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The State of the Proliferation of Small Arms and Light Weapons in Sub-Saharan Africa: Regional, State and Local Causes

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ABSTRACT
Armed conflicts and the illicit proliferation of small arms and light weapons (SALW) are becoming a grave threat to the peace and security of most African countries. These proliferations are too great to be ignored. Conflicts today in Sub-Saharan Africa have become far too easy due to the availability of arms. The rapid movement of small arms and light weapons across Sub-Saharan Africa and indeed the world is increasingly difficult to trace and has long lasting effects on human security. Trade in arms has become a well-established and prosperous industry. Like other industries, it has become increasingly globalized. This paper analyzes the state of the proliferation of small arms and light weapons in sub-Saharan Africa by looking at the regional, state and local causes. The paper also looks at the entangled nature of supply and demand factors caused as a result of SALW proliferation and diffusion. The paper concludes that one of the most disturbing factors promoting the proliferation of small arms and light weapons is the international arms trade of these weapons by the developed countries of the world to conflict areas within Sub- Saharan Africa, embargoes notwithstanding. While noting that the state of proliferation of small arms and light weapons in Sub-Saharan Africa is a complex phenomenon, it is however argued that the problem requires a multi-dimensional and multi-institutional approach to deal with. Consequently, cooperation is needed not only between civilian and the security forces, but also, in general way, cooperation among the various governmental and non governmental institutions or organizations involved in monitoring the proliferation of small arms and light weapons.
Key words: Proliferation, Small Arms and Light Weapons

1.0 INTRODUCTION
The aim of this paper is to analyze the state of the proliferation of small arms and light weapons in sub-Saharan Africa by looking at the regional, state and local causes as well as the entangled nature of supply and demand factors caused as a result of SALW proliferation and diffusion.

Sub-Saharan Africa is severely affected by the scourge of small arms and light weapons (SALW) proliferation.[1] Until recently, little has been done to address the issue. Current initiatives are prompted by the growing realization that the proliferation of small arms lies at the heart of many of the problems facing Sub-Saharan Africa.[3] The conflicts in Burundi, Democratic Republic of Congo (DRC), Northern

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[1] The Great Lakes region and the Horn of Africa are for instance both severally affected by the scourge of small arms and light weapons proliferation.

[2] P. Eavis, *"SALW in the Horn of Africa and the Great Lakes Region; Challenges and ways forward"*, Spring Vol. IX, Issue No. 1 2002 p. 251. Also available at http//www.sonistitute.org/bjwa/archive/911/smallarms/eavis.pdf, accessed on 11th April, 2011.

Uganda, Southern Sudan, and Somalia are all fuelled by these weapons as well as the increasing violent practices of cattle rustling in border districts such as Wajir in Kenya and Karanoja in Uganda.[1]

Small arms are also contributing to high levels of crimes, violence and insecurity in cities like Kigali, Nairobi, Mogadishu, Niger Delta, Northern parts of Nigeria such as Bauchi, Kaduna, Borno, Kano and Sokoto States to mention but a few[2]. Porous borders and conflict dynamics means that security and stability of the Great Lakes and Horn sub-regions and West Africa in general, are closely intertwined, for example the conflict in the Democratic Republic of Congo (DRC) fuels illicit trafficking of weapons in and through the Horn.[3] The Horn is one of the most armed regions in the world. In Somalia alone, some estimates place the number of small arms and light weapons (SALW) in the millions.[4] Research by the United Nations reveals that in north-eastern Kenya, household hand guns and 60% of the patients in field hospitals are treated for gunshot wounds.[5] The 2003 Small Arms Survey identified Kenya and Uganda as two countries in the sub-region that had a domestic SALW manufacturing capacity and that the two countries have utilized this production to each amass a national stockpile of up to a million weapons.[6]

Scarce resources at the state, local and individual levels are being spent on weapons rather than development, helping to maintain the HOA's place as one of the world's poorest regions. As it seems that such misplaced investments are being made, it is important to account for the various causes for the proliferation and diffusion of SALW in Sub-Saharan Africa. This paper will group the various pressures based on the societal level at which they occur. But these causes diverge rather than converge.

2.0 DEFINITIONS

2.1 Small Arms

Like jurisprudential terms, small arms have defied a universal definition.[7] For example the United Nations Governmental Experts that explored the issue of small arms and light weapons in 1997 put forth definition that included clubs, knifes and machetes, though most of the subsequent regional and international instruments have narrowed the definition used to focus exclusively on firearms.[8]

Until recently therefore, much of the works on small arms and firearms have proceeded in separate tracks with extensive discussions concerning the destruction of "illicit firearms and small arms" and the

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[1] *Ibid.*

[2] *"Boko Haram: Amnesty panel claims new peace deal as sect kills 44 in Borno"*, The Nation Newspaper, Saturday, 24th August 2013, p. 2.

[3] *Ibid*, the region of East Africa is typically known as the Horn of Africa and consists of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda.

[4] D. P. Agentur, *"No end in Sight of Somalia's rule of the Gun"* 17th February, 2005, available at hppt://www.relief.web.intl/rw/rwb.nsf/db9000SID/KH111-69Q5XL, accessed on the 15th of April, 2011.

[5] Quarker United Nations Office, *"Lessons from the field; Human Dimensions of Small Arms Control"*, Panel briefing, first United Nations Biennial meeting of states, on small arms demand, New York, 7th 11th July, 2003.

[6] Small Arms Survey; Devils Present Denied, Small Arms Survey, 2003.

[7] See N.K. Obasi, *Small Arms Proliferation and Disarmament in West Africa*, Apoplyl Production, Abuja, 2002.

