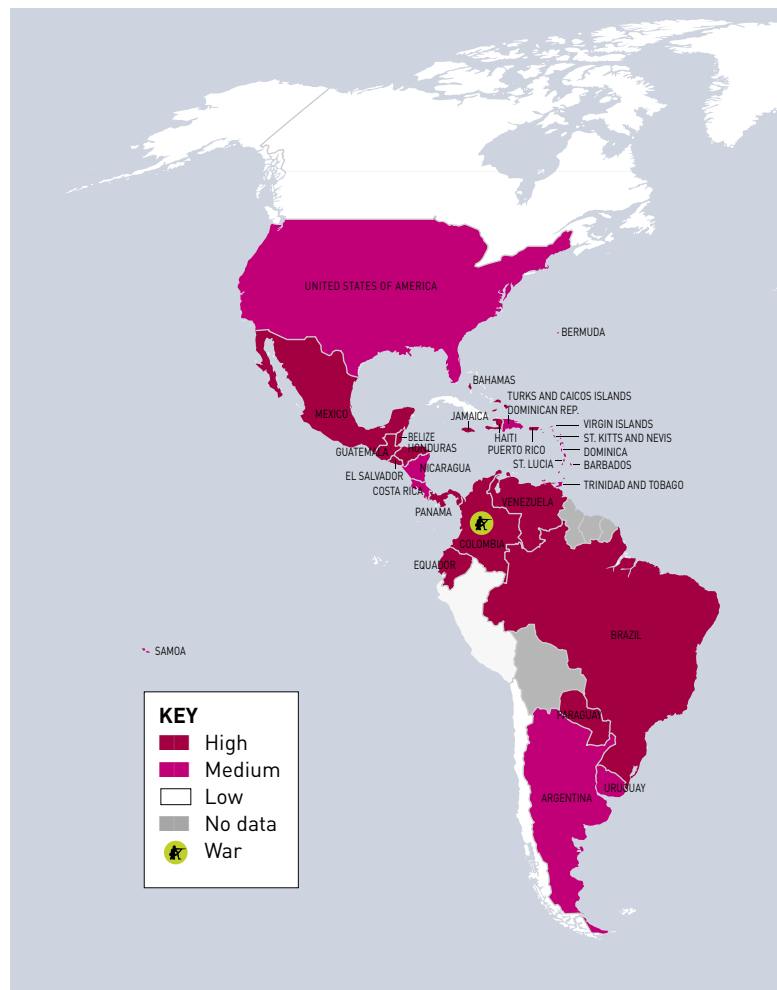
In Uganda, the health budget allows US\$77 to be spent per person each year, whereas the cost of treating a single gunshot wound is US\$284 on average.²⁵ In El Salvador, violence cost \$1.7 billion in 2003, the equivalent of 11.5 per cent of GDP and more than twice as much as the country spends on health and education combined.²⁶ A study in 2002 calculated the full cost of gun violence in the US, including the costs to the health system as well as lost earnings and productivity, at \$100 billion a year.

Compare this to the \$4 billion total value of the gun trade and even the few figures currently available show how far the impact of the gun trade outweighs the profits that it makes.

It is not only those hit by bullets who are affected by the proliferation and misuse of small arms. Attacks on medical facilities, pillaging of their supplies and fleeing medical staff mean that preventable and treatable diseases become killers. For example, armed conflict in the Democratic Republic of Congo led to 3.9 million deaths between 1998 and 2004, of which most were preventable, i.e from cholera, measles, polio, plague and meningitis. Researchers estimate that between January 2003 and April 2004, almost 600,000 deaths occurred as an indirect result of the instability and conflict in the DRC.²⁷

Wider impacts

The wider impacts are borne by all of the community. For example, children cannot attend school if bullets are flying and conflicts over



limited access to water are exacerbated if guns are used to resolve disputes. Guns are used to drive people from their homes and into refugee or displaced people's camps, where they are often subject to more violence and threats at gunpoint. According to the UN, armed conflict is now the driving force behind most refugee flows.²⁸

There is also an increased risk to humanitarian workers and the delivery of aid when guns are present. The most significant threat facing aid workers is civilians armed with guns. Almost one in five respondents to a recent survey of aid workers reported being involved in a security incident in the previous six months.²⁹

