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Centre for humanitarian dialogue
Centre pour le dialogue humanitaire

114 rue de lausanne
ch 1202 Genève

Briefing Paper

Small arms and human security:

A snapshot of the humanitarian impacts

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Introduction

This paper has been prepared by the Centre for Humanitarian Dialogue, prior to the 28th International Conference of the Red Cross and Red Crescent Movement, December 2003 in Geneva. It provides a primer of the key issues related to humanitarian impacts of small arms availability and misuse in advance of the workshop to be held on the 4th December at the Conference.¹ The workshop provides an opportunity to examine these impacts and exchange views on options for action by the humanitarian community. The Red Cross and Red Crescent Movement is uniquely positioned to advocate human security priorities on this crisis and to bring forward a credible and compelling focus on the protection of civilians into the small arms debate.

A Flood of Weapons

The world is awash with small arms and light weapons.² Some 640 million small arms and light weapons are in circulation, an estimate considered conservative due to the lack of transparency surrounding the trade in weapons and the difficulty in obtaining data on gun ownership.

Perhaps contrary to common perceptions, only a modest quantity of the world's small arms are in the hands of military and police forces. The great majority of weapons are to be found in the hands of civilians. Only a comparatively small number of weapons are in the hands of insurgent groups, a fact that only serves to underscore the great suffering that can be inflicted with only small quantities of modern weaponry.

Human security is the prime casualty of weapons availability: every year several hundred thousand people are killed in violent conflict and war. In so-called peaceful societies, the number of victims of intentional violence, suicide and accidents is almost as high. In addition to this staggering number, gun violence leaves profound personal, economic and psychological scars on victims and their families who are left with the burden of caring for the disabled, or survive without their main provider or parent.

Weapons availability and misuse also has a variety of indirect impacts, including the displacement of civilians; the erosion of sustainable development; the restriction of access to health services, education, and food security; land denial; obstruction to humanitarian assistance, as well as posing a threat to the lives and well being of humanitarian and development workers.

¹ Note, this paper will be expanded into a detailed publication from the Centre for Humanitarian Dialogue, available April-May 2004.

² Small arms include: revolvers and self-loading pistols; rifles and carbines; sub-machine guns; assault rifles and light machine guns. Light weapons include: heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns, portable anti-tank guns and recoilless rifles; portable launchers of anti-tank missiles and rocket systems; portable launchers of anti-aircraft missile systems and mortars of calibres of less than 100mm calibre. Ammunition includes: cartridges (rounds) for small arms; shells and missiles for light weapons; mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems; anti-personnel and anti-tank grenades; landmines; and explosives. See Small Arms Survey (2001), *The Small Arms Survey 2001: Profiling the Problem*, Oxford University Press, Oxford. The terms "guns", "firearms" and "small arms" are used interchangeably in this publication.

Table 1: Distribution of weapons holders in selected regions

Regions	Military & Police	Other
European Union	19%	81%
Sub-Saharan Africa	19%	81%
South Asia	16%	84%
Central America	10%	90%
Pacific*	7%	93%

*Including Australia and New Zealand. Figures are only known for lawfully-held civilian firearms. If unregistered guns were added, the proportion of “other” weapon holders would likely be even higher.

Source: Small Arms Survey Yearbooks, 2002 & 2003.

Growing attention

Over the last five years growing attention has been directed at the humanitarian impacts of weapons availability and misuse. Challenges to a strict arms control approach and a focus limited to the illicit trade in weapons are gaining ground. By focussing on the impacts – and the solutions required to alleviate suffering – human security approaches provide a framework for both understanding and action. Since the seminal 1999 International Committee of the Red Cross (ICRC) report, *Arms availability and the situation of civilians in armed conflict*, more evidence has emerged of the enormous human cost arising from the abuse of these weapons.³ Understanding was further advanced with the 2001 report commissioned by Inter-Agency Standing Committee from the Small Arms Survey, *Humanitarianism under threat: The humanitarian impacts of small arms and light weapons*.⁴ Finally, a significant contribution was made in 2003, with the Centre for Humanitarian Dialogue report, *Putting People First: Human security perspectives on small arms availability and misuse*.⁵ This publication features an endorsement from the diverse states forming the Human Security Network, who with the Centre, are co-sponsors of the workshop on the 4th December.⁶