[8] See United Nations, *"Report of the Panel of Governmental Experts on Small Arms",* United Nations General Assembly Resolution A/52/298 of 27th August 1997 also available at http//www.un.org/depts./ddar/firstcom/sareport52/952298.html retrieved on 10/1/2012. Firearm is any portable and lethal weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of burning propellant, excluding antique firearms or their replicas. Antique firearms are normally defined in accordance with domestic laws but include firearms manufactured after 1899.

definition of "illicit trafficking". The same United Nations Panel of Governmental Experts on Small arms also defined Small arms as "Revolvers and self-loading pistols, rifles and carbines, submachine guns, assault rifles and light machine guns".[9]

The group therefore focused on preventing the weapons made to military specifications and measures aimed at reducing illicit state to state transfers in violation of international treaties and code of conduct.

In contrast, the United Nations Commission on Crime Prevention and Criminal Justice[10] is focused on reducing the availability of firearms in the context of crime, particularly transnational organized crime. These firearms include military and non-military weapons. Small arms were thus defined as:

> *"Small arms are broadly speaking weapons designed for personal use. They include inter-alia revolvers, and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns."*[11]

Small arms are equally light weight and "person-portable" weapons including revolvers and self-loading pistols, rifles and carbines, light machine guns sub-machine guns (the UZI), and assault rifles (the AK-47). It includes hand grenade, landmines and Small mortars.[12]

The North Atlantic Treaty Organization (NATO) defines Small arms to include:

> *"All crew-portable direct fire weapons of a caliber less than 50mm and which will include a secondary capability to defeat light armor and helicopters".*[13]

Small arms are equally seen as a term of act used by armed forces to denote infantry weapons an individual soldier may carry. The description is usually limited to revolvers, pistols, sub-machine guns, carbines, assault rifles, battle rifles, multiple barrel firearms, rifles, squad automatic weapons, light machine guns and sometimes hand grenade.[14]

Short guns, general purpose machine guns, medium machine guns and grenade launchers may be considered as small arms or as support weapons depending on the particular armed forces.[15]

In the United States of America Small arms typically do not include infantry support weapons. In United States Military, small arms refer to handguns or other firearms less than 20mm in caliber and including heavy machine guns typically 50mm caliber or 12.2mm in United States Service.[16]

Notwithstanding that small arms have defied a universal definition, the international community most frequently uses the United Nations definition of small arms as referring to revolvers, and self-loading pistols, rifles and carbines, assault rifles, Sub-machine guns and light machine guns.

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[9] *Ibid.*

[10] United Nations Commission on Crime Prevention and Criminal Justice: Criminal Justice Reform and Strengthening of legal institution; measures to regulate firearms. Vienna, April, 1998.

[11] See Best Practice for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons, June 2005.

[12] Adopted from Expert Reports, 24, No. 5 available at http//www.un.org/depts./dda/cab/rep54258e.pdf. Retrieved on 15/10/2011.

[13] Dikshif P, *"Proliferation of Small Arms and Minor Weapons"* Strategic Analysis Vol. 17 May 1994 P. 189.

[14] "Small Arms", Wikipedia, the free encyclopedia available at http/en.wikipedia.org/small_arms pg.2 last visited on 15/10/2011.

[15] *Ibid.*

[16] Smith M (et al), *Small Arms and Cannons*, Brasseys Battlefield weapon system and technology, Volume V, Brassy's Publishers, London. 1982, P. 169.

2.2 Light Weapons

Light weapons are on the other hand weapons broadly designed for use by two or three persons serving as a crew, although some may be carried and used by a single person.[17]

It has also been defined thus:

> *"portable weapons designed for use by several persons serving as a crew, heavy machine guns, automatic carbines, howitzers, mortars of less than 100mm caliber, grenade launchers, anti-tank weapons and launchers, recoilless guns, shoulder fired rockets, anti-aircraft weapons and launchers, and air defence weapons".*[18]

From the above definition, light weapons need not be light as the name suggest. Not only are military and police hardware in terms of guns and machine guns included but ammunition (and anti-personnel landmines, grenades and certain kinds of bombs and even missiles fall under this category. The regional documents from which these definitions were taking even go as far as including replacement or other spare parts.

The above definitions are very much in consonant with those taken by major International Non-Governmental Organization like Safer world, IANSA and Oxfam International. This is particularly crucial and relevant because it includes those weapons which civilians usually tend to possess into the broader category of light weapons and thus aims to subject them and their trade to greater scrutiny.

2.3 Proliferation

The term proliferation may mean different thing to different people depending on the context with which one is using it. To the Biologist, it is the process of an individual organism growing organically from a single to a more complex level.[19]

To the legal minds and the sociologist, it may mean, a rapid increase in the number (especially a rapid increase in the number of deadly weapons.[20] It may also mean a process of becoming larger or longer or more numerous or more important.[21]

However the context in which the term proliferation is used is in relation to rapid increase in the number of deadly weapons as in small and light weapons.

3.0 MAGNITUDE OF SMALL ARMS AND LIGHT WEAPONS PROLIFERATION IN SUB-SAHARAN AFRICA

The conflict-ridden Sub-Saharan Africa is a show case of uncontrolled SALW proliferation.[22] Vast quantities of arms have flooded the region despite their rampant misuse by state and non-state actors

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[17] Article 4 of the International Tracing Instrument to enable State identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

[18] See Best practice guidelines for the implementation of Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons, June, 2005 and SADC firearms protocol – Article 1 & 2 as quoted In: *The law of the Gun: An audit of firearms legislation in the SADC Region* Safer Africa and Safer world, June 2003.

