

**FEDERAL STATE AUTONOMOUS EDUCATIONAL INSTITUTION OF
HIGHER EDUCATION
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
(RUDN UNIVERSITY)**

As a manuscript

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**THE PROBLEM OF NON-PROLIFERATION OF SMALL ARMS AND
LIGHT WEAPONS IN SUB-SAHARAN AFRICA (1992-2018)**

Specialty 5.6.7 History of International Relations and Foreign Policy

DISSERTATION

for the degree

of Candidate of Historical Sciences

Scientific Supervisor:

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Moscow – 2023

ФЕДЕРАЛЬНОЕ ГОСУДАРСТВЕННОЕ АВТОНОМНОЕ
ОБРАЗОВАТЕЛЬНОЕ УЧРЕЖДЕНИЕ ВЫСШЕГО ОБРАЗОВАНИЯ
«РОССИЙСКИЙ УНИВЕРСИТЕТ ДРУЖБЫ НАРОДОВ»

На правах рукописи

ОЛУВАКАЙОДЕ Олумиде Эммануэль

**ПРОБЛЕМА НЕРАСПРОСТРАНЕНИЯ СТРЕЛКОВОГО ОРУЖИЯ И
ЛЕГКИХ ВООРУЖЕНИЙ В СТРАНАХ АФРИКИ К ЮГУ ОТ САХАРЫ
(1992-2018)**

Специальность 5.6.7 История международных отношений и внешней
политики

ДИССЕРТАЦИЯ

на соискание ученой степени
кандидата исторических наук

Научный руководитель:
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Москва – 2023

TABLE OF CONTENTS

INTRODUCTION.....	4
CHAPTER ONE: SMALL ARMS AND LIGHT WEAPONS AND ITS MANIFESTATIONS IN SUB-SAHARAN AFRICA	35
1.1 Historical perspective of SALWs in Sub-Saharan Africa	35
1.2 Proliferation of SALWs in Sub-Saharan Africa	51
CHAPTER TWO: SALWS DILEMMA IN SUB-SAHARAN AFRICA	61
2.1 The impact of SALWs on Sub-Saharan Africa	61
2.2 Strategic involvement of external influence in the supply of SALW	80
CHAPTER THREE: INSTITUTIONAL INITIATIVES IN THE STRUGGLE AGAINST SALW.....	89
3.1 Sub-regional perspectives	92
3.2 African Union approaches and initiatives in tackling SALWs.	134
3.3 International perspectives and initiatives on SALWs	143
CONCLUSION.....	166
SOURCES AND LITERATURE.....	173
ABBREVIATIONS	191

INTRODUCTION

The relevance of the research topic is related to the impact of small arms and light weapons on the security of sub-Saharan Africa, while analyzing regulatory mechanisms implemented to control the spread and trafficking of these arms within sub-Saharan Africa.

One of the most unstable continents, which gave the world the largest number of conflicts in the second half of the XX century and the beginning of the XXI century, was and remains Africa. Perhaps nowhere in the world have conflicts and wars been presented in such a diverse way as here. Armed conflicts in Africa are impressive not only in the number and number of victims. In particular, over the past decade, more than 2 million children have died in armed conflicts in Africa, and about 6 million children have been seriously injured or maimed. Interethnic conflicts gave rise to numerous military coups, civil wars, and an army of refugees, which negatively affected the economic, social, political, and cultural development of many states.

The relevance of the research studies the causes of the resurgence of violence plunging sub-Sahara Africa into a climate of instability and insecurity. The main reason quickly indicates to lousy governance, excessive centralisation of power, refusal of dialogue by those in power, lack of transparency in managing natural resources, and all-around corruption, etc. These are all factors that trigger armed conflicts in Africa. However, very often, the devices used in war or conflict are not considered: small arms and light weapons (SALW). The illegal demand for SALWs trade is a global phenomenon but mainly concentrated in areas of armed conflict. The types of weapons in circulation ranges from firearms such as pistols and light machine guns to mortars and rocket-propelled grenades have become the weapons of choice for most regional conflicts occurring today.

The research topic is also relevant because, it gives opportunity to analyze the supply and demand of weapons. Arms proliferation contains different elements

stretching from legal and illegal forms to what is known as the grey and black markets, generally called the shadow world in the universe of the arms trade. The grey market implies legal deals but done with covert means. The government mainly uses this method to have an illegal influence on foreign policy. At the same time, the black-market deals are strictly illegal in all forms of execution. Both black and grey deals frequently infringe in arms sanctions, international and national laws, regulations, and agreements.

Illegally traded weapons originate from both within and outside Africa, whilst the demand and trafficking of weapons across African borders is the primary source of illicit arms. However, in a broad case scenario, organised criminal networks and sophisticated organisations often consist of criminals, corrupt security officials, returned peacekeepers, and mercenaries are the most reliable candidates contracted to move and supply weapons across Africa's borders. The manner of trafficking can vary from large convoys with an eloquent number of weapons and ammunition or the alleged “ant trade”. The weapons can be trafficked across borders in smaller quantities but in large numbers. When factoring the porosity of African borders and rugged terrain, it is easy to smuggle and transport SALWs.

Finally, it is important to note that, the use of SALW is omnipresent throughout all the conflicts in Africa. The availability of SALWs to all creates enormous devastation, leading to illegal arms trade hindering development across the region. Arms acquisition (especially for personal protection due to the high rate of insecurity and/or for criminal activities) has impacted development. SALWs related challenges in the region drive both demand and supply. In some parts of sub-Saharan Africa, manufacturing homemade or local arms, also known as 'craft weapons', is now a lucrative and big business, producing and performing maintenance, everything from elementary pistols to sophisticated assault rifles.

The degree of scientific novelty of the work

While reviewing the chosen topic, the author studied several scientific literatures in English, Russian, and French. In accordance with the specifics of the topic under consideration, the historiographical review be divided into several main sections.

The *first group* of Russian historiographies are represented by general studies on global security, arms proliferation, and control, while analysing sub-Saharan Africa. This section of literature review primarily includes the works of Russian scientists, that have addressed the historical, theoretical, and methodological aspect of security, SALWs and arms control. The works of these researchers provide an in-depth analysis of global transformations in licit and illicit flow of small arms and light weapons and its significant impact on peace and security. V.V. Birjukov¹; A.A. Blagonravov²; D.A. Volodin³; T. Dejch⁴; N.I. Doronina⁵; V.M. Kirillov; E.A. Kudrov⁶; V.M. Kulagin⁷; S.V. Mazov⁸;

¹ *Бирюков В.В., Беляков А.К.* Криминалистическое исследование оружия, боеприпасов, взрывчатых веществ и следов их применения. Луганск: СПД Резников В.С. 2022. 256 с.

² *Благонравов А.А.* Материальная часть стрелкового оружия. М.: Рипол Классик, 2013. 589 с.

³ *Володин Д.А.* Канада и проблемы контроля над обычными вооружениями. США и Канада: экономика, политика, культура. 2016. № 11. С. 37-53.

⁴ *Дейч Т.* Как погасить опасный огонь в "горячих точках" // Африки. Азия и Африка сегодня. 2005. № 12. С. 20-26.

⁵ *Доронина Н.И.* Международный конфликт: о буржуазных теориях конфликта. Критический анализ методологии исследований. М.: Международные отношения, 1981. 184 с.

⁶ *Кудров Е.А.* Конфликт в Дарфуре: основные причины и тенденции. М.: ИБВ, 2008, 80 с.

⁷ *Кулагин В.М.* Международная безопасность. М.: Аспект Пресс, 2007. 318 с.

⁸ *Мазов С.В.* Политика СССР в Западной Африке, 1956-1964: неизвестные страницы истории холодной войны. М., 2008. 335 с.; *Он же.* Советско-нигерийские отношения накануне и в начале гражданской войны в Нигерии, 1966-1967 гг. (по материалам российских архивов) // Электронный научно-образовательный журнал «История». 2020. Т. 11. Выпуск 8 (94) [Электронный ресурс]. URL: <https://history.jes.su/s207987840011017-7-1/> (дата обращения: 10.11.2021).

Ju.N. Maleev; K.A. Pantserev⁹; L.F. Rogatyh¹⁰; V. M. Sabel'nikov¹¹; I.B. Serov¹²; A.V. Frolov¹³; A.I. Shirkin¹⁴.

In the research work of N. Kalinina¹⁵, she highlighted that, an even greater negative factor affecting international security is virtually uncontrolled proliferation of small arms and light weapons (SALW), whose role in the emergence and maintenance of regional and local conflicts is of decisive importance. Her in-depth analysis, depict the situation of existing SALWs in sub-Saharan Africa, she further elaborated on the role of State and arms transfer, stating that State having jurisdiction over any international transaction on transferring conventional arms and ammunition should ensure that, even before the transaction, such transfer is officially approved in accordance with national legislation and procedures that are determined by the obligations of the State under international law.

⁹ *Панцеров К.А.* Страны Африки в современном взаимозависимом мире: диалог культур или столкновение цивилизаций? // Вестник Санкт-Петербургского университета. Политология. Международные отношения. 2015. №4. С. 23-37; *Он же.* Информационно-психологические операции ИГИЛ: некоторые практические аспекты // Гуманитарный вектор. 2018. Т. 13. №. 1. С. 46-55; *Pantserev K.A.* Malicious Use of Artificial Intelligence in Sub-Saharan Africa: Challenges for Pan-African Cybersecurity // Vestnik RUDN. International Relations. 2022. № 22 (2). С. 288-302.

¹⁰ *Рогатых Л.Ф.* Незаконный оборот оружия. Санкт-Петербургский юридический институт (филиал) федерального государственного казенного образовательного учреждения высшего образования «Университет Прокуратуры Российской Федерации». СПб, 1998. 40 с.

¹¹ *Кириллов В.М., Сабельников В.М.* Патроны стрелкового оружия. М.: Рипол Классик, 1980. 372 с.

¹² *Малеев Ю.Н, Серов И.Б.* Роль ООН в сфере международно-правового регулирования оборота стрелкового оружия и обычных (легких) вооружений // Московский журнал международного права. 2017. № 1. С. 7-20.

¹³ *Фролов А. В.* Контроль над экспортом вооружений: основные тенденции // Пути к миру и безопасности. 2013. № 2 (45). С. 57-69.

¹⁴ *Ширкин А.И.* Уголовно-правовые и криминологические аспекты противодействия незаконному обороту оружия в Российской Федерации: дис. ... кандидата юри. наук: 12.00.08. Казань, 2008. 211 с.

¹⁵ *Калинина Н.И.* Пути международного ограничения мировой торговли оружием // Мировая экономика и международные отношения. 2013. № 1. С. 29-47.; *Калинина Н.И, Козюлин В.Б.* Договор о торговле оружием: заставить пушки замолчать // Индекс безопасности. 2010. № 16 (3). С. 81-98.

The problem of small arms and light weapons, primarily in the context of illegal distribution. A.A. Orlov¹⁶ research emphasizes the importance of international efforts aimed at combating this negative phenomenon, which can seriously destabilize the situation both in individual countries and on a regional scale. The number of conflicts has also increased significantly in the so-called “third world”, where the end of the bipolar confrontation was perceived at the level of the local opposing elites as a signal for permissiveness and anarchy.

The works of Russian scientists devoted to the regional problems of Africa. The works of the authoritative Russian Africanist S.V. Mazov¹⁷, which analysed in detail a wide range of issues related to the historical development of African countries, allowed the author to assess the degree of military-technical support by the Soviet Union to African countries. This assessment is necessary to analyse the ratio of the number of Soviet weapons in Africa with the number from other countries.

¹⁶ Орлов А.А. Легкое стрелковое оружие: новый круг противоречий // Вестник МГИМО Университета. 2010. № 4. С. 57-62.

¹⁷ Мазов С.В. Политика СССР в Западной Африке, 1956-1964: неизвестные страницы истории холодной войны. М., 2008. 335 с.; Мазов С.В. Советско-нигерийские отношения накануне и в начале гражданской войны в Нигерии, 1966-1967 гг. (по материалам российских архивов) // Электронный научно-образовательный журнал «История». 2020. Т. 11. Вып. 8 (94) [Электронный ресурс]. URL: <https://history.jes.su/s207987840011017-7-1/> (дата обращения: 10.11.2021).

Analysing the nexus between SALWs, armed conflict and violent non-state actors, the author used T.S. Denisova¹⁸, S.V. Kostelyanets¹⁹, and N.A. Zherlitsyna²⁰ research.

V.V. Shmelyov²¹ stated that the problem of illegal arms trafficking on the African continent has long been an acute problem, the echoes of which are felt by almost everyone. Therefore, measures to prevent the further spread of SALWs on the African continent are being taken by all subjects of international institutions.

In the context of African security, it is also important to note the research of prominent scientific scholars such as S.O. Idahosa, S.A. Bokeria, D.A. Degterev, N.V. Ivkina, S.I. Ihidero, V.M. Kassaye Nigusie, M.A. Tijani²².

¹⁸ *Денисова Т.С., Костелянец С.В.* "Раскол в "Боко Харам" и его последствия для региона бассейна озера чад" // *Контуры глобальных трансформаций: политика, экономика, право.* 2021. № 2 (14). С. 214-230.; *Denisova T., Kostelanz S.* Cameroon: the radicalization of Islam and the expansion of Boko Haram // *Asia and Africa Today.* 2021. № 9. С. 40-48.; *Denisova T.S., Kostelyanets S.V.* The Central African Republic: Conflict Dynamics // *Asia and Africa today.* 2019. № 31(6). С. 24-31.

¹⁹ *Kostelyanets S.V.* Russia's counterterrorism and counterinsurgency strategy in Africa. 2021. *Terrorism in Africa: New trends and frontiers* // Moscow: IAfr RAS, Haifa: University of Haifa. 2021. С. 154-166.; *Kostelyanets S.V.* Historical and Cultural Roots of the Conflict in Sudan's Darfur Region // *THE OMNIPRESENT PAST.* 2019. С. 212-236.; *Kostelyanets S.V.* IGAD's Mediation and Peacekeeping in Africa: Challenges and Perspectives // *Africa and the Formation of the New System of International Relations.* С.Н.: Springer Cham. 2021. P. 195-206.

²⁰ *Жерлицына Н.А.* Постисламизм: от исламизма к мусульманской демократии? Трансформация исламистских партий Туниса и Марокко // *Азия и Африка сегодня.* 2022. №. 8. С. 50-58; *Она же.* Стратегия ЕС в отношении центрально-средиземноморского маршрута миграции и пострадавших транзитных государств Сахеля и Ливии // *Геополитика и экогеодинамика регионов.* 2022. Т. 8. №. 3. С. 51-59; *Zherlitsyna N.A.* Prospects for the spread of ISIS after the defeat of the Caliphate // *Asia and Africa Today.* 2020. №. 7. С. 13-18.

²¹ *Шмелёв В.В.* Распространение легкого стрелкового оружия на африканском континенте в контексте безопасности стран Африки // *Проблемы безопасности российского общества.* 2012. №1-2. С. 201-20.

²² *Bokeriya S.A., Tijani M.A.* Конституционный кризис в Гамбии и деятельность ЭКОВАС: история вопроса // *Вопросы истории.* 2019. № 12-3. P. 64-75; *Bokeriya S.* African Union in addressing regional peace and conflict in Darfur // *Asia and Africa Today.* 2021. № 1. P. 37-42; *Idahosa S.O., Degterev D.A., Ihidero S.I.* Securitisation initiatives and the lingering security challenges in Sub-Saharan Sahel region: An appraisal // *African Security Review.* 2021. № 30(3). P. 338-67.; *Idahosa S.O., Degterev D.A., Abidoye R.O.* Strategic fight against terrorism: A narrative of its implication in the Sahel region // *International Journal of Engineering & Technology.* 2018 № 7(4.38). P. 727-31; *Nigusie W.M., Ivkina N.V.* Features of

The *second group* is devoted to African authors and scholars on the problem and impact of small arms and light weapons in sub-Saharan African security and development. Amongst them are the research of P.A. Agidi; A. Gbamwuan²³; M.N. Kayira²⁴; D. Kuwali²⁵; G. Mittawa²⁶; U. Nwaokonko²⁷; G.P. Okechukwu²⁸.

It is worth highlighting the following researchers. According to D. Dibwe and D. Mwembu²⁹, Lumpungu (the current day the Democratic Republic of Congo) used firearms supplied by Portuguese and Arab-Swahili smugglers in exchange for natural resources and ivory to invade surrounding clans and establish a totalitarian state system in the nineteenth century. The advent of firearms marked a watershed moment in Busongye history since it ushered in a new era of military authority that supplanted previous traditional ruling structures.

From an institutional standpoint, the author relied on the works of N. Alusala³⁰; B.J. Audu³¹; M.S. Lawal which explored institutional efforts to control and manage small arms and light weapons in Africa via the role of African Union and RECs-sub-regional institutions.

the Political Development of Africa in the Postcolonial Period // Vestnik RUDN. International Relations. 2020. № 20(1). P. 22-38.

²³ Agidi P.A., Gbamwua A. The Use of Small Arms and Light Weapons in Nigeria's Election: An Assessment of the 2019 General Elections in Benue State // Humanist Discourse. 2022. Vol. 2(3). P. 19.

²⁴ Kayira M. N. Organized Crime in Africa // Palgrave Macmillan, Cham. 2022 P. 303-321.

²⁵ Kuwali D. Countering Violent Extremism in Africa // Palgrave Macmillan, Cham. 2022. P. 197-216.

²⁶ Mittawa G. Illicit Small Arms and Light Weapons in Africa // Palgrave Macmillan, Cham. 2022. P. 383-396.

²⁷ Nwaokonko U. Arms Proliferation and Regional Security Problems: A Reflection of Insurgency in The Lake Chad Region // Texas Journal of Multidisciplinary Studies. 2022. Vol. 11. P. 30-49.

²⁸ Okechukwu G.P. Counting the losses: the economic, political, and socio-cultural impact of SALW proliferation, who gains with disarmament // ESCET Journal of educational research and policy studies. 2022. Vol. 3(2). P. 63-67.

²⁹ Dibwe D., Mwembu D. The Role of Firearms in the Songye Region (1869–1960) // The Objects of Life in Central Africa Leiden: Brill. 2013. C. 41-64.

³⁰ Alusala N. Lessons from small arms and weapons control initiatives in Africa. 2016. P. 33.

³¹ Lawal M.S., Audu B.J. Traditional Institutions and Firearms in Africa. The Politics and Historiography of Small Arms and Conflict Management // N.Y.: Palgrave Macmillan, 2021. P. 517-537.

Within the study of peace and security, the nexus between SALWs, counterterrorism and counterinsurgency, the works of A. Ahmed³²; N. Damaturu; A.U. Deribe; E. Reyneke³³; U. Sambo; B. Sule; U.A. Tar³⁴ was examined, he further elaborates on how sub-Saharan Africa has become a conducive climate for arm conflict and entities that require the demands arms to operator, due an increase in insecurity and ungoverned regions. Furthermore, A. Adeniyi³⁵; B. Malam³⁶ explained in detail the consequence of uncontrolled arms to human life and the societal structure.

The author also drew methodological and theoretical mechanisms from the works of I. Abdullahi³⁷; T O. Adewuyi; M. Wepundi³⁸; M.G. Daful³⁹, which address strategies and mechanisms developed and used to manage SALWs in sub-Saharan Africa.

³² *Sambo U., Damaturu N., Sule B., Deribe A.U., Ahmed A.* The Impact of Small Arms and Light Weapons (SALW) in the Proliferation of Armed Group Conflicts in North-eastern Nigeria: Interrogating the Boko Haram Phenomenon. // Arts and Social Sciences. 2020 №6(4). P. 151-61.

³³ *Reyneke E.* Small arms and light weapons in Africa: illicit proliferation, circulation, and trafficking: proceedings of the OAU experts meeting and international consultation // Institute for Security Studies. 2000. P. 287.

³⁴ *Tar U.A.* Background: Small Arms, Violent Conflicts, and Complex Emergencies in Africa – A Fatal Combination. N.Y.: Palgrave Macmillan 2021. P.17.; *Tar U.A.* (Ed.). Routledge Handbook of Counterterrorism and Counterinsurgency in Africa. Routledge. 2021. P. 688.; *Tar U.* Counterinsurgents or ethnic vanguards? Civil militia and state violence in Darfur region, Western Sudan. In *Civil Militia* // Routledge. 2017. P. 131-160.

³⁵ *Adeniyi A.* The human cost of uncontrolled arms in Africa: Cross-national research on seven African countries. Oxfam International. 2017. P. 34.

³⁶ *Mala, B.* Small arms and light weapons proliferation and its implication for West African regional security // International Journal of Humanities and Social Science. 2014. № 4(8). P. 60-69.

³⁷ *Abdullahi I.* Techniques for combating the proliferation of small arms and light weapons in Sub-Saharan Africa: legal aspects. South Asian Journal of Marketing & Management Research. 2015;5(1):1-30.

³⁸ *Wepundi M.* An Analysis of Disarmament Experiences in Kenya // RECSA. 2011. P. 25.; *Wepundi M., Ndung'u J. and Rynn S.* Lessons from the Frontiers: Civilian disarmament in Kenya and Uganda // Saferworld. 2011. P. 26.; *Wepundi M., Nthiga E., Kabuu E., Murray R., Del Frate A.A.* Availability of small arms and perceptions of security in Kenya: an assessment // Geneva: Small Arms Survey. 2012. P. 130.

³⁹ *Adewuyi T.O., Daful M.G.,* Mapping of Conflicts and Small Arms and Light Weapons Proliferations in Africa // Palgrave Macmillan, Cham. 2021. P.133-160.

