THE IMPACT OF POORLY REGULATED ARMS TRANSFERS ON THE WORK OF THE UNITED NATIONS

United Nations Coordinating Action on Small Arms (CASA)
2013

UNODA
United Nations Office for
Disarmament Affairs

United Nations

UNODA Occasional Papers

No. 23, March 2013

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Abstract

The poorly regulated arms trade has devastating, multifaceted effects. These include fuelling violence and armed conflict, hindering efforts to promote socioeconomic development and creating a permanent atmosphere of fear and instability in conflict settings.

While millions of civilians have paid the high price of the lack of legally binding rules in the area of arms trade, women and children are among the most vulnerable groups affected by this gap. Flows of arms into conflict and post-conflict situations not only impede the ability of the United Nations to discharge its mandates and assist the governments and populations that it is called to assist, but also pose a direct threat to United Nations personnel and assets.

This paper aims to develop a coherent United Nations approach to support the international community's efforts to improve the regulation of international transfers of conventional arms. It records the United Nations Organization's advocacy over the past years of a robust and comprehensive Arms Trade Treaty that covers the full array of conventional weapons as well as ammunition and that includes provisions that arms not be transferred where there is a clear risk that they will be used to commit violations of international humanitarian law and human rights law or seriously undermine development.

Defining the problem

Many areas of world trade are covered by regulations that bind countries into agreed conduct. At present, there is no global set of rules governing the trade in conventional weapons. An eclectic set of national and regional control measures and a few global instruments on arms transfers exist, but the absence of a global framework regulating the international trade in all conventional arms has obscured transparency, comparability and accountability. This may be one of the reasons why too many weapons are misused or are diverted to unlawful owners, and too often an arms export request denied by one country will be approved by another.

Those suffering most from the adverse effects of the poorly regulated arms trade are the men, women, girls and boys trapped in situations of armed violence and conflict, often in conditions of poverty, deprivation and extreme inequality, where they are all too frequently on the receiving end of the misuse of arms by State armed and security forces, non-State armed groups and criminal gangs. The human cost of the consequences of the poorly regulated global trade in conventional arms are manifested in several ways: in the killing, wounding and rape of civilians—including children, the most vulnerable of all—and the perpetration of other serious violations of international humanitarian law and human rights law; in the displacement of people within and across borders; and in the endurance of extreme insecurity and economic hardships by those affected by armed violence and conflict.

a)   Conflict and regional instability

Flows of illicit arms, often in violation of United Nations Security Council arms embargoes, constitute a key factor in prolonging conflict and fuelling regional instability. These flows can be sourced through diversion from State stockpiles and other legal circuits, recycling from previous conflicts in the concerned State or in neighbouring countries, State-sponsored supplies to proxies, strategic caches of arms stored in anticipation of conflict, illegal manufacturing and other means.

b) Misuse of weapons

States have an inherent right to individual or collective self-defence and may use armed force in conformity with the Charter of the United Nations. Apart from arming their national armed and security forces, most countries allow private security companies and citizens, under conditions defined in national laws, to own certain firearms and weapons and use them for lawful purposes. The Arms Trade Treaty (ATT) does not aim to impede or interfere with the lawful ownership and use of weapons. However, common standards for arms transfers will help States assess the risk that transferred arms would be used by national armed and security forces, private security companies or other armed State or non-State actors to foment regional instability, to commit grave violations of international humanitarian law and human rights law, or to engage in other forms of politically or criminally motivated armed violence. Those common standards should also help States assess the risk that transferred arms will end up in areas proscribed by United Nations Security Council embargoes.

c) Diversion of arms and ammunition

Without adequate regulation of international arms transfers based on high common standards to guide national decisions on arms transfers, it is easier for arms to be diverted to the illicit market for use in armed conflict, criminal activities and violence, including by organized crime groups. Diversion is a colossal problem in all parts of the world as it sustains the supply of arms, particularly small arms and light weapons, to rebels, gangs, criminal organizations, terrorist groups and other perpetrators. Diversion may occur as a result of a transfer without proper controls, unauthorized retransfer, thefts from poorly secured stockpiles, handouts to armed groups, or barter involving natural resources. Corruption is often an associated problem with diversion.

Therefore, the arms trade must be regulated in ways that would not only minimize the risk of misuse of legally owned weapons, but would also include global standards for assessing the risk of diversion, including through the exercise of due diligence regarding the verification of required documentation, the stockpile management conditions in recipient countries, the history of diversion by the importer and corruption patterns.

In most arms-related United Nations documents and processes, Member States have taken an inclusive approach to arms and ammunition. This includes discussions on Security Council arms embargoes; disarmament, demobilization and reintegration of former combatants (DDR); children associated with armed forces and groups; counter-terrorism; peacebuilding; women, peace and security; armed violence and development; human rights; mine action; air transport safety; maritime safety and border controls; and protection of civilians in armed conflict.[1] A similar approach was also adopted in the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Firearms Protocol) and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Importantly, most countries do not distinguish arms export legislation from ammunition export legislation. All in all, the particular characteristics of the trade in ammunition merit it being a key component of any discussion on the regulation of the global arms trade.

Ammunition is a bulk good. It is sometimes argued that the trade in ammunition should be excluded from international regulation, because of the enormous volume of its production and trade, which would render it difficult for governments to warrant the detailed levels of record-keeping that would be needed for ammunition tracing and for the proper regulation of its trade. However, as consumer traceability has evolved in other fields, such as pharmaceuticals and food and agricultural products—goods with an even higher turnover— the question of including ammunition in arms regulation seems to be more a matter of political prioritization than one of technical or logistical impossibility.

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[1] For example, regarding the Democratic Republic of the Congo (S/2010/596), the Democratic People's Republic of Korea (S/2010/571), Somalia (S/2010/91) and Côte d'Ivoire (S/2010/179). See also the reports of the Secretary-General to the Security Council on Guinea-Bissau (S/2010/550), Lebanon (S/2010/538), the protection of civilians in armed conflict (S/2010/579) and children and armed conflict in Chad (S/2011/64).

Why does an Arms Trade Treaty matter?

Most present-day international challenges—from global warming and the financial crisis to terrorism and underdevelopment—have complex origins. Similarly, there is no monocausal relationship between the poorly regulated arms trade on the one hand, and conflict, crime and insecurity, armed violence and grave human rights abuses on the other. Often, however, connections can be established between the misuse of arms by national armed and security forces and the poor judgement or lack of responsibility on the part of the original providers of such arms. Similarly, one can establish a link between massive amounts of illicit arms and ammunition in circulation and lax national controls. Weapons are force multipliers and thus enable the user to enhance the ability to project power and to exercise coercive control within and across borders. With every transfer it authorizes, a government deciding on exporting weapons must realize the profound international responsibility of that decision. And, conversely, an importing government must ensure that it will use these weapons only to provide for the safety and security of its citizens and that it has the capacity to safeguard all weapons within its possession throughout their life cycle.