The humanitarian impacts of small arms availability and misuse

The most immediate and traumatic effect of small arms violence is the loss of life. Small arms do not by themselves cause violence, however the uncontrolled availability facilitates the misuse of weapons, including their use in violation of human rights and international humanitarian law. Furthermore weapons availability can increase the intensity and prolong the duration of violence, undermining the rule of law, reconciliation after conflict, social cohesion and trust. The economic effects are also significant, ranging from the direct costs to the health care system to the loss of economic opportunities and investments. In short, widespread arms availability is a barrier to human development. Some of the major direct and indirect humanitarian impacts of arms availability and misuse that will be addressed at the workshop of the 28th International Red Cross and Red Crescent Conference include:

³ Available at www.gva.icrc.org/Web/eng/siteeng0.nsf/htmlall/section_ihl_arms_availability

⁴ Available at www.smallarmssurvey.org/SReports/SReport1.pdf

⁵ Available in French, Spanish, Portuguese, Arabic and English at www.hcdcentre.org/Programmes/smallarms/hsn.htm

⁶ Includes the governments of Austria, Canada, Chile, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Slovenia, South Africa (Observer), Switzerland, and Thailand. See www.humansecuritynetwork.org

Refugee creation and internal displacement

Armed violence propelled by an easy accessibility to small arms, denies millions of civilians of their right to shelter, livelihood and security. Current estimates suggest that there are approximately 12 million refugees and 20 to 25 million internally displaced persons (IDPs) on the move.⁷ *“Safe havens created to aid victims of war have instead become breeding grounds for armed groups. Arms are made available at these sites by former combatants, local dealers and active militias. In some cases, host governments support the flow of arms into camps that are used to launch cross-border, counter-insurgency operations.”*⁸

Humanitarian workers are threatened, injured and killed

The safety and security of humanitarian workers is imperilled by small arms availability and misuse. Between 1992 and 2001, more than 204 UN personnel were killed with small arms featuring in 75% of the incidents. The 1999 ICRC study concluded that operations were frequently suspended or delayed due to security threats, and incidents related to weapons use were common.⁹ An ongoing study by the Centre for Humanitarian Dialogue and Small Arms Survey surveying the perceptions of development and humanitarian workers provides further evidence that workers are frequently targeted and exposed to intimidation, death and injury in the course of their work.¹⁰ This multi-year study confirms that civilians are frequently the victims of small arms use and abuse; that personnel often feel threatened by small arms on a regular basis and that humanitarian and development interventions are adversely affected by the prevalence and misuse of these weapons. Irrespective of the security context, respondents overwhelmingly reported a large number of groups to be in possession of weapons and that consistent security training is often lacking for humanitarian and development personnel, particularly for national staff.¹¹

Pressure on health care systems

Saving the lives of gun violence victims imposes pressures on health care systems all over the world. In situations of armed conflict this is further compounded when people cannot access health services or when medical personnel withdraw.

*“Since the war broke out in 1998, there has been a sharp increase in diseases such as cholera, measles, polio, plague and meningitis in the Democratic Republic of the Congo. During the conflicts in Croatia and Bosnia, rates of tuberculosis increased by half, and outbreaks of Hepatitis A were reported in Bosnia”.*¹²

⁷ Figures at 1 January 2002. Available at www.unhcr.ch

⁸ Frey, Barbara (2002), *The Question of the Trade, Carrying and Use of Small Arms and Light Weapons in the Context of Human Rights and Humanitarian Norms*. Working Paper submitted by in accordance with Sub-Commission decisions 2001/120 ECOSOC - Other Human Rights Issues. United Nations. Available at: www1.umn.edu/humanrts/demo/FreyPaper.pdf

⁹ International Committee of the Red Cross (1999), *Arms Availability and the Situation of Civilians in Armed Conflict*, Geneva.