The works of N. Alusala⁴⁰; N. Mulikita⁴¹; O.F. Ottoh⁴² gave different ideas on the nexus between peacekeeping and SALWs, which further elaborate on the relations between them. The research of the following African scholars E. Chelule⁴³; J.K. Gikonyo⁴⁴; G. Lamb⁴⁵; N. Okai⁴⁶; O.A. Ilesanmi⁴⁷ further provided analytical insight on different spectrum of SALWs in sub-Saharan Africa.

The *third group* of historiography includes works devoted to unilateral, bilateral, and multilateral issues of proliferation of small arms and light weapons. In this category, global scholars and their scientific works will be explored. Academic studies on small arms and light weapons have focused on developing methods to accurately explain the problem in the past years. Such studies include A. Karp's⁴⁸ analysis on the estimate of

⁴⁰ *Alusala N.* Disarmament and reconciliation: Rwanda's concerns. Institute for Security Studies Papers. 2005 Jun 1;2005(108):16-16. // *Alusala N.* Disarmament and the transition in Burundi: how soon? // Institute for Security Studies Papers. 2005 № 97. P. 16. // *Alusala N., Dye D.* Reintegration in Mozambique: an unresolved affair // Institute for Security Studies Papers. 2010. № 217. P. 16.

⁴¹ *Mulikita N.* Small arms proliferation: a major challenge for post-conflict peace building in Africa // *Conflict Trends.* 2005. № 1. P. 23-26.

⁴² *Ottah O.F.* Challenges of Proliferation of Small Arms and Light Weapons to Peacebuilding in Liberia and Sierra Leone. DE: LAP LAMBERT Academic. 2016. P. 364.

⁴³ *Chelule, E.* Proliferation of small arms and light weapons: Challenge to development, peace, and security in Africa // *Journal of Humanities and Social Science.* 2014. № 19(5). P. 80-87.

⁴⁴ *Gikonyo J.K.* The illicit proliferation and use of small arms and light weapons and human security in East Africa: A case study of Kenya. Doctoral dissertation, University of Nairobi. 2015. P 92.

⁴⁵ *Schroeder M., Lamb G.* The Illicit arms trade in Africa // *African analyst.* 2006. № 3(1) P. 69-78.; *Lamb G.* Under the gun: An assessment of firearm crime and violence in South Africa // Report compiled for the Office of the President, Pretoria. 2008. P. 23.

⁴⁶ *Okai N.* Addressing the Small Arms and Light Weapons (SALW) Problem in Africa. 2014. Vol. 3(5). P. 215-218.

⁴⁷ *Ilesanmi, O.A.* Gendered Construction of Conflict and Small Arms Proliferation in Africa // Palgrave Macmillan, Cham. 2021. P. 393-410.

⁴⁸ *Karp A.* Estimating global civilian-held firearms numbers // Geneva, Switzerland: Small Arms Survey; 2018. P.11.; *Karp A.* The arms trade revolution: the major impact of small arms // *Washington Quarterly.* 1994. Vol. 17(4). P. 65-77.; *Karp A.* editor. The politics of destroying surplus small arms: inconspicuous disarmament. N.Y.: Routledge; 2014. P. 247.; *Karp A.* Data Sources and the Estimation of Military-owned Small Arms // *Small Arms Survey.* 2013. №. 34. P. 1-3.

weapons in global circulation, Andrew Feinstein's⁴⁹ book explains the behaviour of the shadow world by exploring the activities of the global arms trade, while M. Bourne⁵⁰ elaborates on arms transfers especially to conflict region, R.W. Beachey⁵¹; J.A. Grant⁵²; K. Krause; C. Craft; R. Muggah; M.K. MacDonald⁵³; J.P. Smaldone⁵⁴; G. White⁵⁵; B.L. Scott⁵⁶; R. Stohl and D. Tuttle⁵⁷; F. Sang⁵⁸; A. Efrat⁵⁹; L. Grip⁶⁰; V. Farr⁶¹.

Small arms in literature are defined as weapons an individual can carry and use comfortably, while light weapons are defined as weapons operated by 2 or 3 persons.

⁴⁹ *Feinstein A.* The shadow world: Inside the global arms trade. Farrar, Straus and Giroux; 2011. P. 704.; *Feinstein A., Holden P., Pace B.* Corruption and the arms trade: sins of commission // SIPRI. 2011. P. 14-35.; *Feinstein A., Holden P.* Arms trafficking. Oxford University Press. 2014. P. 444-459.; *Feinstein A.* A South African view of the arms trade // The Ploughshares Monitor. 2010. Vol. 31(2). P. 24.

⁵⁰ *Bourne M.* Conflict diamonds: Roles, responsibilities, and responses // University of Bradford, Department of Peace Studies. Peace studies papers. 2001. № 2.1. P. 45.; *Bourne M.* The proliferation of small arms and light weapons. In new Threats and New Actors in International Security. N.Y.: Palgrave Macmillan. 2005. P. 155-176.; *Bourne M.* Small arms and light weapons spread and conflict // Routledge. 2013. P. 45-58.; *Bourne M.* Guns don't kill people, cyborgs do: a Latourian provocation for transformatory arms control and disarmament // Global Change, Peace & Security. 2012. №24(1). P. 141-63.

⁵¹ *Beachey R.W.* The arms trade in East Africa in the late nineteenth century // The Journal of African History. 1962. Vol. 3(3). P. 451-67.

⁵² *Grant J.A.* Rulers, guns, and money: the global arms trade in the age of imperialism. Harvard University Press; 2007. P 287.

⁵³ *Krause K., MacDonald M. K.* Regulating arms sales through World War II // Encyclopedia of arms control and disarmament. N.Y.: C. Scribner, 1993. Vol. 2. P. 707-724.

⁵⁴ *Craft C., Smaldone J.P.* The arms trade and the incidence of political violence in sub-Saharan Africa, 1967-97 // Journal of Peace Research. 2002. Vol 39(6). P. 693-710.

⁵⁵ *White G.* Firearms in Africa: an introduction // Journal of African History. 1971. Vol. 12(2) P. 173-184.

⁵⁶ *Scott B. L.* The UN Conference on the Illicit Trade of Small Arms and Light Weapons: An Exercise in Futility // Ga. J. Int'l & Comp. L. 2002. Vol 31. P. 681.

⁵⁷ *Stohl R., Tuttle D.* The challenges of small arms and light weapons in Africa // Conflict trends. 2009. № 1. P. 19-26.

⁵⁸ *Muggah R., Sang F.* The enemy within: rethinking arms availability in sub-Saharan Africa // Conflict, Security & Development. 2013. № 13(4). P. 417-447.

⁵⁹ *Efrat A.* Toward internationally regulated goods: controlling the trade in small arms and light weapons // International Organization. 2010. № 64(1). P. 97-131.

⁶⁰ *Grip L.* History never repeats? Imports, impact, and control of small arms in Africa // Contemporary Security Policy. 2015. № 36(1). P. 79-103.; *Grip L.* Small arms control in Africa. Helsinki University. 2017. P 195.

⁶¹ *Farr V.* Gender awareness in research and policy making: On the danger of further attacks in sub-Saharan Africa // African Security Studies. 2003. № 12(1). P. 116-9.

M. Bourne,⁶² argued that, since the Second War, Small arms have been the most used instruments of different wars and conflicts, from Lebanon to Biafra from Yemen to Katanga; and which have been the cause of most loss of life. Furthermore, it is the trade-in assault rifles, heavy and sub-machine guns, self-loading pistols, carbine rifles, light machine guns, or mortars that reveal the cold heart of business diplomacy and wars translated into profits, gains, and balance-sheet. Highlighting the juxtaposition of commerce and death seem most plausible as the sale of arms looks commonplace as any other business (2007).

Although these studies have quantified and enhanced understandings of problems associated with small arms and light weapons, much fewer studies have focused on the response mechanisms set up to address these problems. Small arms and light weapons regime are growing and evolving, and it deserves attention from academic scholars.

The **object of the study** is the proliferation of small arms and light weapons on sub-Saharan Africa security.

The **subject of the study** are the forms, principles, main directions, and mechanisms of national, regional, and international institutions to manage and control illegal proliferation of small arms and light weapons in sub-Saharan Africa.

The **purpose of the dissertation** is to identify the impact of non-proliferation of small arms and light weapons while elaborating on the most efficient strategies, mechanisms, and countermeasures to reduce and tackle the ramification of small arms and light weapons in sub-Saharan Africa.

Achieving this goal requires researching the following **tasks**:

– explore the influence of small arms and light weapons in conflicts and wars in sub-Saharan Africa;

⁶² Bourne M. *Arming conflict: the proliferation of small arms*. N.Y.: Palgrave Macmillan. 2007. P. 276.; Bourne M. *Structure and Dynamic in Weapons Spread: The Trade and Proliferation of Weapons in Comparative Perspective*. In *Arming Conflict*. London: Palgrave Macmillan. 2007. P. 14-52.

- elaborate on the impact of non-proliferation of small arms and light weapons in sub-Saharan Africa;
- explore the lack of transparency in arms trade, the use of legal arms in conflict and the acquisition by non-state actions;
- assess the legal and institutional framework adopted against the illicit flow of small arms and light weapons;
- highlight the activities of external actors influence in the demand and supply of small arms and light weapons in sub-Saharan Africa;
- identify the approaches and initiatives of national, regional, and international institutional strategies and countermeasures on small arms and light weapons in sub-Saharan.

Chronological framework of the study

The chronological scope of the study covers a period from 1992 – 2018. The *lower boundary* of the study is determined in 1992, when a military coup took place in Sierra Leone and a civil war began, which lasted for ten years, which became a major conflict on a regional scale. This conflict has provoked a large influx of small arms and light weapons. The Bamako Declaration in 2000, provided a common position as a policy framework for the control of SALWs. Due to the evolving nature of SALWs the *upper boundary* is determined by reactive methods to contain the spread of SALWs, in 2018, AU Master Roadmap was implemented as a decision and declaration to silencing the guns in Africa. The AU Assembly commended the Peace and Security Council (PSC) for its efforts in implementing decision Assembly/AU/Dec.645(XXIX), through the launching at its 716th meeting held on 4th Sept 2017, of the “Africa Amnesty Month” for the surrender and collection of illegally owned weapons/arms, in accordance with the African and international best practices.

The Source base review

A significant number of sources were reviewed in English, French, and Russian.

While researching the issues raised in the dissertation, the author employed a diverse range of sources, divided into different groups.

The first group are *universal documents* on arms control such as Wassenaar Arrangement (1995)⁶³; Initial Elements of the Wassenaar Arrangement (1996)⁶⁴; Elements on Potentially Destabilising Accumulations of Conventional Weapons (1998)⁶⁵; Best Practice Guidelines for Exports of Small Arms and Light Weapons (2002)⁶⁶; Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects (2003)⁶⁷; Elements for Effective Legislation on Arms Brokering (2003)⁶⁸; International Tracing Instrument (2005)⁶⁹.

The second group are *documents related to international organisations* on the control and proliferation of small arms and light weapons connected to sub-Saharan Africa. *Clerical documents*: United Nations: Programme of Action on Small Arms

⁶³ Wassenaar Arrangement. 1995. Electronic resource: <https://www.statewatch.org/media/documents/news/2013/dec/wassenaar-arrangement.pdf> [Accessed date: 08.07.2019].

⁶⁴ Initial Elements of the Wassenaar Arrangement. 1996. Electronic resource: <https://inecip.org/wp-content/uploads/Acuerdo-Wassenaar.pdf> [Accessed date: 08.07.2019].

⁶⁵ Elements on Potentially Destabilising Accumulations of Conventional Weapons. 1998. Electronic resource: <https://fas.org/asmp/resources/interntlorgs/Wassenaar/AccumulationCriteria.htm> [Accessed date: 08.07.2019].

⁶⁶ Best Practice Guidelines for Exports of Small Arms and Light Weapons. 2002. Electronic resource: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/wassenaar-arrangement-best-practice-guidelines-for-exports-of-small-arms-and-light-weapons-salw.pdf> [Accessed date: 08.07.2019].

⁶⁷ Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects. 2003. Electronic resource: https://www.icrc.org/en/doc/assets/files/other/icrc_002_0811.pdf [Accessed date: 08.07.2019].

⁶⁸ Elements for Effective Legislation on Arms Brokering. 2003. Electronic resource: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/wassenaar-arrangement-elements-for-effective-legislation-on-arms-brokering.pdf> [Accessed date: 10.07.2019].

⁶⁹ International Tracing Instrument. 2005. Electronic resource: http://www.weaponslaw.org/assets/downloads/2005_ITI.pdf [Accessed date: 10.07.2019].

(PoA) (2001)⁷⁰, Legislative guide (2005)⁷¹, International Tracing Instrument (ITI) (2005)⁷², Model law (2011)⁷³, Conference of the Parties (COP) (2006-2018)⁷⁴, Working Group on Firearms (2012-2018)⁷⁵, Advocacy by non-governmental organizations to strengthen the United Nations programme of actions on small arms and light weapons (2018)⁷⁶; European Union: Council Decision⁷⁷, Global support report⁷⁸, Support of UN

⁷⁰ UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALWs. 2001. Electronic resource: http://www.weaponslaw.org/assets/downloads/2001_UNPoA_on_SALW.pdf [Accessed date: 04.07.2019].

⁷¹ UN legislative guide for the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms. 2005. Electronic resource: https://www.unodc.org/pdf/crime/legislative_guides/05%20Legislative%20guide_Firearms%20Protocol.pdf [Accessed date: 04.07.2019].

⁷² UN International Tracing Instrument. 2005. Electronic resource: <https://front.un-arm.org/wp-content/uploads/2021/03/International-Tracing-Instrument-six-official-languages.pdf> [Accessed date: 04.07.2019].

⁷³ UN Model Law against the Illicit Manufacturing of and Trafficking in Firearms. 2011. Electronic resource: https://www.unodc.org/documents/legal-tools/Model_Law_Firearms_Final.pdf [Accessed date: 04.07.2019].

⁷⁴ UN Conference of the Parties on the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms. 2018. Electronic resource: <https://undocs.org/en/CTOC/COP/2018/13> [Accessed date: 04.07.2019].

⁷⁵ UN Working Group on Firearms. Created from resolution 5/4 of the COP. 2012-2018. Electronic resource: https://www.unodc.org/documents/treaties/Firearms_2018/V1803177.pdf [Accessed date: 04.07.2019].

⁷⁶ UN Office for Disarmament Affairs. 2018. Electronic resource: <https://digitallibrary.un.org/record/3824198/files/civil-society-20181.pdf> [Accessed date: 06.07.2019].

⁷⁷ EU Council Decision (CFSP) 2017/633 in support of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALWs. 2017. Electronic resource: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0633&from=EN> [Accessed date: 08.07.2019].

⁷⁸ EU Council Decision (CFSP) 2015/1908 in support of a global reporting mechanism on illicit SALWs ('iTrace II'). 2015. Electronic resource: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1908&from=EN> [Accessed date: 08.07.2019].

disarmament affairs⁷⁹, Council Joint Action⁸⁰, EU strategy⁸¹. **Legal documents:** UN Firearms Protocol (2001)⁸²; Convention on Cluster Munitions (2008)⁸³; Arms Trade Treaty (ATT) (2013)⁸⁴.

The third group are *documents of regional and sub-regional organisations* on arms control in sub-Saharan Africa. **Legal documents:** East African Community (EAC)⁸⁵; Economic Community of Central African States (ECCAS)⁸⁶; Economic Community of

⁷⁹ EU Council Decision 2011/428/CFSP in support of United Nations Office for Disarmament Affairs activities to implement the United Nations Programme of Actions to Prevent, Combat and Eradicate the Illicit Trade in SALWs. 2011. Electronic resource: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011D0428&from=EN> [Accessed date: 08.07.2019].

⁸⁰ EU Council Joint Action 2008/113/CFSP in support of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit SALWs. 2008. Electronic resource: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008E0113&from=EN> / Council Joint Action 2002/589/CFSP on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons and repealing Joint Action 1999/34/CFSP. 2002. Electronic resource: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32002E0589&from=EN> [Accessed date: 08.07.2019].

⁸¹ EU strategy 5319/06 to combat illicit accumulation and trafficking of small arms and ammunition. 2006. Electronic resource: <https://data.consilium.europa.eu/doc/document/ST%205319%202006%20INIT/EN/pdf> [Accessed date: 08.07.2019].

⁸² UN Firearms Protocol. 2001. Electronic resource: http://www.weaponslaw.org/assets/downloads/2001_UN_Firearms_Protocol.pdf [Accessed date: 04.07.2019].

⁸³ Convention on Cluster Munitions. 2008. Electronic resource: https://www.icrc.org/en/doc/assets/files/other/icrc_002_0961.pdf [Accessed date: 10.07.2019].

⁸⁴ Arms Trade Treaty. 2013. Electronic resource: http://www.weaponslaw.org/assets/downloads/2013_ATT.pdf [Accessed date: 10.07.2019].

⁸⁵ The Nairobi Protocol. The Greater Lakes and the Horn of Africa region. 2004. Electronic resource: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/recsa-nairobi-protocol-for-the-prevention-control-and-reduction-of-small-arms-and-light-weapons-in-the-great-lakes-region-and-the-horn-of-africa.pdf> / Strategy for Regional Peace and Security. 2006. Electronic resource: <https://www.eac.int/security/small-arms-and-light-weapons> / East African Legislative Assembly: report of the committee on regional affairs and conflict resolutions on the oversight activity on the proliferation of small arms and light weapons. 2019. Electronic resource: https://www.eala.org/uploads/REPORT_FOR_RACR_ON_SALW_PDF.pdf [Accessed date: 04.07.2019].

⁸⁶ Kinshasa Convention. Central African Convention for the Control of SALWs. 2010. Electronic resource: https://treaties.un.org/doc/Treaties/2010/04/20100430%2001-12%20PM/Ch_xxvi-7.pdf [Accessed date: 04.07.2019].

West African States (ECOWAS)⁸⁷; and Southern African Development Community (SADC)⁸⁸; *Clerical documents*: African Union⁸⁹; ECOWAS: Declaration of a Moratorium⁹⁰; Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa, and Bordering States (RECSA); Sub-Regional Arms Control Mechanism (SARCOM)⁹¹; Southern African Regional Police Chiefs Cooperation Organization (SARPCCO)⁹²; West African Police Chiefs Committee (WAPCCO).

⁸⁷ ECOWAS Convention. ECOWAS Convention on SALWs. 2006. Electronic source: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/ecowas-convention-on-small-arms-and-light-weapons-their-ammunition-and-other-related-materials.pdf> [Accessed date: 04.07.2019].

⁸⁸ SADC Protocol. The Southern African Development Community Protocol on the Control of Firearms. 2004. Electronic resource: https://www.sadc.int/files/8613/5292/8361/Protocol_on_the_Control_of_Firearms_Ammunition2001.pdf [Accessed date: 04.07.2019].

⁸⁹ Bamako Declaration. African Common Position on the Illicit Proliferation, Circulation and Trafficking of SALWs. 2000. Electronic resource: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/african-union-bamako-declaration-on-an-african-common-position-on-the-illicit-proliferation-circulation-and-trafficking-of-small-arms-and-light-weapons.pdf> / Windhoek Common Position on prevention, combat and eradication of the illicit trade in SALWs. 2005. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/3216/> / The African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of SALWs. 2011. Electronic resource: <https://www.peaceau.org/uploads/au-strategy-en.pdf> / AU Master Roadmap of Practical Steps to Silence the Guns in Africa by Year 2020. 2016. Electronic resource: https://au.int/sites/default/files/documents/37996-doc-au_roadmap_silencing_guns_2020.pdf.en_.pdf / AU Assembly (Decision 645 (XXIX)), 2017: Silence the Guns in Africa by 2020. Electronic resource: https://au.int/sites/default/files/decisions/37294-assembly_au_dec_642_-_664_xxix_e_1.pdf [Accessed date: 04.07.2019].

⁹⁰ ECOWAS Declaration of Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa. (Predecessor of the ECOWAS Convention). 1998. Electronic resource: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/ecowas-declaration-of-a-moratorium-on-the-importation-exportation-and-manufacture-of-light-weapons-in-west-africa.pdf> [Accessed date: 04.07.2019].

⁹¹ Khartoum Declaration on the Control of SALWs. 2012. Electronic resource: https://www.undp.org/content/dam/undp/library/crisis%20prevention/UNDP_SD_CPR_Khartoum_Declaration_SALW.pdf [Accessed date: 04.07.2019].

⁹² Standard Operating Procedures on the Implementation of the SADC Protocol. 2008.; SARPCCO Firearm Public Awareness and Education Strategy. 2011.; Cooperation Agreement between the International Criminal Police Organization, INTERPOL, and the Southern African Development Community (SADC). 2012.; SARPCCO Model Law on Firearms. 2013.

The fourth group is *national legislation* on arms control in sub-Saharan Africa: Angola⁹³, Benin⁹⁴, Botswana⁹⁵, Burkina Faso⁹⁶, Burundi⁹⁷, Cabo Verde⁹⁸, Cameroon⁹⁹,

⁹³ Angola. Lei №19/92. Capitulo I, Secção I. 1992. Electronic resource: <https://www.ohchr.org/Documents/Issues/Mercenaries/WG/Law/Angola1.pdf> [Accessed date: 02.07.2019].

⁹⁴ Benin: Loi No. 2018-16 portant Code Pénal. Livre IIème. 2018: Des crimes, des delits et de leur repression. De la fabrication, de la cession, de l'acquisition et de la detention des armes a feu et leurs accessoires. Paragraphe XVI (Article 382-385). 2018. Electronic source: https://sherloc.unodc.org/cld/uploads/res/document/code-penal-2018_html/Code_penal_2018.pdf [Accessed date: 02.07.2019].

⁹⁵ Botswana. The Arms and Ammunition Act. 1979. Electronic resource: http://www.vertic.org/media/National%20Legislation/Botswana/BW_Arms_and_Ammunition_Act.pdf [Accessed date: 02.07.2019].