Working to improve lives and livelihoods around the world, the United Nations system is directly confronted with the consequences stemming from the often brutal repression of political dissent, armed conflict, rampant crime or armed violence and the widespread human suffering that they cause. Whether it is maintaining international peace and security, protecting human rights, providing humanitarian aid, promoting social and economic development, conducting peacekeeping, assisting in crime prevention and criminal justice, promoting women's empowerment, protecting children, improving public health or building safer cities, all too often armed insecurity fuelled by poorly regulated arms transfers prevents us from reaching the goals laid out for us by Member States. In these contexts United Nations personnel themselves also face security risks on an unprecedented scale—from drivers of trucks transporting food aid, peacekeepers on patrol, United Nations personnel running refugee camps to international and local staff working at United Nations compounds.

While the majority of modern day intra-State conflicts have been fought mainly with small arms and light weapons, recent events in Libya and Syria underscore the continued misuse of heavier conventional weapons—including tanks, heavy artillery, helicopters and aircraft—against civilians. Although it is often difficult to anticipate that a government will eventually use its weaponry against civilian populations, it is expected that a robust arms trade treaty would compel exporters to exercise enhanced diligence in analysing early warning signs that may help them assess the risk that transferred weapons would be used to commit grave human rights violations.

How weapons misuse and diversion impact the work of the United Nations and the States and citizens it serves

a. Exacerbating conflict, hindering peacekeeping and peacebuilding

The human cost of armed conflicts is well documented. It is estimated that the number of non-State armed conflicts reached 35 in 2008 and that a similar number of conflicts involving States took place in the same year.[2] Between 2004 and 2009, about 55,000 people perished annually as a direct consequence of armed conflict.[3]

In addition to the social and economic costs that are borne by the States and communities directly affected by armed conflicts, the international community shoulders serious responsibilities in terms of efforts to arrest and prevent such conflicts, to promote national dialogue and reconciliation and to build the foundations for durable peace. Thus, since 1948, the United Nations has directed and supported a total of 68 peacekeeping operations. Of these, 16 are presently active, involving over 98,900 uniformed personnel, more than 20,600 civilian personnel and an estimated budget of over US$ 7 billion in the period between July 2011 and June 2012, which is an investment in peace and yet a small cost compared with the cost of war.[4] Peacekeeping operations can be particularly daunting in situations where parties that are not seriously committed to ending

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[2] Global Burden of Violence: Lethal Encounters. Geneva Declaration on Armed Violence and Development, Vol. 2, Cambridge University Press, 2011.

[3] Ibid.

[4] Department of Public Information, background note, DPI/1634/Rev.129.

the confrontation continue to have access to supplies of arms and ammunition. Groups who seek to spoil peace efforts through violence have the greatest incentive to defect from peace accords when they are able to continue to pay soldiers and buy weapons.[5]

Usually, a great deal of work needs to be done after the cessation of armed hostilities. Addressing the sources of conflict and creating mechanisms for national dialogue and peaceful conflict resolution in the aftermath of conflicts are important factors for sustainable peace and security. Peacebuilding is a concept that encompasses multidimensional activities aimed at building the foundations for peace. These include monitoring ceasefires; rebuilding State institutions; strengthening rule of law institutions; disarming, demobilizing and reintegrating former combatants (DDR); reforming of the security sector; electoral assistance; establishing truth and reconciliation mechanisms; improving stockpile physical security, ammunition safety management and explosive mitigation; rebuilding education, health and economic infrastructure; assisting the return of refugees and internally displaced persons (IDPs); building capacities for non-violent conflict resolution; improving respect for human rights; setting up adequate arms control and regulations; and a large number of other activities aimed at promoting social and economic development and mitigating the structural factors of conflict.

As with peacekeeping, efforts at peacebuilding come at a high cost to the international community. Between 1990 and 2011, a total of 41 political and peacebuilding missions have been established by the United Nations Security Council. Of these, 13 are currently active, involving over 4,200 personnel and maintained by a biennial budget of US$ 5.1 billion, which is a small amount compared with the estimated $1.74 trillion total world military expenditures in 2011.[6]

Most modern-day peacekeeping and peacebuilding operations contain DDR programmes which normally address the demand-driven aspects of arms transfers. To be effective, these programmes should lead to the rapid disassembling of warring parties and the reintegration of former combatants into society. However, these goals can be seriously frustrated if weapons and ammunition continue to be

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[5] A/55/305-S/2000/809.
[6] Stockholm International Peace Research Institute (SIPRI).

easily available to warring parties. These parties, aware of their ability to quickly retool their fighting forces, may have an incentive to limit the movement of peacekeepers, to engage in systematic violations of peace or ceasefire accords or to threaten withdrawal from these accords, thus perpetuating climates of impunity, enhancing the risk of conflict recurrence and undermining the international community's investment in building peace. The linkage between arms transfers and DDR has also been recognized by the Security Council, which, for instance, has made the lifting of sanctions on arms transfers to Côte d'Ivoire conditional upon progress made in DDR.[7]

Another important and costly peacebuilding goal, which often requires extensive international assistance, is the conduct of free, inclusive and credible elections. But this goal cannot be properly achieved in environments where electoral censuses cannot be conducted for lack of security, members of political parties cannot move freely to support organizations and campaign, electoral agents are intimidated by armed groups, and voters are reluctant to go to campaign meetings or to the polls for fear of armed reprisals. In such situations, trust in the peacebuilding process can be undermined, as election dates are repeatedly postponed and the easy availability of arms and ammunition increase the risk of renewed or post-election violence amid perceptions of widespread fraud, manipulation and, in particular, intimidation.

While much efforts and many lives are spent in efforts to stop conflict and rebuild post-conflict countries, international efforts to plug the sources of flows of arms and ammunition to conflict and post-conflict areas could still be strengthened.

Tracing

Identifying the sources of flows of arms to conflict areas is a challenging task. This is partly due to the lack of established cooperation mechanisms for tracing arms found in conflict situations. International peacekeeping forces and sanctions monitoring bodies, such as the United Nations sanctions panels, are often well positioned to initiate the tracing of conflict weapons, which frequently require the cooperation of entities outside the country in question. However,

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[7] Security Council resolution 2045 (2012).

international cooperation on tracing is still in its infancy, in particular when involving peacekeeping operations or United Nations sanctions monitoring teams. The Firearms Protocol only covers firearms and still has a limited number of signatories.[8] The International Tracing Instrument, although it does not explicitly rule out tracing requests by non-State entities such as peacekeeping missions or United Nations sanctions panels, does not mention or elaborate on those either.[9] Hence, less than a third of tracing requests made by United Nations sanctions panels received a response from States.[10] Tracing of ammunition flows is even more challenging, as ammunition was excluded from the scope of the International Tracing Instrument.

