



## **The Ploughshares Monitor**

**Autumn 2008, volume 29, no. 3**

### **Preparing for the 2008 Biennial Meeting of States**

**By Maribel Gonzales**

In April 2008 three policy papers were presented to Foreign Affairs and International Trade Canada by the Small Arms Working Group (SAWG) of Peacebuild. They explored key policy areas deserving of Canadian government attention as it prepared for the United Nations Third Biennial Meeting of States to Consider Implementation of the PoA (programme of action on small arms and light weapons), which was held this past July in New York.

Peacebuild, the Canadian Peacebuilding Network, is a network of Canadian civil society organizations and individuals actively involved in peacebuilding practice and policy development. Its goal is to promote greater and more effective Canadian participation in global peacebuilding activities. Project Ploughshares is a member of Peacebuild and is the coordinator of SAWG.

SAWG seeks to engage the Canadian peace, disarmament, human rights, and development NGO communities in the development and promotion of national and international policies and measures to reverse the diffusion and misuse of small arms and light weapons. Through meetings, workshops, and roundtables on small arms, the Working Group provides a forum for members to exchange information, share lessons learned, collaborate, and engage in policy dialogue with relevant government departments.

The papers presented were:

- *Armed Violence Reduction and Development Programming: The Canadian Experience and Status* by Christina M. Yeung
- *Review of the Progress in Canadian Implementation of the UN Programme of Action on Small Arms* by Adam Parsons and Kenneth Epps
- *The Illicit Trade in Small Arms: Addressing the Problem of Diversion* by Wendy Cukier.

#### **Armed violence reduction and development programming**

Dr. Yeung is a researcher and Gordon Fellow. Her paper examines the current government policy on support for armed violence reduction and development (AVD) programming, outlines government-funded projects, presents some lessons learned from

disarmament programs, and highlights the conceptual challenges of armed violence reduction.

Canada was one of the original 42 signatories to the 2006 Geneva Declaration on Armed Violence and Development, which commits states to integrate armed violence reduction and conflict prevention into their humanitarian and development policy and programming. It has also adopted a Whole-of-Government approach (defence, development, and diplomacy) to foreign policy priorities.

Yeung acknowledges that the Canadian government has long funded research and projects related to the reduction of arms or armed violence. However, the government has been less successful in incorporating the concept of armed violence reduction into its own development programming. She notes, “Currently, no policy guidelines exist for government departments like DFAIT or the Canadian International Development Agency (CIDA) to integrate AVD in a crosscutting way into either country development strategies or thematic programming.” Furthermore, “on the issue of armed violence reduction, it is currently unclear whether DFAIT or CIDA is the ‘leading’ department in policy development and programming.” Only a few Canadian NGOs do explicit programming in armed violence reduction and development. A notable exception is the joint West African program operated by Oxfam GB and the Montreal-based Centre for International Studies and Cooperation (CECI).

Yeung offers some lessons from disarmament programs:

- Many weapons reduction activities do not have clearly defined criteria of what would constitute a successful or failed program. Program objectives tend to be ambiguous because the objectives and motives of the various stakeholders can be divergent and even at odds.
- “Many arms reduction programs lack a conceptual framework to disarm the minds of gun users, especially young men, by changing community attitudes towards weapons possession and use. Much more research needs to be conducted on masculinities.”
- Insufficient attention is paid to local context.
- “Without integrating the demand factors for small arms and security concerns of stakeholders, the extent to which arms reduction programs have a sustainable effect on the long-term socioeconomic development of the affected communities is questionable.”
- Involvement of local communities in the planning and implementation of such programs is key to attaining sustainability.

Yeung notes that many Canadian NGOs have the capacity for AVD programming and that there are roles that these NGOs could take on effectively. “What is missing now,” she concludes, “is a clear indication from the Canadian government on how it will implement its political commitment to AVD, and whether it will once again rise to the occasion to provide international leadership on small arms issues.”

## Canadian implementation of the UN PoA

In their paper, Adam Parsons, a 2007-8 Presbyterian Church in Canada Peace and Human Security intern with Project Ploughshares, and Kenneth Epps, Ploughshares Senior Program Associate, evaluate Canadian implementation of the UN PoA on small arms and light weapons (SALW) by analyzing Canadian government reports to the UN and examining relevant Canadian policy and legislation. An annex of four tables summarizes the Canadian record of implementation of the key provisions of the PoA. The authors also recommend policies and action that would “advance Canadian implementation of, and ultimately support for, the PoA.”