⁹⁶ Burkina Faso. Décret No. 2012-1032. Portant composition, attributions, organisation et fonctionnement de la Haute autorité de contrôle des importations d'armes et de leur utilisation. Chapitre II: Des attributions (Article 4 and 5); Chapitre III: De l'organisation et du fonctionnement (Article 8); Chapitre IV: Dispositions diverses (Article 13 and 15). 2012. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/dcret-no-2012-1032-du-28-dcembre-2012-portant-composition--attributions--organisation-et-fonctionnement-de-la-haute-autorit-de-contrle-des-importations-darmes-et-de-leur-utilisation_html/Burkina_Faso_-_DECRET_N_2012-1032_Firearms.pdf Décret №2009-301 Portant régime des armes et munitions civiles. Titre III: Fabrication, transformation, montage et commerce des armes à feu et des munitions (Article 40 - 41); Titre IV: Transfert d'arme à feu (Article 45 - 46). 2009. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/dcret-no-2009-301-portant-rgime-des-armes-et-munitions-civiles-au-burkina-faso-_html/DECRET_N_2009-301_portant_regime_des_armes_et_munitions_civiles_au_Burkina_Faso.docx [Accessed date: 02.07.2019].

⁹⁷ Burundi. Loi No.1/14. Portant Régime des Armes Légères et Petits Calibres (Article 1). 2009. Electronic resource: https://www.assemblee.bi/IMG/pdf/loi_n1-14_du_28_aout_2009.pdf [Accessed date: 02.07.2019].

⁹⁸ Cabo Verde. Penal Code, Legislative Decree 4/2003. Volume II: Specific Provisions - Title VI: Crimes against the public order and collective security - Chapter II: Crimes against collective security (Article 294: Prohibited weapons and explosives). 18 November 2003. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/cpv/2003/codigo_penal_html/Codigo_Penal_Cabo_Verde.pdf [Accessed date: 02.07.2019].

⁹⁹ Cameroon. Par Décret N°73/658. La réglementation de l'importation, de la vente, de la fabrication, de la détention et du port des armes à feu et des munitions. 1973. Electronic resource: <https://condor.depaul.edu/mdelance/images/Pdfs/1973-10-22-decret-n73-658.pdf> [Accessed date: 02.07.2019].

Central African Republic¹⁰⁰, Chad¹⁰¹, Comoros¹⁰², Congo¹⁰³, Democratic Republic of Congo¹⁰⁴, Equatorial Guinea, Eritrea¹⁰⁵, Ethiopia¹⁰⁶, Gabon¹⁰⁷, Gambia¹⁰⁸, Ghana¹⁰⁹,

¹⁰⁰ Central African Republic. Code pénal LOI N°10.001. Titre VIII: De quelques infractions spéciales - Chapitre VII: De la fabrication et du trafic illicite d'armes à feu, de leurs pièces, éléments et munitions (Article 264 - 265). 06 Janvier 2010. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/caf/Code_Penal_2010.pdf [Accessed date: 02.07.2019].

¹⁰¹ Chad. Decree N°26/PG/INT. 1968 and Decree N°22. 1969. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/4005> [Accessed date: 02.07.2019].

¹⁰² Comoros. Code Penal Loi No-082 P/A.F – Loi 95-012/AF (Crimes et délits). 1995. Electronic resource: <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96297/113757/F-978102708/COM-96297.pdf> [Accessed date: 02.07.2019].

¹⁰³ Congo. Rdonnance N°62/24. 1962. Electronic resource: <http://extwprlegs1.fao.org/docs/pdf/con161023.pdf> [Accessed date: 02.07.2019].

¹⁰⁴ DRC. The Ordinance Law No 085/035. 1985. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/3927> / The Decree law No. 85/212. Measures for Implementing. 1985. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/4006> [Accessed date: 02.07.2019].

¹⁰⁵ Eritrea. Penal Code. Part II: The Special Part - Book II: Offences against the Interests of the State - Chapter 11: Offences against Public Safety (Article 233-236). 2015. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/penal-code_html/PENAL_CODE_ERITREA.pdf [Accessed date: 02.07.2019].

¹⁰⁶ The Criminal Code of the Federal Democratic Republic of Ethiopia. Part II: Special Part - Book IV: Crimes against the Public Interest or the Community (Article 481- Prohibited Traffic in Arms). 2004. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/eth/2005/the_criminal_code_of_the_federal_democratic_republic_of_ethiopia_2004_html/Criminal_Code_2004_Official_English.pdf [Accessed date: 02.07.2019].

¹⁰⁷ Gabon. The Law No.15/82. 1983. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/4008> [Accessed date: 02.07.2019].

¹⁰⁸ Gambia. Arms and Ammunition CAP. 21:01, amended three times, in 1932, 1934 and 1939. Electronic resource: <https://www.unrec.org/docs/harm/Gambia/Acts/Arms%20and%20ammunition.pdf> [Accessed date: 02.07.2019].

¹⁰⁹ Ghana. Criminal Code. Part III: Offences against Rights of Property - Chapter 4: Special Offences (Section 179B: Import of explosives); Part IV: Offences against Public Order, Health, and Morality - Chapter 1: Offences against the Safety of the State (Section 192-192A: Possession of Explosives, Firearms and Ammunition without Lawful Excuse). 2012. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/gha/1960/criminal_offences_act_html/Act_29_1960_Criminal_Offences_Act.pdf [Accessed date: 02.07.2019].

Guinea¹¹⁰, Guinea-Bissau¹¹¹, Ivory Coast¹¹², Kenya¹¹³, Lesotho¹¹⁴, Liberia¹¹⁵, Madagascar¹¹⁶, Malawi¹¹⁷, Mali¹¹⁸, Mauritania¹¹⁹, Mauritius¹²⁰, Mozambique¹²¹,

¹¹⁰ Guinea. Loi N° L/96 008. 1996. Electronic resource: <http://extwprlegs1.fao.org/docs/pdf/gui9042.pdf> [Accessed date: 02.07.2019].

¹¹¹ Guinea-Bissau. Código Penal Decreto Lei No.4/93. Parte Especial - Título VI: Dos Crimes contra a Paz e a Ordem Pública (Artigo 206 Armas proibidas). 1993. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/gnb/cdigo-penal-guineense-decreto-lei-no--4-93_html/GUINEA-BISSAU_Codigo_Penal.pdf [Accessed date: 02.07.2019].

¹¹² Ivory Coast. Loi 98-749 governs the repression of violations of the regulation on arms, ammunition, and explosive material. 1998. Electronic resource: https://bibliomines.org/wp-content/uploads/cote_d_ivoire_loi_sur_armes__les_munitions.pdf / [Accessed date: 02.07.2019].

¹¹³ Kenya. Penal Code. Part II: Crimes - Chapter IX: Unlawful Assemblies, Riots and Other Offences against Public Tranquillity (Article 89 Possession of firearms). Firearms Act. Part II: Regulations of purchase, possession, manufacturer and sale of firearms and ammunition (Section 4-10, 11A-20 and 21 - 25); Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/penal-code-revised-edition-2014_html/ PenalCode81of1948.pdf [Accessed date: 02.07.2019].

¹¹⁴ Lesotho. The Arms and Ammunition Act №17. 1966. Electronic resource: http://www.vertic.org/media/National%20Legislation/Lesotho/LS_Internal_Security_Arms_Ammunition_Act.pdf [Accessed date: 03.07.2019].

¹¹⁵ Liberia. The Firearms and Ammunition Control Act. 2015. Electronic resource: [http://lincsa.gov.lr/pg_img/FACA%20Liberia%202015%20Printed%2005%20August%202016\[1001\].pdf](http://lincsa.gov.lr/pg_img/FACA%20Liberia%202015%20Printed%2005%20August%202016[1001].pdf) [Accessed date: 03.07.2019].

¹¹⁶ Madagascar. Loi №69 011 (1969) on the system for arms, excluding bladed weapons. 1969. Electronic resource: <https://www.dcn-pac.mg/uploads/loi/4b7a47a508ef65e0cef1d18bf7b3be45.pdf>

¹¹⁷ Guinea. Act № L/96 008. 1996. Electronic resource: http://www.vertic.org/media/National%20Legislation/Guinea/Guinea_GN_Loi_armes.pdf [Accessed date: 03.07.2019].

¹¹⁸ Mali. Code de procédure pénale Loi n°01-80. Titre 4 - De l'instruction - Chapitre 9 - De la poursuite, de l'instruction et du jugement en matière de corruption et d'infractions économiques et financières, de terrorisme et des autres crimes transnationaux organisés (Article 609-1, 610-1, 611-1, 612-1). 2001. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/mli/code_de_procedure_penale_malien_html/Code_de_Procedure_Penale_NOUVEAU_received_in_Sept_2018.pdf [Accessed date: 03.07.2019].

¹¹⁹ Mauritania. Décret №60072, Article 1,2,3 and 4. 1960. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/5505> //

¹²⁰ Mauritius. Firearms Act 2006, amended by the Act №.2 in 2008, №14 in 2015, 27 in 2013 and 4 in 2016. Electronic resource: <https://www.ohchr.org/Documents/Issues/RuleOfLaw/CivilianAcquisition/States/Mauritius2.pdf> // Firearm Regulation (2007). Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/13926> [Accessed date: 03.07.2019].

¹²¹ Mozambique. Arms and Ammunition Act, Decree №8/2007. 2007. Electronic resource: http://www.vertic.org/media/National%20Legislation/Tanzania/TZ_Arms_and_Ammunition_Act.pdf / Código Penal Lei No. 10/87 (Amended). 2006. Electronic resource: http://www.vertic.org/media/National%20Legislation/Mozambique/MZ_Codigo_Penal.pdf [Accessed: 03.07.2019].

Namibia¹²², Niger¹²³, Nigeria¹²⁴, Rwanda¹²⁵, Sao Tome and Principe¹²⁶, Senegal¹²⁷, Seychelles¹²⁸, Sierra Leone¹²⁹, Somalia¹³⁰, South Africa¹³¹, South Sudan¹³², Sudan¹³³, Swaziland¹³⁴, Tanzania¹³⁵, Togo¹³⁶, Uganda¹³⁷, Zambia¹³⁸, Zimbabwe¹³⁹.

¹²² Namibia. Arms and Ammunition Act 7. 1996. Electronic resource: https://laws.parliament.na/cms_documents/arms-and-ammunition-5765b63fb2.pdf [Accessed date: 03.07.2019].

¹²³ Niger. Loi No.2003-025 modifiant la Loi No.61-27 (1961) portant institution du Code penal. 2003. Electronic resource: <https://www.refworld.org/docid/47fb8e642.html> / Decret №63074/MI governs the conditions for the possession, introduction, transfer, and sale of sporting rifles. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/4012> / Decret №99 417/PCRN on the creation, functions, organisation, and functions of a National Commission for the collection and control of illicit arms. 1999. Electronic resource: <https://www.unrec.org/docs/harm/Niger/Decret/Commission%20Nationale%20pour%20la%20Collecte%20et%20le%20Contr%93le%20des%20Armes%20illicites.pdf> / Loi No.2004 044. 2004. Electronic resource: https://absch.cbd.int/api/v2013/documents/C5800294-6FCA-A3D0-B8CC-4FBE970F0181/attachments/niger_loi_cadre_elevage.pdf [Accessed date: 03.07.2019].

¹²⁴ Nigeria. Firearms Act. Part III - Sale and transfer (Section 12); Part III - Sale and transfer (Section 9); Part V - Import and export (Section 17-21). 1959. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/nigerian-firearms-act_html/F28_Firearms_Act_Nigeria.pdf [Accessed date: 03.07.2019].

¹²⁵ Rwanda. Law №12/97 modified to Law №13/2000 the decree Concerns Firearms and their Ammunitions. 2000. Electronic resource: http://www.vertic.org/media/National%20Legislation/Rwanda/RW_Decret_12_79_Armes_a_Feu_EN.pdf / Law №33/2009 on the Arms System. 2009. Electronic resource: <http://www.droit-afrique.com/upload/doc/rwanda/Rwanda-Loi-2009-33-regime-des-armes.pdf> [Accessed date: 03.07.2019].

¹²⁶ Sao Tome and Principe. Lei №147. 2017. Electronic resource: https://www.rightofassembly.info/assets/downloads/Lei_16_2017-Lei-de-Seguran%C3%A7a-Interna.pdf [Accessed date: 03.07.2019].

¹²⁷ Senegal. Code pénal. Livre Troisième: Des crimes, des délits et de leur punition - Titre Premier: Crimes et délits contre la chose publique - Chapitre IV: Crimes et délits contre la paix publique - Section I: Du faux (Articles 137-138, 147-148). 1965. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/sen/1965/code_penal_html/Code_penal_Senegal.pdf [Accessed date: 03.07.2019].

¹²⁸ Seychelles. Firearms and Ammunition Act. 1973. Electronic resource: https://sherloc.unodc.org/cld/uploads/res/document/syc/1973/firearms_and_ammunition_act_html/Seychelles_Firearms_and_Ammunition_Act.pdf [Accessed date: 03.07.2019].

¹²⁹ Sierra Leone. The Arms and Ammunition Act. 1955. Electronic source: https://sherloc.unodc.org/cld/uploads/res/document/sle/the-arms-and-ammunition-amendment-act--1974_html/197417arms_amunitn_amend.pdf / The Explosives (Amendment) Act (Replacement of section 12 and 23 Act no 15 of 1955). 1974. Electronic resource:

The fifth group are *statistical data* analysis of the proliferation of small arms and light weapons in sub-Saharan Africa includes the following Stockholm International

https://sherloc.unodc.org/cld/uploads/res/document/the-explosived-amendment-act--1974_html/197418explosiveamend.pdf [Accessed date: 03.07.2019].

¹³⁰ Somalia. Public Order Law №21. Part II: Chapter II (Articles 21 to 34). 1963. Electronic resource: http://www.somalilandlaw.com/Public_Order_Law_1963_full_copy.pdf [Accessed date: 03.07.2019].

¹³¹ South Africa. The Firearms Control Act №60. 2000. Electronic resource: https://www.gov.za/sites/default/files/gcis_document/201409/a60-000.pdf / The National Conventional Arms Control Act 41, 2002, amended to Act 73. 2008. Electronic resource: https://www.gov.za/sites/default/files/gcis_document/201409/32126425.pdf / The Firearms Control regulations, 2004. Electronic resource: https://www.gov.za/sites/default/files/gcis_document/201409/27781rg8274gon696a.pdf / The Dangerous Weapons Act №15. 2013. Electronic resource: https://www.gov.za/sites/default/files/gcis_document/201409/36704gon531.pdf [Accessed date: 03.07.2019].

¹³² South Sudan. Firearms Bill regulated by 207, (Sections 1 and 3). 2016 Electronic resource: <https://www.gunpolicy.org/documents/6446-south-sudan-firearms-bill-2016/file> [Accessed date: 03.07.2019].

¹³³ Sudan. لسنة 1986، والمفرقات النخيرة الأسلحة قانون 24-25. Electronic source: https://sherloc.unodc.org/cld/uploads/res/document/law-on-firearms-1986_html/Firearms_Law-86-Arabic.pdf [Accessed date: 03.07.2019].

¹³⁴ Swaziland. Arms and Ammunitions Act №24. 1964. Electronic resource: <https://archive.gazettes.africa/archive/sz/1988/sz-government-gazette-supplement-dated-1988-08-19-no-613.pdf> [Accessed date: 03.07.2019].

¹³⁵ Tanzania. Arms and Ammunition Act. 2007. Electronic resource: http://www.vertic.org/media/National%20Legislation/Tanzania/TZ_Arms_and_Ammunition_Act.pdf [Accessed date: 03.07.2019].

¹³⁶ Togo. Décret №62-2 governs the import, possession and transfer of manufactured arms and their ammunition. 1962. Electronic resource: [https://ihl-databases.icrc.org/ihl-nat/a24d1cf3344e99934125673e00508142/1c8bc770440dde6ec12570890027a33f/\\$FILE/Decree%2062-2%20of%208%20January%201962%20.pdf](https://ihl-databases.icrc.org/ihl-nat/a24d1cf3344e99934125673e00508142/1c8bc770440dde6ec12570890027a33f/$FILE/Decree%2062-2%20of%208%20January%201962%20.pdf) / Décret №95 011/PR governs the import, possession and transfer of manufactured and improvised hunting firearms and their ammunition. 1995. Electronic resource: <http://extwprlegs1.fao.org/docs/pdf/Tog183956.pdf> [Accessed date: 03.07.2019].

¹³⁷ Uganda. Firearms Act of 1970. It was later amended in 2006. The firearms (amendment) Act. 2006. Electronic resource: <https://www.mia.go.ug/sites/default/files/download/The%20%20%20Firearms-Amendment-Act-2006.pdf> [Accessed date: 03.07.2019].

¹³⁸ Zambia. Firearms Act 1994, Chapter 110, amended in 1969, 1970, 1974, 1985, 1986, and 1994. Electronic resource: <https://www.parliament.gov.zm/sites/default/files/documents/acts/Firearms%20Act.pdf> [Accessed date: 03.07.2019].

¹³⁹ Zimbabwe. Firearms Act, Chapter 10:09. 1957. Electronic resource: https://www.parlzim.gov.zw/acts-list/download/572_3893ad8a10ec9c979c2bb24702e909e4 [Accessed date: 03.07.2019].

Peace Research Institute (SIPRI)¹⁴⁰; Oxfam Research Reports¹⁴¹; African Union and Institute of Security Studies¹⁴²; ECOWAS and UNREC¹⁴³; Small Arms Survey¹⁴⁴; Saferworld and SaferAfrica¹⁴⁵; UN Register of Conventional Arms (UNROCA)¹⁴⁶; United Nations Office on Drugs and Crime (UNODC)¹⁴⁷; Conflict Armament Research¹⁴⁸.

¹⁴⁰ SIPRI Policy Paper. Arms Flows to Sub-Saharan Africa. 2011. Electronic resource: <https://www.nonproliferation.eu/wp-content/uploads/2018/09/pieterdwezemansiemontwezemanandlucieberaudsudreau4f7db06b8fe84.pdf> // Ежегодник СИПРИ. Вооружения, Разоружение И Международная Безопасность. 2020. Electronic resource: <https://sipri.org/sites/default/files/SIPRI%202020%20rus.pdf> [Accessed date: 10.07.2019].

¹⁴¹ Oxfam Research Reports. The Human Cost of Uncontrolled Arms in Africa. 2017. Electronic resource: https://www-cdn.oxfam.org/s3fs-public/file_attachments/tr-human-cost-uncontrolled-arms-africa-080317-en.pdf [Accessed date: 10.07.2019].

¹⁴² AU and ISS. Focus on arms in Africa. 2005. Electronic resource: <https://reliefweb.int/sites/reliefweb.int/files/resources/B57F4959095C4DC2C12570520036EDA6-iss-afr-27jul.pdf> [Accessed date: 10.07.2019].

¹⁴³ ECOWAS and UNREC. Synergies and complementarities between the Arms Trade Treaty, The ECOWAS Convention on SALW, The UNPoA and other related instruments. 2016. Electronic resource: https://www.un.org/disarmament/wp-content/uploads/2016/12/Synergies-and-Complementarities_ATT-and-ECOWAS-Convention.pdf [Accessed date: 10.07.2019].

¹⁴⁴ Small Arms Survey Trade Update. Sub-Saharan Africa in Focus. 2018. Electronic resource: <http://www.smallarmssurvey.org/fileadmin/docs/S-Trade-Update/SAS-Trade-Update-2018.pdf> / An Eye on Ammunition Transfers to Africa. 2020. Electronic resource: <http://www.smallarmssurvey.org/fileadmin/docs/S-Trade-Update/SAS-Trade-Update-2020.pdf> [Accessed date: 10.07.2019].

¹⁴⁵ Saferworld and SaferAfrica. The Law of the Gun. 2003. Electronic resource: <https://www.saferworld.org.uk/downloads/pubdocs/The%20Law%20of%20the%20Gun.pdf> [Accessed date: 10.07.2019].

¹⁴⁶ United Nations Register of Conventional Arms (UNROCA) database. Electronic resource: <http://www.unregister.org> [Accessed date: 10.07.2019].

¹⁴⁷ UNODC Transnational Organized Crime in West Africa: A Threat Assessment. 2013. Electronic resource: https://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf [Accessed date: 10.07.2019].

¹⁴⁸ Conflict Armament Research. Non-State armed groups in the Central African Republic: Types and sources of documented arms and ammunition. 2015. Electronic resource: https://www.conflictarm.com/download-file/?report_id=2192&file_id=2219 / Investigating cross-border weapon transfers in the Sahel. 2016. Electronic resource: https://www.conflictarm.com/download-file/?report_id=2433&file_id=2434 / Distribution of Iranian ammunition in Africa: Evidence from a nine-country investigation. 2014. Electronic resource: https://www.conflictarm.com/wp-content/uploads/2014/09/Iranian_Ammunition_Distribution_in_Africa.pdf / Rebel forces in northern Mali: Documented Weapons, Ammunition, and Related Materiel, 2012–2013. 2014. Electronic resource:

The theoretical and methodological significance of the study

The theoretical framework will critically reflect on the relationship between current practice and traditional arms proliferation theory, security, arms control policies, and global arms control architecture. However, the underlying assumptions or concealed perspectives in small arms and light weapons research, highlights the fact that arms control is highly political, indicating that theories are at play. H. Bull argument supports the current idea on theories and practice of arms control are based on a couple of assumptions, more often implicit or sometimes explicit, depending on the desired and feasible world order (political structure and distribution of power)¹⁴⁹.

