Small arms, light weapons and the need for institutional cooperation: an overview

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Small Arms, Light Weapons and the Need for Institutional Cooperation: An Overview

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Summary

Small arms and light weapons are extremely cheap, readily available, hard to control and lethal in their effect. Although the international community has recently shown increased awareness, international responses remain inadequate.

This paper advocates the establishment of an international regime to deal with the abuse and illicit trafficking of small arms. Such a regime will have to raise public awareness, create transparency, improve control, restrict and eliminate the flow of small arms, collect and destroy surplus weapons, and bolster local capabilities. Above all, it must address the deeper causes in provider and recipient countries. In the former case, this means strengthening domestic legal provisions, full disclosure of information about legal arms transfers, destruction of surplus stocks and an increase in the custody of armaments depots. In the latter case, it requires integrating the issue within the overall strategy of peace building and of supporting the spread of democratic norms and structures. Such a regime will also need to provide positive and negative incentives to get the participating states to comply with its provisions. Finally, a joint working group consisting of experts from various international organizations should be established that coordinates and harmonizes international programs.

Introduction

After successfully negotiating a ban on land mines, endeavors aimed at restricting or eliminating the spread and unlawful use of small arms and light weapons have gained new momentum. While conventional and nuclear weapons of mass destruction have always been regarded as a major problem endangering mankind, small arms and light weapons have so far been largely ignored. This is surprising if we consider the devastating effects of revolvers, self-loading pistols, sub-machine guns, assault rifles, rifles, machine guns, grenades, fuel air explosives, anti-tank weapons and anti-aircraft weapons - to name but the most prominent weapons.\footnote{Swadesh Rana, Small Arms and Intra-State Conflicts, \textit{UNIDIR Research Paper 34}, UNIDIR, Geneva, 1995, pp. 2-3.} It is estimated that up to 90 percent of global war fatalities are inflicted by small arms and that 80 percent of all victims are civilians, mostly women and children.\footnote{Michael Renner, Small Arms, Big Impact: The Next Challenge of Disarmament, \textit{Worldwatch Report 77}, Worldwatch Institute, New York, 1997, pp. 5. Ginette Saucier, Small Arms Proliferation and Peacebuilding. Canadian Peacebuilding Coordinating Committee, Policy Paper for Discussion, January 1998, p. 2 (http://www.prepcom.org/low/pc2/pc2d12.html).} These weapons

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weapons are extremely cheap - in some parts of Africa, for example, an AK-47 Kalashnikov assault rifle can be bought for the price of a chicken or a goat.³

So far, international organizations have only reluctantly begun to address the issue. While some promising initiatives have been launched, a coherent strategy is still lacking. This article advocates the establishment of an international regime that raises public awareness, creates transparency, improves control, restricts and eliminates the flow of small arms, collects and destroys surplus weapons, and bolsters local capabilities. Above all, such a regime will have to address the deeper causes in provider and recipient countries.

After discussing the various facets of the problem, the paper will show that the issue of small arms and light weapons is not only a question of arms control but also an issue that has to be analyzed in the broader context of peace building and the support of democracy. Then the main components of an international regime will be outlined by setting out its basic elements (goals, principles, and incentives), identifying measures to be taken, and analyzing the contribution of Europe's security organizations. Regarding the last point, it will be argued that a joint working group should be established to coordinate and effectively manage the initiatives of the international community.

1 Problems

The problem of the spread and unlawful use of small arms and light weapons has many aspects. In most cases, small arms are but a single issue in a long chain of problems with negative political, economic, and societal consequences. As will be shown in the following section, any strategy aimed at dealing with this problem will have to take into account various causes. Let me identify five problems.

1. Ubiquity: When talking to the members of the UN General Assembly in September 1997, the Canadian Minister of Foreign Affairs, Lloyd Axworthy, rightly pointed out that in the hands of terrorists, criminals, irregular militia, and armed bands, small arms become "true weapons of mass destruction".⁴ His statement also makes clear what it is that distinguishes these weapons from other weapon systems targeted by traditional disarmament efforts. While the latter's use is restricted to fighting in wars or as a means of deterrence, the former may easily slip into society after a war has ended, thereby promoting criminality, bolstering terrorism, and endangering stability.