¹⁰ Participating agencies include CARE, Oxfam GB, Médecins du Monde, Concern Worldwide, World Vision, Save the Children, International Rescue Committee, Red-R, GTZ and local partner NGOs, International Federation of the Red Cross and National Societies, UNDP, UNICEF, UNHCR, OCHA, WFP and UNSECOORD. For more information see: www.hdcentre.org/Programmes/smallarms/sasurvey.htm

¹¹ Ryan Beasley, Cate Buchanan and Robert Muggah (2003), *In the Line of Fire: Surveying the Perceptions of Humanitarian and Development Workers of the Impacts of Small Arms and Light Weapons*, Centre for Humanitarian Dialogue and Small Arms Survey. Available in French, Spanish and English at www.hdcentre.org/Programmes/smallarms/sasurvey.htm

¹² Oxfam, Amnesty International, and IANSA (2003), *Shattered Lives: The Case for Tough International Arms Control*, p.33. Available at: www.controlarms.org.

Gun violence victims are often prioritised, with medical staff unable to spread their time and resources on other demanding though not immediately life threatening matters. Ugandan doctor, Olive Kobusingye, succinctly describes this dilemma when she asks: “Are you going to take a child off the respirator to put on the firearm injury patient?”

Child soldiers

“Where there is an abundance of small arms in today’s wars, there are armed children: whether suicide bombers in Sri Lanka, soldiers in Myanmar, guerrillas in Colombia, or militia in Sierra Leone.”¹³ Some 300 000 child soldiers are actively fighting in 41 countries with another 500 000 recruited into paramilitary organisations, non-state armed groups and civil militias.¹⁴ They are violently taken from their schools and separated from their families to serve as combatants, domestic labourers or sexual slaves for both formal and informal armies. Constant exposure to violence damages the physical and psychological welfare of these children and presents long-term generational and developmental challenges to communities.

Violence against women

Small arms are principal tools used to facilitate gender-specific atrocities such as the rape and sexual abuse of women. In approximately 75% of all reported incidents of rape and attempted rape in Kenya’s Dadaab refugee camp, one or more assailants were armed.¹⁵ Similarly, there is a pattern of abuse against women in so-called peaceful situations. A number of gender-disaggregated studies of weapons-related violence in industrialised countries have observed the association between arms availability and the victimisation of women.¹⁶

The misuse of small arms

The UN Commission on Human Rights Special Rapporteur on Small Arms, Barbara Frey, has identified the misuse of arms to be an issue of critical concern, particularly by state forces.¹⁷ The use of weapons in violation of human rights and humanitarian law is seen the world over, though exacerbated in situations characterised by war, corruption and dysfunctional justice systems. Existing tools, including the 1990 *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* and the *Code of Conduct for Law Enforcement Officials* provide standards for the use of force by law enforcement officials.¹⁸ Additionally, reform of the security sector, with emphasis on strengthening the rule of law; training armed and police forces in human rights and humanitarian law, particularly norms and principles concerning the responsible use of weapons; improving police-community relations; and the provision of swift access to justice are all critical factors for reducing the demand and misuse of these weapons.

Arms transfers to non-state armed groups

The transfer of weapons to non-state armed groups is a key challenge given that this often entails breaching an arms embargo and results in weapons in undisciplined hands.

¹³ Small Arms Survey (2002), p.171.

¹⁴ See www.child-soldiers.org

¹⁵ Robert Muggah and Eric Berman (2001), *Humanitarianism Under Threat: The Humanitarian Impact of Small Arms and Light Weapons*, Small Arms Survey, p. 24.

¹⁶ Small Arms Survey (2003), p. 148.