Widespread adherence by States to high, legally binding high standards for arms and ammunition transfers, in addition to other measures such as tighter border and custom controls, monitoring of air cargo transfers and strengthened arms tracing and sanctions monitoring mechanisms, would make it more difficult for arms embargoes to be breached and for arms and ammunition to reach conflict areas.

b. Violating international humanitarian law and human rights law

Crisis situations can quickly create a climate of insecurity and impunity that can lead to large-scale human rights violations and abuses. International humanitarian law aims to protect persons who are not or are no longer taking part in hostilities—such as civilians, the sick and wounded and prisoners of war—and to define the rights and obligations of the parties to a conflict in the conduct of hostilities, both non-State armed actors and government forces.

In particular, international humanitarian law requires respect for the principles of distinction between combatants and civilians, proportionality and precaution in attacks. In conflict situations, the

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[8] Adopted in 2001 by the United Nations General Assembly with resolution 55/255 and entered into force on 3 June 2005.

[9] A/60/88 and Corr.2, annex; Report of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. See also General Assembly decision 60/519.

[10] Shadows of War. Small Arms Survey, Cambridge University Press, 2009.

use of explosive weapons in populated areas, including man-portable or vehicle-mounted grenades, rocket-propelled grenade launchers (RPGs), missiles and mortars, can have indiscriminate and devastating impact on civilians, including children who are particularly vulnerable to being killed or maimed by such weapons.

> In Yemen, 71 per cent of the child conflict casualties in 2009 were reportedly a direct result of shelling of civilian areas by all parties to the conflict.[11]

International human rights law, on the other hand, protects the individual at all times (in peacetime and during armed conflict) against actions such as torture, cruel, inhumane or degrading treatment or punishment or other violations of the rights enshrined in the Universal Declaration of Human Rights and international human rights treaties, be such action perpetuated by the State or by non-State actors. Arguably, most serious human rights violations occur during periods of armed conflict.[12] Apart from armed conflict, the prevalence of violent crime in many countries and regions in the world exposes populations to a wide range of human rights violations, including extrajudicial executions, torture, sexual and gender-based violence, arbitrary deprivation of liberty and lack of due process of law among other grave violations of human rights.

The absence of commonly agreed international standards for the transfer of conventional arms made it easier for arms to be acquired by governments or other entities that may misuse them. To include in the ATT, standards to help States assess the risk that arms would be used in the commission of violations of international humanitarian or human rights law, would be fully consistent with positions taken by States in other contexts. For instance, in 2003 governments adopted by consensus the Agenda for Humanitarian Action, in which it is stated that countries "should make respect for international humanitarian law one of the fundamental criteria on which arms transfer decisions

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[11] Devastating Impact: Explosive weapons and children. Save the Children, 2011, p. 5.

[12] HR/P/PT/7, Training Manual on Human Rights Monitoring, Office of the High Commissioner for Human Rights, 2001.

are assessed. They are encouraged to incorporate such criteria into national laws or policies and into regional and global norms on arms transfers".[13]

In addition to the direct deprivation of the right to life, other human rights violations are linked to the misuse of weapons by armed individuals: high incidence of rape, forced displacement due to armed violence, the recruitment of children into armed forces and groups, closures of schools, limitations on the right to freedom of association and to participate in the cultural life of the community because of fears about walking freely as a pedestrian, speaking freely, using public transport, or participating in group activities.[14]

c.   Obstructing humanitarian action
Arms used in violence against humanitarian staff and property

A dire consequence of inadequate controls on arms transfers and the corresponding widespread availability and misuse of weapons is the frequent suspension or delay of life-saving humanitarian and development operations because of threats to the safety of, or actual attacks against, United Nations staff and those of other organizations. Between 2000 and 2010, more than 780 humanitarian workers were killed in armed attacks and a further 689 were injured.[15] Attacks appear to have intensified in recent years as over 100 humanitarian workers were killed both in 2008 and in 2009—more than three times the number killed a decade ago and twice the number killed in 2005.[16] Although humanitarian personnel are often attacked in wider contexts of armed conflict, research shows that criminal violence committed with firearms—not attacks by armed combatants—remains one of the

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[13] International Committee of the Red Cross, 28th International Conference of the Red Cross and Red Crescent, Agenda for Humanitarian Action, Final Goal 2.3, 2003.

[14] E/CN.4/Sub.2/2003/29, Report of the Sub-Commission on the Promotion and Protection of Human Rights on its Fifty-fifth Session, 2003.

[15] "UN Agency Chiefs Call For Comprehensive and Robust Arms Trade Treaty". Available from http://www.unhcr.org/4f3e50d96.html.

[16] S/2010/579, Report of the Secretary-General on the protection of civilians in armed conflict, 2010.

most significant threats facing humanitarian personnel.[17] Many of the groups that have attacked United Nations staff are subject to Security Council sanctions or linked to such parties.[18]

Threats and attacks on humanitarian personnel and armed conflict can often force humanitarian organizations to evacuate their staff from high-risk areas or suspend their programmes, thus depriving affected people of badly needed assistance. Research suggests a direct correlation between the high availability of small arms and the presence of armed violence and the lack of access of humanitarian personnel to beneficiaries.[19]

In Pakistan, humanitarian actors cite ongoing hostilities as the most significant impediment to access. For example, as a result of active hostilities, regular assistance is not currently reaching the displaced or other conflict-affected populations in parts of the Federally Administered Tribal Area, such as the North Waziristan or Kurram agencies.[20]

Displacement of people

Armed conflict is the greatest cause of forcibly displaced people and refugee flows. There were 42.5 million forcibly displaced people worldwide at the end of 2011.[21] Flows of arms into conflict areas can have a serious adverse impact on the ability of the United Nations to fulfil its task of providing sustainable solutions for refugees and internally displaced persons (IDPs), as their legal, material and physical protection cannot be provided in an environment of grave and persistent armed insecurity.

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[17] Cate Buchanan and Robert Muggah, "No Relief: Surveying the Effects of Gun Violence on Humanitarian and Development Personnel". Centre for Humanitarian Dialogue, 2005.

[18] For example, attacks against United Nations facilities in Baghdad, Peshawar, Mogadishu, Algiers, Kabul and Abuja, as well as the kidnapping of the Special Envoy of the United Nations Secretary-General to Niger, Mr. Robert Fowler in December 2008.

[19] Buchanan and Muggah, 2005.

[20] S/2010/579.

[21] "The Millennium Development Goals Report 2012". United Nations, 2012, p. 15. Available from http://mdgs.un.org/unsd/mdg/Resources/Static/Products/Progress2012/English2012.pdf (accessed 26 March 2013).

The Lord's Resistance Army has since 2009 carried out armed attacks, including against refugee settlements, in South Sudan, Central African Republic and in the Democratic Republic of the Congo. These have killed scores of civilians, forced thousands of civilians to flee, resulting in displacement of the local population and relocation of refugees as well as in serious disruption to the distribution of humanitarian assistance.[22] The armed violence in these three countries by the Lord's Resistance Army has resulted in 440,000 IDPs, including those living as refugees and of this total 335,000 are found in the Democratic Republic of the Congo.[23]

During a conflict, there are three periods in which displaced people are highly vulnerable to armed activities: immediately prior and during flight; during the period of protracted or repeated displacement; and at the place of resettlement or return. The Office of the United Nations High Commissioner for Refugees (UNHCR) identifies five main areas in its field operations that could be challenged by the presence of armed groups or widespread arms availability: ensuring protection in camps and access to livelihoods for displaced persons; maintaining the civilian character of displacement camps; promoting repatriation and reintegration; ensuring the safety of humanitarian workers; and maintaining the neutral character of UNHCR operations.