³ Renner (note 1), p. 20.
⁴ Lloyd Axworthy's notes are available online at http://www.prepcom.org/low/pc2/pc2a4.html.
2. **Availability:** In most countries it is legal to buy and possess small arms. While the respective legal provisions vary from country to country, no government has banned these weapons outright. This greatly facilitates the proliferation of such weapons, renders international transfer controls even more difficult, and leads to the establishment of an international "gray market" almost impossible to monitor.

3. **Multipurpose character:** Small arms are part of the standard equipment of police forces, armed forces, and other security forces. However, the same weapons that may help a policeman arrest a criminal may also be used to suppress opposition movements, eliminate dissidents, or terrorize populations.\(^5\)

4. **Destabilization:** Uncontrolled flows of small weapons can undermine international peacekeeping and peace building efforts, thereby aggravating conditions in war-torn societies.\(^6\)

5. **Currency:** In some regions of the world, small arms and light weapons have become currencies to certain people. Due to extremely poor economic conditions, smuggling and spreading small weapons has become their only chance to survive.

## 2 Causes

As with most problems requiring international solutions, the use and transfer of small arms has at least two sides. On the one hand, there are industrialized countries producing and exporting such weapons, and other countries, most prominently former communist countries, that possess large stocks of small arms and light weapons that should be reduced. On the other hand, there are those countries, mostly in Latin America, Africa, and Asia, that acquire these weapons either legally or illegally. Both groups can be held responsible for the easy availability of weapons and their widespread use. Additionally, it is a severe disadvantage that international strategies to tackle the problem are lacking. Let me elaborate on each of these aspects.

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2.1 Domestic causes: the provider

When analyzing the responsibility of the provider we must distinguish between industrialized countries primarily acting as producers and exporters of small arms and light weapons and former communist countries supplying international markets with huge surplus stocks. Causes and problems are different in these two groups and require separate analysis.

Industrialized countries have a two-fold responsibility. On the one hand, it is more than cynical to criticize and condemn war leading parties while at the same time supplying - legally or illegally - the necessary weapons to fight wars. On the other hand, and closely related to the first argument, industrialized countries have generally been soft on the issue of controlling arms exports and limiting arms availability. These weaknesses point to the actions required: we must strengthen and harmonize national arms control legislation, mark weapons, establish weapons registers, and demand that producers, exporters and importers of small arms and light weapons register with governmental agencies.

By contrast, many former communist countries have become the principle suppliers of small arms and light weapons in recent years - large stocks inherited from the Cold War being the primary source. Many of these countries suffer from economic problems and their ambiguous consequences. First, the collapse of state governed enterprises has drastically reduced governments' tax revenues bringing them to the verge of financial bankruptcy. Because money is in short supply and social problems are rising dramatically, defense budgets are being cut radically. This may lead to a reallocation of scarce resources. But at the same time, this also means that the money needed to pay soldiers guarding weapons depots and to guarantee the custody of the weapons depots is no longer available. Second, shifting to a market economy has left defense industries as one of the few profitable enterprises. Due to a growing worldwide demand there are clear incentives to continue the production of such weapons. Third, it is possible that these countries' desire to join NATO or WEU will lead to an extensive replacement of outdated weapons, thereby increasing the availability of weapons even further. To counter these developments, the following steps will be necessary: technical assistance to improve the custody of the armed forces weapons depots, financial transfers to adequately train and equip security and customs forces, recycling programs that prevent old weapons from flowing onto the worldwide armaments market, and precise provisions requiring the adherence to international principles preventing and reducing international arms transfers.

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2.2 Domestic causes: the recipient

Within the recipient countries various factors can be isolated to explain the "demand" for small arms and light weapons. A panel of UN experts has identified at least four groups of factors: intrastate conflict and terrorism, situations characterized by a state's loss of control over its security function, the incomplete reintegration of former combatants into society after a conflict, and the presence of a culture of weapons. In most recipient countries there is thus a causal link between the deeper rooted economic and political causes and the abuse of these weapons (Figure 1).

![Diagram: Small arms and instability - a vicious circle]

Figure 1: Small arms and instability - a vicious circle

Poor economic perspectives, high unemployment, general dissatisfaction with the political élite and the inability of the political system to provide the population with wealth and security create the ground for the widespread abuse of small arms and light weapons. Combating the abuse and illicit trafficking of these types of weapons will therefore help to solve the problem but will not cure the causes. What is needed is a strategy that links the small arms issue with overall strategies of peace building, reinstalling governmental authority and promoting democracy.