As with children's access to education, it is not just direct injuries but the perception of a threat that impedes humanitarian work. Fewer beneficiaries are reached; the same survey showed that one fifth of the respondents found at least 25 per cent of their beneficiary target groups inaccessible due to the occurrence of routine armed threats.³⁰ This means that more money has to be spent on security that could otherwise be spent on direct aid. Many agencies spend between five per cent and 30 per cent of operating budgets on security.³¹

The casualties of the gun trade Men

Across the world, in rich countries and poor, in war and 'at peace', the direct victims of gun violence are overwhelmingly young and male. 85 per cent of firearm homicide victims are under 44 and 90 per cent of gun related homicides occur amongst men. The vast majority of those pulling the trigger are also men. In addition, men comprise 88 per cent of gun suicides.³²

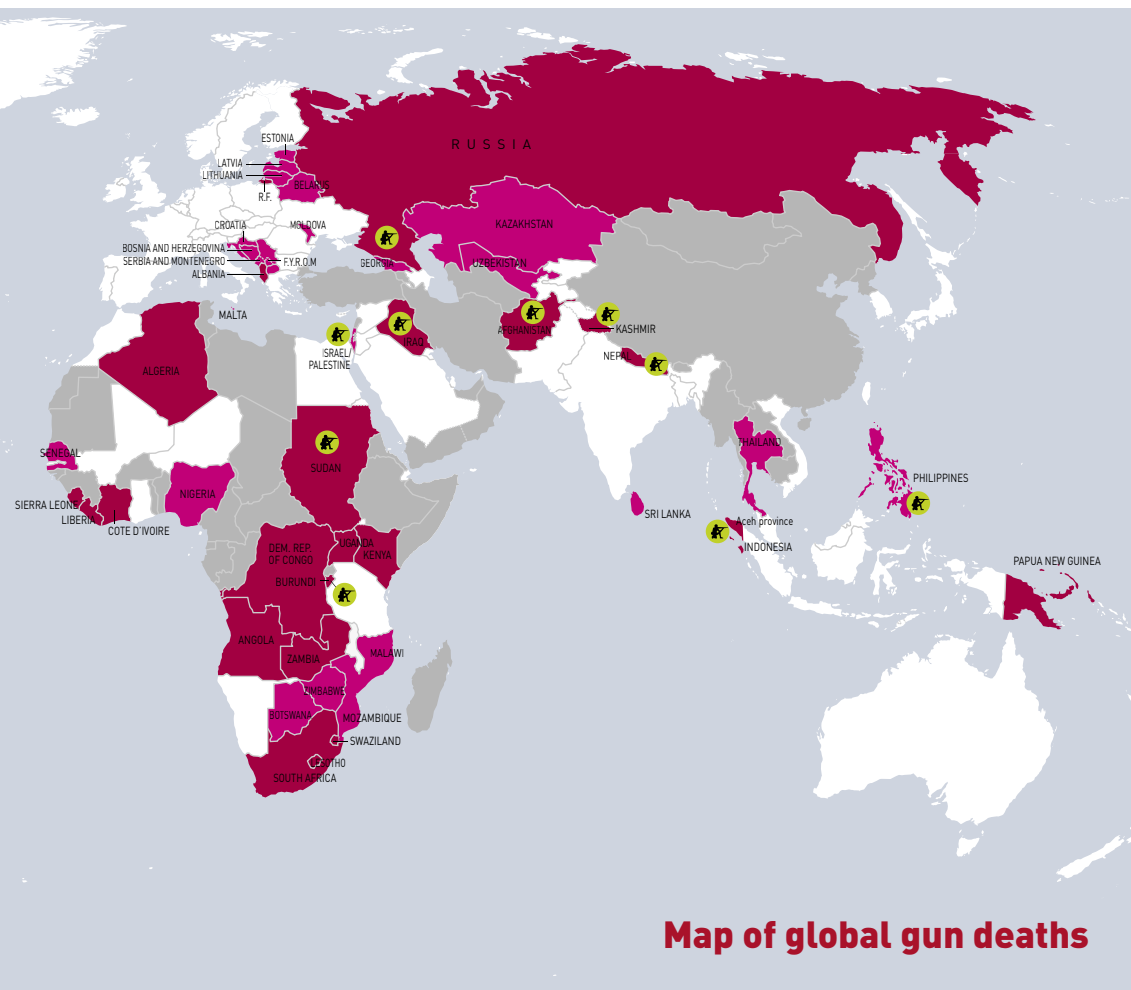
Gun violence survivors far outnumber those killed

- It is estimated that three people are injured for every gun death.
- Survivors are often left with serious injuries, permanent disabilities and trauma that can impede a normal way of life.