Although P.M. Morgan¹⁵⁰ argues that there is a general theory for arms proliferation, prompting several theorists have dissected arms control, this research will consider the following *theories*: balance of power theory, regime theory, and theories historical-relationalism. These theoretical concepts have previously been used in arms proliferation studies and reflect essential fundamental ideas from all the three mainstream international relations paradigms. Academia and scholars have begun to problematize SALW and weapons control from various theoretical perspectives, asserting that Western practices, norms, and experiences are often portrayed as universally applicable while being submerged in structures such as imperialism or/and militarism. However, the influence of emerging critical literature on SALWs with broader critical international relations and sociological theories, historical-relationalism can be proposed as a theoretical framework to elaborate and explain the study on the

http://www.conflictarm.com/wp-content/uploads/2014/09/Rebel_Forces_in_Northern_Mali.pdf / Sudanese stockpiles and regional weapon diversion. 2017. Electronic resource: https://www.conflictarm.com/download-file/?report_id=2520&file_id=2526 / Weapon supplies into South Sudan's civil war. Regional re-transfers and international intermediaries. 2018. Electronic resource: <https://www.conflictarm.com/reports/weapon-supplies-into-south-sudans-civil-war/> [Accessed date: 10.07.2019].

¹⁴⁹ Bull H. Arms control and world order // International Security. 1976 Vol. 1(1). P. 3-16.

¹⁵⁰ Morgan P. M. Criteria for Developing Arms Control Accords: Arms Control: A Theoretical Perspective // Policy Studies Journal. 1979. Vol. 8(1). P. 105-114.

spread of SALW. Historical-relationalism is a theory that seeks to incorporate, merge, and expand, rather than contradict, the emerging critical perspectives on weapons proliferation control and security reform. While it builds on existing theories, historical-relationalism provides new perspectives on SALW proliferation in sub-Saharan Africa.

The balance of power theory showcases the first glimpse and plausible concept explanation to SALW proliferation and control. The theory is one of the oldest and most enduring concepts in international relations and closely associated with the paradigm of Realism and Neorealism. The balance of power concept is centred around the equal distribution of military power and resources, thus introducing the idea of SALW proliferation to achieve a balance of power in the international arena. J. Schofield argued that only arms control agreements that allow states to rearm in the future to balance another state's power are likely to be successful¹⁵¹. From the theory's perspective, the emergence of national and regional arms control conventions portrays a form of 'alliance formation' of states against arms-producing states seeking markets to supply weapons or armed non-state actors, such as in sub-Saharan Africa.

Secondly, the balance of power theory argues that the states in the regional cooperation scheme are not balancing against an external actor outside the region but against non-state armed actors within the region. Given that the sub-Saharan African SALW control agreements specifically target proliferation against non-state actors, this would seem a more plausible use of the concept. Terrorist organizations and rebel groups operating in sub-Saharan Africa, such as Al-Shabaab, Boko Haram, and Lord's Resistance Army, pose a more significant immediate security threat to most states in the region, given these organizations' aggressive behaviour and proximity intent. Finally, the balance of power theory is valuable because it gives prominence to power

¹⁵¹ *Schofield J.* Arms control failure and the balance of power // *Canadian Journal of Political Science/Revue Canadienne de science politique.* 2000. Vol. 33(4). P. 747-777.

asymmetries that appear central to many SALW issues (trade, i.e., demand and supply/licit and illicit, technology advancement, use and consequences).

Broader theoretical perspectives have adopted the concept of international regimes theory to analyse dynamic and changeable sets of international arrangements. Given the traditional narrow definition of SALW control, researchers and practitioners may indeed prefer to use the concept ‘international regime’ when referring to formal international arms control agreements. Hypothetically, neorealism’s conceptualisation of international regimes indicates that power distribution is unequal within the international system of states, driving nations to behave in their best interest, overarching authorises. Thus, the advent of international cooperation, with an application of SALW control regime policies. However, this does not explain state behaviour (seeking methods and loopholes around international laws and policies), as power relation, economic and financial interest are the underlying indicators. From a liberal regime theory perspective, the problem of SALW in sub-Saharan Africa can be attributed to failures by states to effectively manage and control the transnational trafficking of SALW, in combination with the negligence to effectively prevent the diversion of government stockpiled arms to non-state actors or civilians. On regional regimes, the inward dynamics lack capacity by weak states and ineffective regional institutions.

Research method

The study employs an empirical-historical method of analysis and research. The narrative analysis of the study is a constructed sequence of the proliferation of small arms and light weapons in sub-Saharan Africa forcing the espousal of treaties on arms control that are legally binding in the 20th century. Structured around four main themes: arms impact, arms import/government stockpile, arms trafficking and arms control.

The research framework is an interdisciplinary approach of sources and data from different fields of study such as international relations, political science, international

law, and history, with a systematic analysis method, which allows identifying the problems of the illegal flow of arms in sub-Saharan Africa. Due to the complex nature of the research, the proliferation of small arms and light weapons in sub-Saharan Africa has continued to play a vital role in fuelling and prolonging conflicts, leading to a backdrop in socio-economic development and a favourable climate for violent non-state actors. The research also analyses transnational organised crime and various activities that require the need and use of SALWs, such as coup d'état by military officials, conflict behaviour and the involvement of violent non-state actions, for example, rebel groups and terrorist organisations.

The study also used a comparative method to compare the main activities of national and regional policies toward arms control and the views of various authoritative experts on further efforts to counter the proliferation of weapons. The research framework is built on heavy relevant findings from books, articles, monographs, reports (national, regional, international, and institutional), mass media news reports and agencies on contemporary development on arms, statistical data on the problem of proliferation of small arms and light weapons and weapons control.

Scientific novelty of the dissertation

- The novelty of the research evolves around the proliferation of SALWs from one state or region to the other, the role of local gunsmiths and the use of state stockpile to commit illegal activities such as coups, civilian oppression, and leading to non-state actors.

- The author analyses the nature of SALWs proliferation as being one of the unsolved dilemmas threatening Sub-Saharan Africa's security, stability, and economic development in the twenty-first century. However, there are numerous catalysts for hostility, conflict, and security concerns, like insurgency, terrorism, banditry, including different forms of organised crime.

- The widespread use of SALWs has nourished and supported societal dislocation and violent non-state actors, as well as lengthened their lifespan. SALWs have escalated conflicts and exacerbated rates of violence, crime, including lives and property destruction, as these weapons are cheap, easy to handle, easily moved from one person to another and outlast major conflicts and wars. In Sub-Saharan Africa, they have enabled the rise of deadly civil wars, coups and even supported the child-soldier phenomenon.

- Another noticeable issue the author notices, was the fact that sub-Saharan Africa is well equipped with both legal framework and instrument to combat and contain the spread of SALWs from both national and regional level, but again the question remains, why is it so easy for SALWs to move and spread easily, factors such as lack of commitment to good governance, corruption, accountability, and increasing activities of violent non-state actors, give reasons to the continuous proliferations despite the availability of instruments and mechanism of SALWs control and regulation.

- The dissertation also highlights the author's assessment of the role and influence of gunsmiths, blacksmiths, and artisans in Sub-Saharan Africa, despite a lack of access to large manufacturing plants or formal training, these arms craft smiths customised their trade to only local consumers, such as juvenile gangs or other local organised crime groups. The difference in artisan firearms manufacture mirrors the blacksmith's competence and expertise with the three most prevalent forms of craft weapons: reproduction or replication, maintenance and rudimentary (also known as zip-guns).

- The dissertation further expands on multiple projects and studies on security sector reform in Sub-Saharan Africa. Disarmament, demobilization, and reintegration efforts, along with conflict resolution, management, peacekeeping, and peacebuilding in the region, have mostly been the centre of discourses.

- Arms control policies are frequently described as technical and marginalized topics, with a vast range of intertwined challenges, yet it is rarely considered a

significant issue. SALWs, in addition to its devastatingly deadly results, pose a significant challenge to authority.

- The research is based on a wide range of sources in Russian, English, and French, many of which are being introduced within the scientific circle making it possible to comprehensively investigate conceptual approaches to the non-proliferation of small arms and light weapons in sub-Saharan Africa under the period considered.

Statement of defence

The following provisions are submitted for defence:

1. The emergence of SALWs in sub-Saharan Africa was firstly revealed with the role and influence it had on states during post-independence era in the form of fuelling violent civil wars, and subsequently imprinted itself on violence intra-state conflict and regime change using legal state weapons to implement and achieve successful military coups. The uncontrolled circulation of SALWs is not without devastating consequences in the sub-region. In addition, SALWs pose a severe threat to peace, security, societal norms, stability, and sustainable development of individuals, nations, and sub-regions.

2. Sustainable peace and security will be unachievable as leftover weapons will continue to have harmful consequences on unstable regions prone to conflict, which usually leads to armed conflict spill over and prolonged conflicts contributing to massive displacement of persons, particularly to the detriment of women and children. Firearms can easily traverse permeable borders, promote the resurgence of national and cross-border organized crime with the ramifications of a substantial nexus between illicit arms trade, drugs, and precious minerals trafficking.

3. While the distinction between legal and illegal is clear, it is not that crucial because violence is usually perpetrated with legal and illegal weapons. Domestic violence, for instance, is frequently committed using firearms that are lawfully owned or locally crafted, for example, police brutality and coups. In recent years, licensed firearms were used in several conflicts in sub-Saharan Africa.

4. Arms regulation must be aimed to manage the flow of weapons more efficiently and effectively to prevent diversion from government stockpiles to the illegal market (black or grey market) and ensure security and development growth, however, the easy spread of SALWs continue to prove the ineffectiveness of arms control policies and regulations.

5. Despite the efforts of some sub-Saharan countries, the success and progress of their initiatives have been non-existence or considered reactive. Poor performing economies and lack of governmental control, attributes of corruption, illegal arms trade, and reluctance by some member States to enact and initiate the AU and UN resolutions having also persistently blocked and been an obstacle to solving the problem.

6. In Sub-Saharan Africa, it is evident that mechanisms to control and regulate SALWs, theoretically, do exist but practically the problem remains factual and evolving, pointing to a weak reactive, utilization, and maximum enforcement of these legally binding instruments.

The theoretical significance of the dissertation research

The study elaborates on the ramification, impact, and consequences of the non-proliferation of small arms and light weapons on sub-Saharan Africa, by highlighting its effects on the region, in terms of insecurity, socio-economic development, human rights, impact on governance, strengthening of violent non-state actors and escalation and extension of conflicts. The study further expands on the demand and supply of weapons (licit and illicit), with issues of government stockpiled licit SALWs finding its way into the hands of non-state violent actors and even civilians.

In addition, the research aim is to expand on the impact of non-proliferation of SALWs using international relations approaches and modern theories. The theoretical significance of the study provides in-depth analyses with statistical data on the legal and illegal proliferation of arms in the sub-Saharan region, making it possible to ascertain the potential damage of small arms and light weapons.

Practical significance of the work

The practical significance of the dissertation is based on the main provisions and conclusions of the research, which can be used as recommendations to state security agencies, regional institutions, and peacekeeping. It can also be used to develop a structural position on key security problems in sub-Saharan Africa, particularly around the uncontrolled spread of SALWs.

The main provisions and conclusions of the dissertation can be of use by Russian and African institutions to prepare curricula and courses in higher educational institutions on contemporary problems of international relations (African and global security), regionalism, conflict analysis, training materials (monographs, textbooks) and on issues such as African security dilemma and non-state participants in international relations.

Reliability and validity of the study results

The reliability of the research results is based on the use of an extensive source base and rich historiographical materials and legal sources, including scientific works in English, French and Russian, using modern methodological approaches and techniques, with a systematic analysis of the problem of non-proliferation of SALW in sub-Saharan Africa. An appeal to expert assessment of African, Russian, and Western researchers was considered while researching the topic. Applying modern methods of international relations ensures the results' reliability.

Approbation of the research results

The main results and conclusions of the dissertation are reflected in 6 scientific publications, of which 5 articles are published in peer-reviewed scientific publications included in the List of the Higher Attestation Commission and the List of the PFUR, and 2 articles - in publications included in the international citation databases Scopus, Web of Science.

The structure of the dissertation

The dissertation consists of an introduction, three chapters, a conclusion, list of sources and literature, and abbreviations.

CHAPTER ONE: SMALL ARMS AND LIGHT WEAPONS AND ITS MANIFESTATIONS IN SUB-SAHARAN AFRICA

1.1 Historical perspective of SALWs in Sub-Saharan Africa

The proliferation of SALWs became a significant concern during the post-Cold War era. The problems posed by their over-availability and its consequences have become a matter of growing concern in public opinion and among political leaders, a concern heightened by the proliferation of armed groups. Nevertheless, this new interest can be explained.¹⁵² Indeed, a new feeling of insecurity, less theoretical and more concrete, appeared after the fear aroused by the nuclear threat during the Cold War until the end of the 1980s. Public opinion, alerted by humanitarian organizations, has become aware of the human tragedies caused by conflicts during which actors use SALWs. Domestic and foreign actors have realized that their efforts are being crushed by conflict and the overabundance of SALWs. The initiators recognize the failure of humanitarian and peacekeeping operations, just as human security is increasingly threatened.

The proliferation, illicit trafficking, and misuse of small arms and light weapons in sub-Saharan Africa constitute an obstacle to peace, human security, and the country's socio-economic development. Sub-Saharan Africa is thought to be rife with armed violence and totalitarianism.¹⁵³ As a by-product of this impression, any shipment of armaments to the Sahara raises concerns if it contributes to the escalation or prolongation of violent armed conflicts, the escalation of interstate and intrastate hostilities, or the weakening of civilian-led administrations. Many countries in the Sahara have failed to divulge information about their ammunition procurement and motivations, irrespective of whether they are engaged in armed confrontation or have

¹⁵² *Fiali R.* The Conventional Arms Proliferation in Sub Saharan African Countries: Stakes and Threats // US Army Command and General Staff College Fort Leavenworth United States. 2019. P. 86.

¹⁵³ *Chelule E.* Proliferation of small arms and light weapons: Challenge to development, peace, and security in Africa. *Journal of Humanities and Social Science.* 2014. Vol. 19(5). P. 80-87.

strained relations with their neighbors.¹⁵⁴ The discussion on the causal factors and ramifications of arms proliferation in sub-Saharan Africa can be placed within a broader framework, whilst the sub-chapter elaborates on the following factors such as ammunition shipments to the region, including acquisitions, loans, donations, and gifts. Sub-Saharan Africa is an open market for weapons acquisitions from varieties of merchants and suppliers around the world.¹⁵⁵ However, analyzing government policies on arms provides an overview of actual SALWs acquisition and transfer.

Most sub-Saharan states are reliant on SALWs importation due to an ill-equipped autochthonous arms manufacturing capacity. The data on international shipments of SALWs and other ammunition can be used to analyze the flow of SALW into the region. At the end of the Cold War, sub-Saharan states drastically reduced the inflows of SALWs.¹⁵⁶ Although acquisitions began to rise in 1996, however, still lower than in the 1980s. Between 2006 to 2010, sub-Saharan except for South Africa acquired 1.5% of the global acquisition of SALW. States in the Sahara purchased relatively fewer modern weapons, most of which were not advance, outdated or used arms.¹⁵⁷ Each of the eight vessels that were shipped to the region was small with basic in design. Also, depending on the situation, recipient states can dramatically change. Thus, Angola was a significant importer between 1996 to 2000, remained so from 2001 to 2005 with a slight drop, while by 2006 to 2010 became a minor importer of SALWs. Subsequently, a similar pattern was observed in Ethiopia and Eritrea, both of which were immense importers from 1996 to 2000 and 2001 to 2005 but reduced acquisitions of SALWs from 2006 to 2010. Whilst

¹⁵⁴ *Okai N.* Addressing the Small Arms and Light Weapons (SALW) Problem in Africa // *International Journal of Innovative Research and Development*. 2014. Vol. 3(5). P. 215-218.

¹⁵⁵ *Machakanja P., Manuel C.S.* Southern Africa: Regional Dynamics of Conflict and the Proliferation of Small Arms and Light Weapons. Palgrave Macmillan, Cham. 2021. P. 983-1001.

¹⁵⁶ *Stohl R., Tuttle D.* The challenges of small arms and light weapons in Africa // *Conflict trends*. 2009. Vol. 2009(1). P. 19-26.

¹⁵⁷ *Ibid.* P. 215-218.

Nigeria leapt from a minor to a significant sizeable importer from 2006 to 2010. Sub-Saharan received minimal SALW shipments; therefore, a single shipment that might be negligible elsewhere will tremendously affect and influence the decision making of the state in the region.¹⁵⁸ From 2006 to 2010, Namibia dramatically leapt to become the region's 4th major importer due to the shipment of 12 F-7 fighter jets between 2006 to 2008. South Africa led the importation and domestic manufacturing of SALWs. In 2006–10, sub-Saharan Africa estimated at 3.4% of world acquisition of SALWs, in contrast to just 1.5% for sub-Saharan Africa without South Africa. Between 2006 to 2010, South Africa imported weapons from Germany, Sweden, and the United Kingdom.¹⁵⁹ Between 2006–2010, Germany was the primary provider of small arms in Sub-Saharan Africa, with Sweden coming in third.

Imports of small arms and light weapons. Sub-Saharan Africa has few primary domestic weapons manufacturing industries, so SALW acquisition is crucial for state stockpiles, civil wars, and armed conflicts. Unfortunately, it is impossible to create precise, comprehensive data on SALW shipment into the sub-Sahara due to an absence of factual data. SALW exports to Sub-Saharan were prevalent, with 34 of the region's 46 countries acquiring the weapons for military purposes.¹⁶⁰ From 2006 to 2010 Nigeria procured 72000 rifles, Kenya 51500, Uganda 38000, and Chad 31000, while Kenya, Uganda, and Chad each procured 38,000 rifles.¹⁶¹ Kenya likely diverted several of the firearms acquired to the Government of Southern Sudan after they arrived.

¹⁵⁸ *Ehiane S.O., Uwizeyimana D.D.* Challenges in combating the proliferation of small arms and light weapons (SALW) in Nigeria: a human security perspective // *Journal of African Foreign Affairs*. 2018. Vol. 5(3). P. 65.

¹⁵⁹ SIPRI. Arms flow to Sub-Saharan Africa // SIPRI paper policy №30. 2011. Electronic resource: <https://www.sipri.org/sites/default/files/files/PP/SIPRI30.pdf> [Accessed date: 20.04.2020]

¹⁶⁰ *Muggah R., Sang F.* The enemy within: rethinking arms availability in sub-Saharan Africa // *Conflict, Security & Development*. 2013. Vol. 13(4). P. 417-447.

¹⁶¹ SIPRI Policy Paper. Arms Flows to Sub-Saharan Africa. 2011. Electronic resource: <https://www.nonproliferation.eu//wp->

Most of the accurate data on SALW transactions are derived from suppliers' states with open records and share exportation data. Additionally, SALWs are transported into sub-Sahara from nations unwilling to declare their weapons sales and shipments in precision or even at all. For instance, there is significant evidence that Sudan obtained large quantities of SALW from China between 2006 and 2010, despite China's none-disclosure the transactions and shipments.¹⁶² Tracking significant SALW transactions only gives a distorted understanding of sub-Saharan weapons and ammunition supply. Other high tech military gadgets imports, like communications and intelligence-gathering devices and armored trucks, are more complicated to track than heavy weaponry shipments.¹⁶³ Nonetheless, the acquisition of this weaponry can substantially influence Sub-Saharan Africa. For instance, Nigeria's major military acquisition between 2006 to 2010 officially acquired a \$260 million integrated coastal surveillance system from Israel, including command-and-control centers with a communications system.¹⁶⁴ Between 2007 to 2012, the surveillance system was mainly used on operations such as emancipation and terrorist movements. Modification of old and outdated SALW in sub-Sahara's stockpiles, combined with military shipments apart from major armaments and SALW, is significant as newly acquired arms. For instance, in Nigeria the upgrading SALWs by foreign manufacturing industries between 2006 and 2014 was perhaps as essential in conventional military proficiency as the state's

content/uploads/2018/09/pieterdwezemansiemontwezemanandlucieberaudsudreau4f7db06b8fe84.pdf
[Accessed date: 10.07.2019].

¹⁶² *Moyo G.* Piercing the Veil of Non-Interference Doctrine: China's Expanding Military Footprint in Africa. Palgrave Macmillan, Cham. 2022. P. 805-823.

¹⁶³ *Mashi M.A., Mohammed H.* Customs, Contrabands and Arms Control in Africa. Palgrave Macmillan, Cham. 2021 P. 539-566.

¹⁶⁴ *Wezeman S.T.* Israeli arms transfers to sub-Saharan Africa // SIPRI Background Paper. 2011. Electronic resource: <https://www.sipri.org/sites/default/files/files/misc/SIPRIBP1110.pdf> [Accessed date: 20.04.2020].

procurement of new planes. Another scenario is a deal made in 2008 to update Kenya's two Nyayo fighter craft, which lasted until 2010.¹⁶⁵

The relation between arms production and arms imports. Numerous Sub-Saharan states have attempted to develop domestic weapons manufacturing facilities to minimize their reliance on imported SALWs over the past few decades. The region's weapons and ammunition sector has failed as a viable alternative to weapons acquisition. The arms industry continuously depends on foreign technology and designs, including equipment and major components.¹⁶⁶ Additionally, its growth has been nearly flat throughout the decades, with the concentration remaining on firearm refurbishment and the authorization of firearms and ammunition manufacture. Following South Africa, Ethiopia and Nigeria, Sudan's firearm industry is likely the largest in sub-Sahara.

In 1959, a firearms factory sponsored by UK and West Germany industries began manufacturing in Sudan.¹⁶⁷ In the early 1990s, the Sudanese Military Industry Corporation (MIC) was created. Considerable evidence suggests that MIC repaired or renovated its firearms manufacturing plant between 1996–1997, enlisting the help of Bulgarian, Pakistani, and Ukrainian industries. MIC asserts to recreate Kalashnikov assault rifles, M-16 assault rifles, MG-3 machine guns, G-3 assault rifles, and MP-5 submachine guns.¹⁶⁸ However, additional help was provided by China and Iran as both countries were known for having arms trade relations with Sudan at the time.¹⁶⁹ MIC

¹⁶⁵ SIPRI. Arms flow to Sub-Saharan Africa // SIPRI paper policy №30. 2011 Electronic resource: <https://www.sipri.org/sites/default/files/files/PP/SIPRI30.pdf> [Accessed date: 20.04.2020].