[19]See *"Proliferation"* a free online dictionary at http//www.thefreedictionary.com p. 2 retrieved on 25/3/2012.

[20]*Ibid.*

[21]*Ibid.*

[22] F.L. Kechi, *"Small arms and light weapons transfer in West Africa: A stock taking"*, Disarmament forum, 2008 P. 5, available at http://www.unidir.org/pdf-art2832.pdf, accessed on the 11th of April, 2011.

alike.[23] The widespread availability of small arms to abusive actors' poses a threat of unprecedented magnitude to Sub- Saharan Africa, far greater than HIV/AIDS in terms of its socio-economic and human consequences.[24]

West Africa has for many years been the most unstable-region on the continent. Since 1960, of the 15 member states that make up the Economic Community of West African States (ECOWAS) most have been through several military coups, 37 of which were successful.[25] One causative factor for such unprecedented insurrection is the movement of small arms and light weapons (SALW) throughout the sub-region. The uncontrolled movements of SALW has acerbated conflict and brought destructions, untold hardship, poverty and under - development.[26] Because of proliferation, the fabric of Africa itself is rapidly changing, moving towards self-destruction. This can be observed in three different areas viz;

(i) The easy availability and use of SALW is leading to tragic consequences, not only for combatants but also for civilians, who form the majority of casualties – people are losing their lives, their health, their families, their homes and their livelihoods.

(ii) The growing illegal character of the flow of SALW in Sub- Saharan Africa is transforming the bulk of arms transfers from legal accountable trade to what is better described as trafficking, what is perhaps most alarming is the number of state and non-state actors involved in the network of illegal transfers of legal weaponry, and

(iii) The most significant and far-reaching consequences of SALW proliferation and usage, beyond the huge economic cost and social crisis, is the shift in cultural values as most states in Sub-Saharan Africa sometimes have been weaponized and a culture of violence now prevails in most of the region. Every country in sub-Saharan Africa has experienced widespread violence in which small arms featured.[27] SALW have particularly fuelled overlapping and uncontained conflicts in Cote d'Ivoire, Guinea Bissau, Liberia, Mali, Nigeria, Senegal, Sierra Leone and Togo, and the sub region of West Africa is still struggling to survive on going conflicts in which small arms play a central and destabilizing role.[28]

Proliferation and usage of small arms and light weapons has also been facilitated by legal means. During conflicts, some states in Sub-Saharan Africa particularly in West Africa have liberalized gun possession laws in order to stimulate civilians arming. Arms were indirectly distributed to paramilitary groups by governments in order to fight rebel forces during the civil wars in Cote d'Ivoire, Liberia and Sierra Leone, but legislation was also liberalized and proved a major driver of small arms diffusion.[29] The fragmentation of the political and economic space in Sub-Saharan Africa has shaped the availability and circulation of SALW. The deterioration of many West African states capacity to enforce the rule of law has blurred the boundaries between legal and illicit markets, enabling a thriving trade in SALW. Politicians have been even been known to acquire weapons from illegal dealers to arm security personnel during election season.

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[23] *Ibid.*

[24] *Ibid*.

[25] *Ibid*.

[26] *Ibid*.

[27] *Ibid* at p. 6.

[28] *Ibid*.

[29] *Ibid*.

The true magnitude of the problems caused by SALW proliferation and usage Africa cannot be accurately quantified as so many of the effects are hard to measure such as fear and want. However, there is no dispute that small arms have a devastating effect on development, governance and everyday life for Sub-Saharan Africa.

4.0 REGIONAL CAUSES OF PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS IN SUB-SAHARAN AFRICA

The regional causes of the proliferation of small arms and light weapons in sub-Saharan Africa are as follows:

4.1 International Arms Trade

Small arms and light weapons are sourced through various means and suppliers. According to the Small Arms Survey, at least 38 countries currently produce small arms in Sub-Saharan Africa with the largest production facilities located in more developed nations such as South Africa.[30] However domestic manufacturing fails to situate domestic demands.[31] Thus, Sub-Saharan countries rely on the thriving international small arms market to meet their needs. In 2006, the US also transfers over US $8.5 million worth of small arms into African countries.[32] With SALW selling for a few hundred dollars to a few thousand dollars, depending on the model, the total reflects a significant number of weapons. A lack of transparency in the international small arms trade makes it impossible to qualify the value and sources of small arms sold to Africa accurately but China, France, Germany, Italy, Russia, the United Kingdom and the US are known as the major sources of Sub-Saharan African weaponry.[33]

Arms dealers are desirous of making sales and finding new markets for their products. The fact that globally there are at least 1,249 companies[34] manufacturing SALW spread around 90 countries created a highly competitive market place where prices are kept as low as possible. Many millions of dollars in SALW have been exported to Sub-Saharan Africa especially the Horn of Africa from European Union (EU) member states. While exports did drop from a yearly high of US $700 million in 1985 to US $50 million in 1995, the durability of these weapons sees many of them in continued use today.[35] Furthermore, while many SALW sales are documented and followed international conventions, research has found that the bulk of weapons transfer to the sub-region are conducted illicitly.[36]

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[30] R. Stohl, (et al), *"The challenges of Small Arms and Light Weapons in Africa"*, Conflict Trends, Issue No. 1 2009 p. 20 also available at http://accord.org.za/downlords/ct/ct_2009_1.pdf, accessed on 18th of April, 2011.

