

**SMALL ARMS, AFRICA AND THE UNITED NATIONS**  
**(Ten Years of Interaction between Africa and the UN)**

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Excellencies, ladies and gentlemen,

It is a great honor and pleasure for me to speak before the participants of this workshop as one of the long-time activists on the question of small arms and light weapons.

In October 1993 President Konare of Mali sent a letter to the United Nations Secretary-General Boutros Boutros-Ghali asking his assistance in collecting small arms that were circulating abundantly in his country even one year after a cease-fire of the civil war in the north. In January 1994, at a meeting in Geneva of the UN Secretary-General’s Advisory Board on Disarmament Matters, the Secretary-General talked about this letter. This was the first time the issue of small arms was taken up by the United Nations. The Advisory Board is a group of about twenty disarmament experts appointed by the Secretary-General from all over the world on the basis of what is called “equitable geographical distribution” I was one of the Board members from the year before.

At the Board meeting, the Secretary-General floated two ideas, one was the regional register covering small arms, and the other was the dispatch of a fact-finding mission to Mali. As to the

regional register, perhaps the Secretary-General was overly impressed by the success of the UN Register of Conventional Arms established two years earlier. This idea of regional register was subsequently discussed at the meeting of the Advisory Board in June of that year, and also at the sessions of the group of governmental experts on the UN Register which happened to meet in the same year. The reaction was rather negative, because the UN Register was a transparency and confidence-building measure with respect to larger types of conventional weapons. What were needed of small arms were immediate actions to reduce their excessive proliferation, rather than the round-about way of transparency and confidence-building. Besides, illicit trafficking, the most common method of small arms transfer, was outside the scope of any registers to be established by States.

On the other hand, the idea of a fact-finding mission to Mali materialized by the dispatch of an Advisory Mission in August 1994. The Mission was headed by Mr. Eteki-Mboumoua, former Secretary-General of the OAU. The Mission's deputy head was Brigadier General (Ret.) Henny J. van der Graaf of the Netherlands. Another Advisory Mission with the same members was sent to six neighboring nations of Mali in February/March 1995. Henny van der Graaf, the deputy head of the Mission, was also a member of the Secretary-General's Advisory Board, and the Board could later on benefit from his briefings about the findings of the Mission.

In January 1995, Secretary-General Boutros Ghali published his report "Supplement to an Agenda for Peace". In this report, he stated on the question of small arms, instead of referring to a regional register, that "It will take a long time to find effective solutions. I believe strongly that the search should begin now." It

was in response to this call by the Secretary-General that in June 1995 the Prime Minister of Japan proposed in his speech at a UN disarmament conference held in Nagasaki, Japan, the establishment a high-level group of experts or “wise men” under the UN Secretary-General on the question of small arms. Since the problem was new and serious, such an approach was needed.

I attended the Nagasaki meeting, and only one week later, I also attended the Advisory Board meeting in New York. I informed the Board that it was Japan’s intention to introduce a UN General Assembly resolution requesting the Secretary-General to establish a panel of governmental experts on small arms in order to prepare a report on the ways and means to solve the problem of the proliferation of small arms and light weapons. This idea was strongly welcomed and supported by the Board.

At the same Board meeting in June 1995, the Board members were briefed by Henny van der Graaf on the findings of the first and second Mali Advisory Missions. The inputs the Advisory Mission received in Mali and six neighboring countries were impressive. In order to collect weapons, internal security should be established first --- the so-called “proportional and integrated approach to security and development.” National Commissions in charge of the matter had to be established in all the countries visited. The UN Department (Centre, at that time) for Disarmament Affairs, in cooperation with the UNDP, the UNIDIR, and the ECOWAS might start up a pilot project to find the best way to tackle the problem. I was convinced that such valuable inputs from affected nations in Africa should be reflected in the report of the panel of governmental experts to be established.

Later in the year, in December 1995, the UN General Assembly

resolution introduced by Japan to establish the panel was adopted with an overwhelming majority vote, and in April 1996 the Panel was established, and I was nominated as its chairman.