2.3 International causes

The passivity of the international community in addressing the abuse and illicit trafficking of small arms has aggravated the situation. Because these weapons are easy to acquire and easy to use, they have become the standard equipment of organized crime and terrorism. Narcotics

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8 Edward J. Laurence, Small Arms and Light Weapons as a Development and Disarmament Issue, paper submitted at the conference on "Converting Defense Resources to Human Development" organized by the BICC, Bonn, 9-10 November 1997, p. 3 (http://bicc.uni-bonn.de/general/events/devcon/laurance.html).
trafficking, blackmailing and hijacking, corruption and bribery are closely interrelated with the illicit trafficking and abuse of these weapons. International responses to these problems are at least as inadequate as strategies to tackle the problem of small arms. Strategies must therefore be planned with the following links in mind: Anti-corruption programs that address the problem of poorly paid soldiers may help increase the safety of weapons depots and thereby reduce the possibility that criminal groups capture weapons. Increased, strengthened and coordinated border controls help to detect illicit trafficking of small arms and narcotics. Finally, international intelligence cooperation must be interpreted as a prerequisite in combating all forms of organized crime.

3 Strategy

A strategy to combat the illegal trafficking and abuse of small arms and light weapons must envisage the creation of an international regime. This regime should be based on a set of clearly defined goals, spell out basic principles of behavior, foresee positive and negative incentives in case of compliance or non-compliance, and adopt a set of measures addressing the different problems mentioned above. Finally, such a regime should envisage the establishment of a joint working group that coordinates the activities of international organizations.

3.1 Basic elements

Goals: Small arms and light weapons can be legally obtained around the world. It will therefore be almost impossible to ban all types. However, international initiatives should aim at achieving the following goals:

- Raise the awareness of international decision-makers and the public; first, with regard to the consequences of illicit trafficking and abuse; second, with regard to the causes.
- Create transparency concerning the flow of legally acquired weapons.
- Control light weapons diffusion in the countries of production and of destination.
- Restrict and eliminate the diffusion of weapons to critical countries that are either known to abuse these weapons (e.g. to suppress opposition parties etc.) or to distribute these weapons to third countries.
- Collect and destroy weapons in countries that have huge surplus stocks and in countries suffering from war.
- Bolster local capabilities to detect illegal light weapons transfers, to enhance control, and to improve training, equipment and facilities where such weapons are stockpiled.

- Address the causes of the problem by first specifically tackling the problem of small arms within the context of peace building, and second, by promoting democratic norms and structures, because democracies have learned to solve conflicts peacefully.

**Principles of behavior:** When looking at the various international treaties and politically binding documents to contain horizontal and vertical proliferation of nuclear weapons or reduce the number of conventional weapons, it becomes evident that the fundamental principles have already been laid out. Because many countries in the OSCE area adhere to them, it seems useful to base a regime on the following principles:

- **Transparency:** Creating transparency means that countries will have to disclose information with regard to small arms. International registers will have to be improved or established. International organizations, such as the OSCE with its reputation as the "champion" of confidence building by creating transparency, will play a leading role in harmonizing national and international provisions.

- **Sufficiency:** According to the OSCE Lisbon Document (1996), sufficiency means that states will "maintain only such military capabilities as are commensurate with legitimate individual or collective security needs". With regard to small arms and light weapons, this principle sets a clear signal to reduce surplus stocks by collecting, recycling and destroying them.

- **Reciprocity:** As part of European integration law and international commercial law, reciprocity has become a cornerstone of effectively liberalizing national market economies. It implies the equal treatment of all actors and the general application of jointly agreed norms. With regard to small arms, reciprocity should specifically entail the right of mutual inspections and unrestricted access to small arms registers and databases.

- **Verification:** The monitoring of international agreements rests in large part on the possibility to verify states’ compliance. Verification procedures should therefore permit the inspection of weapons to verify the fulfillment of internationally agreed safety standards as well as the inspection of manufacturing companies to monitor compliance with principles of marking and registering weapons.