[31] *Ibid.*

[32] *Ibid.*

[33] *Ibid.*

[34] D. Whitehead, *"The State of the SALW problem in the Horn of Africa", op cit* at P. 1.

[35] W. Benson, *"Undermining Development: The European Arms Trade with the Horn of Africa and Central Africa"*, Safer world, (1999) P. 2

[36] *Ibid*.

4.2 Collapse of Somalia

Gun possession has always been part of the Somalia culture in the country's post-colonial era.[37] Proliferation of small arms and light weapons in Somalia is therefore linked to several cultural, historical and political factors.[38]

The Somalis largely depend on livestock as a means of livelihood and income generation for wealth. Rampant livestock theft and the aggressive scramble for pasture and wheat resources associated with the nomadic way of life, livestock protection and fighting over resources has over the years become an intrinsic part of Somali life. Consequently, the possession and use of weapons have become an inevitable part of people's lives.[39] Possession of these weapons makes them to be battle ready in the event of outbreak of conflict on the one hand and a sign of wealth, prestige, power and authority on the other hand. This is exemplified in marriages where when it comes to the payment of dowries on marriage, a man who is able to offer a gun is believed to make a better husband.[40]

During the cold war, the penchant for gun possession was heightened by an influx of weapons into the country resulting from Said Barre attempt to stockpile arms, allegedly as part of a plan to create a "Great Somalia"[41], but also to prop up his regime against growing discontent. Around this time the US and the Soviet Union were competing for influence over Somalia because of its strategic location to the Gulf of Aden, a situation Barre exploited militarily. In the 1970's for instance, the Soviet Union supported Barre's regime by providing military aid in exchange for a base at Berbera on the coast. Arms to the value of $260 million are estimated to have been delivered by the Soviet to Somalia between 1973 and 1977.[42] Apart from the US and Soviets, other powers, including China and Italy, have at different times provided huge amounts of military assistance to the country. Between 1978 and 1982, for instance, Italy delivered arms to the value of some $380 million to Somalia. Also during the Ogden war Ethiopia, Egypt, Iran and Saudi Arabia were reported to have provided military assistance to Somalia.[43]

Additionally, years of militarization of the Somali society resulting from the emergence of clan-based movements after the Ogden war and the cycles of conflict in the 1980's contributed significantly to the arming of civilians through a clan-based arms race in which some movements armed their sympathizers and forces. The unstable demand for arms was fed by illegal arms brokers and businessmen. As a result, there were significant arms acquisition from central Europe between 1992 and 1994.[44] The volume of

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[37] *Ibid*.

[38] *Ibid*.

[39] *Ibid*.

[40] M. J Omar, *"Management and Control of Small Arms: The Somalian experience"* In: Kiftlemeriam G.W (et al) (eds), *Small arms in the Horn of Africa; Challenges, Issue and Perspectives*, Germany: The Bonn International Centre for Conversion (BICC), 2002, pp 18-24.

[41] The Idea of a "Greater Somalia" is believed to include part of Kenya, Djibouti and Ethiopia.

[42] See E. Woods, *"Somalia foreign policy in focus, Internet gateway to Global Affairs"*, 1997 available at http//www.somaliawatch.org/archivegu/000907605.htm (accessed on the 5th of June, 2011; Grimmet R, *"Somalia: arms deliveries"*, Congregational Research Service Report, 27th October (1993) P. 2-3; UN Report of the Panel of Experts, 25th March 2003, pp 13-15.

[43] UN, Report of the Panel of Experts, 25th March 2003, p. 13

[44] M. J Omar, *"Management and Con of Small Arms", op cit* at pp 18-24.

black-market arms transactions, as well as purchases in open arms market such as the Bakaraaha Arms market (BAM) and the Argentine market, increased significantly.[45]

The 1990's saw the dissolution of the armies of both Somalia and Ethiopia, which were considered two of Africa's largest quantities of arms into the hands of the regions armed groups, criminal elements and civilians. In Somalia alone, an estimated 500,000 weapons ended upon the hands of competing warlords.[46] This large outflow of weapons made them available for sale in the region, leading to the emergence of a vibrant arms trade centered on and around Somalia in market such as the Bakaraaha.[47]

Because of the prevalence of small arms and light weapons in Somalia, virtually all the armed conflicts within its borders have seen extensive use of weapons and equipment, such as semi-automatic guns, rock launchers, and rocket propelled grenades (RPGS), landmines, guns mounted on pick-up trucks and personnel car fliers.[48] The extensive prevalence of arms in Somalia has helped to sustain the ability of all actors to engage in continued violent and deadly conflicts and is a determinant in the security dynamics of not only Somalia but of its neighbours.

When the Somalia government led by Said Barre fell in 1991, tremendous stockpiles of weapons that have been amassed for the creation of a greater Somalia were disposed into the region.[49] As many Somalia soldiers and militia had been set into the border region of Djibouti, Ethiopia and Kenya, the collapse of Somalia state saw many of these weapons traded for safe passage home, food or shelter. Furthermore the scores of leaderless soldiers in the area caused a heightened level of insecurity and led to many armed classes in the border regions.[50] In this manner the collapse of the Somalia state increased the level of proliferation pressures in sub-Saharan Africa in general and the Horn of Africa in particular.

The prevailing state of political anarchy in Somalia has created further, SALW proliferation pressures. The Somalia political situation has been characterized by violent clashes among the various clans and warlords.[51]

A number of failed attempts have been made to establish a transitional government in Kenya, but none of these attempts have been able to reconcile the various conflicts among the Somalia actors. The situation

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[45] Small Arms Survey, *"Probing the grey area: Irresponsible Small arms transfers in small arms transfers"*, in Small Arms Survey 2007, (Geneva 2007) p. 94; See equally UN, *Report of the Monitoring Group on Somalia pursuant to Security Council Resolution 16330*, UN Disarmament S/2006/229, 4th May, 2006, pp. 9-12.

