



# Civilians, guns and peace-building: Approaches, norms and possibilities

## Summary

As the nature of contemporary armed conflicts has changed, so has the definition of ‘combatants’. Gone are the clearly defined opposing lines of uniformed armed forces fighting on battle grounds distinct from the mass of innocent civilians. Instead, violent conflicts over the last twenty years have featured a range of armed individuals and groups: civil defence forces, militias, paramilitaries, criminal groups, armed gangs, child soldiers and mercenaries, to name a few. Numerous civilians who may not have been involved in the conflict still possess small arms for reasons such as hunting, sport shooting, self-protection, or status. The blurring of the divide between civilians and combatants means that traditional disarmament, demobilisation and reintegration (DDR) programmes, largely focusing on combatants, are insufficient to address the challenges that armed civilians pose for effective and sustainable disarmament and weapons control.

A long-term goal of violence reduction in post-conflict societies can be achieved through three complementary approaches to address to guns in the hands of civilians:

1. ***Taking weapons out of circulation*** ➔ Community-based weapons collection
2. ***Controlling access*** ➔ Instituting a regulatory framework (norms and institutions) to control weapons that remain in circulation
3. ***Transforming armed violence*** ➔ Changing attitudes related to weapons possession and misuse

These approaches are linked to a broader transformation agenda including security sector reform, reconciliation, (re)establishment of the rule of law, and – ultimately – sustainable development. Reforming and strengthening national weapons laws related to guns in the hands of civilians is increasingly regarded as a critical investment in peace-building and violence prevention. Strikingly, it is largely through the work of development agencies, national NGOs and police forces that approaches and standards are being tested and developed. It is also through this effort that the evidence base for sound policy and programming is slowly evolving – however solid research on civilian weapons possession in post-conflict settings remains an ongoing challenge.

## Civilians, guns and peace-building: the evidence base

The Small Arms Survey estimates that 60 per cent of the global stockpile of some 640 million guns is in civilian hands.<sup>1</sup> The majority of users and abusers of guns globally are men – who are also the primary victims of gun violence, particularly between the ages of 14 and 44 years. Women suffer a wide range of indirect consequences from the misuse of weapons and are largely left to care for the injured and disabled. Evidence from post-conflict settings suggest

that violence towards women, and particularly ‘intimate femicide’ rises dramatically.<sup>2</sup> Guns add a lethal element in displays of men’s power over women.

“In the aftermath of virtually all civil wars in the 1980s and 1990s, civilians perceived greater insecurity, often as a result of documented increases in violent crime. Ironically, in places such as El Salvador and South Africa, civilians faced greater risk of violent death or serious injury **after** the end of the conflict than **during** it.”<sup>3</sup>

The ready availability of weapons is certainly one factor explaining the surge in armed violence and crime common in the aftermath of armed conflict: paramilitary or covert organisations will reorient into criminal organisations, and prolific weapons make criminality easier and more lethal. In addition, DDR programmes can lead to significant decreases in security ‘forces’ who provided *de facto* public security. While there is often an assumption that ex-combatants are responsible for most armed violence and crime occurring in the aftermath of war, this is not necessarily the case. In El Salvador, for example, it was rather the youth that had grown up at the time of the conflict who were socialised by the pervasive militarism and subsequently became some of the most violent elements of society.<sup>4</sup>

## Sound research – effective programming

A first step in devising any violence reduction strategy is to measure and investigate the nature and extent of the problem. A range of quantitative and qualitative data needs to be collected to determine the types of violence (e.g. political, criminal, intimate partner violence); its social, economic and psychological costs; the amount and type of weapons and ammunition in circulation; the categories of weapons owners, holders and users; the new sources of guns and supply routes; an assessment of attitudes and perceptions of security, policing, justice systems and guns themselves, including motivations and means to acquire/possess guns; vectors of peace (eg. existing or previous values, civil society groups, models of leadership, music and arts, sports); and, existing laws (often outdated) and policies related to weapons possession.

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As an example, the El Salvador ‘Firearms and Violence Study’ undertaken in 2001 by research centres, the national bureau of statistics and the civilian police provided compelling information for the first time to shape legislative and institutional reforms, as well as several outreach and communication activities to targeted groups in the population (for e.g. youth, young men, gun owners and manufacturers).

Countries in transition are often ‘data-free environments’ and data collection systems can take years to re-establish minimal functionality. However, researchers can utilise creative strategies to collect information. Besides public institutions (police, health, justice), data can be collected from hospitals and emergency services, through surveys or targeted interviews, or by setting up focus groups to define problems and solutions.