¹⁷ Frey, *ibid*

¹⁸ Available respectively www.unhchr.ch/html/menu3/b/h_comp43.htm and www.unhchr.ch/html/menu3/b/h_comp42.htm

In an effort to address the problem of transfers to non-state actors, the European Union Joint Action on Small Arms and Light Weapons includes a commitment by exporting countries to supply small arms only to governments, outlawing the sale of military-style small arms to sub-state or non-state armed groups. In 1999, the Canadian government called for a global action on the issue of transfers of weapons to non-state actors continue. They noted that, "*the inevitable result is that people will be killed, no matter what the politics of the situation may be...one is left with the legacy of a 'weaponised' society in which 'de-proliferation' is difficult, costly or even impossible.*"¹⁹ It is time to revisit this call for action.

In conclusion

The human security crisis arising from small arms availability and misuse has yet to find full recognition. The Red Cross and Red Crescent Movement can be instrumental in raising awareness and calling for action on the humanitarian impacts. The complex issue of small arms must be tackled at multiple levels — stemming illicit and excessive supply, reducing demand, ending misuse and addressing the human cost. The humanitarian community has a critical role and opportunity to advance action through programming, action-oriented research, advocacy and policy development. Existing tools and the possibilities for action will be elaborated in further detail at the workshop, and in the forthcoming publication previously mentioned. See the appendices for international law pertinent to weapons transfers and use as well as the most recent Human Security Network declaration on small arms availability and misuse.

¹⁹ A Proposed Global Convention Prohibiting the International Transfer of Military Small Arms and Light Weapons to Non-State Actors (1998), UN Canadian Mission, New York

Appendix A:

Selected sources of international human rights and humanitarian law related to the transfer and misuse of small arms and light weapons

Situation	Example of violations	Applicable law
1. Misuse of small arms by agents of the state	<ul style="list-style-type: none"> • Genocide • Intentional killings by security forces • Excessive force by law enforcement • Disproportionately violent government reaction to disturbances • Systematic rape • Torture • Forced displacement • Deprivation of basic human needs 	<ul style="list-style-type: none"> • Universal Declaration of Human Rights, Art. 3 • International Covenant on Civil and Political Rights (ICCPR), Art. 4(2) • ICCPR, Art. 6 • Convention on the Prevention and Punishment of the Crime of Genocide (“Genocide Convention”) • Code of Conduct for Law Enforcement Officials, Art. 3 • Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
2. Misuse of small arms by private persons, when the state fails to exercise due diligence	<ul style="list-style-type: none"> • Ethnic, religious, political killings or massacres • Failure to prevent criminal homicide • Failure to prevent domestic violence • Failure to prevent crimes committed post-conflict by individual owners of small arms 	<ul style="list-style-type: none"> • Universal Declaration of Human Rights, Art. 3 • ICCPR, Art. 6 • “Due diligence” standard, Inter-American Court of Human Rights, European Court of Human Rights • Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Rights and Fundamental Freedoms, Art. 2(1), Art. 2(2)
3. Misuse of small arms by state agents in armed conflict	<ul style="list-style-type: none"> • Genocide • Extrajudicial executions or torture of non-combatants and prisoners of war • Attacks on peacekeepers and humanitarian workers • Collective punishments against civilian populations in situations of occupation • Forcibly relocating civilian populations • Using weapons that cause unnecessary suffering • Summary executions of captured combatants • Exploitation of children as soldiers • Indiscriminate use of weapons • Crimes against humanity, and war crimes 	<ul style="list-style-type: none"> • Treaty bans on specific weapons: • St. Petersburg Declaration (1868) (exploding projectiles) • The Hague Declaration (1899) (dum dum bullets) • Geneva Conventions of 1949 • 1977 Additional Protocols to the Geneva Conventions • Genocide Convention • Rome Statute of the International Criminal Court • ICCPR, Art. 6, Art. 7 • Convention on the Rights of the Child, Art. 38 • Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