An IANSA member who works in the rehabilitation of gun victims in Guatemala has pointed out that poor families there can rarely afford to buy a wheelchair. So a young person paralysed from a gunshot wound is doomed to spend all their time inside the house, except for the odd occasion when a strong uncle or cousin is available to carry them outside. In addition to the obvious medical needs

related to immediate and ongoing injuries, research has shown that psychological care is crucial for survivors of armed violence. WHO warns that survivors of violence are themselves at increased risk of committing violence against others, providing a powerful case for directing more resources to their care. Yet despite this, survivors are almost invisible to policymakers.

The social, economic and psychological effects of armed violence inflict a heavy toll, not only on those who survive direct violence, but also on their families, friends, colleagues and communities.



Map of global gun deaths

MAP: NORWEGIAN CHURCH AID

Children

“When Charles Taylor invaded Liberia, he unleashed the most deadly combat system of the current epoch – the adolescent human male equipped with an AK-47 assault rifle.” Michael Klare, Professor of Peace and World Security Studies, Hampshire College, USA.³⁶

Children are acutely vulnerable to the family and community breakdown that comes with armed violence, and may lose their right to education. In addition, it is the easy availability of small arms that has made child soldiering possible. Small arms are lightweight and simple to use, turning a child as young as seven into an effective combatant. Tens of thousands of children are armed and fighting in more than 20 conflicts around the world.³⁷

Even in ‘peaceful’ countries, there are many thousands of children involved in organised armed violence, with armed children patrolling urban areas in parts of Brazil, Colombia, Nigeria and the Philippines. In

Rio de Janeiro, at least 5,500 of the 12,000 children and teenagers involved in the narcotics trade carry arms.³⁸

Even when children are not used as fighting forces directly, the proliferation and misuse of small arms encourages a culture of violence, with guns viewed as symbols of power, dominance, and worth. Children in such communities grow up to believe that violence, particularly armed violence, is essential for gaining power, obtaining goods and services and establishing respect.

The gun violence continuum

Gun violence takes place along a continuum with weapons circulating from one situation to another – from state-sanctioned arsenals to the hands of armed groups, then from war zones to the streets.

War

Small arms are the weapon of choice for most of the world’s conflicts, being small, cheap and easy to carry and maintain. They are responsible for 60-90 per cent of direct conflict deaths each year, and indirectly for many of the deaths from hunger or preventable disease that occur during conflict. Influxes of guns and ammunition fuel existing conflicts and increase the risk that instability will turn into conflict. Supplies of weapons to war zones increase the length, intensity and lethality of conflict.

Uneasy peace

After conflict, guns often remain in society and levels of interpersonal violence remain high, sometimes for decades. The International Committee of the Red Cross estimates that for the 18 months after the official end of a conflict, weapons-related casualties are 60-80 per cent higher than before the conflict.³⁹ The 36-year civil war in Guatemala ended in 1996, but the country has one of the highest levels of gun homicide in the world. Between 2 July and 30 September 2004, 33 people on average were murdered every week in Guatemala City, 92 per cent by gunshot.⁴⁰ ►

Deep-rooted connections in many cultures between guns and ideas about masculinity need to be challenged. Too often, guns are seen as enhancing masculinity. In traditional communities where violence is part of the passage into manhood, the introduction of guns has created a constant cycle of violence. A man in Papua New Guinea, where many communities are being torn apart by gun violence, said: “In my village, every man they have a gun, a gun of their own. Now, if you don’t have one for yourself, then ‘Yu nogat nem’ – you don’t have a name in the village. Your wife can be raped. They can steal. They can do anything to you.”³³

Women

Although women are less likely to be shot than men, the presence of guns makes them particularly vulnerable to gender-based violence – that is, violence committed against them because they are women. For example:

- In South Africa, every 30 hours a woman is shot dead by her current or former partner using a legally-acquired firearm.³⁴
- Guns are used to threaten spouses and partners, and are widely used in intimate partner violence.
- So-called ‘crimes of passion’ are made much worse with guns because bystanders cannot intervene.
- In conflict, sexual violence at gunpoint is used as a tactic of war to terrorise and control civilian populations.
- A survey of women in Rio de Janeiro who had experienced domestic violence found that, of those whose abuser owned a gun, 68 per cent said they wanted to break off the relationship but did not do so because they feared retaliation with the gun.³⁵

Women are disproportionately affected by the damage to health, education and other social services caused by armed violence. And it is women who pick up the pieces after the shooting has stopped, becoming breadwinners and having to care for injured relatives. Women suffer disproportionately from firearms violence given that they are almost never the buyers, owners or users of guns.

◀ In Iraq, guns have been identified by the Iraq Body Count organisation as the single greatest threat to civilian security. Between 1 May 2003 and 18 March 2005, 5,502 civilians were killed in incidents involving explosions, while 8,894 people were killed in crime, nearly all by small arms.⁴¹

Urban gun crime

Levels of small arms violence in countries 'at peace' is as high or higher than in many war zones. Total gun deaths in the city of Rio de Janeiro between 1997-2000 exceeded conflict related deaths in certain countries such as Afghanistan, Colombia, Israel/Occupied Territories, Sierra Leone, Uganda and Yugoslavia during the same period.⁴² Many of these casualties are innocent bystanders, for example, for every three people hospitalised for gun-related injuries in Brazil, one is wounded unintentionally.⁴³

Guns in the hands of police and security forces

More human rights abuses are committed with small arms than with any other weapon. Small arms are the tools with which state security forces stifle dissent, enforce repressive policies and commit human rights abuses. This creates more demand for weapons among the civilian population who perceive that they need to arm themselves for protection, increasing the cycle of lethal violence.

Guns in the home

A common myth is that having a gun in the home makes you safer. Some people feel that they can use a gun to protect their family from burglars. But this increases the likelihood that the intruder may respond with lethal force. A study from El Salvador showed that people who attempted to use a gun in self-defence were four times as likely to die as those who did not.⁴⁴

More invidiously, the myth of self-protection disguises the risk of misusing a gun in the home. Firearms kept at home, including those owned by people who consider themselves 'law-abiding citizens', are frequently responsible for deaths and injuries. A 2003 study in the US showed that having a gun in the home increases the risk of someone in the household being murdered by 41 per cent.⁴⁵

Guns in the home also contribute to accidents, particularly involving children. Repeated studies show that children who find a gun will play with it even if they have been warned of its dangers.

Domestic violence is more likely to be lethal if there is a gun in the home. For women, the risk of being killed if there is a gun in the home is increased by 172 per cent.⁴⁶

What needs to be done

In order to tackle the gun epidemic, governments must make the paradigm shift away from a narrow concept of 'national security' (protecting the state) and towards a broader vision of human security (protecting people). Giving priority to people's safety and wellbeing means adopting policies based on preventing violence, in whatever context it is committed.

The public health community has pointed out that gun violence is a preventable problem just like other injuries and diseases. Some degree of conflict between individuals and between groups is a normal part of human existence, but reducing the involvement of small arms can limit the scale and severity of these disputes and of the damage that results.

We need to keep guns out of the hands of those who are likely to misuse them, whether it is an armed rebel group committing atrocities during a civil war, a police force that uses live ammunition to suppress public demonstrations, or an individual with a history of domestic violence.

This requires global norms and standards to regulate the sale and transfer of weapons both within a country and across borders. International transfers of weapons should not take place if they are likely to be used in human rights violations, to fuel conflict or hinder development; and gun sales to individuals should not be permitted if they have not proved their suitability and obtained a licence.

Because guns leak so easily from the legal to the illegal sphere, regulation must be strong and consistent across the entire chain of commerce. Tough controls on international transfers can be undermined by permissive gun laws within each country and vice versa. And because guns are so easy to transport, there is a limit to how much any one country can do on its own, since strict regulation in one country can be undermined by weak controls in the neighbouring jurisdiction. Strong regional and global standards are necessary to stop traffickers, criminals and abusers from taking advantage of loopholes.