## Community-based control efforts: individual and collective dynamics

As an important category of weapons owners and users, civilians must also be targeted by weapons collection efforts in post-conflict situations. Governments, donors and implementing agencies are increasingly following DDR with an additional set of initiatives loosely referred to as ‘weapons reduction’, which commonly target a wider range of actors, including civilians. They include follow-on weapons collection campaigns

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(coercive or voluntary), ceremonial weapons destruction and public awareness campaigns, among a host of initiatives.

One type of weapons reduction effort that is gaining prominence is ‘weapons in exchange for development’ (WfD) initiatives. WfD uses community development projects as incentives for civilians to voluntarily turn in their weapons, and as such are particularly well suited to countries in which there is still a significant rural-based agricultural economy. Identifying appropriate incentives is obviously key to the success of such programmes in collecting weapons. Recent evaluations of such efforts in Cambodia, Mali and Albania have suggested that weapons for development programmes also have an educative impact, can help shift perceptions of security, and promote the increased movement of people.

## Institutional and legislative reform for weapons control

Even with the best implementation of weapons collection initiatives targeted at communities, a residual number of guns will inevitably remain in circulation and it is critical to put in place normative and institutional frameworks to control them, and regulate their holders.

**Strong norms and institutions are needed to control residual weapons**

Gun laws are largely reflective of the cultural and historical context as well as the legal tradition of a country, yet some common principles can nonetheless be identified as particularly important to ensure in post-conflict settings. Laws governing private possession and use of small arms should delineate what *uses* of guns are legitimate (eg. banning the public carrying of guns), *who* may or may not own guns (eg. age, criminal record), and what *weapons* are deemed appropriate and legal for civilian possession (eg. type and quantity).<sup>5</sup> This requires a system of both owner licensing and weapons registration, and can be modified for applicability in low-income settings.

Legislative reform can also include the possibility of further weapons control activities, such as amnesties, buy-back programmes and moratoria on new gun purchases. Finally, the question of who should be involved in legislative reform is important, as broad involvement can give citizens and various government and civil society stakeholders an opportunity to contribute to a transformative process.

Standards that have developed around national laws include:

- Owner licensing
- Weapons registration
- The establishment of clearly defined ‘legitimate use’ criteria
- Fitness/propriety to own a gun
- Age limit
- Limits on the number of guns possessed
- Prohibition of military-style small arms
- Banning the carrying of guns in public

To a lesser extent:

- Ammunition controls
- Sequencing with efforts to reduce gender-based violence

However, good laws can only be effective if they are properly enforced. In nations recovering from war, where the authority of the State may have been severely eroded and human, physical and financial resources depleted, efforts at strengthening and reforming the justice and security sectors are as important as they are challenging. Reforms will be guided

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by considerations of representativity, accountability, and supervision of the security forces. Police forces must be given the physical capacity to enforce the laws (workforce, equipment and premises, databases), as well as training and awareness of both the substance of the laws and basic principles on the use of force and firearms.

## Changing attitudes: communicating reform

New norms around weapons possession and use are the subject of intense cultural, economic and political negotiation. Building support for reforms requires careful consideration of issues linked to communication, in terms of content of messages, target audiences, and media. The importance of clear and consistent communication cannot be overemphasised. Involving civil society in consultations and implementation is particularly useful given the role such organisations can play in raising public awareness and building support for new norms.

The development of the new arms law in South Africa is an example of a transparent and public process. Some three months of public consultations and parliamentary hearings were key opportunities for public debate and input.

**Civil society can raise public awareness and build support for new norms**

As another example, in Cambodia, 20,000 copies of the new Arms Law were printed for wide distribution throughout the country, particularly to police posts and administrative offices in all 1,621 communes in the country. A further 100,000 pocket-sized copies of the Arms Law are set for distribution to individual law enforcement officers by the end of 2005

## Timing and sequencing: negotiating disarmament

Mapping and planning activities should already be undertaken by the security and development communities when peace is on the horizon, an opportunity often missed in practice. But transitions differ: while some are long and slow, others are quite dramatic. Such is the case for example of the recent peace agreement concluded in Aceh, Indonesia: its suddenness might have precluded careful planning of the process. Whether this will be a problem in the future remains to be seen.

**Mapping and planning should already start when peace is on the horizon**

Once a peace agreement is being negotiated, weapons control can and should be addressed explicitly with reforms standing a much better chance of being adequately planned and implemented if they are rooted within the peace agreement itself. Given that DDR is almost always included (in some form), there is space for interventions on other weapons issue, for example, a focus on civilian disarmament, particularly of civil defence groups and militias. While the issue of weapons control in fragile peace processes is fraught, the absence of reference to concrete disarmament activities in peace agreements could also well be due to a lack of information of those who negotiate peace agreements: armed groups, third party mediators, government officials, and the donors that support peace processes.

