

11. Post conflict weapons control

Urias Teh Pour,

CEDE,

Liberia,

To be delivered in **English**

My name is Urias Teh Pour and I would like to take a look at the situation of weapons control in nations recovering from war, in particular my country, Liberia. Contrary to widespread belief, armed violence does not necessarily decrease in the wake of peace agreements.

Controlling and reducing guns in civilian hands is a key peace-building priority. Agencies such as UNDP recognise this and systematically include efforts to strengthen, update and harmonise national gun laws in dozens of countries where they work.⁵ In the last five years, several nations emerging from war and protracted armed conflict have also strengthened (or are in the process of doing so) national firearms legislation. These include for example Cambodia, Afghanistan, Haiti, Sierra Leone, El Salvador and Guatemala.

A review of injuries in Cambodia conducted by the International Committee of the Red Cross between January 1991 and February 1995, for example, found that weapon injury rates rose in the post-war period, particularly after the withdrawal of the UN peacekeeping force.⁶ While fatal injuries do often decline sharply immediately after an armed conflict ends, the fall is less dramatic than previously believed. In the long-term, fatal injuries and excess deaths can remain surprisingly high, sometimes at levels higher than before the war.¹

There are several factors which contribute to these ongoing cycles of violence. These include the significant reduction of armed forces and armed groups who may have provided *de facto* security; weak and ineffective or repressive and unaccountable law enforcement agencies; the lack of economic growth, employment opportunities and local production, contrasting with high expectations following the peace agreement; the reorientation of paramilitary or covert organisations into criminal organisations; and the ready availability of weapons. Weapons are rarely limited to official 'combatants' when armed conflicts end. Civil defence forces, militias, paramilitaries, criminal groups, armed gangs, child soldiers and mercenaries, are some of the actors that continue to hold weapons - weapons in their hands can pose problems long after the official conflict has been declared over.

As many State officials have commented this week, high levels of insecurity pose particular challenges for postwar reconstruction and sustainable development, exacerbating poverty, discrimination, disease and malnutrition,

⁵ UNDP (2005) *Securing development: UNDP's support for addressing small arms issues*, July

⁶ International Committee of the Red Cross (1999), *Arms availability and the situation of civilians in armed conflict*. Geneva, pp. 33-38
Small Arms Survey 2005: Weapons at war. Oxford University Press, Oxford, pp. 268-9

inhibiting access to social services and diverting resources away from efforts to improve human security and development.⁸

The Programme of Action calls on States to 'develop and implement, where possible, effective disarmament, demobilisation and reintegration programmes, including the effective collection, control, storage and destruction of small arms and light weapons' (Section II, para.21). But the widespread availability of weapons in *all* sectors of society means that DDR programmes, by targeting only former combatants and those associated with fighting forces, cannot be expected to achieve comprehensive disarmament and weapons control. Additional measures are also necessary, including community-based weapons collection and destruction programmes, the establishment of institutions able to ensure security and control weapons remaining in circulation, the transformation of attitudes related to weapons possession and use and the strengthening of legislative frameworks and enforcement capacity.

The importance of strengthening national measures was recognised during the 2005 UN General Assembly First Committee, in support of the Netherlands resolution calling upon States to [and I quote]

'more effectively address the humanitarian and development impact of small arms in particular in conflict or post-conflict situations,, including by systematically including national measures to regulate small arms and light weapons in longer term post-conflict peacebuilding strategies and programmes.⁹

This is also the conclusion of the UN Integrated DDR Standards (IDDRS), a joint effort of 15 UN agencies, departments, funds and programmes to develop an integrated policy on DDR within the UN System.¹⁰

I want to talk about how my country has taken steps in line with these two international resolutions. In 1956 the National Firearms Control Act of Liberia was enacted. This Act is outdated, considering Liberia's fifteen years of violent conflict and the biases of Liberia's past. For example it says indigenous Liberians should not bear arms. The Act is also very limited in that it makes no provision for the collection and destruction of illicit weapons; has poor provisions for keeping track of guns through a registry and lacks elements for regional collaboration, considering the conflict in the West African region.

As part of Liberia's efforts to bring about lasting peace in our country we have just this year drafted new firearms legislation. Drafting the Act was an elaborate process involving wide consultation with hunters,

⁸ See for example the chapter on 'Violent conflict-bringing the real threat into focus' in: United Nations Development Programme (2005), *Human Development Report 2005: International cooperation at a crossroads: Aid, trade and security in an unequal world*. UNDP, New York.

'Addressing the negative humanitarian and development impact of the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation Available at: www.un.org/Depts/dhl/resguide/r60.htm A/RES/60/68; See also HD Centre (2005), *Small arms control: A focus on the 2005 Session of the UN First Committee*. Available at: www.hdcentre.org/UN+First+Committee+%28Disarmament%29+2005

⁹ VIN General Assembly (2006), *Report of the Secretary-General on Disarmament, demobilization and reintegration*, A/60/705, 2 March, para. 43

traditional leaders, members of the legislature, civil society leaders, and legal practitioners. Important new elements in the draft legislation include:

- The role of the Police in arms control
- The policy oversight of the NATCOM on small arms issue in Liberia
- The destruction of all collected illicit weapons
- Effective regional collaboration with NATCOMs, Police and Customs on cross border firearms issues
- Tougher measure on the use and possession of firearms by civilians, for example: issuance of licenses, and criteria for eligibility including hunting guns,
- Marking, tracing and brokerage provisions, and
- Ban on civilian use of military style weapons

Finally, I would like to encourage States to recognise that:

1. Measures to regulate small arms possession and use must be systematically included in all post-conflict peacebuilding strategies and programmes. In addition to DDR programmes, these programmes must address all members of society, not just ex-combatants.
2. These programmes to include community-based weapons collection, the development of a regulatory framework of norms and institutions, and awareness-raising programmes.
3. Controlling weapons in the hands of civilians, including through updating national firearms legislation, is a peace-building priority. Legislative reforms should be implemented in parallel with security sector reform and measures supporting the rule of law.

Thank you.