[46] M. Renner, *"Small arms, big impact: the next challenge of disarmament,"* World Watch Paper 137, Washington DC, World Watch Institute, 1997, pp 35-40.

[47] To date, countries in the region still grapple with the menace of the influx of small arms and light weapons from Somalia. In Kenya, for instance, the proliferation of illicit weapons from Somalia is alleged to fuel criminal activities, especially cattle rustling, robbery and other forms of violent crime.

[48] A. Mitchele, *"US marines seize arms and close Somali market"*, The New York Times, 9th January 1993, available at http://query.nytimes.com/gst/fullpage.html?res=9f0CEEDAIE39F93AA35752COA965958260&partner=rssnyt&emc=rss(accessed on the 4th of April, 2011).

[49] K. Gebre-Wold, (et al), *"Small Arms in the Horn of Africa, Challenges, issues, and Perspectives"*, Bonn International Centre for Conversion, Brief 23, March 2002, p 18 also available at http://www.iroicc.de/publications/briefs/brief23/brief23.pdf accessed, on 29th May, 2012.

[50] *Ibid* at p. 19.

[51] See "The European Commissions Country Overview of Somalia" available at http://europe.eu.int/comms/development/body/country/country_home_encfm?cis=SO&states=news, accessed on 5th August, 2012.

in Somalia thence paved the way for illicit SALW to flow into the region unchecked. Ibrahim Farah[52] argued that:

> *"The illegal trade in SALW has become away of life … and a source of livelihood (for many Somalis)"*[53]

Clearly, the existence of a lawless state in the region creates major SALW proliferation pressures.

4.3 International Criminals and Terrorist Organizations

International criminals and terrorist organizations operating within Sub-Saharan Africa paved the way for further proliferation pressures. Under - development experienced in Sub-Saharan Africa made it attractive to the international drug trade and other criminal organizations. Poverty has led many to participate in either the cultivation or transport of drugs as a means of livelihood. Terrorist calls in particular in the Horn of Africa have been linked with the US embassy bombing in Nairobi and Dares Salaam as well as the attacks on the US Cole in Yemen.[54] The presence of these groups gives rise to the fold SALW proliferation pressure. Firstly, these groups further aided the spread and sale of illicit SALW. Secondly, the presence of terrorist and criminal groups has led to incidences of scanty sector abuses as they seek information from civil population.[55]

Militarization of the civilian society in Djibouti has seen thousands of American, French and German troops establishing an anti-terrorist command post in that country.[56] Thence, the international criminals and terrorist organizations have added to the SALW proliferation pressure by aiding the illicit trade and by adding to the human security threat in the region.

4.4 Conflict between Ethiopia and Eretria

The conflict between Ethiopia and Eritrea erupted in 1998 as a result of a border dispute and continued sporadically until June 2000 when a cease fire was finally signed.[57] The conflict saw both states investing significant levels of state funds in armaments, including SALW. Further, the war spilled into neighboring states as clans friendly with one side or the other were armed in an attempt to back the stale mate in the main conflict area.[58] The armed irregular forces were largely leaderless and caused a great deal of instability within the civilian population of the region. The SALW proliferation presence caused by the Ethiopia-Eritrea conflict are a good example of the entangled nature of supply and demand factors discussed in Chapter 5 of this thesis as conflict was both caused as a result of SALW proliferation and diffusion.

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[52] J. Farah, (et al), *"Small Arms and Border Controls in the Horn of Africa: The case of Malkasufta, Ethiopia, Mandera, Kenya, and Bula Hawa, Somalia"*, In *Controlling Small Arms in the Horn of Africa and Great Lake Region: Supporting implementation of the Nairobi Declaration*, African Peace Forum and Project Ploughshares, 2005. Also available at http//www.ploughshares.ca/libraries/control/APFO-ppsmallarmspub05.pdf, accessed on 12th July, 2012.

[53] *Ibid* at p. 10.

[54] *"Terrorism in the Horn of Africa"*, United States Institute of Peace, Special Report 113, January 2004, p. 4. Also available at http://www.usip.org/pab/sepcialreports/Sr113.pdf, accessed on 6th August, 2012.

[55] P. Jelinek, *"More Troops Sent to the Horn of Africa"*, the Somaliland Times/Associated Press 8th November 2011, available at http://somalilandtimes.net/available/42/4204.htm, accessed on 1st June, 2011.

[56] *Ibid*.

[57] See *"The European Commission Country overview of Eritrea"*, http://europe.eu.net/comm/development/body/country/country_home_en.CFRM?=er&states-news, accessed on 17th July, 2012.

[58] I. Farah , et al, *op cit,* p. 15.

4.5 Internally Displaced Persons (Refugees problem)

While the above is not suggestive that victims of conflicts are to be attributed the blame for the SALW problem, but their very existence creates security risk that is often coupled with the proliferation of arms. If the UN High Commissioner for refugees estimates that there were nearly 800,000 refugees in for instance the Horn of Africa,[59] it would then be reasonable to assume that there is likewise a substantial number of IDP's.[60] As refugees are seen as a burden, they are seldom granted protection by the host-state security forces. As a result, many turn to arms as a measure of self-help. The presence of these migratory flows not only brings arms across border but also spread the insecurity born of conflict to the outlying regions.