**Incentives:** An international regime built on these principles, and states abiding by them, will increase predictability and bolster stability and security. But such a regime should also be

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given the possibility to reward states for complying with joint principles and to sanction non-compliance. Recent scholarship on the issue of nuclear non-proliferation has made it clear that the international community can pursue at least three different approaches of social control. It can manipulate the consequences a potential proliferant faces, reduce a potential proliferant's opportunities for undesirable behavior or create incentives for desirable behavior, and alter the proliferant's perception of a given reality.  

Many international regimes suffer from a lack of incentives. While international cooperation pays off in the long run, there is a tendency to digress from commonly agreed principles in the short term. This may be especially true for a small arms regime, therefore requiring meaningful positive and negative incentives. Positive incentives can be understood as "transfers of positively valued resources, such as money, technology, or know-how, from one actor to another with the aim of driving behavior of the recipient in a direction that is desirable from the point of view of the provider." Negative incentives can be defined as costs in the shape of political and economic sanctions, freezing international credits, etc. imposed in case of non-compliance. The last section of this chapter will show how these ideas could be applied to an international small arms regime.

3.2 Measures

Numerous proposals and recommendations have already been put forward to deal with the problems discussed above. It is unnecessary to add to this list. Rather I will try to group them according to the goals set out above. Then I will show how Europe's security organizations can possibly contribute to each goal.

1. Raising public awareness: Despite increased attention in recent times, small arms and light weapons have so far not ranked high on the public agenda. Raising public awareness and guaranteeing the public's interest in the subject will be one of the most important tasks. We must differentiate between at least three different addressees. At the international level, decision-makers must become aware of the problem, its effects and causes. At domestic levels, special education and information programs will be needed to enhance the public's sensibility in countries where small arms and light weapons cause suffering. And, again at the domestic

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level but now with regard to the responsibility of the "donor" countries, public pressure will have to be built up in order to stem illicit trafficking of small arms and light weapons.

There can be no doubt that Europe's security organizations can help to address the problem of illicit trafficking of small arms and light weapons by putting it on their own agenda. A broad discussion of the various aspects of the problem will help to shape a comprehensive understanding. While the OSCE seems perfectly suited to launch a broad dialogue, there is no reason why NATO, the European Union, and even the WEU should not initiate their own discussions. However, it will be indispensable to assure that information will be fully disseminated. It therefore seems useful to establish a joint working group consisting of representatives of all European security organizations. In the first instance, this group would be asked to coordinate ongoing discussions, to harmonize proposals and to systematically evaluate "lessons learned" in other organizations such as the OAS.

2. Creating transparency: Small arms are multi-purpose weapons difficult to control. Thus, compiling data on all aspects of production, export, import, use, storage, and safety is indispensable. Because transparency will play a crucial role in developing an international strategy, states and international organizations should actively exchange information. At the domestic and international levels, provisions for weapons registers should be harmonized and, where necessary, be adopted.

Europe's security organizations can contribute greatly to increasing transparency, facilitating the exchange of information, conducting mutual inspections and organizing review conferences and implementation meetings. However, increasing the effectiveness of disclosed information requires harmonization of each organization's criteria and standards. It will therefore be necessary that the proposed joint working group address the problem of differing standards, compare each organization’s provisions and suggest modifications if necessary.

Because resources are scarce, duplication must be avoided. The UN has already established an international register for conventional weapons, and the International Criminal Policy Organization (Interpol) is the only international organization maintaining a database for stolen and recovered weapons (Interpol Weapons and Explosives Tracking Systems, IWETS). Because of the global consequences of illicit small arms trafficking, it is not useful to "regionalize" the compilation of data by requiring every organization to establish its own database or register. Regionally collected information must be disseminated to globally available information systems and databases. At the same time, it has to be examined whether and how intelligence services and military satellites can contribute to detecting and stemming the illicit trafficking of small arms and light weapons.
3. **Controlling light weapons diffusion:** Monitoring provisions of small arms and light weapons must become effective at three points: when these weapons leave the manufacturing company or a depot maintained by police or armed forces, when legal arms transfers leave the country of origin, and when legal arms transfers enter the country of destination. While these provisions may suffice to enhance control of legal arms trade, they will not help to curb illicit trafficking of small arms. To make "disappeared" weapons visible, they will have to be technically equipped, like automobiles, with built-in chips that allow them to be detected by Global Positioning Systems (GPS) or similar techniques.