In addition, the weapons themselves must be registered to prevent diversion into the illegal market and to enable tracing. Gun tracing can expose the points where weapons shipments were diverted into the hands of human rights abusers, making it possible not only to close the loopholes but also to prosecute the gunrunners and the ultimate buyers. At the individual level, firearm registration is essential for the operation of gun laws, providing a powerful disincentive for legal gun owners not to sell, give or lend their guns to someone who is not licensed.

Of course, it is not enough to focus only on reducing the supply of guns. Stockpiles of existing weapons must be securely managed to prevent theft or leakage onto the criminal market. Surplus weapons must be destroyed, as well as those seized by police or collected in disarmament programs.

The reasons why people want to acquire guns must also be addressed. Demand for small arms is linked to many factors – economic, cultural, and security. Strategies to reduce demand vary among different societies but they include:

- Providing jobs for people who might otherwise turn to armed crime as a way of obtaining money.
- Educating the public about the real risks of having guns in the home.
- Providing alternative models of masculinity to break the perceived link between manliness and guns.
- Building the capacity of the police so that citizens trust them to enforce the law and prosecute crime, and communities do not feel the need to arm themselves.
- Training police and security forces to apply international human rights principles on the use of force and firearms, and eliminating impunity for human rights violations committed by these officials.

Global gun violence is a multidimensional problem requiring action at all levels – international, regional, national, local, in the home and in the mind. Effective solutions must be comprehensive and based in law and policy, enforcement and information, awareness and culture. The UN and its Member States have a critical role to play in all of these.



2006: the year of the UN Review Conference on Small Arms

The world's governments will meet at the UN in New York between 26 June and 7 July to review their agreement from 2001: the UN Programme of Action (PoA) on Small Arms.

The 2001 Programme of Action commits states to:

- Establish a national agency to coordinate government departments and organisations working to reduce gun violence in each country.
- Establish a single point of contact through whom information can be shared internationally.
- Involve civil society organisations as partners in stopping gun violence.
- Harmonise policies at regional level and strengthen regional and sub-regional agreements on controlling small arms.
- Destroy surplus, confiscated or collected weapons.
- Put in place adequate laws to prevent illegal manufacture and trafficking in small arms, or diversion to unauthorised recipients.
- Assess small arms export applications according to strict national regulations consistent with states' existing responsibilities under international law.
- Ensure that manufacturers mark all weapons for identification and tracing.
- Ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms.
- Identify and prosecute illegal gun producers and traffickers.
- Meet regularly to report on progress.

The Programme of Action does not:

- Mention human rights.
- Mention the need to regulate small arms in the civilian population.

- Recognise that the legal market is the original source of the illegal trade.
- Mention the problem of arms transfers to non-state actors.
- Mention the misuse of guns by state officials.
- Define 'adequate laws and regulations' or 'existing responsibilities under relevant international law'.
- Recognise the gendered nature of gun misuse and gun injury.

Increased understanding of the problem

The good news is that the past five years have seen great advances in understanding the dynamics of the small arms problem, the interaction of supply, demand and misuse of guns and how both supply and demand can be reduced. Encouragingly, some governments have broadened their approach since 2001 recognising, for example, that experts in development and public health are just as important to the debate as experts in weaponry.

However, this new knowledge has made it abundantly clear that the 2001 agreement contains crucial gaps and that the PoA cannot fulfil its aim of reducing the proliferation and misuse of guns unless the missing pieces are incorporated.

Government action at the UN meeting in June

The Review Conference should make the Programme of Action more effective and enforceable by filling in the gaps that have become evident since 2001. Four areas in particular require attention:

1. International transfer of weapons

In 2001, governments committed themselves in the PoA to regulating international arms transfers in line with their existing responsibilities under international law. But there is no common understanding or explanation of what those responsibilities are. At the moment, while some countries have 'export criteria' to decide if an arms transfer should go ahead, they are not using the same criteria as each other. All countries need to operate to the same global standards for arms transfers. Otherwise, a request for a gun export rejected by one government may be approved by another that is more keen on the contract and less concerned about how the guns may be used.

IANSA members have proposed global principles for arms transfers, based on existing international law, to prevent arms transfers to countries where there is a clear risk they may:

- be used to violate human rights
- fuel conflict
- hinder sustainable development.