4.6 Porous International Borders

It is extremely difficult to control all border areas between countries in Sub-Saharan Africa. The reason for this has been discussed in chapter 3 of this thesis. SALW are often able to flow between countries very easily. Studies have shown that arms flow across the borders in large numbers for instance by the truck load or in much smaller but by more frequent numbers, such as by Camels.[61] With the large number of weapons in circulation, porous borders allows for the quick and easy diffusion of supplies of weapon to any area where there might be a demand.

5.0 STATE LEVEL CAUSES OF PROLIFERATION

5.1 Transfer of Small Arm and Light Weapons from States to Non State Actors

Transfer of small arms and light weapons from state to non state actors often arises when states are unable to provide for the security of counter parts of their country. As a sort of decentralization of security, SALW are used to allay fears and act as adhoc solution to human security question. Examples of these can be seen in cases of armed militias in Eritrea, Ethiopia, Somalia and arming of pastoralist in Kenya and Uganda. In Uganda, insecurity in the eastern district of Moroto led to the arming of many reservists known as ***"the vigilantes"***. The same thing happened in the case of Nigeria in the eastern part of the country through the arming of the popular "Bakassi boys". Promised both arms and paid, these informal security forces did normally provided for a measure of safety along roadways in the areas under their surveillance. When the payment of the fees begin to seize, they began to extract financial compensation from the travelers they were expected to protect and accepted bribes from the criminals, they had once arrested.[62] In many cases of state to non-state arms transfers, local imbalances are created that ultimately lead to greater insecurity. As rightly argued by Kendy Mkutu;[63]

> *"The arming of one community, by whatever means, has inevitably led to others demanding arms for protection, resulting in further proliferation across the region".*[64]

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[59] The refugee population in this instance refers to population of HOA origin residing in another HOA country and does not take into consideration the significant number of refugees of HOA origin residing inside of the HOA region. If such numbers are taken into consideration, then the number 'escalates to over 1-5million.

[60] 2003 Global Refugee Trends United Nations High Commissioner for Refugees, 2004, p. 8.

[61] See I. Farah , et al, *op cit* p. 11.

[62] Mkutu K,*"Pastoral Conflict and Small Arms", The Kenya-Ugandan Border Region,"* Saferworld, 2003, P. 15. Also available at http://www.saferworld.org-uk/images/pubduce/postoralcofnlict.pdf, accessed on the 29th of July, 2012.

[63]*Ibid.*

[64]*Ibid.*

In addition, grey markets arms transfer where arms brokers skirt international guidelines and national legislation to supply weapons to governments and armed groups contributed significantly to conflict and crime in Africa. Arms brokers are private individuals or companies that facilitate arms agreements and transfer between suppliers and recipients in return for compensation. They are able to work in the margins of national and international regulation and face little regulation themselves. Unregulated brokers have been blamed for providing weapons for some of Africa's bloodiest conflict, in Sierra Leone, Uganda, Congo and Sudan.[65]

Once on the continent, weapons are circulated through conflicts, leaving one conflict zone and entering another where demand is greater. In West Africa, the same weapons, and sometimes even the same soldiers moved from one conflict to another – from Liberia to Sierra Leone, then to Cote D'Ivoire and then to Guinea during the decade and a half of conflict in the region.[66] Weapons from Chad have been used in Darfur, while weapons in Somalia have originated from Djibouti, Ethiopia, Egypt, Eritrea and Libya, Uganda and Yemen.[67] Stockpile of cold war weaponry are also readily available throughout the continent, as countries such as Angola and Mozambique were used as Soviet and US proxies during the cold war.[68] An estimated 79% of small arms and light weapons in Africa are in the hands of civilians.[69]

5.2 Poor Security of National SALW Stockpile

Sub-Saharan Africa been major recipient of arm exports from around the world, and the occurrence of transfers to militias and armed forces defeated in the field, the insurgent control of national stockpile has led to the further dissemination of SALW in sub-Saharan Africa. Further to this is the fall of the "Dergue" regime in Ethiopia.[70] The frequent capture of arms caches during the Sudanese civil war[71] and the often cited occurrence of security forces leaving their weapons to criminal,[72] also contributed to proliferation pressures owing to poor security of national SALW stockpiles.

5.3 Poor Coordinated Disarmament Initiatives

This is equally seen as one of the major cause of SALW proliferation in sub-Saharan Africa. This is depicted by forcible disarmament measures as was applied in the Karrimojong region of Uganda in 2002. In this case, the local pastoralist refused to relinquish their weapons fearing neighbouring tribes would take advantage of their weakness. When Ugandan forces moved in, armed violence erupted resulting in

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[65] Stohl R, (et al) *"The Challenges of small arms and light weapons in Africa"*,*op cit*, P. 21.

[66]*Ibid.*

[67]*Ibid.*

[68]*Ibid.*

[69] Michael I, *The Warriors Honor: Ethnic War and Modern Conscience*, New York; Henry Holt & Co (1998) P. 178.

[70]*Ibid.*

[71] See Institute for Security Studies (Pretoria) "National Perspectives and Priorities for implementation", Seminar report, tackling Small Arms in the Great Lake Region and the Horn of Africa; Strengthening the capacity of sub-regional organization, Dares Salam 7-8 May, 2000, Also available at http://www.iss.cp.za/pubs/other/tackling/greatHorn/ses2.pdf p. 19.

[72] See *"The European Commission's Country overview of Sudan,* available at http://europe.eu.int/comm/development/body/country/country_home_en.CFM?_eid=sd&state=new, accessed on 4th May, 2011.

many deaths on both sides.[73] In some documented cases, the national forces gathering the weapons later traded them to others as a means of supplementing the income in order to trade for food.[74] Therefore many well-intentioned attempts of disarmament have failed as a result of poor coordination and control.