¹⁶⁶ Lock, P. Military downsizing and growth in the security industry in Sub-Saharan Africa. *Strategic Analysis*. 1998. Vol. 22(9). P. 1393-1426.

¹⁶⁷ *Deckert R.* Die militärischen Beziehungen der beiden deutschen Staaten zum Sudan. Ein Extrembeispiel für das Verhältnis von Bundesrepublik und DDR zur» Dritten Welt «. In *Wege zur Wiedervereinigung*, Oldenbourg Wissenschaftsverlag. 2013. P. 335-356.

¹⁶⁸ *Holtom P., Bromley M., Wezeman P.D., Wezeman S.* International arms transfers // *The Journal of Slavic Military Studies*. 2010. Vol. 23(4). P. 713-716.

¹⁶⁹ *Jones R.D, Ness L.S.* Jane's Infantry Weapons 2014-2015. UK.: IHS Jane's Information Group Limited. 2015. P 715.

claims to be engaged in upgrading T-55 tanks and constructing WZ-501 Armored Personnel Carriers (APCs) and Type-85-2 tanks, including Soviet-designed ordnance. The T-55 modernization equipment was purchased from Iran in 2006, and ordnance manufacture is most likely linked to a 1995–2002 transfer of supplies and manufacturing parts from Bulgaria. MIC promoted assembling small airplanes with Russian and Chinese cooperation, including Ukrainian AK1-3 light helicopters and Serbian UTVA-75 small planes.¹⁷⁰ A repair center for fighter and cargo airplanes is also visible at MIC. The production of weapons in Ethiopia began in the 18th century, under the reign of Emperor Tewodros II. According to historical documents, in 1868, Emperor Tewodros erected a massive mortar called Sebastopol in Begemder (or Gondar) province at a village called Gafat and transported it to the mountain of Maqdala. Later, in 1911, under the reign of Emperor Menelik II, an ammunition factory was created, which began manufacturing cartridges for Wejigra and Wechefor guns. With the support of Czechoslovakia, the then-Emperor Haile Selassie munitions plant was established in 1953, laying the groundwork for contemporary military manufacturing. Its goal was to produce ammo for light weapons locally. It was upgraded with updated technology and increased capacity in 1984. Because of the importance placed on developing a strong military sector, the Derg dictatorship set out to construct different defense industries with the assistance of the former Soviet Union and other Eastern Bloc states. In 1986, the government issued a mandate to establish a Defense Industry Commission that would answer to the Council of Ministers and be in charge of administration, production, and strategic direction. Experts from the Ministry of Defense, the Ministry of Industry, studied the foundation of the commission, and the Ethiopian Management Institute. In 1991, the commission (renamed the Basic Materials and Engineering Industry Commission) was in charge of four manufacturing plants. Multiple firms under the

¹⁷⁰ *Large D., Patey L. Riding the Sudanese Storm: China, India, Russia, Brazil, and the Two Sudan // South African Institute of International Affairs. 2014. P. 1-49.*

Ministry of National Defense in Ethiopia manufacture 60-mm and 82-mm bombs, firearms, Kalashnikov variant (dubbed the ET-97/1), grenade launchers, and repair combat vehicles and fighter planes.¹⁷¹ The ET-97/1 rifle was first produced in the 90s with the assistance of North Korea, which continued to supply raw materials for manufacturing and technological apparatus, as well as raw materials for firearms ammunition, in 2006.

The Defense Industries Corporation of Nigeria (DICON) was founded in 1964, while Nigeria acquired manufacturing apparatus from Germany for Italian blueprint firearm and ammunition. DICON began manufacturing SALWS (rifles, pistols, and machine guns) in 1983, using Belgian expertise.¹⁷² Exhibiting stagnation and steep decline, the Government of Nigeria funded an initiative to rejuvenate DICON in 2007, which purportedly restored a significant portion of the company's industrial output.¹⁷³ 7.62-mm ammunition equipment was purchased from China as part of an arms trade project. DICON also developed a domestic Nigerian automatic Kalashnikov (dubbed the OBJ-006) and obtained manufacturing equipment from China.¹⁷⁴ DICON declared the commencement of manufacture of the OBJ-006 rifle numerous times between 2006 and 2009.¹⁷⁵ It presently has the capacity of manufacturing and assembling 81mm bomb, Belgian made FAL and MAG light machine guns, Soviet Kalashnikov and RPG-7 grenade launchers, Italian M-12 submachine guns, including hand grenades and ammunition. 60 Air Beetle elemental planes with United States parts were built in

¹⁷¹ *Thom W.G.* Sub-Saharan Africa's changing military environment // *Armed Forces & Society*. 1984. Vol. 11(1). P. 32-58.

¹⁷² *Bassey C.O., Dokubo C.Q.* Defence Policy of Nigeria: Capability and Context A Reader. Authorhouse 2011. P. 688.

¹⁷³ *Waddington C.* Defence industry revitalization in Nigeria. *Africa Conflict Monitor*. 2015. Vol. 2015(10). P. 73-79.

¹⁷⁴ *Bromley M., Duchâtel M., Holtom P.* China's Exports of Small Arms and Light Weapons // SIPRI Policy Paper 38. 2013. P. 68.

¹⁷⁵ *Nte N.D.* The changing patterns of small and light weapons (SALW) proliferation and the challenges of national security in Nigeria // *Global Journal of Africa Studies*. 2011. Vol. 1(1). P. 5-23.

Nigeria during the 1990s.¹⁷⁶ At the same time, an effort to establish a manufacturing facility for 4K7FA APCs from Austria collapsed around the same time.

Until the 1970s, the apartheid regime of South Africa put a disproportionate focus on civilian law enforcement and internal security. A Cuban involvement in Angola, along with the expansion of the South African Border War, convinced the administration that it faced a major external danger. PW Botha, a former South African security leader, accepted the premiership in 1978, and defense spending skyrocketed. ARMSCOR, a relatively young manufacturing facility, was tasked with modernizing the South African Defense Force's arsenal (SADF).¹⁷⁷ This was a challenging undertaking since a United Nations arms embargo imposed on South Africa in 1964 became obligatory in 1977. Some of the SADF's old gear was attempting to be maintained, and any national defense organization would have challenges in keeping these systems operating in the absence of foreign technical help as well as new supplies of components and equipment. ARMSCOR attempted both clandestine and black-market arms agreements in order to obtain restricted defense technology as quickly as possible. The embargo experience prompted South African efforts to diversify sources while also assuming domestic manufacture of some paraphernalia. The availability of Western-style equipment and supplies from Israel, in particular, assisted in offsetting the military impacts of the UN embargo. ARMSCOR executives acquired technology via aggressive clandestine means, trading through other public sector corporations, front companies, foreign agents, and even civic organizations.¹⁷⁸ During World War II, South Africa had already maintained a small weapons manufacturing capacity, and unlike other African countries,

¹⁷⁶ *Tar U.A.* Background: Small Arms, Violent Conflicts, and Complex Emergencies in Africa – A Fatal Combination. Palgrave Macmillan, Cham. 2021. P. 17-39.

¹⁷⁷ *Dunne J.P.* The making of arms in South Africa // *The economics of peace and security journal*. 2006. Vol. 1(1). P. 40-48.

¹⁷⁸ *Roux A.* Country Survey XII: South Africa // *Defense and Peace Economics*. 2000. Vol. 11(1). P. 149-172.

it possessed extremely skilled scientists and engineers capable of substituting local manufacture for imports. ARMSCOR often began by analyzing foreign equipment specimens, sometimes through one of its third parties, and then applying these talents to their enhancement. It could brag of being “a world leader” in updating old weaponry by the 1990s.¹⁷⁹ As a result, ARMSCOR’s Olifant Mk1As were reconstructed from old British Centurion tanks acquired in India and Jordan. Its Atlas Cheetah interceptors were inspired by the IAI Kfir and built on Mirage III airframes. A French armored personnel carrier, the Berliet VXB, inspired the six-wheeled Ratel IFV; ARMSCOR also created the Eland Mk7, along with sophisticated variant of the Panhard AML armored vehicles.¹⁸⁰

A few countries in Sub-Sahara have limited military manufacturing capability. With an aggregate output of 20 million cartridges acquired by Kenya in 1988 from Belgian was the blueprint for Kenya Ordnance Factories Corporation, which began producing munitions in 1997. Kenya has an established small arms manufacturing operation called the Kenya Ordnance Factories Corporation (KOFC).¹⁸¹ It started in 1997 under the Ministry of State for Defense. With assistance from FN Herstal of Belgium (1996). Kenya now produces Mamba Mk 5 armored personnel carriers, small arms, and ammunition. KOFC is a State Corporation under the Ministry of State for Defense mandated to manufacture Hardware, Machinery and Equipment. KOFC is Kenya’s only ammunition production firm and includes two divisions, the Ammunition Production Division, and the General Engineering Division.¹⁸² The manufacturing company which manufactures small arms ammunition and fabricates high precision

¹⁷⁹ *Van der Merwe J.* An historical geographical analysis of South Africa's system of accumulation: 1652–1994 // *Review of African Political Economy*. 2016. Vol. 43(147). P. 58-72.

¹⁸⁰ *Mills G.* ARMSCOR: Quis custodiet ipsos custodes? // *Defense Analysis*. 1990. Vol. 6(4). P. 425-430.

¹⁸¹ *Gravesen M.L.* The contested lands of Laikipia: Histories of claims and conflict in a Kenyan landscape. Leiden: BRILL; Bilingual edition. 2020. P 274.

¹⁸² *Muggah R., Sang F.* The enemy within: rethinking arms availability in sub-Saharan Africa // *Conflict, Security & Development*. 2013. Vol. 13(4). P. 417-447.

tools and parts using the latest technology such as NATO military standards ammunition. Kenya's KOFC remained the only defense company in the country after an unsuccessful attempt by the British company Osprea Logistics to organize the production of Mamba Mk 5 armored personnel carriers in the city of Mombasa in 2012. The state-owned company KOFC produces only ammunition for small arms (7.62 mm, 5.56mm and 9mm Parabellum).¹⁸³ Mzinga Corporation, based in Tanzania, had an output of 7 million cartridges in 2005, according to reports, employing Chinese manufacturing apparatus. However, the Belgian government refused to approve the contract in 2005, attempting to enhance manufacturing output with Belgian technology collapsed.¹⁸⁴ Luwero Industries, based in Uganda, repairs, and performs maintenance on AK-47 and manufactures ammunition with South African apparatus and projectiles, percussion ignition caps, and rounds supplied by China.¹⁸⁵ Zimbabwe Defense Industry (ZDI) was a Zimbabwean state-owned arms production and procurement corporation in Harare that specialized in sports and military ammunition. It has formerly produced mortar rounds, land mines, and light armored combat vehicles such as the Gazelle FRV. ZDI engaged in facilitating big arms agreements between China and other African nations, such as the Republic of the Congo, in the late 1990s. The following Zimbabwean economic downturn, as well as the fall of the Zimbabwean currency versus major international currencies, have compelled ZDI to confine its business to selling used equipment from the Zimbabwe Defense Forces. ZDI-owned military industrial facility producing small arms calibers 7.62x39 mm and 7.62x51 mm. It also contains a mortar shell filling factory where 60 mm, 81 mm, and 120 mm mortars, 155 mm artillery

¹⁸³ *Bevan J.* Blowback: Kenya's Illicit Ammunition Problem in Turkana North District. Geneva: Small Arms Survey Occasional Paper 22. 2008. P. 108.

¹⁸⁴ *Anders H., Weidacher R.* The production of ammunition for small arms and light weapons // Targeting Ammunition: A Primer. Geneva: Small Arms Survey. 2006. P. 47-67.

¹⁸⁵ *Kingma K., Muhereza F., Murray R., Nowak M., Thapa L.* Security Provision and Small Arms in Karamoja. Geneva: Small Arms Survey. 2012. P. 90.

rounds, rocket launchers, and hand grenades are manufactured. ZDI produced firearms, grenades, and ordnance munitions using technology known to France and China.¹⁸⁶ Some necessary ammunition materials, like shells from Bulgaria and explosives from Israel, were purchased. According to reports, ZDI went insolvent and shut down in 2009. Since 1977, Namibia's Windhoek Maschinenfabrik (WMF) has produced a limited amount of motorized light-duty trucks, some of which have been exported.¹⁸⁷

Supplying States. The Sub-Saharan states acquired significant armaments from numerous sources. China, Russia, and Ukraine are constantly the leading providers in the current decade, despite the varying percentages of estimated exportation.¹⁸⁸ Several major SALWs exporters, such as Italy, China, Russia, Ukraine, and the United States, were the top providers to the Sub-Saharan region. Other large firearms suppliers, primarily European countries like France, Germany, and the United Kingdom, only supplied minor amounts of large weapons (see Table 2 & 3).

Table 1: Top suppliers of SALWs to sub-Saharan Africa (1996-2020)

1996-2000		2001-2005		2006-2010		2011-2015		2016-2020	
Exporters	Share (%)	Exporters	Share (%)	Exporters	Share (%)	Exporters	Share (%)	Exporters	Share (%)
Russia	31	Russia	51	China	25	Russia	25	Russia	30
Belarus	12	China	9	Ukraine	20	China	24	China	20
Ukraine	8	Ukraine	7	Russia	11	USA	6.6	France	9.5
China	6	Moldova	5	Italy	6	France	2.9	USA	5.4
Slovakia	6	Bulgaria	5	South Africa	5	Spain	11	Italy	-
Bulgaria	5	Belarus	4	Belarus	4	Italy	8.2	Germany	5.5
Canada	4	Israel	2	Moldova	4	Turkey	7.9	Turkey	-
United States	3	United States	2	Jordan	3	Germany	7.3	Israel	-

¹⁸⁶ Tambudzai Z. Determinants of military expenditure in Zimbabwe // *The Economics of Peace and Security Journal*. 2011. Vol. 6(2). P. 41-49.

¹⁸⁷ Dietrich C. Commercialisme militaire sans ethique et sans Frontieres // *Annuaire des Grands Lacs*. 2000. Vol. 2001. P. 333-364.

¹⁸⁸ Willett S. Defence expenditures, arms procurement, and corruption in Sub-Saharan Africa // *Review of African Political Economy*. 2009. Vol. 36(121). P. 335-351.

Italy	2	Italy	1	United States	3	Bulgaria	3	Belgium	-
Spain	2	Slovakia	1	Singapore	3	Belgium	3	Brazil	-

Source: SIPRI Arms Transfers Database. 2011. Electronic resource: <https://www.sipri.org/sites/default/files/files/PP/SIPRIPP30.pdf> // SIPRI Trends in international arms transfers. 2018. Electronic resource: https://www.sipri.org/sites/default/files/2019-03/fs_1903_at_2018.pdf // SAS Trade update: Sub-Saharan Africa in Focus. 2018. Electronic resource: <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-Trade-Update-2018.pdf> [Accessed date: 05.04.2019].

In contrast, nations that have a minor impact on international weapons sales, like Belarus, Jordan, and Moldova, are also major arms providers to individual specific states and supply a considerable fraction of the SALWs to the whole sub-region (see Table 2). From 2006 to 2010, sub-Saharan Africa accounted for 25% of China's SALWs exportation and likewise 20% of Ukrainian exportation, however, in recent years, it can be visible that most sub-Saharan countries are leaning towards Russia as regards to China, this can be connected to Russian foreign policy on global security and Russia's campaign to combat terrorism globally (see Table 2).

Table 2: The suppliers of SALWs to sub-Saharan Africa and their recipients (2006-2018)

Suppliers	Largest recipient	Other recipients
China	Nigeria (35%)	Benin, Chad, Republic of Congo, Gabon, Ghana, Kenya, Namibia, Niger, Rwanda, Sierra Leone, Sudan, Tanzania, Uganda, Zambia, Zimbabwe.
Ukraine	Chad (28%)	Comoros, Democratic Republic of Congo, Equatorial Guinea, Nigeria, South Sudan, Sudan, Uganda, Zimbabwe, Somalia.
Russia	Sudan (77%)	Nigeria, Chad, Niger, Senegal, Uganda, Ethiopia, Angola, Burkina Faso.
Italy	Nigeria (77%)	Namibia, Tanzania, Zambia, South Africa.
South Africa	Gabon (58%)	Burkina Faso, Burundi, Malawi, Rwanda, Senegal, Tanzania, Uganda.
Belarus	Sudan (94%)	Eritrea.
Moldova	Angola (100%)	-
Jordan	Kenya (100%)	-
United States	Congo and DRC (58%)	Botswana, Cameroon, Central African Republic, Chad, Ghana, South Africa.
Singapore	Nigeria (96%)	Chad.
Spain	Botswana (44%)	Cape Verde, Mauretania, Rwanda, Senegal.

Israel	Nigeria (46%)	Cameroon, Chad, Lesotho, Rwanda, Uganda.
Iran	Sudan (100%)	-
Belgium	Chad (86%)	Benin.
Bulgaria	Mali (86%)	Chad.
Czech Republic	Uganda (13%)	Angola, Equatorial Guinea, South Africa.
Brazil	Namibia (100%)	-
France	Senegal (50%)	Chad, Mauretania, Togo, Mali, Burkina Faso, Ivory Coast.
Slovakia	Sudan (60%)	Angola, Central African Republic.
Turkey	Nigeria (100%)	Somalia, Sudan.

Source: SIPRI Arms Transfers Database. 2011. Electronic resource: <https://www.sipri.org/sites/default/files/files/PP/SIPRIPP30.pdf> // SIPRI Fact Sheet: Trends in international arms transfers. 2020 and 2021. Electronic resource: https://www.sipri.org/sites/default/files/2022-03/fs_2203_at_2021.pdf [Accessed date: 05.04.2019].

There are indicators that significant adjustments in supplier rankings may change in the future, as not only states are involved in arms acquisition but also violent non-state actors. The procurement of six new Su-30MK2 fighter jets by Uganda in 2010 and 32 Mi-24 combat choppers by Sudan in 2009 expanded Russia's regional arms supply contribution significantly.¹⁸⁹ Ukraine might represent a higher percentage due to its methods of SALWs transfer; for example, ten updated S-125-2D surface-to-air missile systems were sold to 2 unnamed African clients and 200 T-72 tanks to Ethiopia.¹⁹⁰ China has also boosted its SALWs exports to the Sub-Saharan region. It is one of the most consistent and most prominent participants of the Africa Aerospace and Defense (AAD) weapons exhibition in South Africa. Due to the level of secrecy involved in China's weapons trade and deals, future Chinese supplies are difficult to forecast.¹⁹¹

¹⁸⁹ *Holtom P., Bromley M., Wezeman P.D., Wezeman S.* International arms transfers // *The Journal of Slavic Military Studies*. 2010. Vol. 23(4). P. 713-716.

¹⁹⁰ Topwar news. Ukraine continues to implement a contract with Ethiopia for the supply of MBT T-72. 2013. Electronic resource: <https://en.topwar.ru/35690-ukraina-prodolzhaet-realizaciyu-kontrakta-s-efiopiey-na-postavku-obt-t-72.html> [Accessed date: 20.04.2020]

¹⁹¹ Brahmand. China to be the biggest exhibitor at AAD 2010. 2010. Electronic resource: <https://www.brahmand.com/news/China-to-be-biggest-exhibitor-at-AAD-2010-expo/4816/1/10.html> [Accessed date: 21.04.2020]

Several countries provided SALW to the Sub-Saharan region. Some countries are significant providers of small arms and light weapons. China, for instance, supplied SALW to multiple states, while Ukraine is believed to have sold SALW to five nations, with an estimate of over 126000 assault rifles. Much excess heavy weaponry from Ukraine have ended up in Sub-Saharan Africa.¹⁹² Several lesser vendors of powerful weaponry also supply SALW to the region. Serbia delivered SALW to nine nations between 2006 and 2012, Bulgaria supplied to eight, while Romania delivered to five, the totaling estimate was over 6000 weapons. Despite not being mentioned, likewise, nations like Ukraine, Belgium, China, Iran, Israel, Pakistan, and Russia, with major SALW companies and inventory do not regularly submit comprehensive description on the trade of SALWs for adequate recording and indicators. Some nations that provide auxiliary heavy military weaponry influence sub-Sahara than statistics on SALW indicate. The European Union releases detailed data on SALWs exportation, demonstrate that, for instance, the Czech Republic sold SALWs to 3 nations between 2005 and 2009 while also exporting military hardware to five more. Simultaneously, France did not record sales of its transaction SALW with Angola; however, in 2008, a French arms industry was awarded a \$221 million deal to supply the Angolan authorities with a mixed military-civilian telecommunication system.¹⁹³ According to other reports, states that do not declare their weapon sales are also key providers of military hardware other than light weapons.

Motive. SALWs manufacturing states have various reasons for delivering weaponry to Sub-Saharan Africa, encompassing present and future economic benefits, political clout, and security concerns. It is tough to judge the proportional relevance of

¹⁹² *Holtom P.* Ukrainian arms supplies to sub-Saharan Africa. Sweden: SIPRI. 2011. P.16.