By definition, refugees and IDPs are civilians and it is important to preserve the civilian character of their camps. This implies that those entering the camps in order to benefit from protection and assistance will have to lay down their arms. However, refugees and IDPs, especially youth and children, in camp settings are easy targets of military recruitment by armed groups, thus diminishing the ability of UNHCR and its implementing partners to carry out their humanitarian activities. Refugee and IDP settlements as well as transit centres still located in areas close to conflict zones, borders or in isolated tracks of land face the highest risk of interference by armed individuals. Some of the worst small arms–related violence against

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[22] UNHCR News, 14 May 2010.

[23] "UN warns of increasing attacks by Lord's Resistance Army in Central Africa", UN News Centre, 2012. Available from http://www.un.org/apps/news/story.asp?NewsID=41673&Cr=LRA&Cr1#.USu-VR04slk (accessed 26 March 2013).

civilians has taken place against displaced populations during transit or in safe areas, including in refugee and IDP camps. Women and girls in refugee and IDP camps face particular vulnerabilities to the presence of arms, as this increases the probability of females being raped and abused.

In addition to directly impeding the implementation of protection and assistance activities, militarization of refugee camps[24] can have a negative impact on the willingness of the host country to fulfil its obligations, as it may create the perception, both on the part of the government and local communities, that the camps represent a threat to national and local security. Even when conflicts have largely been resolved and refugees and IDPs return home, widespread intimidation and lawlessness may continue, stunting hopes for meaningful and peaceful community reconstruction. In post-conflict scenarios, repatriation and reintegration of refugees and IDPs are often restricted by threats by civilians wielding small arms. These situations frustrate the efforts to help the IDPs and refugees to return to normal life.

Threats to United Nations personnel

Flows of arms into conflict and post-conflict situations not only impede the ability of the United Nations to discharge its mandates and assist the governments and populations that it is called to assist, but they also pose a direct threat to United Nations personnel and assets. According to the United Nations Department of Safety and Security (DSS), 18 United Nations civilian personnel were abducted and held hostage by criminal elements and extremist groups in 2011, and during the first two months of 2012 alone, 10 United Nations personnel were abducted.

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[24] "Militarization" in the context of refugees and IDPs is often described as a combination of military or armed attacks on people within camps, the storage and diffusion of weapons, military training and recruitment, infiltration and the presence of armed elements, political activism and criminal violence within camps. (Robert Muggah, "A Crisis Turning Inwards", in Humanitarian Exchange, No. 29, March 2005.

Under exceedingly challenging security conditions in 2011, United Nations personnel continued to carry out critical mandates and programmes in high-risk countries and areas. In those areas, from January 2010 to December 2011, armed conflicts, civil unrest and complex humanitarian emergencies posed increasing threats to United Nations personnel. In 2011, there were 12 armed attacks on United Nations premises, 8 cases of invasion of United Nations premises and 25 cases of hijacking of United Nations vehicles. Most of these incidents took place in high-risk areas in Afghanistan, Libya, Somalia, the Sudan and Yemen.[25]

d. Denying development

Conflicts and armed violence, which are often fuelled by poorly regulated arms transfers, diminish human and economic development prospects by impeding new investments and the implementation of projects and by reversing development gains as they lead to school closures, destruction of infrastructure, market disruption, capital flights, the burdening of health services, and the weakening of the rule of law, to name a few. Furthermore, marginalized households face additional pressure when armed violence affects their bread-winning capacity. Often a single female shoulders the responsibility of catering economic needs to a family surviving a slain male household head.

Between 1990 and 2006, 23 African countries lost an estimated US$ 284 billion as a result of armed conflicts, fuelled by transfers of ammunition and arms—95 per cent of which came from outside Africa. Between 1996 and 2005, the Democratic Republic of the Congo (DRC) alone lost US$ 18 billion[26] as a result of the country's internal conflict. The Economic Community of West African States (ECOWAS) stated in April 2012 that the continent of Africa loses US$ 18 billion annually as a result of armed conflicts.[27]

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[25] Report of the Secretary-General to the General Assembly on safety and security of humanitarian personnel and protection of United Nations personnel (A/67/492), p. 10.

[26] Africa's Missing Billions: International Arms Flows and the Cost of Conflict. Oxfam International, 2007. Available from http://www.oxfam.org/sites/www.oxfam.org/files/africas%20missing%20bils.pdf (accessed 29 March 2012).

[27] "Journalists challenged on small arms, light weapons proliferation in West Africa." ECOWAS, 2012. Available from http://news.ecowas.int/presseshow.php?nb=110&lang=en&annee=2012 (accessed 25 March 2013).

Countries suffering from sustained levels of armed conflict or violence are also those furthest from reaching their Millennium Development Goal (MDG) targets. In fact, 22 of the 34 States furthest from achieving these targets are in or emerging from armed conflicts. In these conflict-affected contexts altogether, efforts to eradicate extreme poverty and hunger (MDG1) are at only 10 per cent of their target, universal primary education (MDG2) at 45 per cent of the target, while maternal health (MDG5) reaches only 14 per cent of the target. But underdevelopment is not only a consequence of armed violence; it is in turn a structural factor of conflict and it further perpetuates armed violence, thus creating a vicious cycle.

The negative impact of armed violence on development is not limited to conflict situations. In a number of middle-income countries, the MDG-related gains made in early childhood are being lost in adolescence—in Brazil, more adolescents die from violence than do children under 5 from disease and ill health.[28] Indeed, it is estimated that widespread armed violence in non-conflict settings costs US$ 163 billion annually in lost productivity alone.[29] Armed violence has also an adverse effect on investment, which is essential for the accumulation of long-term capital. An important calculus in investment decisions is the risk-return analysis, i.e., how much risk one is willing to take for a given expected level of return on investment. It is thus natural that investors are typically wary of environments with a high incidence of armed violence, as these environments present high uncertainty levels, are drained of skilled labour and lack proper regulatory institutions.

Crime and armed violence also contribute to "unproductive" expenditures that divert public resources away from key services and capital investment. Research suggests that developing countries may spend between 10-15 per cent of their gross domestic product (GDP) on law enforcement, as compared to 5 per cent in more affluent states.[30] Furthermore, armed violence deepens social and economic inequalities as it disproportionally affects poor and vulnerable groups

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[28] State of the World's Children 2011: Adolescents, a time of opportunity. UNICEF, 2011.

[29] Global Burden of Armed Violence. Geneva Declaration, 2008.