These are the principles underlying the proposed Arms Trade Treaty which now has the support of at least 46 governments and for which IANSA is campaigning together with Amnesty International and Oxfam. The Review Conference in June should endorse these principles in relation to international transfers of small arms. This will also provide a springboard for negotiations to begin later this year on an Arms Trade Treaty covering all conventional weapons, including small arms, tanks, aircraft and other heavy weaponry. (See table on page 10 for a list of these global principles.)

Progress since 2001

By the end of 2005:

- Three-quarters of states (133) had designated an official Point of Contact on small arms.
- Half had established a National Commission on small arms or other national coordination mechanism.
- Around one-third of states (65) had conducted some form of domestic disarmament, collecting and destroying guns from their civilian populations, from government stockpiles or from ex-combatants. These programmes have ranged from the huge (500,000 guns recovered and destroyed in Brazil) to token gestures (200 guns destroyed in Ghana to accompany the Vice President's announcement of improved police procedures).
- A quarter of states (54) said they have reviewed or revised at least some of their laws or procedures on international transfers of small arms. A similar proportion said they have done the same for their domestic regulation of guns.
- Only 10 per cent of states had taken the PoA seriously enough to develop a national action plan on small arms.
- A new global agreement had been created on marking and tracing of small arms – but due to the objections of a tiny minority of states, it is not legally binding and does not include ammunition. It will not, therefore, be an effective deterrent to the traffickers.
- Most other aspects of the PoA had barely been implemented at all.

Engagement has been more enthusiastic at the regional level where some regional and sub-regional agreements go further than the PoA. For example, the Nairobi Protocol on small arms is a legally binding instrument that commits 11 states in central and eastern Africa to do everything in the PoA, but also to strictly regulate civilian possession and to register and regulate arms brokers. It also includes strong criteria for determining when an international transfer of small arms can be allowed and when it must be refused.

Other regional agreements on small arms now exist in Central America, the Andean Community, the Pacific Islands Forum and the Southern African Development Community (SADC). The Economic Community of West African States (ECOWAS) is expected to adopt a legally binding Convention before the Review Conference. In addition, the European Union and Organisation for Security and Cooperation in Europe (OSCE), as well as the Wassenaar Arrangement and Organization of American States, have further developed their pre-2001 agreements. The African Union, League of Arab States, Association of Southeast Asian Nations (ASEAN) and Caribbean Community and Common Market (CARICOM) are working on improving coordination to crack down on small arms trafficking in their regions.

2. Regulation of civilian ownership of weapons

To maintain public safety, civilian gun possession must be recognised as a privilege with associated responsibilities for maintaining public safety. In most countries, in order to drive a car, applicants must pass a test proving their fitness to drive before a licence is issued. If a car crashes killing a pedestrian, the owner of the car can be identified by checking the registration plate which will be linked to the owner's name. Guns are specifically designed to kill. Yet the majority of countries do not have effective licensing or registration systems for guns.

Regulation of guns in civilian hands was omitted from the agreement in 2001 and thus did not form part of states' obligations in the Programme of Action. Despite this, 70 per cent of governments have included information on controlling civilian possession in their reports to the UN since 2001. Governments clearly understand the importance of regulating civilian possession in order to prevent diversion; it is time for the UN small arms process to recognise it too.

Governments should agree to:

- Promote gun owner responsibility by requiring all firearms to be registered. Individuals permitted to own guns and ammunition must be held to account for their security, use and misuse.
- Define minimum criteria for private ownership of guns with a national system of licensing. These should include proven capacity to handle a gun safely; knowledge of the relevant law; age limit; proof of valid reason; and a security screening based on criminal record or history of violence, including intimate partner violence. Licences should also be required for ammunition.
- Prohibit civilian possession of military-style rifles, including semi-automatic rifles that can be converted to fully automatic fire and semi-automatic variants of military weapons.
- Block access to guns for people with a history of violence, particularly against intimate partners or family members.
- Introduce safe storage requirements to prevent gun accidents, suicide, misuse and theft.
- Regulate manufacturers and dealers. A national register of all manufacturers and their distribution network, including firearm dealers, would help prevent diversion to illicit use.