<p>4. Misuse of small arms by opposition groups in armed conflict</p>	<ul style="list-style-type: none"> • Genocide • Mass killings • Systematic rape • Attacks on civilians, peacekeepers and humanitarian workers • Exploitation of children as soldiers • Forced displacement of populations • Hostage-taking 	<ul style="list-style-type: none"> • Geneva Conventions of 1949, Common Article 3 • Additional Protocol II to the Geneva Conventions, and relating to the Protection of Victims of Non-International Armed Conflicts • Genocide Convention • Rome Statute of the International Criminal Court
<p>5. Arms transfer with knowledge that arms are likely to be used to commit serious violations of international human rights and humanitarian law</p>	<ul style="list-style-type: none"> • Violation of UN Security Council arms embargoes • Transfer to insurgent group in another state • Transfer to a state identified as having a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms • Transfer to a state that uses child soldiers • Transfer to a state unable to control post-conflict violence • Transfer to a state known to violate international humanitarian law norms in situations of armed conflict 	<ul style="list-style-type: none"> • UN Charter, Chapter VII (arms embargoes) • Geneva Conventions of 1949, Common Article 1 • UN Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and Protection of Their Independence and Sovereignty • Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations • International Law Commission, Draft articles on Responsibility of States for Internationally Wrongful Acts

Source: *Shattered Lives* (2003), originally adapted from Frey 2002

Appendix B:

Ministerial Foreword: A People-Centred Approach to the Availability and Misuse of Small Arms

Since its inception in 1999, the Human Security Network has recognised that small arms are a principal threat to the safety of people and their communities. The proliferation and misuse of small arms undermine efforts to ensure security at every level; whether in children's schools or in refugee camps, in cities wracked by criminal violence or in regions destabilized by weapons proliferation.

Countries of the Human Security Network have consistently called for the international community "to intensify and coordinate efforts against the excessive and destabilizing accumulation and uncontrolled spread of small arms" (Chair's Summary, HSN Ministerial Meeting Bergen, 1999). We are determined, as the UN Program of Action declares "to reduce the human suffering" caused by the proliferation and misuse of a weapon that "sustains conflict, exacerbates violence, contributes to the displacement of civilians, undermines respect for international humanitarian law, impedes the provision of humanitarian assistance to victims of armed conflict and fuels crime and terrorism."

We call for the full implementation of existing agreements and standards – regional and global – to control weapons availability and limit weapons misuse. Foremost among these are the Firearms Protocol of the United Nations Convention against Transnational Organized Crime; the United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

These international initiatives are landmark achievements in the struggle to reduce the human costs of small arms violence. To ensure human security in the face of small arms violence, however, we must do more. To that end, the Network has undertaken, with the assistance of the Centre for Humanitarian Dialogue, consultations on the human dimension of the small arms challenge. We are pleased to present the outcome of these consultations in this publication – *Putting People First: Human Security Perspectives on Small Arms.*

On the basis of emerging research and personal accounts from doctors, development workers, humanitarian personnel and ordinary people, elements of people-centred approach to small arms are identified. Collectively, they sound an urgent call for measures ranging from tightening UN arms embargoes to protecting children from gun violence; from public health interventions to the challenges of gender-based violence; from restraint in arms transfers to promoting community-based policing.

The pages that follow constitute a clear message to the small arms community that progress to date is only a good start. More must be done. We hope that this is a message that will be heard where those working on small arms meet – from the First Biennial Meeting of States on the Implementation of the UN Programme of Action in July 2003 to the town halls of communities struggling in the face of gun violence.

Curbing the easy availability and misuse of small arms remains a central priority for the Human Security Network. In the coming months, Network countries will continue to draw attention to the staggering human costs associated with small arms violence in

multilateral contexts, including the 28th International Conference of the Red Cross and Red Crescent in December 2003.

Network countries will continue this established dialogue with UN agencies and NGOs. Particular emphasis will be given to further elaborating the sub-components of a people-centred approach such as the relevance of human rights and humanitarian law; and options for enhancing community security. Efforts will also be made to broaden the dialogue to include other like-minded partners.

At the core of all this work, the Network will hold the reduction of death and injury as its benchmark for progress. With an estimated 1,300 people being killed every day as a result of gun violence, we must continue to work towards a world where people's rights, safety and lives are not threatened by small arms. Without substantial progress in reducing the availability and misuse of small arms, human security will remain an elusive goal.

Human Security Network

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Note: Published in *Putting People First: Human security perspectives on small arms availability and misuse*, July 2003.