[30] Reducing the Involvement of Youth in Armed Violence: Programme Note, Conflict and Fragility. OECD, 2011.

in society. For instance, in Brazil two thirds of the population living in the highly violent "favelas" do not finish primary school.[31]

The Inter-American Development Bank (IADB) estimated the economic costs of armed violence in Latin America to have been between $140 billion and $170 billion per year during the late 1990s—approximately 12 per cent of regional GDP.[32]

The adverse economic effects of armed conflict and violence are not limited to the directly affected country, but have spillover effects on neighbouring countries, which often have to host refugees, suffer from armed incursions by fighting forces in the neighbouring territories, and have to divert resources to set up exceptional defence and security measures in order to protect their borders.

Civil wars in the poorest countries in the world result in high economic costs estimated to be roughly equal to losing two years worth of economic income or an average of $20 billion of the country's total economy.[33] The economic cost of lost production due to conflict ranges from 2 to 3 per cent of GDP according to World Bank estimates.[34]

e. Impact on health

Armed violence is among the leading causes of death for persons between the ages of 15 and 44. The vast majority of these victims are in environments with weak import, export and transfer controls over small arms and light weapons and high levels of illicit proliferation of those arms. Armed conflict or structural violence is also responsible for the estimated 220,000 indirect conflict deaths that are brought about by a variety of conflict-related problems such as malnutrition, disease, lack of shelter, unavailability of health care and other services,

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[31] Ibid.

[32] Armed Violence Prevention Programme (AVPP): Support to Community Based Violence Prevention Programmes. Project Number INT/03/MXX. United Nations Development Fund (UNDP)-World Health Organization.

[33] Paul Collier "War, Guns and Votes: Democracy in Dangerous Places". New York, Harper Collins, 2009.

[34] Armed Robbery: How the poorly regulated arms trade is paralysing development. Oxfam International, 2012.

and lack of access to clean water.[35] The World Health Organization (WHO), while cautioning about the accuracy of estimates of war-related deaths, indicates that rates of war-related deaths varied from less than 1 per 100,000 people in high-income countries to 6.2 per 100,000 in low-income and middle-income countries. The highest rates of war-related deaths were found in WHO African region (32.0 per 100,000), followed by low-income and middle-income countries in WHO Eastern Mediterranean Region (8.2 per 100,000) and WHO European Region (7.6 per 100,000), respectively.[36]

In addition to the direct and indirect deaths, armed conflict or violence victimizes large numbers of people who have to live with injuries and disability, psychological distress and diseases that can be directly or indirectly related to the armed conflict or violence. Treatment of such individuals can impose tremendous costs on national health budgets and diverts resources from long-term projects in the health sector or other social and economic development priorities. In El Salvador, an estimated 2,580 victims of armed violence were treated in hospitals during 2003. Of these, 2,400 were treated in public hospitals at a cost to the State of 7.4 million USD, just over 7 per cent of the health budget.[37]

Burundi, a country that lost over 300,000 human lives in the course of a 13-year-long civil war, exhibits some of the worst health statistics in the world. More than one in every 100 babies and one in every 200 mothers die in childbirth.[38] In the DRC, 90 per cent of deaths (4.8 million) during and after the conflict, between 1998 and 2006, were due to preventable infectious diseases, malnutrition, and neonatal or pregnancy-related conditions.[39]

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[35] Global Burden of Armed Violence. Geneva Declaration, 2008.

[36] World Report on Violence and Health. World Health Organization, 2002.

[37] Caught in the Crossfire: Crime and Development in Central America. United Nations publication, Sales No. B.07.IV.5, 2007.

[38] 2005 and 2006 figures from WHO Statistical Information System. Available from www.who.int/whosis.

[39] Coghlan, Benjamin et al. "Mortality in the Democratic Republic of Congo: a nationwide survey", The Lancet, Vol. 367, No. 9504, 2006.

Other consequences of armed conflict and violence include the destruction and abandonment of health infrastructure, the unavailability of supplies and a shortage of health professionals who leave the country or avoid risky areas. Under these circumstances it is often impossible to provide proper health-care services to local populations.[40] Such a general state of degradation of a country's health sector not only creates conditions for the uncontrolled spread of communicable diseases, but also has serious implications for a country's productivity and ability to recover from armed conflict or violence. While there might be a reasonable expectation that health sector recovery may gradually take place following the cessation of conflict or the abating of armed violence, such a recovery may be frustratingly challenging in situations where weapons and ammunition continue to be transferred into the affected areas, leading to protracted armed violence or generating a high risk of relapse. The adoption of a robust ATT could contribute greatly to reducing transfers of arms into violence-laden areas, including those subject to Security Council embargoes.

f.   Fuelling crime, organized crime and terrorism

Use of firearms in homicides—firearms as a tool of violence

The total global number of non-conflict-related intentional homicides in 2010 was estimated at 468,000. More than a third (36 per cent) occurred in Africa, 31 per cent in the Americas, 27 per cent in Asia, 5 per cent in Europe and 1 per cent in Oceania.[41]

While the specific relationship between firearm availability and high levels of homicides is complex, a vicious circle connects the two. Forty-two per cent of overall global homicides are committed with firearms. This percentage is considerably higher in regions where homicides are often associated with the illicit activities of organized criminal groups.

Countries with high levels of homicide are often associated with low levels of human development, which in turn fosters crime. The largest share of homicides occurs in countries with a low Human

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[40]   Health care in danger: a sixteen-country study. International Committee of the Red Cross, 2011.
[41]   Global Study on Homicides. United Nations Office on Drugs and Crime, 2011.

Development Index (HDI). However, high levels of inequality, organized crime and economic crises can affect homicides rates also in countries with a high HDI.[42]

> In countries characterized by high levels of homicide related to organized crime, the risk of a 20-year-old man being murdered before the age of 31 can be as high as 2 per cent, meaning that 1 in 50 males in those countries is murdered by that age. The risk in countries with a low homicide rate is 400 times lower.[43]

Impact of firearms on organized crime and gang criminality

In some regions, misuse and illicit trafficking of firearms and their ammunition is often associated with other crimes, in particular drug trafficking. In Central America and the Caribbean—two regions traditionally placed in the crossroads between the major supply and demand markets for drugs and the opposite flow of illicitly trafficked firearms—the drug trade is a prominent factor behind crime and violence. In these situations, the ability of security institutions, such as the police and the military, to enforce the law is greatly diminished in the face of the power of well-armed organized crime groups with ready access to arms in the black market, thus undermining the social fabric of entire communities.

Organized crime groups and gangs often idolize firearms as an integral part of the identity of gang members. In some contexts, especially in the Americas, this subculture seems to be a major drive of armed violence and gun criminality. Although it is difficult to determine the extent of killings carried out by gangs, some studies estimate that in El Salvador, gang murders account for 60 per cent of all homicides, most of which victimizing other gang members.[44]

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[42] Ibid.

[43] Ibid.

[44] Caught in the Crossfire: Crime and Development in Central America. United Nations Office on Drugs and Crime (UNODC), 2007.