5.4 Domestic Manufacturing Capabilities

Most states in sub-Saharan Africa have the ability of small-scale operation to make crude firearms. Both Kenya and Uganda have such capabilities to produce crude firearms known as Ngamatidae.[75] Inspite of their poor quality, the exceedingly low cost of these weapons has led to their widespread circulation.[76] The presence of such weapons adds to the proliferation pressure as it allows almost any individual to purchase a firearm. Analysts such as Matt Schroeder and Gary Lamb have documented that craft production in Ghana has the potential to yield up to 200,000 new weapons a year,[77]that could fuel criminal violence within Ghana or be used in other regional conflicts and crimes.

5.5 Repressive State Practices

Repressive state practices are bound worldwide. In sub-Saharan Africa, governments have precipitated SALW proliferation by taking policy stances viewed as repressive by certain segments of their population. A good case in point is Rwanda where repressive state practices saw the massacre of the Tutsi population through killings by the use of small arms and light weapons. In Sudan, the government, reflecting an Islamic majority in the north, has repeatedly clashed with the Christian minority population in the south. After coming to the negotiation table intermittently since 1994, hostile re-escalated after Sudanese President, General Al-Bashir suspended parliament and declared a state of emergency in 1999.[78] Another example can be seen of Eritrea where males are frequently pressed into military service. A country of 3.6 million, Eritrea posses an army of well over 300,000.[79] With poverty rampant, few families feel they can spare their able-bodied males and resistance is not uncommon. Such cases of government repression are a further way that SALW proliferation presence is increased.

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[73] Gebre_world. K, *op cit*, at p. 14.

[74] K. Mkutu, *"Pastoral Conflict and Small Arms: The Kenya-Uganda Border Region"*, Safer world, 2003 p. 13. Also available at http://www.saferworld.org/uk/images/pubdocs/pastoralcofnlict.pdf, accessed on 15th of August, 2012. "Small Arms proliferation and Africa" Institute for Security Studies (Pretoria), Newsletter 3, April – June 1999.

[75] K. Mkutu, *"Pastoral Conflict and Small Arms: The Kenya-Uganda Border Region*, *op cit*, at p. 13.

[76] *Ibid*.

[77] B. David (et al), Reconciliation After violent Conflict: A Hand Book, International IDEA (2003) p.10.

[78] Europa, Development, *"Country overview of Sudan"*, available at http://europe.eu.int/comm/development/body.country/country_home_en.CFM?CID=sd&ing=en&status=new, accessed on 15th July 2012.

[79] *"Eritrea humanitarian situation worsening, UN Says"* Integrated Regional Information Networks, 6 April 2005, available at http://www.irinews.org/report.asp? Report ID=4678, accessed on 19th May, 2012.

6.0 LOCAL LEVEL SALW PROLIFERATION

6.1 Mistrust between Clans or Groups

In Somalia, Thanic Paffenholz argues that in many ways, violent conflict amongst clans "has always been part of daily life".[80] In the anarchy that has followed the collapse of the Somali government; the power struggle among the various clans has resulted in near constant armed conflict. In the absence of any common security or confidence building measures, individuals and clans seek to arm themselves in an attempt to provide for their own security.

Another way in which this mistrust can manifest itself is in the form of armed political opposition from groups who feel excluded from the power of government. An example of this form of mistrust can be seen between the follower of the Lord's Resistance Army (LRA) and Uganda. The LRA staged repealed incursion into northern Uganda throughout the 1990s. As a result, many in this area sought SALW as a means of protecting themselves and the families.[81] Mistrust amongst the pastoralist groups in the rift valley in northern-western Kenya and eastern Uganda is another example. The Rift Valley is home to a number of nomadic groups. As in the case of Somalia for instance, these groups have a long history of inter group conflict. In recent years however, the conflicts have escalated as a result of the availability of SALW.[82] Many groups have abandoned the idea of co-existence and have instead sought to gain superiority through arms.[83] The resulting inter-group arms race explains how security concerns at the local level drives home the SALW proliferation.

6.2 Cattle – Rustling

Small arms and light weapons also adversely affect lower intensity conflicts such as those between communities and neighbours especially in the Horn of Africa. An epitome of the impact of small arms and light weapons in inflaming communities' animosities is that of cattle rustling in the Horn of Africa.[84]

Cattle's rustling is a traditional activity among all plain pastoralists. Traditionally, the pastoralist practiced cattle rustling using spears and bows, now, the weapon of choice is the AK-47.[85] Pastoral communities seem to be arming themselves for defensive and offensive reasons. First, they need to protect themselves and their cattle from being plundered by hostile groups. Second, they are using arms to forcefully steal stock from other pastoral communities. Guns are therefore seen as an economic investment.[86]

In the Great Lakes and Horn of Africa, raiding and cattle rustling have a long history in the region and have to some extent become an aspect of traditional pastoralist culture. Traditional conflicts have become increasingly destructive and less manageable. Small arms including automatic and semi-automatic weapons have become widely available making traditional raiding more deadly.[87] This has in turn affected conflict resolution more difficult.

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[80] T. Paffenholz, *"Community-Based Bottom-Up Peace building"*, Life and Peace Institute, 2003, p. 27.

[81] L. Lata, *"Interstate policies, insurgency and the flows of arms",* Project Plough shares, 1997, p. 19.

[82] K. Mkutu, *op cit*, at p. 23.