As this study reveals, Canada has made significant progress in meeting its international obligations in some areas, but is dragging its heels in others. “More seriously,” the authors note, “there are significant contradictions between Canada’s SALW policy priorities and Canadian action.”

Parsons and Epps outline relevant Canadian legislation and policies on arms brokering, small arms exports, small arms imports, marking and tracing, stockpiling, and international cooperation and assistance. Among their findings:

- Canada has no explicit legislation on brokering. Existing statutes have “regulatory loopholes that ease the passage of illicit brokers and their products.”
- Canada has a good record in exporting small arms, but there are significant regulatory gaps.
- Assurances that import regulations will be changed have not yet been honoured, nor have delays been explained.
- Implementation of Firearms Marking Regulations has been repeatedly postponed. This delay puts Canada in a marginalized position in the Americas, where 28 of 35 members of the Organization of American States have ratified the CIFTA firearms convention.
- Canadian stockpiling regulations have been pending for years. “While Canada has been a strong multilateral partner in helping other nations to set up stockpile management systems, it is lagging in instituting its own system.”
- Canada has made significant advances in international cooperation and assistance. Canada supports research, education, and awareness programs; provides donor assistance to help states to meet their obligations to the PoA; and assists in international law enforcement efforts to stop the illegal trade in weapons through the use of high-performance weapons tracing tools. It actively partners with international civil society groups, but has not had direct consultations with civil society since 2002.

This study concludes with a list of recommendations, including:

- Canada should institute brokering obligations of international agreements.
- Canada should develop legislation to prevent the illicit extraterritorial brokering of SALW by Canadian citizens in foreign territories.
- Canada should amend its control criteria for the export of SALW to reflect emerging standards under international humanitarian and human rights law.

- The transparency of Canadian exports of SALW could be strengthened by improvements to the annual government report, in particular by including data on exports to the United States and by reporting more detail on SALW exports.
- Canada should expand import regulations on SALW to include mandatory permits for the import of all classes of SALW into Canada.
- Canada must institute a comprehensive domestic stockpile management system.
- Canada should reinstitute direct consultations with civil society representatives.

### **Addressing the problem of the diversion of small arms**

Dr. Wendy Cukier is Professor of Information Technology at Ryerson University and the President of the Coalition for Gun Control. Her paper defines licit and illicit arms and analyzes the points of diversion of licit small arms to the illicit market and potential mechanisms to prevent diversion. She notes that “most illicit small arms begin as licit small arms.” Diversion occurs through “illegal manufacture or reactivation of deactivated weapons, illicit sales by states, illegal brokering, illegal sales by dealers, illegal sales by civilians, theft from state and civilian stockpiles, and illicit importation.”

While Cukier’s focus is on diversion, she stresses that it is important to understand the root causes of political and criminal violence that drive the demand for illicit small arms. Where demand is strong because of acute insecurity, efforts to reduce diversion by increasing controls over the licit supply are less likely to be successful. Factors driving the demand for small arms include demographics, governance problems; weak and corrupt law enforcement; human rights violations; civil and identity conflicts and the failure of states to protect the vulnerable; social and economic disparities; inadequate post-conflict disarmament, demobilization, and reintegration of ex-combatants; and cultural attitudes.

The paper examines a wide variety of mechanisms that facilitate illicit sales, including “the absence of appropriate controls, falsification of documents and inadequate implementation, and a limited capacity for enforcement.” Cukier notes that one of the main purposes of international sanctions and embargos, conventions, programs of action, and national regulations “is to reduce the risk that licit small arms will be diverted to illicit markets and purposes.... The PoA includes a number of elements intended to reduce the diversion of small arms, including import/export/transit controls, end-use certificates, controls on brokering, and national legislation.”

Cukier urges that small arms be marked so that legal and illegal weapons can be readily determined. She makes the case for effective follow-up to paper conventions, legislation, and programs of action and for enforcement of the international obligations of states. She writes, “Support for implementation is essential to ensure that appropriate economic, operational, technical, and political issues are effectively addressed” and “policies, practices, and resources must be in place to ensure that illicit small arms are collected, stored securely, inventoried, traced, and eventually destroyed.”

Finally, she urges further research: “There is still limited empirical evidence. More data collection and analysis are required to refine our understanding of the methods and mechanisms of diversion, as well as the interventions most effective in reducing small arms trafficking.”

*The SAWG papers can be found on the websites of Project Ploughshares ([www.ploughshares.ca](http://www.ploughshares.ca)) and Peacebuild ([www.peacebuild.ca](http://www.peacebuild.ca)).*