In Haiti, gangs possess an estimated 17,000 illegal weapons, posing an increased risk for children, including adolescents, who are often targeted by adults for recruitment and use as gang members. In 2010, children as young as ten were used by armed elements to move drugs, carry weapons, act as look outs, spies, messengers, collect kidnapping ransoms, and participate in armed confrontations, arson and attacks on private and public property. Seventeen boys and 4 girls were killed in confrontations between gangs in Port-au-Prince, and 9 were killed in Martissant as a result of elections-related political unrest. Twenty-seven children, including 13 girls, were abducted for ransom or assault, and abducted girls suffered rape and sexual violence during their captivity.[45]

The factors that influence the participation of young people in different types of violence are similar across various contexts, whether in war or peace settings—"youth living in Latin America may be motivated to join a gang for the same reasons that youth in Africa join armed groups as child soldiers".[46] It is expected that the improved regulation of international arms transfers will trickle down, mitigating gang-related violence, including its overwhelming impacts on children and adolescents, by reducing access to low-cost firearms.

The rise of crime in the Caribbean has been characterized by the increased use of more powerful weapons, resulting in higher mortality levels. In 2004, Trinidad and Tobago experienced 160 firearm murders, 450 cases of people wounded by firearms and 1,500 firearm incidents that did not result in injury. This rise in armed criminality is cause of great concern to the countries of the region, as their economies can be easily disrupted by perceptions of lack of security and safety, due to their heavy reliance on tourism.

Firearms as illegal trafficking commodity and its links to other crimes

Organized criminal groups are becoming increasingly transnational and poly-crime oriented, as they diversify into a variety of criminal activities involving licit and illicit commodities traded

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[45] A/65/820-S/2011/250, Report of the Secretary-General on Children and Armed Conflict, 2011.

[46] Reducing the Involvement of Youth in Armed Violence. Organization for Economic Cooperation and Development, 2011.

for profit. Trafficking in firearms is one of the most lucrative criminal businesses in the world today. Although it is difficult to ascertain the exact value of clandestine activities such as firearms trafficking, some estimates place the value of the illegal trade in firearms between $170 million and $320 million per year.[47]

Africa, Latin America and the Caribbean are the three most affected regions in the world by both arms trafficking and small arms misuse, and share similar challenges with regard to the fight against the illicit arms circulation. These regions represent the highest levels of armed violence in the world, often associated not only with past and present armed conflicts, but also with established forms of transnational organized crime such as illicit drugs, trafficking in persons, kidnapping and extortion, terrorism and related criminal activities.

Three million small arms and lights weapons are believed to circulate throughout Mexico, Central America and the Caribbean, leaving a path of death, violence and crime. Although a large number of the military-style weapons and other firearms in circulation have been transferred to other countries in the region from previously conflict-affected countries, such as El Salvador, Guatemala and Nicaragua, flows of new arms also contribute to the widespread availability of arms in the region.

About 16 million guns are estimated to be circulating in Brazil, of which almost half is estimated to be illegal. From this total, 14 million (87 per cent) are possessed by civilians and 2 million by law enforcement agencies. Around 80 per cent of apprehended firearms are small arms (e.g. revolvers and pistols). Guns are often legally exported out of the country and subsequently smuggled back, resulting in what is called "boomerang effect". The lack of adequate controls on the legal market and on the civilian use and possession of firearms makes it easier for guns to be used in criminal activities and organized crime.[48]

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[47] The Globalization of Crime: A Transnational Organized Crime Threat Assessment. United Nations publication, Sales No. E.10.IV.6, 2010.

[48] "Ministério da Justiça divulga pesquisas sobre tráfico de armas no Brasil". UNODC, 2010. Available from www.unodc.org/southerncone/pt/frontpage/2010/12/20-ministerio-da-justica-divulga-pesquisas-sobre-trafico-de-armas-no-brasil.html.

Studies on seized arms reveal the use of a variety of arms in street and organized crime. Handguns are the preferred weapon used in the commission of most street crime, while military-style arms are used by organized criminals, such as by the drug cartels in Mexico and in the *favelas* in Brazil.

The arms traffickers and their support organizations can be described as transnational organized crime groups. The trafficking of firearms is often combined with a range of other commodities, including minerals, wildlife, livestock and even food, which are being exchanged for weapons in the DRC. Similarly, in other regions firearms are often exchanged for drugs or for food, for example, between Haiti and Jamaica or in several countries in Latin America.

In Central Africa intraregional flows prevail over those originating from outside the region, due to the high accumulation of firearms in the region. In the DRC for example, thousands of weapons were imported during the rebellions, the Hutu flight from Rwanda, and the two Congolese wars.[49] In northern and north-eastern regions of the Central African Republic and parts of Chad, road bandits use arms to extort local populations and engage in other acts of banditry.

Beyond fuelling armed conflicts, the availability of firearms is a major factor sustaining crime and terrorism in all regions. The recent events in Libya, for example, presented an opportunity for various criminal and terrorist groups to procure firearms and ammunitions from looted government stockpiles. This underlines the importance of safe and secure storage conditions, for example, according to the International Ammunition Technical Guidelines.

Piracy

Piracy and armed robbery against ships are matters of global concern as those activities affect the freedom of shipping and the safety of vital shipping lanes, carrying around 90 per cent of the world trade. Pirate attacks also endanger the safety of seafarers, fishermen and passengers at sea, and the delivery of humanitarian aid by sea. Piracy has a detrimental impact on sustainable development

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[49] Organized Crime and Instability in Central Africa: A Threat Assessment. UNODC, 2011.

of affected countries and regions, due to its heavy consequences on maritime industries like ports, fishery, tourism and other economic activities.

The overall cost of piracy to States and societies remains high. Somali pirates reportedly received about US$ 170 million in ransom in 2011 for hijacked vessels and crews, up from US$ 110 million in 2010. According to an assessment by the One Earth Future Foundation, a non-governmental organization, the economic cost of piracy originating in Somalia is between $6.6 billion and $6.9 billion in 2011. The shipping industry bore over 80 per cent of these costs, while governments bear the rest.

g.   Impact on children

A 15-year old boy in Nyanga, South Africa, has a 1 in 20 chance of being shot dead before turning 35.[50]

In terms of the direct impact on loss of life, adolescent children and young adults, especially boys and young men, are the primary victims of firearms-related violence in almost every region of the world. As such, individual and group experiences of armed violence are highly age-specific and gendered in both causes and consequences. Often, in both conflict and non-conflict situations, children are not only victims and witnesses of armed violence, but they may also be instrumentalized as perpetrators of small arms–related violence. They endure both the direct impact (death, injury, psychosocial distress) and the indirect consequences of injuries to themselves or family members, including displacement, poverty and reduced access to education and health care.[51] It is estimated that for each young person killed, 20 to 40 more sustain injuries requiring hospital treatment.[52] The psychosocial distress that children suffer as victims or witnesses of gun violence can be severe and long-lasting.

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[50] World Report on Violence against Children. United Nations, 2006.
[51] Ibid.
[52] Ibid.