By requiring member states to fully disclose information on commercially negotiated arms shipments, Europe's security organizations would greatly facilitate controlling the diffusion of small arms. So far, they have been soft on this issue. Within the OSCE, participating states have agreed to support the UN conventional weapons register and exchange information on their national legislation on arms transfers. Additionally, the European Union has recently adopted a Code of Conduct on Arms Exports. Although this is a welcome step in the right direction, it suffers from at least two flaws: First, the code is merely politically binding. Second, if a country undercuts the decision of another member state - i.e. if it decides to grant a license to a third country that had been denied this license by an other EU member state previously - the information will not be made available to all EU member states but only to the other member state(s) involved, thereby seriously undermining transparency.

4. **Restricting and eliminating light weapons diffusion:** Controlling the transfer of small arms and light weapons is a necessary first step, but it is not enough. Restricting and eliminating the flow of these weapons is only one means of attacking the causes of the problem. In essence, restriction and elimination require tougher domestic gun controls and strengthened legislation on arms exports, but it could even entail measures to tighten the production of licensed weapons abroad. Of course, such measures encroach upon state sovereignty and may clash with economic interests.

Both the EU Code of Conduct on Arms Export and the OSCE Principles Governing Conventional Arms Transfer take into account the political situation in a recipient country, its international behavior, and its human rights record, but both are only politically and not legally binding. While the OSCE is basically in no position to adopt legally binding documents - because it is has no legal personality under international law - the EU could adopt the Code either as a common position or as a joint action, both legally binding for the member states. While the direct impact of Europe's security organizations seems limited, they can nonetheless influence governments' behavior by morally condemning the transfer of weapons to certain states. An

even more robust approach? mostly ignored so far? would make admission to the organization contingent upon adhering to its arms transfer principles, thereby placing special emphasis on restricting and eliminating these types of weapons.

5. Collecting and destroying light weapons: These measures refer to actions in provider and recipient countries. Both aspects have thus far been neglected.

Neither UN nor OSCE missions have so far been adequately authorized to address the problem of collecting and destroying light weapons. Many experts urge the taking of this step. NATO, which has undertaken a similar task in Albania, and even the WEU could support these missions. Within the Partnership for Peace Program, the Albanian Government and NATO drafted and adopted a tailor-made Individual Partnership Program that foresees international support for the storage and destruction of ammunition in Albania.13 Again, the joint working group proposed could play a leading role in drafting and monitoring a micro-disarmament program built on each organization's comparative advantages.

6. Bolstering local capabilities: Non-compliance with international provisions on the reduction of the flow of small arms and light weapons can have two causes. States may either deliberately digress from international agreements, or they may not be able to adhere to these commitments because they lack the necessary resources and know-how. Bolstering local capacities can be supported by Europe's security organizations in a number of ways.

It would be most promising to adequately train and equip armed and police forces in critical countries. NATO could play a leading role in initiating a new program within PfP, dedicated to controlling, collecting and destroying small arms and light weapons. Additionally, the EAPC seems well suited to conduct seminars on this topic and on "lessons learned". The WEU (which has recently build up special expertise in training police forces in Mostar and Albania) could build on this experience by helping police forces in critical countries to handle the illicit trafficking of such weapons. In some places, like in Bosnia-Herzegovina, where the United Nations established the International Police Task Force (IPTF), cooperation should be envisaged. Additionally, technical and financial support by international financial organizations could improve security around weapons factories and depots. Because it is easy to initiate numerous activities, attention should be given to their coordination and cooperation, a task for the joint working group.

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7. **Addressing the causes:** The bolstering of democracy is the most promising and, at the same time, a truly long-term strategy to combat the abuse of small arms and light weapons. It is the only strategy that really addresses the causes of the problem, namely poor economic, social, and political conditions. Recent scholarship has shown that democracies behave more peacefully than any other type of government.\(^{14}\) Democracies prefer constitutional rules to armed conflicts to solve problems. Therefore, the international community must begin to tackle the problem of small arms and light weapons within the field of peace building. Some components of such an approach have already been listed: raising public awareness in recipient countries, initiating special education programs, and extending the mandate of UN and OSCE missions to collect and destroy surplus weapons. Additionally, these countries suffer from a lack of governmental authority. While it will be of paramount importance to reestablish governmental authority, international peace building programs will at the same time have to address the deeper causes of political upheaval. This means that programs must be designed to absorb demobilized troops into society, promote, support and finance the retraining of former soldiers, help to create new jobs, and finance housing for these men.\(^{15}\) Once more, the joint working group might help to facilitate the tasks.