3. Integrating development and small arms projects and providing funding for them

Funding from overseas development budgets should be allocated to reduce armed violence through implementation of the UN PoA and

Elements of effective national gun laws: an example from Australia

- Gun ownership should require a licence obtained by meeting a series of criteria which include a minimum age, a clean criminal record, undergoing safety training and establishing a genuine reason for needing to own a gun.
- When deciding whether to grant or renew a licence, police can take into account all relevant circumstances.
- People convicted of assault are banned from having a gun licence for five years.
- People subject to domestic violence restraining orders are banned from having a gun licence for five years.
- People with domestic violence restraining orders against them are subject to compulsory seizure of all their guns.
- All guns must be registered at time of sale or transfer and when the licence is renewed.
- There is a 28-day waiting period to buy a gun.
- 'Genuine reason' must be proved separately for each gun, effectively imposing a limit on the number that any one person can own.
- Guns cannot be bought or sold privately but only through licensed dealers or the police.
- There are strict requirements on how guns must be stored.

These criteria are the basis of Australia's gun laws. An evaluation in October 2004 of the 1990s gun law reforms there found that they had produced dramatic reductions in firearm-related deaths.⁴⁷

support for regional and national small arms action plans. The need for Overseas Development Assistance to be allocated to small arms activities was recognised by the OECD in March 2005.

A focus on development needs to consider the root causes of armed violence and the factors that increase demand for small arms. In many countries, a combined lack of security and development leads to the use and misuse of guns to earn a living.

Action to control the supply of guns and reduce armed violence should be integrated into strategies to reduce poverty, for example:

- In urban areas afflicted by armed violence, education projects can teach children alternative ways of resolving conflict, and provide alternative role models of masculinity and men's roles in society.
- In rural areas where armed violence is erupting over scarce resources, development projects can include conflict-prevention elements, such as setting up peace committees of community representatives, including women, who agree to meet and talk before the guns come out.

Global Principles for International Arms Transfers

PRINCIPLE 1

Responsibilities of states

All international transfers of arms shall be authorised by a recognized state and carried out in accordance with national laws and procedures that reflect, as a minimum, states' obligations under international law. Authorisation of each transfer shall be granted by designated state officials in writing only if the transfer in question first conforms to the Principles set out below, and shall not be granted if it is likely that the arms will be diverted from their intended legal recipient or re-exported contrary to the aims of these Principles.

PRINCIPLE 2

Express limitations

States shall not authorise international transfers of arms that violate their expressed obligations under international law. These obligations include:

A. Obligations under the Charter of the United Nations – including:

- a. binding resolutions of the Security Council, such as those imposing arms embargoes;
- b. the prohibition on the use or threat of force;
- c. the prohibition on intervention in the internal affairs of another state.

B. Any other treaty or decision by which that state is bound, including:

- a. Binding decisions, including embargoes, adopted by relevant international, multilateral, regional, and sub-regional organizations to which a state is party;
- b. Prohibitions on arms transfers that arise in particular treaties to which a state is party, such as the 1980 UN Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, and its protocols, and the 1997 Anti-personnel Mines Convention.

C. Universally accepted principles of international humanitarian law – including:

- a. The Prohibition on the use of arms that are of a nature to cause superfluous injury or unnecessary suffering;
- b. The Prohibition on weapons that are incapable of distinguishing between combatants and civilians.

PRINCIPLE 3

Limitations based on use or likely use

States shall not authorise international transfers of arms where they will be used or are likely to be used for violations of international law, including:

- A. breaches of the UN Charter and customary law rules relating to the use of force;
- B. gross violations of international human rights law;
- C. serious violations of international humanitarian law, genocide, and crimes against humanity.

Women must also be fully involved in post-conflict disarmament and reconstruction projects.

4. Assistance to survivors

Currently, survivors of firearm violence are almost invisible to negotiators in the UN small arms process. Lessons can be learnt here from other international processes. For example, since the Ottawa Treaty banning anti-personnel landmines in 1997, considerable resources have been made available by the international community for survivors of landmines. The Review Conference should result in commitments to:

- Invest in emergency response and long-term physical and psycho-social care for survivors of small arms violence.
- Provide emergency first-aid training for police officers and others likely to be the first to find an injured person, as a low cost and effective way to reduce fatalities and excessive injuries.
- Plan for longer-term rehabilitation of survivors: this can have significant positive social and economic impacts, which in turn can break the cycle of violence.
- Include trauma counselling in reintegration programmes in post-conflict situations.
- Address the specific needs of women and girls surviving armed violence, particularly sexual violence at gunpoint.
- Include gun violence survivors in activities to prevent and reduce gun violence. Their opinions and input often provide fresh insights, particularly on how to reduce the demand for small arms.
- Recognising the often-blurred lines between victim and perpetrator, projects should target young men, who constitute the majority of perpetrators, victims and survivors of gun violence.