Whether directed against men or women, young people are often much more vulnerable than adults. Worse, they "face this violence during a period in their lives that is closely connected with the processes of identity building and personal development; at a time when they are assuming roles and adopting values and attitudes that will do much to shape their later behavioral patterns".[53] Research shows that children who witness community violence are at higher risk of a variety of psychological, behavioural and academic problems. They often exhibit difficulty concentrating, impaired memory, and/or aggressive behaviour.[54]

Impact on children living in armed conflict situations

The Machel Strategic Review, launched in June 2009, reiterated the obligation of States to protect children from the dangers posed by small arms, light weapons and landmines and unexploded ordnances. The 2012 Report of the Secretary-General on Children and Armed Conflict provides a stark example of the kinds of grave violations against children in situations of armed conflict that continue to be perpetrated by both State and non-State armed groups, influenced or directly caused by the availability of weapons in conflict settings. The report lists 52 groups in 14 countries that from 2011 to 2012 continued to recruit or use children, kill or maim children and/or commit rape and other forms of sexual violence against children in situations of armed conflict.

> Grave violations against children by the Lord's Resistance Army (LRA) continued to have devastating impacts in the Central African Region in 2012—there were 243 documented attacks against civilians by the LRA in the Central African Republic (CAR), South Sudan and the Democratic Republic of the Congo, with the killing and maiming, abduction, recruitment and sexual violence against children carried out in all three countries. In CAR, attacks on villages by the LRA resulted in the displacement of some 22,500 civilians.

The proliferation of armed groups and the ubiquitous availability of easy-to-carry and easy-to-operate small arms over the past four

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[53] System Prevention of Youth Violence, Eschborn, Deutsche Gesellschaft für Technische Zusammenarbeit, 2010.

[54] World Report on Violence against Children, United Nations, 2006.

decades have contributed to worsen the problem of children affected by armed conflict and violence, and the association of children with armed forces and groups. Children are being recruited into fighting forces, where they serve as combatants, cooks, porters, fighters, mine sweepers, spies or suicide bombers. The 2012 Report of the Secretary-General on Children and Armed Conflict listed 19 countries where parties to conflict continue to recruit and/or use children.[55] Many children participate in killings and most suffer serious long-term psychological, social and physical consequences. Both girls and boys are often sexually violated. When fighting is over, reintegration into normal social life is a daunting challenge for those boys and girls.

The use of explosive weapons in densely populated areas, including light weapons, also has a devastating impact on children. The 2012 Report of the Secretary-General on Children and Armed Conflict listed 13 countries where children were killed and maimed as a result of the use of explosive weapons in areas where civilian populations were present. Children are more prone than adults to severe injury and disability as a result of the use of explosive weapons, which often result in complex injuries that are more difficult to treat than those of adults.[56]

The risks of armed violence that children face in conflict situations also has ruinous impacts on the availability and safe access to education and health services for children in these settings. The 2012 Report of the Secretary-General on Children and Armed Conflict listed 17 countries where attacks on schools and hospitals were carried out in 2011.[57]

Impact on children outside armed conflict contexts

Over the past decade, the plight of children in armed conflict situations has been gaining increasing attention and much evidence of

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[55] A/66/782-S/2012/261: Afghanistan, CAR, Chad, Colombia, Cote d'Ivoire, DRC, India, Iraq, Libya, Myanmar, Nepal, the Occupied Palestinian Territory, Pakistan, Philippines, Somalia, South Sudan, Sudan, Syria, Thailand, Yemen.

[56] *Devastating Impact: Explosive weapons and children*. Save the Children, 2011, p. 5.

[57] Afghanistan, CAR, Chad, Colombia, DRC, India, Iraq, Libya, Myanmar, the Occupied Palestinian Territory, Pakistan, Philippines, Somalia, South Sudan, Sudan, Syria, Thailand, Yemen.

the impacts of weapons on children trapped in such situations has been unearthed. Less known, however, are the impacts of the widespread availability and misuse of weapons on children outside of situations of armed conflict.

What is known is that adolescents and youth are at a particular risk of being exposed to and engaging in armed violence and crime particularly when they are recruited into criminal organized armed groups or gangs. While in some regions, particularly in Latin America and the Caribbean, there is a perception that adolescents are the primary perpetrators of social violence, this is not supported by evidence. A 2007 Study on the Impacts of Small Arms on Children and Adolescents in Central America and the Caribbean found that children are far more frequently the victims, rather than the aggressors, in armed violence in the region and that child involvement in violent crimes represents only a small percentage of all violent armed acts. Testimonies from the countries covered in the report also reveal that these groups are dominated, managed and lead by adults.[58]

Homicide and violence against, or involving, children outside conflict contexts occur most frequently in poverty-stricken urban areas characterized by high levels of social inequality and exclusion, lack of employment, poor standards of housing, overcrowding and low standards of education and social amenities.[59] In this context, children often become involved in armed violence as a result of adult manipulation, which creates a reinforcing cycle with a number of other risk factors including weakened family and social structures due to violence, previous exposure to violence, and a lack of public safety and security. The availability of arms escalates the levels and lethal impacts of social violence at the community level, and exacerbates the inter-play of various risk factors, often with devastating consequences for children and adolescents. In the context of social inequality and exclusion, armed violence exacerbates the impact of those problems on children. Not only are children those most affected by violence, but it is children from impoverished communities who bear the overwhelming

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[58] The Impact of Small Arms on Children and Adolescents in Central America and the Caribbean: A Case Study of El Salvador, Guatemala, Jamaica and Trinidad and Tobago. UNICEF, 2007.

[59] A/65/820–S/2011/250.

burden of this violence. The Inter-American Commission on Human Rights found the homicide rate among children and young people between the ages of 15 and 29 in Latin America to be 68.9/100,000, as compared to the overall homicide rate of 25.6/100,000. When the toll of this violence on children and young people is disaggregated to differentiate between the higher and the middle- to lower-income groups, the differences in rates are alarming—the rate falls to 21.4/100,000 for the higher income groups, while it skyrockets to 89.7/100,000 for the middle- to lower-income group.[60]

The United Nations Study on Violence against Children called on States to develop a comprehensive prevention policy to reduce demand for and access to weapons, recognizing this as a key action to reduce environmental factors that impact on violence against children in the community. The presence of weapons not only exacerbates violence against children at the community level, it undermines United Nations efforts to protect children, to strengthen the rule of law and ensure justice for children, and to safeguard access to essential services for children, including health and education.

h.   Impacts on women and girls

Armed conflict and its consequences for women

The impacts of unregulated arms transfer are different for women and men, girls and boys. While men and boys make up the majority of the users and of the direct victims of small arms, women are also impacted by arms proliferation and armed violence in gender-specific ways.

With the adult male population often greatly diminished as a result of violence, women can become the main providers for their devastated families during and after a conflict, placing undue burdens on family livelihoods and negative coping mechanisms such as withdrawing girls from school. The presence of small arms makes this task increasingly difficult. Women and girls also bear a disproportionate burden of caring for those disabled by small arms.

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[60] Report on Citizen Security and Human Rights. Inter-American Commission on Human Rights, OEA/Ser.L/V/II. Doc. 57, 2009.