### 3.3 Joint working group

It is fair to assume that any plan aimed at establishing a new international organization or an international regime will need years to become effective and will, at least temporarily, face strong resistance. Yet, this is no excuse for passivity. Furthermore, the success of an international regime aimed at reducing illicit trafficking and illegal use of small weapons will to a large extent depend on cooperation among international organizations. It has become evident that no international organization will be able to cope with these challenges alone. What is needed is an institutional approach across all of Europe's security organizations that also includes the United Nations and international financial organizations, such as the World Bank, the International Monetary Fund (IMF) or the European Bank for Reconstruction and Development (EBRD). For this reason I suggested the establishment a joint working group.

Such a group would thoroughly alter the way the international community copes with global problems. On the input side, every organization would assign a number of experts, provide

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\(^{15}\) Fatau Musah/Castle (note 7), pp. 9-10.
technical and financial support. On the output side, the group would focus on the problems to be addressed (Figure 2).

First of all, the joint working group would coordinate the various activities mentioned in the previous section. This function is indispensable to avoiding duplication and to uncovering deficiencies of programs currently undertaken. Second, the working group should develop action programs that could either be standardized or tailor-made to fit the problems of a specific country. Albania's IPP, to rebuild its armed forces with the help of NATO and other EAPC countries, is a perfect example. In response to a country’s request, the joint working group could establish a program containing the following elements:

- Require the state to accept high common standards to combat illicit trafficking of small arms.
- Grant financial assistance to rebuild and guard arms depots.
- Initiate buy-back programs for surplus weapons.
- Require the country to destroy old stocks in exchange for new weapons.
- Make admission to an international organization contingent upon adhering to specific criteria dealing with small arms.
- Foresee the option to freeze international credits or suspend treaty rights in case of ongoing non-compliance with the provisions of an international small arms regime.
- Help local armed forces, police forces and customs officers to detect illegal arms and to control the country's borders.

Such an approach could greatly increase the flexibility of international provisions. While standards would be commonly agreed upon, supporting activities could be planned with a country's specific needs in mind. This could reduce the possibility of defection because of a lack of incentives to comply. Close cooperation with each country would furthermore improve the monitoring of compliance and would in turn make support contingent on a clear-cut set of conditions and rewards.

Establishing a joint working group could also prove advantageous to the coordination of peace building efforts and to the control of illicit small arms trafficking. It has been argued above that poor economic, social and political conditions are two of the primary causes that lead to an increased use of small arms. It is no secret that the economic and political goals of recovery programs may contradict each other. Current peace building strategies seem to underestimate this causal link. From a political point of view, higher inflation may seem a tolerable means to reduce unemployment and to boost the economy. From an economic point of view, however, rising prices increase interest rates, put pressure on the exchange rate and worsen a country's economic performance in the long run. Thus, economic programs expected to support a country may even aggravate its situation, because these programs can require political decisions too dramatic to be adopted smoothly and to be implemented. This can undermine peaceful transition and encourage some groups to acquire small arms - either to block reforms or to violently alter the political system. Comprehensive and ongoing monitoring of such critical countries by a joint working group can help eliminate contradicting aims within peace building strategies by improving coordination between their political, economic, and legal provisions.

**Conclusions**

If an international small arms regime is to bear fruit it will require at least three things. First, international decision-makers must become aware that illicit trafficking of small arms and light weapons is not just a question of improving control and raising international standards.

Above all, it must address the deeper causes of a political and economic nature. Second, such an international regime will have to include positive and negative incentives rewarding compliance and punishing non-compliance with jointly agreed principles, provide strategies to disclose and/or create opportunities, and alter a proliferant’s perceptions through dissemination of information and values. Third, international organizations can make substantial contributions. However, as long as their ability to act rests on governments pursuing their particular and short-term national interests, the regime will remain ineffective. What is needed is a new approach freeing international organizations at least in part from their dependence on governmental will. A joint working group as suggested would be a first step in this direction. It would greatly enhance coordination between the organizations, could improve the management of scarce resources and would allow for support programs tailored to the needs of critical countries.