¹⁹³ The Critical Communication Association. Thales to Deploy a National Communication Network in Angola Colombes. 2008. Electronic resource: <https://tcca.info/thales-to-deploy-a-national-communication-network-in-angola-colombes/> [Accessed 20.05.2020]

these factors. During the Cold War, China, France, the Soviet Union, the United Kingdom, and the United States sent weaponry to several countries in the region to achieve or preserve political leverage.¹⁹⁴ Weapons shipment to Africa is a comprehensive program to access and control natural resources in acquiring nations, given the possibility of significant income via weapons deals with African governments. A good example is China, known to be one of the top SALWs exporters to the region.¹⁹⁵ Reports suggest that Chinese weaponry delivered to Nigeria, Rwanda, and Zambia improved interaction to secure China's accessibility to natural resources such as oil, tin, and tantalum in the nations.¹⁹⁶ Norinco, also known as China North Industries Corporation, is one of the largest exporters of Chinese arms, known for invoking the "spill-over impact" of militarized arms sales to secure deals for its affiliate ZhenHua Oil Company in several nations globally, including Angola. Natural deposits are difficult to assess as a motivator for exporters, as Chinese weapons sales to Sudan and Zimbabwe might well be driven by a desire to enhance or sustain extended military connections than a short term interest in resources.¹⁹⁷ Furthermore, China's transfer of weapons and military aid to Tanzania, a country with scant natural resources, demonstrates that resource accessibility might not be China's sole motivation for delivering SALWs to the region.

Even though the earnings from weapons shipments to Sub-Saharan Africa are relatively high, the SALW company's simple need for more revenue can accelerate shipments. According to comments made by Ukrainian lawmakers and authorities,

¹⁹⁴ *Brzoska M.* The economics of arms imports after the end of the cold war // *Defence and Peace Economics*. 2004. Vol. 15(2). P.111-123.

¹⁹⁵ *Taylor I.* China's oil diplomacy in Africa // *International affairs*. 2006. Vol. 82(5). P. 937-959.

¹⁹⁶ *Mariani B., Kirkham E.* China, Africa, and the Arms Trade Treaty. Palgrave Macmillan, Cham. 2018. P. 333-354.

¹⁹⁷ *Large D.* China & the Contradictions of 'Non-interference' in Sudan // *Review of African Political Economy*. 2008. Vol. 35(115). P. 93-106.

weapons sales to the region are considered mainly a means of significant income for the Ukrainian weapons industry, which relies on sales to stay afloat.¹⁹⁸ According to official Ukrainian estimates, weapons sales to Africa accounted for 18% of overall weapons sales in 2010, totaling \$956.7 million.¹⁹⁹ Profitability is considered the incentive in China's instance, given that Sub-Saharan represents a projected 11% of Chinese weapons exported; this is supported by the AAD 2015 arms exhibition, with multiple Chinese weapons industries competing to offer identical items.²⁰⁰ Inadequate military budgets, according to Russian authorities, are the barrier to weapons deliveries to the continent. To address this issue and generate revenue from weapons sales, Russia granted sub-Saharan governments various payment methods for military weapons, such as the option of bartering weapons for raw materials or access to the exploration of natural resources.²⁰¹ However, this is a common practice for most world powers or arms manufacturing nations.

In sum, it is vital to understand what arms State acquire and why, in order to comprehend the possible influence of arms shipments to Sub-Saharan Africa in the context of arms proliferation, as well as combating, improving, and strengthening the legal structure on SALWs flow into the region. Weapons should only be obtained for legitimate security reasons, such as self-defense, maintaining domestic security, or participating in peacekeeping missions. The beneficiary countries' deliberate lack of accountability creates a barrier to a genuine understanding of military requirements as it accounts for the need for SALWs management, plus it makes it challenging to comprehend the motivations for and consequences of SALWs purchase in Sub-Saharan Africa.

¹⁹⁸ *Holtom P., Bromley M., Wezeman P. D., Wezeman S.* International arms transfers // *The Journal of Slavic Military Studies*. 2010. Vol. 23(4). P. 713-716.

¹⁹⁹ *Holtom P., Bromley M., Simmel V.* Measuring international arms transfers. Sweden: SIPRI. 2012. P.1-8.

²⁰⁰ *Ibid.* P. 68.

²⁰¹ *Kemp G.* Arms Sales and Arms Control in the Developing Countries // *The World Today*. 1966. Vol. 22(9). P. 386-395.

1.2 Proliferation of SALWs in Sub-Saharan Africa

It is estimated that SALWs, like other conventional weapons, represent today a significant danger for the development of countries affected by internal or external conflicts, in which the State's authority accompanies human severe rights violations with unjustified use of violence. In addition, the subtle distinctions between commercial and State transfer, military or police equipment, dual-use equipment are all legal and technical "niches" that benefit deliveries that had to be disowned in the first place.²⁰² These discrepancies and the lack of harmonization of control instruments make illicit arms deliveries a component of the arms market, added with the uncontrolled artisanal production of SALW in several corners of the sub-regions. The effects are undoubtedly devastating for people in countries affected by conflict. Whilst Africa has banded together to combat all of humanity's afflictions, interventions to tackle the underlying causes or elements that feed some of these problems have remained a phantom. The spread of SALWs remains a regional issue. According to research, around 690 million SALWs are circulating worldwide. Africa is predicted to have 100 million, with 30 million in Sub-Saharan Africa.²⁰³ The spread of these firearms has harmed sub-Saharan African countries. This is evidenced by the region's regular outbreak of conflicts and crises. The majority of countries in the sub-region have and are dealing with various wars. Civil wars, insurgency, and other forms of violence have and continue to exist due to these conflicts and easy access to weapons.²⁰⁴ There is, nonetheless, a link between the spread of SALWs and conflicts, in their availability, driving the escalation of these

²⁰² *Okai N.* Addressing the Small Arms and Light Weapons (SALW) Problem in Africa // *International Journal of Innovative Research and Development*. 2014. Vol. 3(5). P.215-218.

²⁰³ *Umoh U.E, Akpan O.* Poverty, Greed, and the Proliferation of Small Arms in Africa. Palgrave Macmillan, Cham. 2021. P. 299-321.

²⁰⁴ *Jinadu L.A.* Explaining & managing ethnic conflict in Africa: towards a cultural theory of democracy. Sweden: Department of Peace and Conflict Research, Uppsala University; Nordiska Afrikainstitutet; 2007. P.38

disputes into different types of armed violence. Malam 2014 claims that widespread weapon distribution leads to extreme armed violence, among other difficulties, as seen in Somalia, South Sudan, DRC, Angola, Ethiopia, etc.²⁰⁵

The transfers, availability and misuse of small arms and light weapons have dramatic political, economic, and social consequences. Two types of insecurity can be distinguished in sub-Saharan Africa: military insecurity and civil insecurity, considering that military insecurity inevitably turns into civilian insecurity after conflict. Sub-Saharan Africa experiences chronic political instability due in part to the frequency of bloody coups. About 100 military severe coups and rebellions have occurred across the continent since the independence.²⁰⁶ From 1994 to 2004, 19 coups and mutinies took place in Central Africa. At the same time, United Nations reports are unanimous that small arms circulate disorderly in the sub-region. West Africa is not to be outdone in this series of forceful attacks; more than 20 blows have punctuated the political life region. SALW have increased the intensity and impact of intra-state armed conflicts in sub-Saharan Africa.²⁰⁷ They are responsible for most human losses linked to conflicts, such as civil wars in Ivory Coast, Liberia, or Sierra Leone. These weapons have also played an essential role in the thousands of deaths indirectly linked to the conflict, notably due to forced displacement and the inability to access health services. SALW in the hands of armed groups is “weapons of mass destruction”. Central Africa, for its part, experienced bloody civil wars, notably in Angola, Chad, Republic of Congo, Democratic Republic of Congo, Angola, and Burundi, not to mention the Rwandan genocide of 1994 in East Africa. Apart from the regime’s ferocity, brutal government

²⁰⁵ *Jibrin H., Yandaki U.A.* Civil Wars, Complex Emergencies, and the Proliferation of Small Arms in Africa // Palgrave Macmillan, Cham. 2021. P. 285-298.

²⁰⁶ *Straus S.* Wars do end! Changing patterns of political violence in sub-Saharan Africa // African affairs. 2012. Vol. 111(443). P. 179-201.

²⁰⁷ *Stohl R., Tuttle D.* The challenges of small arms and light weapons in Africa // Conflict trends. 2009. Vol. 2009(1). P. 19-26.

changes usually lead to internal tensions that can translate into a particular form of insecurity.²⁰⁸ In addition, the proliferation of SALW reflects the failure of disarmament policies, and the gun ends up landing among the civilian population and even more within armed groups and militias.

Civil insecurity stems mainly from the robust growth of cities and the ensuing rural exodus, leading to economic insecurity. Small arms are the catalyst for the problem, and they provide a semblance of power to minorities and rebel groups who have chosen to take up arms. The arrival of this type of weaponry has changed the behaviour of specific populations. They have turned the ordinarily harmless inter-community rivalries over the control of resources into real tragedies. In the Sahel-Sahara, cattle thieves, for example, have abandoned their traditional spears and arrows for Kalashnikovs.²⁰⁹ This change allowed them to embark on significant cattle attacks. The possession of such a weapon in poor areas gives cattle rustlers social and political prestige with enormous power. As a principle of self-defence, the villagers also adapt to the armed environment. The use of children as soldiers in conflicts is an abuse attributed to arms trafficking and armed groups.²¹⁰ The massive presence of small arms and their misuse by state and non-state actors have humanitarian consequences at several levels in the states of these sub-regions. Economically, proliferation of SALW and its misuse discourage foreign investment and hamper development prospects. Armed conflicts undermine the hard-earned economic profits of impoverished nations in sub-Saharan Africa. As with economic development, the price to pay in terms of human rights is high. The availability of small arms has dramatic consequences for human rights in

²⁰⁸ *Brahm Felix*. "Guns in Africa." // *African History*, Oxford University Press, 2020. P. 24.

²⁰⁹ *Hardy R.A.* Countering violent extremism in Sub-Saharan Africa: What policy makers need to know // *World Affairs*. 2019. Vol. 182(3). P. 256-272.

²¹⁰ *Forest J.J.* Crime-Terror Interactions in Sub-Saharan Africa // *Studies in Conflict & Terrorism*. 2022. Vol. 45(5-6). P. 368-388.

states. Misused of a single weapon can influence the fate of an individual, a family, or even an entire community.²¹¹ The influx of arms can alter the entire balance of power within a community and lead to the insecurity that destroys the rule of law. With technological advances in the field of weapons, SALWs is increasingly deadly and easier to handle. This means that the very fact that a firearm is used can influence the scale and rate of human rights violations. SALWs, therefore, have a transformative or multiplying effect on coercion and violence.²¹² Thus, introducing such weapons into ethnic, political, or religious conflicts has given rise to mass atrocities in some states in the sub-region under study. Besides the deprivation of the right to life, the prevalence of armed violence affects the exercise of many other rights through forced displacement, numerous cases of rape, restrictions on the freedom to move in the street, use public transport or be associated with group activities.

Since 2014, Africa has made strides toward peace and security, notably through building regional response structures and institutions collaborating with the UN and other organisations. These projects have had results. During the last decade, arms have been suppressed in former hotspots like Angola, Ivory Coast, Liberia, Somalia, and Sierra Leone. According to the Addis Ababa-based Institute for Security Studies (ISS), substantial progress has been achieved in complicated situations such as Somalia and Sudan; peace-building measures across Africa have also contributed to averting any possible flare-ups.²¹³ Conflict still exists in Libya, South Sudan, the Central African Republic (CAR), the eastern Democratic Republic of the Congo, and the Lake Chad Basin region, including Chad and portions of Nigeria, Niger, and Cameroon. Violent

²¹¹ *Bashir M.* Small Arms and Light Weapons Proliferation and its Implication for West African Regional Security // *Journal of Social Sciences*. 2013. P. 14-30.

²¹² *Gerstein N.S., Sanders J.C., McCunn M., Brierley J.K., Gerstein W.H., West S.D., Tawil I., Kraai E.P., Boyd N.H., Bronshteyn Y.S., Torgeson E.L.* The gun violence epidemic: time for perioperative physicians to act // *Journal of cardiothoracic and vascular anaesthesia*. 2018. Vol. 32(3). P. 1097-1100.

²¹³ *Aning K., Salihu N.* The African security predicament // *Routledge*. 2013. P. 21-32.

non-state actors are also a problem in other regions of sub-Saharan Africa. Terrorism and international crime pose additional risks.²¹⁴ Community disputes between farmers and herders for water and pasture, aggressive urban violence, and rural crimes such as cattle rustling are other causes for worry since guns have replaced older and less-lethal weapons. According to Oxfam's 2017 research, "the Human Cost of Uncontrolled Arms in Africa", at least 500,000 people die each year, and millions more are displaced or mistreated due to violent armed conflict.²¹⁵ According to the Small Arms Survey, 80 per cent of weapons in the sub-region are in the hands of civilians, notably youths. An autonomous Geneva-based research centre develops evidence-based, unbiased, and policy-relevant insight into weapons and armed conflict concerns. According to the 2019 SAS and African Union report, *Weapons Compass: Mapping Illicit Small Arms Flows in Africa*, civilians, including rebel factions and militants, are in possession of 40 million SALWs, whereas government-related institutions possess less than 11 million.²¹⁶ The majority of guns in Africa are imported. According to the SIPRI, the official military expenditure of Africa in 2018 was roughly \$40.2 billion, with North Africa expenditure \$22.2 billion and Sub-Saharan Africa spending \$18.8 billion.²¹⁷ Since the 1980s, Somalia has been engulfed in turmoil. The genesis of the dispute can be traced back to political, socio-cultural, and economic issues, the most prominent of which is the battle for few resources among societal clans. Many refugees and Internally Displaced Persons (IDP) have resulted from the country's recurrent conflicts. More troubling is the problem of child hunger in Somalia and the countless lives lost directly

²¹⁴ *Olvera G.M.* Non-state actors and human rights: The case of arms manufacturers // *Amsterdam Law Forum*. 2011. Vol 3(3). P. 114-119.

²¹⁵ *Adeniyi A.* The human cost of uncontrolled arms in Africa. Oxfam. 2017. P.34.

²¹⁶ *Florquin N., Lipott S., Wairagu F.* *Weapons Compass. Mapping Illicit Small Arms Flows in Africa.* Switzerland: Small Arms Survey. 2019. P.100.

²¹⁷ *Tian N., Kuimova A., Da Silva D.L., Wezeman P.D., Wezeman S.T.* Trends in world military expenditure. SIPRI. 2018. P. 18.

or indirectly due to the violent armed conflict.²¹⁸ Since the violence began in the 1980s, over 500,000 people have died, according to Atalay (2019).²¹⁹ Aside from the massive loss of life, many people have been forced to flee the nation. More than 2,6 million people had been displaced as of February 2018.²²⁰ War-torn nations are not usually alone regarding the impacts of the violent armed conflict. The conflict in Somalia has created an insecure environment in East Africa, given a favourable climate to organised crime and terrorist groups such as al-Shabaab. The al-Shabaab is involved in several acts, such as the assaults in Uganda, Kampala in December 2010, which resulted in more than 75 people deaths and several attacks in Kenya.²²¹ While a lengthy conflict has ravaged the East African region, specifically the Horn of Africa, experts have identified links between the fragile structure of the state and the large flow of ammunition and munitions entering the country. Somalia's fragility is intimately linked to the illegal influx of SALWs. The country's abundant supply of weapons exacerbated the war and added to life and property vulnerability.²²² Notwithstanding the UN's weapons sanctions on the conflict-torn country, SALWs continue to flow in via various routes. The nation's opposing forces make these arms and equipment available to violent non-state actors, including opposition groups/gangs. Eritrea was accused of providing guns to Somali opposition parties. Despite the weapons sanctions, the result of the continued supply of weapons into the country is that the weapons trade and transactions are widespread in Somalia.²²³

²¹⁸ *Møller B.* The Somali conflict: The role of external actors. Copenhagen: Danish Institute for International Studies; 2009. P. 34.

²¹⁹ *Oghuvbu E.A.* Arms Trading and Weapons Proliferation in Africa: Implications for Nigeria // *Acta Universitatis Danubius. Relationes Internationales.* 2020. Vol. 13(2). P. 17-29.

²²⁰ *Cazabat C., Yasukawa L.* Unveiling the cost of internal displacement. In IDMC 2020. P.32

²²¹ *Gumbi K.S.* The effect of Somali armed conflict on the East African Sub-Region // *African Journal of Political Science and International Relations.* 2015. Vol. 9(4):115-119.

²²² *Mlambo V.H.* Silencing the guns in Africa beyond 2020: Challenges from a governance and political perspective // *Cogent Social Sciences.* 2021. Vol.7(1). P. 1-18.

²²³ *Wezeman P.D.* Arms flows and the conflict in Somalia. SIPRI Background Paper. 2010. P. 12.

Small arms are the most common type of weapon in the sub-Saharan. They kill more people than explosives like grenades and mines. Whilst AK-47 remains the most lethal instrument, many lawfully purchased firearms in sub-Saharan are siphoned illegally due to lack of accountability and corruption. Government stores are often plundered, and military or police officials can be attacked for their firearms.²²⁴ A large number of weapons moved out of Libya, formerly possessed by the Muammar Gaddafi dictatorship, and have now landed up in the Sahel-Saharan, is cause for alarm. Separatist militants have captured several of this weaponry. While there are countless reasons for this transition, the long-term consequences of the 2011 Libyan Revolt and the 2012 Malian Tuareg Armed struggle are convincing instances of inept government stockpile control, and a complete collapse of armed state security agencies can result in SALWs diversion to unlawful criminal groups.²²⁵ Before the 2011 revolt, Libya's weapons management and regulation policies were characterised by stringent regulation of private arms transfers and the constant procurement of SALWs for state arsenal that considerably surpassed the military capabilities required to support the national army.²²⁶ While Gaddafi's leadership strictly monitored these munitions shipments, the Libyan Revolution contributed to the abandoning of stockpiles, resulting in widespread episodes of weapons stockpile heist by militants and rebel forces. Furthermore, exacerbating an already perilous security situation with an infusion of many deadly weapons, the revolution created a power vacuum wherein Libya swiftly became one of the continent's other very prominent weapons merchants.²²⁷ Whilst a significant proportion of the circulation of SALWs happened in 2012 and 2013, the movement of

²²⁴ *Wezeman P.I.* Arms supply to north and South Sudan. Heinrich-Böll-Stiftung, 2010. P. 62.

²²⁵ *Lecocq B., Klute G.* Tuareg separatism in Mali // *International Journal*. 2013. Vol. 68(3). P. 424-434.

²²⁶ *Guichaoua Y.* Tuareg militancy and the Sahelian shockwaves of the Libyan revolution. In: Cole, Peter and McQuinn, Brian, eds. *The Libyan revolution and its aftermath* // Hurst & Company. 2015. P. 321-335.

²²⁷ *Shaw S.* Fallout in the Sahel: the geographic spread of conflict from Libya to Mali. *Canadian Foreign Policy Journal*. 2013. Vol. 19(2). P. 199-210.

weaponry out of Libya has evident repercussions for neighbouring nations' peace and security, including possible rebellion. The quick spread of Libyan stockpiles into the Sahel-Saharan region was enabled by the sub-region's inadequate security infrastructure, best described by weak border control, paving the way for illicit trafficking routes, and increased demand from burgeoning armed forces non-state organised groups.²²⁸ This is mainly seen in the Libyan Revolt and the Malian war ties. Tuareg warriors defected from the Libyan battle in 2012, joining ethnic Tuareg rebels in Mali, who were armed with better weaponry, to launch a revolt that resulted in conflict with the Malian military forces in the northern provinces.²²⁹ As official power crumbled, these armed factions acquired more sophisticated and conventional weapons from government stockpiles, such as rockets and artillery.

While the number of firearms smuggled from Libya has decreased due to international and regional intervention in 2013 and an upsurge in demand, substantial outflows of SALWs from uncontrolled government stockpiles in Ivory Coast have sustained the conflict in Mali. SALWs are distributed via clandestine and "grey-market" routes (that is, outlets that function with state government awareness and support even when they violate state policy), most commonly via government intelligence agencies and/or commercial enterprises associated with such agencies.²³⁰ Other nations' government personnel were also suspected of trafficking weaponry to associated organisations in other states, either for financial gain or for specific religious or political purposes. For example, authorities in Zaire are said to have purchased vast amounts of firearms from the international market and resold the weapons to UNITA (National

²²⁸ *Abubakar D., Wapmuk S.* Libya: The Proliferation of Small Arms Post-Ghaddafi. Palgrave Macmillan, Cham. 2021. P. 739-759.

²²⁹ *Atallah R.* The Tuareg revolt and the Mali coup // Air & Space Power Journal-Africa and Francophonie. 2013. Vol. 4(1). P. 66-80.

²³⁰ *Kwaja C.* The Context of Small Arms Proliferation in Africa: State Fragility and Management of Armed Violence // Palgrave Macmillan, Cham. 2021. P. 113-131.

Union for the Total Independence of Angola) rebel groups in Angola. Most of the money was laundered to offshore bank accounts of ex-president Mobutu Sese Seko and his affiliates.²³¹ The distribution of firearms from state inventories to political and ethnic groups linked with the governing faction or administration is another sort of grey-market diversion. During the Hutu regime, the Rwandan government provided weapons to government linked Interahamwe groups before the genocide in 1994. The Rwandan military aimed to eliminate any organised Tutsi opposition after the killings commenced, while militias massacred defenceless Tutsis and impartial Hutus.²³² The genocide was allegedly precipitated by the assassination of Rwanda's then-president Juvenal Habyarimana, from Hutu ethnicity, when two surface-to-air missiles shot down his jet. Although there is no unanimity on who committed the crime, president Habyarimana's assassination exacerbated the already-existing ethnic strife between Hutu and Tutsi.²³³ Members of the Military began attacking anyone resistant to Hutu domination, some of whom were Tutsi, after the ex-president's death, which can be seen as some form of retaliation.²³⁴ As a result, there were retaliatory attacks, and the crisis escalated to genocide. During the genocide, almost 800,000 lives were lost.²³⁵ Many of them were orphaned, widowed, aid recipients, and crippled. Finally, the genocide wreaked havoc on society, destroying lives and property. The spread of SALWs and genocide are inextricably related. Enuka contends that the movement of firearms, notably SALWs, was fundamental to the Rwandan Genocide based on this argument.