The Panel was scheduled to meet in three sessions in New York, in June 1996, in January and July 1997, and to submit its report to the General Assembly that would meet in the fall of 1997. The government of Japan thought that since the Panel's report was going to be the first of its kind in the field of small arms, it would be better to have, in addition to its three sessions, extra meetings in the most affected regions, and for this purpose made some financial contribution to the trust fund of the UN Department for Disarmament Affairs.

As a result, the first of such regional workshops for the Panel was held in Pretoria, South Africa, in September 1996. I remember Chief Samuel Hinga Norman, Deputy Minister of Defence of Sierra Leone, was a participant at the workshop. Six years later, he headed the delegation of Sierra Leone at the 2001 UN Conference on Small Arms, still as Deputy Minister of Defence. During these years, he must have gone through difficult times in view of the severe internal warfare and political upheavals. Similar regional workshops were held in Central America and South Asia, and the Panel immensely benefited from valuable inputs.

In addition, I was invited as the chair of the Panel to attend the Ministerial Consultation on a Proposed Moratorium on Export, Import and Manufacturing of Light Weapons in West Africa held in March 1997 in Bamako, Mali. Somehow, I was requested to speak on the subject of a "Regional Arms Register in West Africa." Basically, I am not against a regional small arms register, or transparency in small arms in general, because this is what will be

needed eventually not only in West Africa, but everywhere in the world. However, in my speech, I stated that if the purpose was to bring under control the proliferation of small arms, one would have to start with closer cooperation among the military and police officials of the sub-region, including border guards and customs officials. A regional network of information sharing and cooperation, rather than a regional register, should be the priority. (See my article in *Developing Arms Transparency: The Future of the United Nations Register*, edited by Malcolm Chalmers, Mitsuro Donowaki, Owen Greene, *Bradford Arms Register Studies No. 7*, 1997, University of Bradford, UK, pp. 207~211)

In any event, thanks to hard works of the members of the Panel and their spirit of compromise and cooperation, the Panel could adopt by consensus its report in July 1997. The report, the first of its kind, was a fairly comprehensive one and contained a number of practical recommendations --- the so-called “proportional and integrated approach to security and development” and the need for capacity-building assistance based on the findings of Mali Missions, the need for guidelines to peace negotiators and peacekeeping missions on the question of disarmament and demobilization of combatants, the need for cooperation among police, intelligence, customs and border control officials, as well as regional networks for information sharing, the need to exercise restraint in the transfer of small arms and light weapons, the need to have in place adequate national laws and regulations, the need to control the civilian possession of small arms, destruction of surplus weapons, stockpile management, marking and so forth, the need for cooperation with civil society, and the possibility of convening an international conference on the illicit arms trade in all its aspects.

These recommendations were further refined and improved in the report of the follow-up Group of Governmental Experts two years later, which I had the honor to chair again. In any case, almost all the elements that were to be covered in the Programme of Action adopted by the 2001 UN Conference on Small Arms were already covered in the first Panel's report of 1997. The Panel's report was endorsed by the General Assembly in December 1997 by another resolution introduced by Japan. In addition, the same resolution called on all Member States to implement the recommendations contained in the report, and asked the UN Secretary-General to prepare another report, with the assistance of a follow-up Group of Governmental Experts on (a) the progress made in implementing them, and (b) on further actions recommended to be taken.

The impact of the Panel's report and the General Assembly resolution was enormous. A large number of small-arms-related activities were initiated in all regions of the world, including Africa. This trend was even more accelerated by the adoption one year later of another General Assembly resolution, again introduced by Japan, deciding to convene "an international conference on illicit arms trade in all its aspects no later than 2001".

Perhaps, from the perspective of Africa, the region most affected by the problem of small arms, it was their turn now to react to the report of the Panel. The whole process was initiated by Africa, first by a letter of the President of Mali to the UN Secretary-General. In a way, the ball was now turned back to their court.

In October 1998, the ECOWAS countries came to declare a Moratorium on the Importation, Exportation and Manufacture of

Small Arms and Light Weapons in West Africa, and adopted a Code of Conduct on Small Arms, and also initiated a regional project called PCASED administered by the UNDP.

In November 1998, the Southern African Regional Action Program was developed by the SADC countries and the European Union. In addition, the Southern African Regional Police Chiefs Cooperation Organization (SARPCO) started to work on a regional firearms protocol, and a regional network of cooperation among police, customs and other relevant agencies.