What is likely to happen at the UN Review Conference?

The fundamental question at the Review Conference will be whether to move forward and how fast.

A few governments want to prevent the Conference creating a broader mandate for the UN small arms process. They argue that it should merely report on the achievements of the past five years, and not attempt to strengthen or improve the original concept of the Programme of Action.

Other countries believe the Conference presents the opportunity to make real progress against the global problem of small arms proliferation and misuse, by securing a commitment for cooperative, effective action to bring the arms trade under control. During the past five years it has become clear that there are gaps

in the original PoA, and that these gaps must be addressed in order for the agreement to be implemented.

In principal, if the view of the majority prevails, the Review Conference should resolve to move the UN Small Arms process forward, translating the political agreement of 2001 into decisive action. Recognising the need for urgent international cooperation, it should support the inclusion of measures to improve implementation of the Programme of Action, such as those proposed by IANSA above.

Unfortunately, one of the main obstacles in the small arms process is the distorted interpretation of consensus that is applied. Consensus should mean general agreement to a decision, with objections being heard and accommodated where possible. Here, however, consensus is simply another name for allowing a reluctant state to impose its veto.

This interpretation of consensus is inherited from Cold-War era arms control, primarily concerning the strategic arsenals and armaments of a few major (and rival) powers. Consensus is important when there are just a few nuclear weapon-owning states. By contrast, small arms are present in every country and manufactured by half of them, and there is no rational basis for allowing the objections of one or two countries to block progress on measures to make the citizens of 190 other countries safer. Despite the paralysis created by the consensus system, few nations so far have shown any appetite for demanding a vote.

One example where a vote occurred was a 2005 General Assembly resolution linking small arms control with development and humanitarian action. A vote was taken and 177 UN Member States supported the resolution, with just the US voting against. The US is not the only government likely to block progress in June, but this example shows that progressive governments can stand up to the minority of blockers.

The stakes are high – this is last chance before the next global small arms meeting, probably in 2011, to make decisions that are needed. If this opportunity is missed, another five years means another 1.8 million people will die and millions more will be wounded before the subject can be discussed again at global level.

PRINCIPLE 4

Factors to be taken into account

States shall take into account other factors, including the likely use of the arms, before authorising an arms transfer, including the recipient's record of compliance with commitments and transparency in the field of non-proliferation, arms control, and disarmament.

States should not authorise the transfer if it is likely to:

- A. be used for or to facilitate the commission of violent or organised crime;
- B. adversely affect regional security or stability;
- C. adversely affect sustainable development;
- D. involve corrupt practices;
- E. contravene other international, regional, or sub-regional commitments or decisions made, or agreements on non-proliferation, arms control and disarmament to which the exporting, importing, or transit states are party.

PRINCIPLE 5

Transparency

States shall submit comprehensive national annual reports on international arms transfers to an international registry, which shall publish a compiled, comprehensive, international annual report.

PRINCIPLE 6

Comprehensive Controls

States shall establish common standards for specific mechanisms to control:

1. all import and export of arms;
2. arms brokering activities;
3. transfers of licensed arms production; and
4. the transit and trans-shipment of arms.

States shall establish operative provisions to monitor enforcement and review procedures to strengthen the full implementation of the Principles.

NOTE: The Principles above bring together States' existing obligations under international law and standards in respect of the international transfer of arms and are proposed by a diverse group of non-governmental organisations. The Principles reflect many international instruments of a different nature: universal treaties, regional treaties, declarations of the United Nations, multilateral or regional organisations, regulations intended to be a model for national legislation, etc. Some of the Principles reflect customary and treaty law, while others reflect developing law or best practices gaining wide acceptance. The compilation indicates to states the best general rules to adopt in order to establish effective control of international arms transfers according to the rule of law.

ENDNOTES

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The stakes are high – this is the last chance before the next global small arms meeting, probably in 2011, to make decisions that are needed. If this opportunity is missed, another five years means **another 1.8 million people dead** and millions more injured before the subject can be discussed at global level again.