In Croatia women represent 46 per cent of the victims of armed violence, yet they constitute less than 1 per cent of the perpetrators.[61]

Whether during peace or conflict, the widespread availability of illicit small arms exposes women and girls to many risks, including exploitation, trafficking and abuse. During times of armed conflict, proliferation of small arms and light weapons heightens the risk for women and girls to be abducted and enslaved by government or rebel forces.

Sexual and gender-based violence

Women and girls are often victims of threats, intimidation and abuse by armed men. Among the many forms of gun violence affecting women and girls, two have recently been the focus of particular attention: one is gun violence in the home and the other is rape at gunpoint, which is a major issue in conflict zones where rape can be used as a tactic of war.

In Burundi, the majority of women claimed that armed robbery is often accompanied by sexual assault.[62] Similar cases of women and girls being raped by groups of armed men are reported in Haiti.[63]

The interlinkages between armed and domestic violence also suggest a reinforcing cycle. Thus, a World Bank study indicates that "respondents made particularly strong connections between violence experienced in the home and violence occurring in the street or in political conflict".[64]

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[61] Arms control, Violence Prevention and Community Security. UNDP Bureau for Crisis Prevention and Recovery Project Brief Croatia.

[62] Edward B. Rackley, The Impact of Small Arms and Armed Violence on Women in Burundi, in Humanitarian Exchange, No. 31, UNDP and Groupe de recherche et d'information sur la paix et la sécurité (GRIP), 2005.

[63] Amnesty International, Aftershocks: Women Speak Out Against Sexual Violence in Haiti's Camps, Amnesty International, 2011.

[64] Violence in the City: Understanding and Supporting Community Responses to Urban Violence, World Bank, 2010.

A 2007 survey found that in Montenegro of the 1,500 women who sought assistance from a women's shelter, 90 per cent had been threatened with small arms by their partners.[65]

The study also shows that gender-based violence also interacts with political and criminal violence, when it is used as a tool to escalate conflict, and that sexual and other physical violence against women and children often adds fuel to the fire of existing rivalries, either between urban gangs or in the context of war.[66]

Armed violence and masculinity

Despite the absence of global figures, existing statistics show that the large majority of gun users are male and that about 80-90 per cent of the people who die by gunshots are male as well. Community attitudes, including women's, can also contribute to the powerful cultural conditioning that equates masculinity with owning and using a gun, and regards gun misuse by men as acceptable.

In Rio de Janeiro young men are 24 times more likely than women to be killed by armed violence, while boys and men between the ages of 15 and 29 are twice as likely to die from armed violence as the rest of the male population.[67]

The lack of sustainable reintegration and livelihoods opportunities may encourage ex-combatants and associated groups to turn to banditry as a way of making a living, especially when they have easy access to illicit small arms and ammunition.[68]

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[65] Liljana Krkeljic, Small Arms and Gender-Based Violence in Montenegro, UNDP Montenegro, 2007.

[66] Ibid.

[67] Jeremy Ginifer and Mandy Turner, Small Arms and Light Weapons and Development Programmes: Issues and Priorities, United Nations Institute for Disarmament Research, 2004.

[68] Jane Higgins and Olivia Martin, Chapter 7: Violence and Young People's Security, in Highly Affected, Rarely Considered: The International Youth Parliament Commission's Report on the Impacts of Globalization on Young People, Oxfam Community Aid Abroad, 2003.

i.   Impact on indigenous and tribal peoples

Many armed conflicts take place in isolated rural areas or in territories belonging to indigenous and tribal peoples, who often become collateral victims of major abuses including murder, massacres, forced displacement and other negative consequences that in some cases can put them at risk of extinction. Indigenous and tribal women are particularly vulnerable to sexual assault and gender-based violence by members of armed groups. Indigenous and tribal children and youth are in many occasions forcibly recruited to take part in armed conflicts.

A recent international expert group meeting on violence against indigenous women and girls, organized by the United Nations Permanent Forum on Indigenous Issues, highlighted the impact of conflict on indigenous people, in particular on indigenous women and girls, who are often targeted because of their ethnicity and gender.[69]

Conclusion

Working to improve lives and livelihoods around the world, the United Nations system is directly confronted with the impact of the absence of regulations or lax controls on the arms trade, which may materialize in repression of political dissent with military means, armed conflict, rampant crime or armed violence and the widespread insecurity and human suffering. Unlike other areas of world trade, which are covered by rules that bind countries into agreed conduct, the transfer of weapons is currently not covered by binding global rules other than Security Council arms embargoes.

The absence of a global framework regulating the international trade in conventional arms makes it easier for weapons and ammunition to fall into the wrong hands. The appalling human costs of the consequences of the poorly regulated global trade in conventional arms manifest in several ways. Those suffering most are civilian populations trapped in situations of armed violence in settings of both crime and conflict, often in conditions of poverty, deprivation and extreme inequality, where they are all too frequently on the

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[69]   International Expert Group Meeting on Combating violence against indigenous women and girls, 18-20 January 2012.

receiving end of the misuse of arms by State armed and security forces, non-State armed groups and organized criminal groups, many of which are subject to United Nations Security Council sanctions.

Small arms are the weapons of choice in modern-day intra-State armed conflict and armed violence. Civilian populations, including children, bear the brunt of armed conflict more than ever. But there is plenty of evidence of heavier categories of weapons being used against civilians as well. Therefore, the Arms Trade Treaty (ATT) should cover all conventional arms. But regulation of the international arms trade should not be limited to regulating transfers of weapons. While arms can have a lifespan of decades and are often recycled from conflict to conflict, their value and the ability to sustain armed conflict or violence depend on the availability of an uninterrupted supply of ammunition. Thus, for the ATT to be effective, it should also regulate the international trade in ammunition.

A serious problem stemming from the poor regulation of the arms trade is the diversion of arms to illicit markets resulting from transfers without proper controls, unauthorized retransfer, thefts from poorly secured stockpiles, handouts to armed groups, barter involving natural resources, or corruption. The arms trade must therefore be regulated in ways that would include global standards for assessing the risk of diversion. Such regulation should also aim at minimizing the risk of misuse of legally owned weapons, whether by national armed and security forces, private security companies or other armed State or non-State actors.

A dire consequence of inadequate controls on arms transfers and the ensuing widespread availability and misuse of weapons is the frequent suspension or delay of life-saving humanitarian and development operations because of threats to the safety of, or actual attacks against, United Nations staff and those of other humanitarian organizations.

All in all, the consequences of the unregulated or poorly regulated weapons and ammunition transfers impact negatively on almost all areas of the work of the United Nations. Be it in maintaining international peace and security, promoting social and economic development, supporting peacekeeping operations, peacebuilding efforts, monitoring sanctions and arms embargoes, delivering food

aid or helping internally displaced persons and refugees, protecting children and civilians, promoting gender equality or fostering the rule of law, the United Nations have faced serious challenges and setbacks that ultimately can be traced to the consequences of the unregulated or poorly regulated arms trade.