²³¹ *William D.* Swiss still looking for Mobutu billions, *The Washington Post*. 1997. Electronic resource: <https://www.washingtonpost.com/archive/politics/1997/05/26/swiss-still-looking-for-mobutu-billions/29424241-7a87-4a37-99c3-2c94044b1450/> [Accessed date: 2.07.2021]

²³² *Akresh R.* Armed conflict and schooling: Evidence from the 1994 Rwandan genocide // *World Bank Publications*; 2008. P. 1-38.

²³³ *Melvern L.* Conspiracy to murder: The Rwandan genocide. Verso. 2006. P. 380

²³⁴ *Alvarez A.* Militias and genocide // *War Crimes Genocide & Crimes against Human*. 2006. Vol. 2(2006). P.1-33.

²³⁵ *Prunier G.* Africa's world war: Congo, the Rwandan genocide, and the making of a continental catastrophe. Oxford University Press. 2011. P. 576.

Militia groups and supporters had obtained AK-47 assault rifles, mortars, grenades, and other weaponry prior to the atrocity; case in point, most if not all the weapons used were government/legally purchased. This weaponry was purchased via a combination of cash and in-kind donations. State and non-state actors were amongst suppliers of these weapons: France, China, Greece, Egypt, Poland, Uganda, and South Africa were major countries.²³⁶ The steady flow of SALWs to citizens and militia groups heightened the risk of a war breaking out.

²³⁶ Enuka C. Small Arms Proliferation and Armed Conflicts in Africa: The Case of Rwandan Conflict // *Khazar Journal of Humanities and Social Sciences*. 2012. P. 21-33.

CHAPTER TWO: SALWS DILEMMA IN SUB-SAHARAN AFRICA

2.1 The impact of SALWs on Sub-Saharan Africa

Creation of security dilemma and internal armed race. Since post-independence in sub-Saharan Africa, SALWs has been the main instrument of civil wars. The nature and forms of civil wars in the sub-region explain the predominance of SALWs. Most wars and conflicts are essentially intra-state and bring together regular armies against violent non-state actors such as armed groups, bandits, armed terrorist factions, whom SALWs perfectly match their needs.²³⁷ SALWs availability in large numbers, presence in military and civilian markets, easily affordable, easy to use, maintenance and transport, make it adaptable and perfect to the needs and configuration of the terrain and combat that leads to insecurity in the sub-region.²³⁸ The SALW are not for all intent and purpose the cause of these conflicts, but their presence in economically, socially, and politically fragile sub-Saharan countries, is a factor that accelerates the decay of States, amplification of insecurity, which compromises everything. The continuous existence of arms facilitates the resurgence of internal armed confrontations with a high cost of human life. In Ivory Coast (1999), internal armed groups with the presence of SALWs led to a Coup with the populations live in constant fear (young girls and women were raped); assaults, thefts and armed attacks increased.²³⁹ These situations generated massive displacements of populations fleeing the atrocities of war and looting; the villages were abandoned and fell into ruins.

²³⁷ *Stohl R., Myerscough R.* Sub-Saharan Small Arms: The Damage Continues // *Current History*. 2007. Vol. 106(700). P. 227.

²³⁸ *Ibid.* P. 215-218

²³⁹ *Abdullahi I.* Techniques for combating the proliferation of small arms and light weapons in Sub-Saharan Africa: legal aspects // *South Asian Journal of Marketing & Management Research*. 2015. Vol. 5(1). P. 1-30.

Following independence, about thirty nations in Sub-Saharan Africa or about 65%, had suffered armed conflict. In the past few decades since independence, there has been a gradual build-up of civil conflicts, peaked in the 1990s. The findings present an image of contemporary Africa that challenges some common assumptions among scholars about the prevalence of easy accessibility arms and violent conflict across the sub-continent. Rather than endemic warfare, the trends suggest an increase in large-scale armed conflict sub-region due to easy illicit arms flow, with large areas been destabilized.²⁴⁰ Conflict and other forms of large-scale violence are clearly not over, and the future may hold new outbreaks of significant conflict. Nevertheless, the current trends should be recognized and incorporated into Africa's empirical, theoretical, and policy accounts. The characteristic of the security dilemma and the use of SALWs is the predominance of civilians as victims and the disappearance of distinct areas. Armed groups do not conform to the rules of war defined by international law and do not use weapons only for "military purposes".²⁴¹ Weapons can be used for "illegitimate" purposes such as banditry, hostage-taking, threats to civilian populations, exterminating specific categories of populations, various abuses, etc. Civilians' casualties represent 80% of armed conflicts. Armed violence and the use of arms generates insecurity which has severe repercussions on the life and daily activities of civilian populations. Most armed conflicts are typically fought on the peripheries of states due to military weakness and the continuous upsurge of armed insurgent groups.²⁴² The massive conflicts that embroiled major armed groups against State, such as armed groups capturing a capital or obtain sufficient authority to annex, and held substantial territory: the Biafran

²⁴⁰ *Chelule E.* Proliferation of small arms and light weapons: Challenge to development, peace, and security in Africa // *Journal of Humanities and Social Science.* 2014. Vol. 19(5). P. 80-87.

²⁴¹ *Vines A.* Combating light weapons proliferation in West Africa // *International Affairs.* 2005. Vol. 81(2). P. 341-360.

²⁴² *Gunaratna R.* Terrorism and Small Arms and Light Weapons. New York: In symposium on Terrorism and Disarmament. 2001. Vol. 25. P.4.

separatists in Nigeria, The National Union for the Total Independence of Angola (UNITA) in Angola, Resistência Nacional Moçambicana (RENAMO) in Mozambique, the Tigray People's Liberation Front (TPLF) in Ethiopia, the Eritrean People's Liberation Front (EPLF) in Eritrea, the National Resistance Movement (NRM) in Uganda, and the Rwandan Patriotic Front (RPF) in Rwanda, amongst others, are examples of the sub-region.²⁴³ Al-Shabab controlled territory in Somalia and posed a danger to the Somalian authorities. Rebel troops seized Abidjan in Ivory Coast in April 2011. However, they accomplished it with outside assistance and after Laurent Gbagbo attempted to steal an election while confronting a phalanx of domestic, regional, and international resistance. More characteristic of the twenty-first century is high-level insurgencies from Casamance (Senegal), the Ogaden (Ethiopia), the Caprivi strip (Namibia), northern Uganda (the Lord's Resistance Army), Cabinda (Angola), Nigeria (Boko Haram), Chad and the Central African Republic (various armed groups in the east), Somalia (Al-Shabaab) and South Sudan, as well as the insurgent-bandits in eastern Congo with a variety of armed groups, and northern Mali (Al-Qaeda). Although these armed actors are in many ways capable of claiming terror and disruption peace, well-structured and trained, with access to modern SALWs.²⁴⁴ Several rebel groups have strong transnational characteristics, allowing them to move freely between the sub-region, posing a significant military threat to national and regional authorities.

The change and quality of the Sub-Saharan Africa security dilemma present an analytical puzzle that the existing academic literature does not sufficiently explain. William Reno's cited in "the history of African insurgencies" illustrates the morph from anti-colonial to Marxist-Leninist, to liberalise (Yoweri Museveni's NRM), to warlord

²⁴³ *Krahmann E.* From state to non-state actors: the emergence of security governance. New York: Palgrave Macmillan. 2005. P. 3-19.

²⁴⁴ *Katsina A.M., Mashi M.A., Abdullahi M.* Armed Conflicts, SALWs Proliferation, and Underdevelopment in Africa. Palgrave Macmillan, Cham. 2021. P. 265-283.

(Charles Taylor's NPFL) rebels. His main point is that the paradigms of armed entities mirror the form of political power in the governments.²⁴⁵ Nevertheless, today's armed groups are not merely a reflection of their countries' political might. Most contemporary conflicts are in well-consolidated states, like Senegal, Ethiopia, Nigeria, DRC, Angola, Namibia, Cameroon, Mali, South Sudan, and Chad. The dominant theories of armed conflict emphasise on factors such as easy accessibility to SALWs, failed or fragile states, interstate and interstate armed conflict, and trans-nationalized internal state armed conflict, and inequality.²⁴⁶ These elements account for the upsurge and change in the character of armed groups in sub-Saharan Africa in recent years.

Enhance cross border smuggling and crime. On the African continent, the most important source of illicit arms supply is arguably cross-border land trafficking. Those involved in this trafficking proceed by various methods, ranging from organizing convoys exclusively composed of weapons and ammunition in large quantities to what is called "ant trafficking".²⁴⁷ The latter generally refers to small-scale illegal cross-border transfers, often less than a dozen weapons each pass. These multiple cumulative transfers represent significant volumes and can fuel crime and conflict. Smuggled weapons come from various sources and types; some have circulated in the region, while others have been smuggled in from other parts of the world. These flows are composed of weapons inherited from previous conflicts but also recently diverted state weapons.²⁴⁸ The looting of Libyan national arm stocks, for example, gave rise to many outflows after 2011. For example, elsewhere, authorized transfers can very easily be diverted to the benefit of belligerent actors through "ant trafficking", as evidenced by the flow of

²⁴⁵ *Reno W.* Warlord politics and African states. Lynne Rienner. 1998. P. 257.

²⁴⁶ *Reno W.* Insurgent movements in Africa // Routledge. 2012. P. 165-179.

²⁴⁷ *Manani J.N.* Regional Economic Communities and Transnational Crimes: The Case of Hum Communityan Trafficking in the East Africa. Doctoral dissertation, University of Nairobi. 2018. P. 95.

²⁴⁸ *Florquin N., Lipott S., Wairagu F.* Weapons Compass. Mapping Illicit Small Arms Flows in Africa. Small Arms Survey. 2019. P. 96.

shotgun ammunition circulated in 2014 between Cameroon and the Central African Republic (CAR).²⁴⁹ Ghana, Guinea, Liberia, and Nigeria are countries with local artisan weapons producers with easily convertible or converted dummy weapons to smuggle. Finally, some states have highlighted a new trend: trafficking in parts and components of firearms that traffickers can easily conceal in vehicles, motorcycles, via herders or among other goods.²⁵⁰ Cross-border arms trafficking to conflict-affected areas is usually carried out by sophisticated organizations or networks. In West Africa, these actors are primarily armed groups, gangs, local arm artisans, corrupt security agents or returning peacekeepers. In the Lake Chad region, arms traffickers are most often drug traffickers, illegal traders, or terrorist groups. In East Africa, Zimbabwe has claimed that poaching networks are also involved in arms trafficking, whilst Southern Africa is more notable for gangs, corrupt security, and mercenaries.

On the other hand, “ant trafficking” can mobilize much more diverse actors, particularly members of local border communities. The ethnic ties that unite pastoralists on both sides of the borders facilitate cross-border trafficking: the Turkana of Kenya, the Ugandan Dodoth, and the Toposa of South Sudan have all been involved in cross-border trafficking - including AK-type rifles and HK G3 - to procure weapons to protect their livestock.²⁵¹ Research carried out in the pastoral areas of northern Kenya, Somaliland (Somalia), eastern Equatoria (South Sudan), and the Karamoja region (in southwestern Uganda) has made it possible to estimate the number of members of those communities who acquired firearms to protect themselves. These pastoralists lead nomadic lives searching for water and pasture for their herds, which can give rise to

²⁴⁹ Wood B., Danssaert P. Africa Armed Violence, and the Illicit Arms Trade. In Gun Trafficking and Violence. Palgrave Macmillan Cham. 2021. P. 189-238.

²⁵⁰ Ibid 2021. P. 41-68.

²⁵¹ The Guardian. “Africa’s Arms Dump”: Following the Trails of Bullets in Sudan. 2014. Electronic resource: <https://www.theguardian.com/world/2014/oct/02/-sp-africa-arms-dump-south-sudan> [Accessed date: 13.05.2021]

disputes when they encroach on rival tribes or farmland territory, like the case in Nigeria. As modern firearms are increasingly readily available in these areas, these disputes frequently escalate into armed violence. Once armed, some members of these communities are also more willing to engage in armed robberies and cattle rustling, which exacerbates the sense of local insecurity and, by extension, increase the local demand for firearms and crime.²⁵² The fight against this “ant trafficking” is a complicated exercise. It must necessarily go through a dialogue with local communities and their leaders to guarantee their security and enable them to meet their needs in a legal manner.

Particularly in sub-Saharan Africa, where boundaries were formed without considering local communities, paving the way for elements that enabled border smuggling. Because ethnic and economic ties existed in many situations before the installation of boundaries, local communities frequently developed formal and informal collaboration in various sectors without considering the restrictions imposed by the presence of the political boundary.²⁵³ Furthermore, under challenging situations, small-scale smuggling is viewed as a method of livelihood for local communities. Local criminal trafficking becomes accepted as part of unofficial cross-border commerce. This clarifies why local populations are reluctant to collaborate with law enforcement agencies to battle against cross-border crime.²⁵⁴ The atmosphere for normalcy is often reinforced by the level of corruption, flexibility and the reluctant nature of the border control personnel or relevant security agencies. Nomadic and pastoral inhabitants in Kenya's, Sudan's, and Uganda's border areas are involved in the illegal weapons trade.

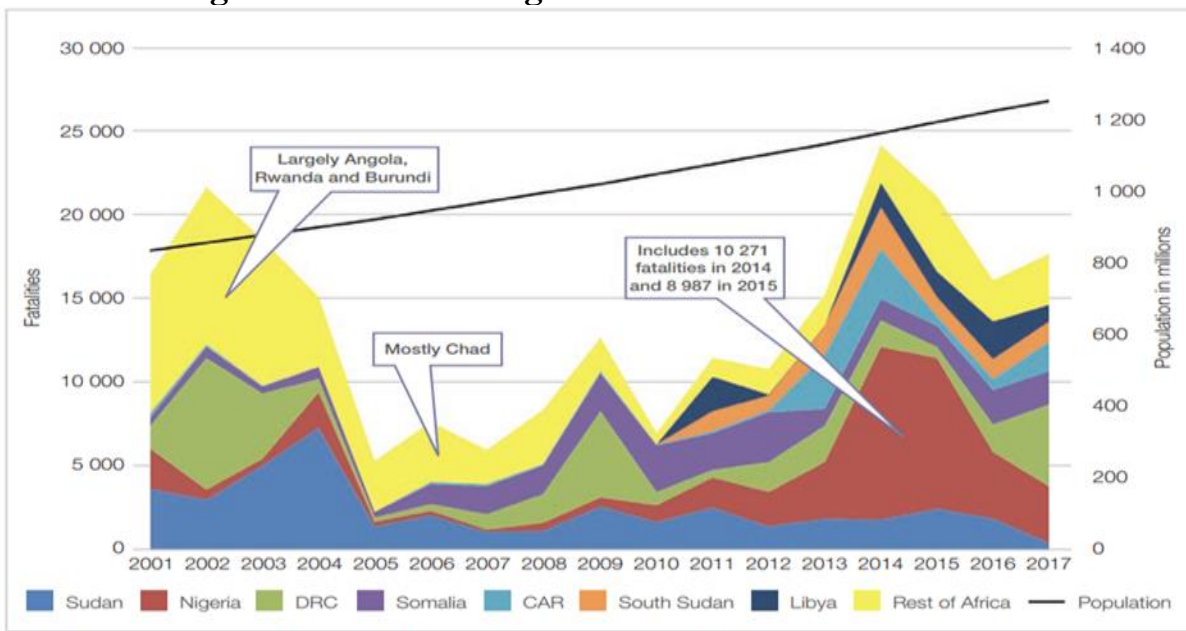
²⁵² *Wepundi M.* Evolving traditional practices: managing small arms in the Horn of Africa and Karamoja Cluster // Small Arms Survey. 2014. №3 P.1-15.

²⁵³ *Faltas S.* Controlling small arms: practical lessons in civilian disarmament and anti-trafficking. BICC Knowledge Notes. Bonn: Bonn International Centre for Conversion (BICC). 2018. Electronic resource: <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-63022-9> [Accessed date: 13.05.2021]

²⁵⁴ *Kartas M., Arbia A.* Curbing Small Arms and Light Weapons Trafficking, and Increasing Border Security. Small Arms Survey. 2015. P. 5.

Within the border triangle of the three nations, the Toposa of Sudan, the Karimojong, and the Turkana, for example, engage in the weapons and livestock markets. Chadian armed groups keep guns and ammo stores in caverns near the Tibesti area on the Nigerian, Chadian, and Niger border. These firearms are mainly supplied on camels to communities on the Niger-Nigeria border, where Nigerians and other possible customers can illegally acquire them. The cooperation of "tribe brothers" on the opposite side of the two frontiers aid the operations of smugglers and Chadian insurgents (Kingum, Betti, Zinder, Diffa, Sibdou and Kazawe, in the Republic of Niger and Mallam Fatori, Maigatari and Nguru in Nigeria).²⁵⁵

Fig 1: Fatalities through armed conflict from 2001 to 2017



Source: UCDP Georeferenced Event Dataset Global Edition version 18.1, population from UNDP In IFs v 7.34.

Source: Institute for Security Studies. Violence in Africa: trends, drivers, and prospects to 2023. 2018. Electronic resource: <https://issafrica.s3.amazonaws.com/site/uploads/ar-12-v1.pdf> [Accessed: 20.06.2022].

Local actors typically engage in small-scale arms trafficking alongside their core business, such as illegal smuggling of goods and services. But sometimes, to keep a low

²⁵⁵ Mangan F., Nowak M. The West Africa-Sahel Connection: Mapping Cross-border Arms Trafficking. Small Arms Survey. 2019. P.23.

profile, crime syndicates contract out the transport of arms and drugs to local actors. In the sub-Saharan region, due to the conflicts that broke out in Mali and Libya and the proliferation of armed groups that followed in border areas, traditional trade routes became militarized and criminalized under the control of powerful armed actors.²⁵⁶ According to study participants, civilians, including migrants and refugees, sometimes act as “mules” for arms traffickers. Uganda, for example, has reported the involvement of women involved in arms trafficking. In 2014, a woman accompanied by her child attempted to smuggle shotgun ammunition from Cameroon to CAR. This ammunition intended for an anti-balaka militia was concealed in an onion bag.²⁵⁷ The traffickers use various means of transport as well as motorcycle taxis (known as “boda-bodas” in Uganda) as well as personal vehicles, trucks or small boats, animals (nomadic herders). For example, arms and ammunition were transported between Burundi and DRC in cars and boats along the Ruzizi River or across Lake Tanganyika. Sometimes disassembled weapons are concealed in secret compartments in vehicles or other contraband goods such as washing machines or car wrecks.²⁵⁸

The routes taken by these traffickers are often traditional trade routes through which different goods pass from one country to another. Sometimes contraband weapons are sold in open-air markets near geographic areas where demand is high. For example, near gold deposits mined by artisanal miners who fear for their safety or used to increase insecurity, diverting the locals’ awareness of such natural resources like gold,

²⁵⁶ *Cocodia J.* Mali: The Ecology of Insurgency, Terrorism and Small Arms Proliferation. Palgrave Macmillan Cham, 2021. P. 761-776.

²⁵⁷ *Gabriel A.O.* Civil War in the Central African Republic from 2012-2016: A Historical Perspective of Foreign and African Interventions // *The International Journal of Multidisciplinary Educational Research*. 2020. Vol. 1(2). P. 13-29.

²⁵⁸ *Marks J., Mash A.* Border in name only: arms trafficking and armed groups at the DRC-Sudan border. Geneva: Small Arms Survey; 2007. P. 43.

as the case in Zamfara State, Nigeria.²⁵⁹ Without effectively monitoring movements near their most extensive borders, states find it very difficult to combat this trafficking and crimes. When national authorities or international actors oppose illicit activities on significant smuggling routes, traffickers and black-market traders take less travelled and often less secure roads across borders. To do this, these actors arm themselves more, thus causing a “militarization” of their activities.²⁶⁰ Considering scant emphasis, cross-border supervision is an integral part of national and regional aim to combat the unregulated spread of SALW. Borders are the most noticeable boundary line of a sovereignty nation over a territory, supervision, and participation in the safeguard of its inhabitants against security challenges such as: armed groups (terrorists, rebels etc.), and multi-faceted smuggling (human and drugs trafficking, raw materials and SALW), even though their significance is often brought into validation by certain advancements (such as globalization, environmental and technological advancements).²⁶¹ The unlawful smuggling of SALW across borders has its unique dynamics, which must be considered in any solution. There is a continuous connection between arms traffickers and other forms of international criminal groups, such as commodity and human trafficking organizations. Traffickers mostly use secret shipping and network routes. Furthermore, cross-border inhabitants with ethnic and socioeconomic links on both sides enhance and encourage small-scale SALWs trade.²⁶² A significant element of illegal SALW trafficking across borders is "ant trafficking", in which weaponry is moved from one nation to another in tiny amounts but frequently.

²⁵⁹ *Obia C.* Combating Rising Insecurity Challenges in Nigeria: An Alternative Approach. *Asian Journal of Multidisciplinary Studies*. 2020. Vol.8. P. 36-43.

²⁶⁰ *Tubiana J., Gramizzi C.* Tubu trouble: state and statelessness in the Chad-Sudan-Libya triangle, *Small Arms Survey's Human Security // Institute of International and Development Studies* 2017. P. 75-100.

²⁶¹ *Forest J.J.* Crime-Terror Interactions in Sub-Saharan Africa. *Studies in Conflict & Terrorism*. 2022. Vol. 45(5-6). P. 368-88.

²⁶² *Adeyemo D.D.* Combating forced displacement in sub-Saharan Africa: rethinking Africa's position on illegal trafficking in firearms // *Department of Public and International Law*. 2018. Vol. IV (1). P. 146-168.