The HD Centre is implementing a project ‘Negotiating which aims to provide actors directly engaged in peace negotiations accessible and insightful analysis on weapons control, disarmament and violence reduction issues. It seeks to raise the standard on both the understanding and the greater inclusion of weapons control clauses in peace agreements and peace processes. The primary audiences include armed groups, third party mediators, government negotiators and military officials. Other audiences include donors, civil society organisations and international organisations.<sup>6</sup>

## Building national capacity

Consistent national government commitment is key and will often be predicated on donor support, and IGO and NGO involvement.

Reconciling the interests of various actors (in terms of timeframes, indicators of success) with those of civilian populations and security forces is a key challenge. In the end, however, it is important that national institutions be at the forefront of arms-related activities.

Furthermore, various activities might well have to be carried out long after international agencies have withdrawn. Focusing early on building the capacity of national institutions and civil society could also reduce the likelihood of inducing donor dependency, where long-term programmes are jeopardised by a shortage of external funds and guidance.

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## International processes on guns and peace-building

Several international processes offer opportunities for the international community to advance a more comprehensive agenda for disarmament and weapons control activities in post-conflict settings, which would take into account the whole range of weapons owners and users.

First among those is the UN Peace-Building Commission (PBC). Although the modalities of the PBC have yet to be established, there are strong grounds for encouraging a focus on disarmament and weapons control issues in its portfolio. The stated goal of the PBC is to establish an advisory body to effectively address the challenge of assisting countries in transition from war to lasting peace – an essential UN role that has been left without a central administrative body within the UN system. DDR has been recognised as a focus, however it should not be where a weapons control focus ends. There is much that can and should be done to reduce armed violence and control guns in the hands of civilians, police, private security and the military.

**DDR should not be where a weapons control focus ends**

The UN process on small arms also offers opportunities for broadening the agenda related to guns and peace-building. The issue of civilian possession – regardless of context – remains one of the most contentious issues in the UN process on small arms, yet it is clear from the high level of voluntary reporting on the issue that the majority of States see this as a crucial issue to address. In particular at the forthcoming January 2006 PrepCom, States transitioning from violent conflict or supporting weapons control efforts in such nations are well positioned to reflect on these experiences, how they have related or otherwise to the PoA, and implications for future policy-making.

A major step forward was registered at the 2005 UN General Assembly First Committee, when the Netherlands advanced a resolution calling upon States to “*more effectively address the humanitarian and development impact of ... small arms ... in particular in conflict or post-conflict situations, including by: ... (d) Systematically including national measures to regulate small arms and light weapons in longer term post-conflict peacebuilding strategies and programmes...*” (UNGA resolution A/RES/60/68).<sup>7</sup> Passed by 177 votes to one against (no abstentions) it signals the willingness of the international community to support not only the reduction (collection) of guns, but also the regulation of guns in the hands of civilians.

**This is a summary of a larger briefing paper by Cate Buchanan and Mireille Widmer to be distributed in January 2006**

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

<sup>2</sup> Call and Stanley (2001) refer to the work of Tracey Fitzsimmons to highlight the anecdotal evidence base that women in post-conflict settings experience heightened levels of intimate partner violence due to cultures of violence instilled during war periods. *The Post-Conflict Transcript: Women in Central America, Haiti and Bosnia*, paper presented at the Latin American Studies Association conference, Miami, March 2000; Mathews, S. et al. (2004), 'Every six hours a woman is killed by her intimate partner'; Medical Research Council Policy Brief, Medical Research Council, Cape Town, pp. 1-4. See also 'South African spouse killings epidemic.' May 24, 2005 Available at: [www.cnn.com/2005/WORLD/africa/05/24/wife.killings.reut/?section=cnn\\_world](http://www.cnn.com/2005/WORLD/africa/05/24/wife.killings.reut/?section=cnn_world)

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

<sup>4</sup> Communication with Jackie Bloch, Society Without Violence El Salvador, November 14, 2005

<sup>5</sup> Based on Zimring, F. (1991), 'Firearms, violence and public policy', *Scientific American*, November, pp. 24-30

<sup>6</sup> See [www.hdcentre.org](http://www.hdcentre.org) (small arms programme)

<sup>7</sup> Available at <http://disarmament2.un.org/vote.nsf>