Here in Nairobi, the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa was adopted in March 2000 by the Foreign Ministers of ten countries, and what may be called “the Nairobi process” made a significant step forward with the signing of the regional Protocol on Small Arms and Light Weapons only a month ago, but many of the participants at this workshop should be in a better position than myself to talk about these developments.

What I should like to highlight here is the enormous efforts African nations made in the preparation for the July 2001 UN Conference on Small Arms. On the basis of various sub-regional initiatives, the Organization of African Unity came to adopt on December 1 2000, the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons.

In that year 2000, the stage was already set for the July 2001 Conference with the establishment of a Preparatory Committee. It was good for Africa that Ambassador Carlos dos Santos of Mozambique was chosen as the chairman of the Preparatory Committee. He was, as a member of the follow-up Group of

Governmental Experts on Small Arms from 1998 to 1999, and was in a good position to know about the previous Panel's report, and of course about the follow-up group's report. He also attended both the Nairobi Declaration meeting of March 2000, and the OAU Bamako Conference of November/December 2000.

Therefore, Ambassador dos Santos did his best to incorporate in his draft Programme of Action the results of the work the Panel and Group of Governmental Experts, and at the same time to reflect in it the position of African States expressed in the Bamako Declaration. To my thinking, there were at least two new elements reflecting the position of African States that were not quite stressed in the earlier reports of the Panel and Group of Governmental Experts.

One was the notion in the Bamako Declaration that "trade in small arms should be limited to governments and authorized registered licensed traders" (Paragraph 4. (i) in Section B. "At the regional level"). The Panel's and Group's reports recommended that such a possibility should be studied, but did not give conclusions (Paragraph 80 (l) (ii) of the Panel's report and Paragraph 103 of the Group's report). The chairman's draft contained a paragraph that said "To supply small arms and light weapons only to Governments, either directly or through entities authorized to produce arms on behalf of Governments" (Paragraph 13). Based on this, at the 2001 Conference, the working paper prepared by the President of the Conference said "To supply small arms and light weapons only to Governments, or to entities duly authorized by governments" (Paragraph 15). As is well known, the issue of the supply of arms to "non-state actors" became a hotly debated issue at the 2001 Conference. In the end, the controversial paragraph was deleted from the Programme of Action.



Another important African input was the need for the establishment of national coordination agencies or bodies, and national action programmes, stressed in the Bamako Declaration, as well as the need for the establishment of national focal points mentioned in the Coordinated Agenda for Action adopted in November 2000 by the signatories of the Nairobi Declaration. Earlier, the Panel's and Group's report recommended States to take a number of measures, but did not quite realize the importance of having national focal points, national coordinating agencies, and national plans of action for this purpose. The chairman of the Preparatory Committee duly incorporated these viewpoints in his draft Programme of Action, and this chairman's draft came to be adopted at the 2001 Conference.

There is an episode I can tell you related to national focal points. At the United Nations Conference held in July 2001, I had the privilege of presiding over its high-level segment that lasted for the first five days. On the third day, July 11, the first speaker in the morning on the speakers' list was the representative of Rwanda. My eyes were caught by his official title which read "His Excellency Lieutenant Colonel Andrew Rwigamba, Chairman of National Focal Point on Small Arms and Light Weapons, Ministry of Defence of Rwanda." Therefore, in introducing the speaker, I drew the attention of delegates to this fact, saying that his title was quite appropriate because the idea was already included in the draft Programme of Action we were expected to adopt by the end of the Conference.

As you can see, the combat against illicit trafficking in small arms and light weapons was started ten years ago at the initiative of African States, and though the goal is still not in sight, we have

covered a long way in the process. Looking back, there is no doubt that the interaction between Africa and the United Nations served as the driving force of the whole process.

I am aware that the analogy I used about the ball being in the African court or the UN court was not quite right, because, after all, the United Nations belongs to its Member States. However, looking to the future, and particularly to the 2006 Review Conference, there is no doubt that the success of our fight against illicit trafficking in small arms and light weapons in all its aspects will depend much, as was the case so far, on the strong initiatives taken by African States.

Thank you.