[83] *Ibid*.

[84] K. Mkutu, *"Pastoralism and conflict in the Horn of Africa"* Africa Peace Forum/Safer world/university of Bradford, December, 2001.

[85] P. Eavis, *"SALW in the Horn of Africa and the Great Lakes Region", op cit*, p.253.

[86] *Ibid*.

[87] *Ibid*.

In Nigeria, cattle rustling have been a recurrent event. In Gidan Dawa village in Maradun Local Government Area of Zamfara State of Nigeria, it was reported that seven persons were attacked in July 2014 in an attack by unknown gun men. The attack according to the report may have been a reprisal as some people from the community were said to have recently attacked and maimed some Fulani's who they alleged were cattle rustlers and small arms were used in the process[88]. In the Federal Capital Territory, Abuja – Nigeria, there has been up surge in cattle rustling in towns around Abuja. Musa Isa Yaro, a farmer and owner of Al-Gulam Integrated Farms along Abuja – Keffi Road was recently affected by cattle rustling[89].

In Kenya, in response to the increasing violence against the Mukogodo Masai pastoralist by armed groups, the government of Kenya took the decision to arm home guards for the protection of the communities. Far from being a solution to the problem, the decision led to the increase of small arms in the hands of untrained men and allegations that the home guards are actually involved in the raids.[90]

Another fundamental problem is that national laws are either non-existence or weak and un - harmonized. In Kenya for example, the problem is the legal control of home guards and of private security firms, the laws needed to fully regulate both are not in place.[91]

In Tanzania, neither the police nor customs officials have the power to inspect containers at Dares Salam port, leaving the way free for potential illegal arms trafficking into the Great Lakes region.[92]

6.3 Fear of Famine

This is a source of concern in the Horn of Africa. Drought in recent years has caused failed harvest, the loss of livestock and food insecurity in many parts of the country[93] not only does drought and famine increase the livelihood and intensity of rustling activities, but also increases societal breakdown in the form of crime and rioting. As argued by the institute for society studies:

"The connect among drought famine and guns … is a reality"[94]

6.4 Bride Price

This factor is particular to the Horn of Africa region. Many pastoralist groups require men to pay a dowry of cattle to the family of the girl he wants to marry.[95] As famine, drought, and scarcity have indeed increased in recent years, so has the intensity of conflicts began by men seeking to amass the needed dowry. In the Karmojong tribe of northern Kenya, men and women can marry while deferring the bribe price. Although the two are committed to each other, the woman is unable to leave home until the bride price is paid in full, giving her an uncertain and valuable status in society. As a result, women tend to encourage their husbands to go on raids, going so far as to wear special clothes while the men are on raids and taunting those men who refuse to go.[96] Such social pressures add a deeper dynamic to the armed violence that has become associated with pastoralism.

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[88] Shehu U. G, "Gunmen kill 7 in Zamfara" *Daily Trust*, Wednesday, July 16th 2014 at p. 6.

[89] Vincent A.Y, "Cattle Rustling must be tame now", *Daily Trust*, Thursday, July 17th 2014 at p. 31.

[90] P. Eavis, *"SALW in the Horn of Africa and the Great Lakes Region"*, *op cit*, p.254.

[91] *Ibid.*

[92] *Ibid.*

[93] *"Eritrea: Humanitarian Situation Worsening",op cit* at p. 23.

[94] Small Arms proliferation and Africa, Institute for Security Studies (Pretoria) Newsletter 3 April, June 1999.

[95] K. Gebre-world, et al, *"Small Arms in the Horn of Africa: Challenges, Issues and Perspectives"* ,*op cit*, at p. 14.

[96] P. Mkutu, *op cit*, at p. 17

6.5 Rise in Crimes

Economic marginalization, illicit trade, drought or famine, corruption and other social pressures can lead people to break customary or state laws by committing crimes. Not only do such activities typically require the use of arm, the threat of crime is often reason enough for many in society to attempt to provide them additional protection by seeking out a firearm of their own.

6.6 Status

The increasing role of guns in ascribing status to individuals in the society has led to proliferation pressure. Weapons are increasingly seen as a way of affirming one's status as a provider.[97] Weapons are openly carried in society and can be seen as a sign of prestige, power and authority.[98] Therefore, the increasing status of gun ownership is a testament to tremendous social pressures faced in sub-Saharan Africa.

7.0 CONCLUSION

The proliferation of small arms and light weapons and its negative consequences have become major concerns underlying a number of national, regional and international initiatives. These arms come from many sources and they include weapons acquired legally by the armed forces and security forces, which end up in the hands of criminals as a result of illegal transfers, sales or theft. One of the most disturbing factors promoting the proliferation of small arms and light weapons is the international arms trade of these weapons by the developed countries of the world to conflict areas within Sub- Saharan Africa, embargoes notwithstanding. While noting that the state of proliferation of small arms and light weapons in Sub-Saharan Africa is a complex phenomenon, it requires a multi dimensional and multi-institutional approach to deal with. Consequently, cooperation is needed not only between civilian and the security forces, but also, in general way, cooperation among the various governmental and non governmental institutions or organizations involved in monitoring the proliferation of small arms and light weapons. Ultimately, the introduction of good governance and transparency in the management of public affairs and strengthening the legal regime of various countries can help to eradicate the scourge of small arms proliferation in sub-Saharan Africa.

[97] Institute for Security Studies (Pretoria), *"National Perspectives and Priorities for Implementation" op cit*, ***at*** p. 19.

[98] K. Gebre-World, (et al) *op cit*, p. 20.