Dislocation of societal cohesion. Armed conflict has a particularly negative influence on the social atmosphere. Arms possession and usage and the escalation of armed turmoil and security instability frequently result in population and community disintegration, breaking linkages and structures of cooperation and protection. The deprivation of individuals impacted by the destruction of their livelihoods due to land loss and forced migration from rural to urban regions, which typically serve as a deterrent to abject poverty in underdeveloped nations, is exacerbated by the degradation of mutual assistance and community ties. One of the repercussions of unregulated arms and armed groups is the erosion of state authority and security, previously supported by the communal fabric.²⁶³ Susceptible to abductions and sexual assault due to displacement, women and children are the two groups of people affected by the loss of community protection. This form of warfare is defined by the forced or voluntary enrolment of minors in armed groups. Children can effortlessly utilize firearms, making it easy to involve them in arms conflict, notably because they are easily "exploited".²⁶⁴ Women are exposed to rape and domestic violence in conflict raging states, as arms play a dominant role in their subjection and subjugation, as in the case of South Sudan. According to Amnesty International research, armed groups disproportionately harm women, despite men making up most actual victims. Women seldom acquire, possess, or use firearms. Rape and violent abuse of women restrict women's mobility, activities, opportunities, and authority. Women are regularly tasked with gathering firewood or obtaining water outside the community, which is risky due to armed conflict.²⁶⁵ The existence of arms and violent culture defined as continuous armed conflict has established a distinct rationale on interpersonal relationships and societal norms.

²⁶³ *Katsina A.M., Mashi M.A. Abdullahi M.* Armed Conflicts, SALWs Proliferation, and Underdevelopment in Africa. Palgrave Macmillan, Cham. 2021. P. 265-283.

²⁶⁴ *Mogire E.* Victims as security threats: Refugee impact on host state security in Africa. London: Routledge. 2011. P. 228.

²⁶⁵ *Ibid* 2017. P. 34.

The plethora of armed races, continuous criminal activities as part of daily life, and the existence of child soldiers are manifestations of the deteriorating societal cohesion and conventional cultural structures due to the existence and use of SALWs. The social order is threatened by empowering organized armed criminals who do not feel constrained by conventional laws and values. This degradation is characterized by the disarray in the structures and methods of security agencies.²⁶⁶ Traditional methods and processes for managing and resolving intra-community disputes, which had historically proven effective, have become ineffective due to the justification of easy access to arms. According to the Armed Violence and Poverty Initiative report, mediators are harassed or pushed out by armed groups seeking to exercise authority over the communities in response.²⁶⁷ The employment of firearms in inter-communal disputes has also proven to be devastating confrontations formerly defined by local weapons are now replaced with lethal weapons with stronger potency. Ironically, conflicts and armed violence might have a "liberatory" impact concerning restrictive institutions that deny some social groups economic possibilities. As a result, many children are enlisted in armed groups because they provide children with possible living standards and protection that they would not have had otherwise. As a result, violence becomes the way life in order to endure the harsh reality of a conflict engulfed region; the lack of education, economic possibilities, with no alternative options, pushes young teenagers to join armed groups.²⁶⁸ More broadly, people involved in armed violence "way of life" end-up gaining access to social/political positions that were previously

²⁶⁶ *Adetiba T.C.* Socio-political and economic development under threat: the proliferation of small arms and light weapons in Nigeria // *Greener Journal of Social Sciences*. 2012. Vol. 2(5). P. 179-89.

²⁶⁷ *Cliffe L.* Armed violence and poverty in Somalia: a case study for the Armed Violence and Poverty Initiative. Centre of International Cooperation and Security, Department of Peace Studies, University of Bradford, 2005. P. 30.

²⁶⁸ *Sigei E.C.* Influence of Small Arms and Light Weapons on Human Security (Doctoral dissertation, Influence of Small Arms and Light Weapons on Human Security) 2017. P.80.

denied to them, with the norms controlling social interactions, especially in questions of social or gender order, serving as grounds of inequity and dissatisfaction. As Béatrice Pouligny points out, the presence of arms has enabled people to unlock different channels of camaraderie, new social constructs, new survival tactics, and new profoundly internalized relationship paradigms.²⁶⁹ Addressing arms culture would be far more challenging if individuals perceive the social structure as repressive, antiquated, and provides little to no chances for survival. Violent conflict has formed new societal norms and narratives that have obstructed the restoration of peace and development in the sub-region, especially in states where violence has lasted for several decades.

Erosion of States capacity to govern. From 1950s till date, there were 200 attempted coups, with 100 successful coup attempts in Sub-Sahara, an estimate of 4 per year. Sometime around 2018, this percentage decreased as most sub-Saharan countries embraced democracy. SALWs are the primary tools used during these events with devastating effects on civilians.²⁷⁰ Most armed groups do not require considerable training or operating expertise, as most arms are simple to operate for non-military personnel.

²⁶⁹ Pouligny B. Civil society and post-conflict peacebuilding: Ambiguities of international programmes aimed at building ‘new’ societies. *Security dialogue*. 2005. Vol. 36(4). P. 495-510.

²⁷⁰ Auwal A, Aluaigba M. T. *Civil Society and Arms Control in Africa*. Palgrave Macmillan Cham. 2021. P. 501-515.

Fig 2: Military coups in sub-Saharan Africa from 1950-2019

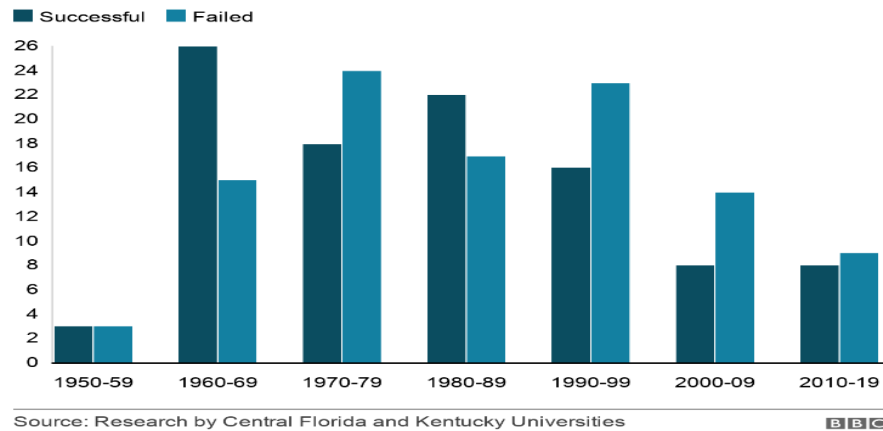
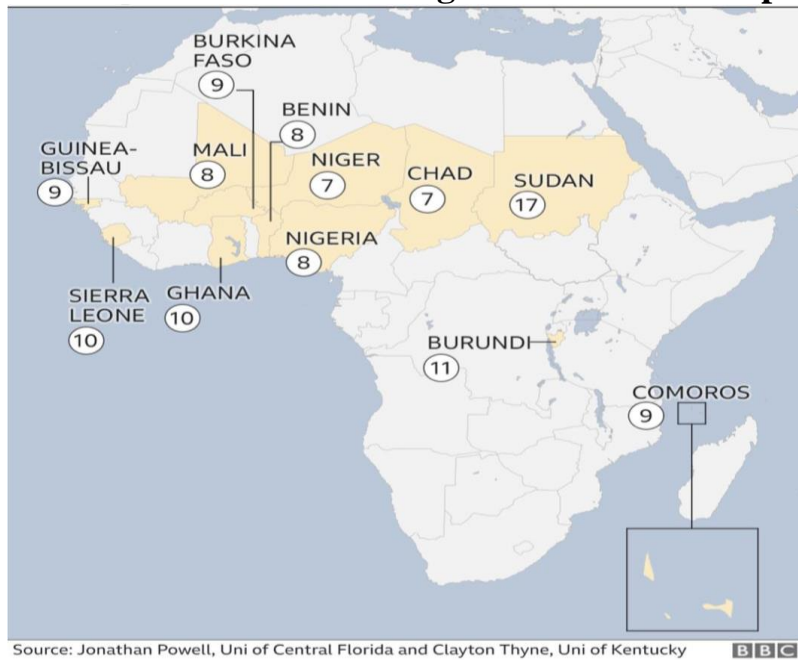


Fig 3: Countries in Africa with the highest number of coups since 1950



Source: BBC News, Guinea coup: Are military takeovers on the rise in Africa?. 2022. Electronic resource: <https://www.bbc.com/news/world-africa-46783600> [Accessed: 20.06.2022].

Significant portions of the undeveloped nations are inundated with SALWs, most of which can be tracked directly to the Security Council's permanent members. Nonetheless, these arms play a significant and massive part in internal conflicts in the

sub-region.²⁷¹ The national and regional community are cognizant that the spread of these arms poses a danger to sub-Saharan peace and security and leads to heinous crimes against humanity. Following the conclusion of the Cold War, substantial quantities of SALWs found their way into international arms and illicit markets. The annual cost of SALWs is believed to be in the billions of dollars. The export volume of SALWs is estimated at billions of dollars per year, but illegal shipments vary and even double the estimate of legally exported arms.²⁷² For the developed nations, arms are a significant part of the economy, and these shipments are frequently controlled by commercial entities, individual weapons dealers/mercenaries, and black marketeers. Currently, sub-Saharan governments have lost much authority over the sales and flow of SALWs. An increasing number of sub-Saharan governments have failed to enforce law and order or provide any form of security, paving opportunities for armed political rivals profiting from illegal SALW supplies, insurgence and other forms of organised armed groups forcing civilians to purchase illegal arms for self-defence. SALWs have grown over-abundant on the continent. Although during Cold War, acquisitions were used mainly to acquire army bases, land entitlements, natural resources, including territories.²⁷³ Furthermore, the Tuaregs and other nomads in the Sahara are known for carrying "traditional weapons" but have rapidly been supplanted by highly modern weaponry.

Although it is hard to trace the whole illicit market, arms movements can be identified. Arms are frequently transferred from places where conflicts have subsided to regions of rising tension. Following the end of the dispute in Mozambique and Namibia, arms have flowed to other Southern African countries. Because the sub-region is

²⁷¹ *Ndawana E., Hove M., Ghuliku S.D.* Tanzania: Small Arms Proliferation in East Africa and National Security. *Conflict Studies Quarterly*. 2018. Issue 23. P. 48-77.

²⁷² *Wapmuk S.* Sierra Leone: Civil War, Democratic Collapse and Small Arms Proliferation. Palgrave Macmillan Cham. 2021. P. 847-862.

²⁷³ *Ettang D.* Africa and the global trade in illicit small arms and light weapons. Routledge. 2013. 9. 231-240.

overrun with firearms, costs are so cheap that an AK 47 can be purchased for less than \$10 or in exchange for livestock.²⁷⁴ The ease with which arms may be obtained contributes to systemic violence, undermining governmental authority and leading to violent rebellion and a rise in different armed races. Civilians arming themselves due to the government's inability to provide an adequate level of protection generates a destructive loop, creating an auto defence condition. A perplexing element is the lack of defined and widely acknowledged standards governing the movement of SALWs to conflict-affected countries. When violence erupted in Rwanda, Belgium halted arms supplies, while France, Egypt, and South Africa increased supplies favouring the Hutu administration.²⁷⁵ The spread of illegal weapons was viewed as a significant danger to national and regional stability and a shared concern for governments. The likelihood that Mali, Senegal, Ivory Coast, Chad, and Burkina Faso are viewed as intersections for the unlawful movement of arms to neighbouring and other nations in the area has made security agencies in these nations feel slightly vulnerable.²⁷⁶ The dilemma of illicit arms influx into sub-Saharan is shaped by a myriad of elements such as: the political situation in counties of the sub-region, weak borders with nations that thrive with unlawful weapons trade, inadequate regulation of arms in the society, and the presence of traditional arms as a way of life in some states. This is exacerbated by poverty-related crime due to a poor economic atmosphere, while central authorities wilt due to incompetent leadership and lack of resources.²⁷⁷ Finally, security agencies charged with maintaining law and order are frequently unpaid for months, creating illegal activities to make ends meet. On major roadways, “toll-collection”, exploitation of the populace,

²⁷⁴ *Strauss M.* Tropical Africa and Generation Kalashnikov: The AK47's role in Shaping an African Identity (Doctoral dissertation, University of Toledo) 2011. P. 121.

²⁷⁵ *Ibid* 2011. P. 576.

²⁷⁶ *Osman A.A.* Explaining internal wars in Sub-Saharan Africa: The role of governance. Wayne State University; 2003. P. 310.

²⁷⁷ *Efrat A.* Toward internationally regulated goods: controlling the trade in small arms and light weapons // International Organization. 2010. Vol. 64(1). P. 97-131.

and troops trading their guns and ammunition on the black market are all examples. As a result, individuals purchase firearms to defend themselves by taking the law into their own hands. In various degrees, these occurrences are becoming more frequent in most countries in the sub-region.

The Problem of widespread armed violence. The cause is effect, there is a strict correlation between the volume of arms in State and political, socio-economic problems, with a blend of internal and external determinants that affects the abuse of weapons, initiating institutionalisation of armed turbulence (criminal or conflict). The distinction between violent conflicts and armed crime is still hazy: all confrontations are marked by the emergence of armed violent acts.²⁷⁸ The criminality of a society in war frequently supersedes over conflict's fundamental goals. For example, Boko Haram in Nigeria started based on an ideological perspective against western education, then changed its methods and initiative to accommodate other forms of organised crimes for sustenance and maintenance of the group. However, there is a shift from an ideological stand to a pile of conflict and profit.²⁷⁹ The situation is similar in other sub-Sahara regions with the trade-in diamonds, petroleum, and other forms of precious resources. On the one hand, natural resource control is no longer necessary to pay the expense of violent conflict but has become the object of the conflict itself. Arms are the primary means of control for agents who organise the illicit extraction of natural and mineral resources, such as diamonds in Liberia, Angola and the Democratic Republic of Congo's precious metals or timber. As a result, the environment suffers a high cost due to SALWs proliferation.²⁸⁰ Due to the permeability of boundaries, the inadequacy, if not outright

²⁷⁸ *Nte N.D.* The changing patterns of small and light weapons (SALW) proliferation and the challenges of national security in Nigeria // *Global Journal of Africa Studies*. 2011. Vol. 1(1). P. 5-23.

²⁷⁹ *Sambo U., Damaturu N., Sule B., Deribe A.U., Ahmed A.* The Impact of Small Arms and Light Weapons (SALW) in the Proliferation of Armed Group Conflicts in Northeastern Nigeria: Interrogating the Boko Haram Phenomenon // *Arts and Social Sciences*. 2020. Vol. 6(4). P. 151-161.

²⁸⁰ *Alao A.* Natural resources and conflict in Africa: the tragedy of endowment. University Rochester Press. 2007. P. 376.

inconsistencies of national controls, and the widespread accessibility of SALWs in one State is frequently a source to arm violence in adjacent States. Consequently, it is a common feature in sub-Saharan Africa even though exacerbated by the nation's economic woes, but firearms also exacerbate it in adjacent nations and the ease with which armaments are trafficked between states.

The combined vulnerabilities of governments in an area (armed conflicts or post-conflict circumstances, armed crime, lax regulations, and laws, etc.) create an environment favourable to the growth of persistent SALWs trafficking in the sub-region. Large-scale weapons trafficking in sub-Sahara resulted from the convergence of many variables that, when combined, created a perfect climate for weapons smuggling. Large territorial borders are difficult to regulate and manage, making it easy to facilitate arms smuggling.²⁸¹ The political and socio-economic situation in the sub-region, coupled with weak legislation, laws, and security capacities and easy access to government stockpiles due to numerous conflicts and other forms of insecurity, are sources of SALWs availability. When an enormous supply of weapons meets a high demand, a "recycling phenomenon" occurs, in which weapons are passed from one nation to another or from armed organisations to other armed groups as demanded. Because, in a challenging economic situation with limited livelihood possibilities, firearms become sources of revenue after a battle.²⁸² The smuggling structures that arose during the conflict tend to persist, replicate, and disseminate long-term insecurity and instability.

Decline in economic activities. The climate of insecurity and violence maintained by the peril and persistent presence of SALWs can influence economic activities (demand, supply and availability of goods and services). In Sierra Leone, a

²⁸¹ *Chelule E.* Proliferation of small arms and light weapons: Challenge to development, peace, and security in Africa. *Journal of Humanities and Social Science.* 2014. Vol 1. 9(5). P. 80-87.

²⁸² *Ibid* 2014. Vol 3(5). P. 215-218.

drop in economic performance is closely linked to eras of armed violence and certain conflict occurrences, such as the Revolutionary United Front's (RUF) capture of landmines or the assault of Freetown. Deterioration of transportation or manufacturing facilities and insecurity in transportation owing to illegal barricades, banditry, piracy, or assaults on convoys raise transportation and commodities charges and impede economic activity, particularly in difficult-to-access locations.²⁸³ Armed actors' strategies have a significant impact on economic activity and livelihoods. During the RUF invasion of Freetown in Sierra Leone, this situation prevented both persons and farmers from obtaining different goods and services. This destabilization had long-term consequences since, as the UNDP study points out, if facilities (roads, bridges, etc.) are destroyed, it also jeopardizes or delays future rehabilitation. According to the World Bank, a civil war decreases the country's economic growth rate by 2.2% per year.²⁸⁴ The environment of uncertainty and insecurity also harms communities' willingness to invest in economic enterprises due to the danger of SALWs. For instance, Sierra Leone, Somalia, Angola, South Sudan and Mozambique have witnessed a significant drop in GDP due to the recession of value-added agricultural goods, demonstrating the challenge of maintaining economic activity in times of crisis conflict or extreme societal violence.²⁸⁵ Many examples also show the effects of SALWs proliferation on nomadic and sedentary populations' output and activity due to difficulty accessing essential supplies, a massive increase in the price of commodities, and issues with livestock rustling and poaching. During the fighting in South Sudan (Bahr-el-Ghazal), 40% of families lost their cattle. Agricultural production raiding, equipment damage, and agricultural facility ruin, both

²⁸³ *Sa'ad S., Idakwoji B.* Economics of Armed Violence in Africa: Supply and Demand Sides of Small Arms and Light Weapons Proliferation. Palgrave Macmillan, Cham. 2021. P. 627-645.

²⁸⁴ *Tedheke M.E.* The Political Economy of Small Arms and Light Weapons Proliferations in Africa. Palgrave Macmillan, Cham. 2021. P. 69-94.

²⁸⁵ *Katsina A.M., Mashi M.A., Abdullahi M.* Armed Conflicts, SALWs Proliferation, and Underdevelopment in Africa. Palgrave Macmillan, Cham. 2021. P. 265-283.

by rebel groups and troops, hamper agricultural activity in Sierra Leone and Nigeria, prompting the desertion of property and farmland and relocation to safer regions.²⁸⁶ As a result of turmoil and armed conflict, livelihoods are lost, with serious repercussions such as poverty and food security. Insecurity is the primary factor for the under-exploitation of vast tracts of productive farmland in Somalia. This condition directly impacts the food security of the impoverished in developing nations, where farming is the primary economic drive and formal commerce. Rice output in Sierra Leone dropped to 20% pre-war due to the relocation of farmers during the civil war. The abandoning of huge farms in Nigeria's Benue area, regarded as the "food basket" of the country, has created a severe food security crisis.²⁸⁷

In sum, the remoteness and complexity terrain, or connection to the local inhabitants, border regions are sanctuaries for armed criminal groups and international traffickers. Furthermore, appropriate border supervisors that allow for the reduction of illegal SALWs smuggling necessitates, first and foremost, a comprehension of the factors and elements that influence border regions in terms of arms demand and supply, as well as the frequency and pattern of smuggling among nearby nations. Numerous specific problems must be solved at various stages to improve the efficacy to battle illegal circulation of SALW within the scope of border management (national, regional, and international). Firstly, the unlawful SALW spread must be recognized as a different problem in forming and executing efficient border control measures. While it reacts to unique dynamics, mechanisms should be integrated into more effective border-control measures, corresponding to the factors emanating from the borders. Secondly, border control must be conducted effectively by defining the roles of the relevant security

²⁸⁶ *Katsina A.M., Mashi M.A., Abdullahi M.* Armed Conflicts, SALWs Proliferation, and Underdevelopment in Africa. Palgrave Macmillan, Cham. 2021. Vol. 13(4). P. 417-447.

²⁸⁷ *Mohammed N.A.* Economic implications of civil wars in Sub-Saharan Africa and the economic policies necessary for the successful transition to peace // *Journal of African Economies*. 1999. Vol. 8(1). P. 107-148.

agencies (border guards, customs agents, and other security institutions), including humanitarian and technological requirements considering local circumstances. Well-coordinated and vigilant border patrol must be included. Certain aspects of border control must be complemented with proactive measures, such as national law, intelligence, and logistics agencies, to detect and identify traffickers and organism criminal syndicates.

2.2 Strategic involvement of external influence in the supply of SALW

The quest for remedies to Africa's leadership difficulties is often hampered by geopolitical paradigms that weaken instead of strengthening African institutions. "Failed states" and "weak states" are just a few instances of such creations, as are "arcs of instability" and "terrorism". Frameworks help in redistributing or evading responsibility for geopolitical efficiency, in addition to disguising the realities of Africa's leadership issues. As a result, a few of these concepts "are now concurrent and widespread since they serve numerous States and international entities who evade accountability for the economic and geopolitical activities within certain areas," assert Clionadh Raleigh and Catriona Dowd.²⁸⁸ Often, what participants refer to as "unregulated spaces" is linked to wars, and the spread of small arms and light weapons (SALWs) throughout the continent is a geopolitical phenomenon with little or no understanding. The weakness of African institutions makes it impossible to control the flow of arms. This situation leads to the development of the informal circuit. These weapons are thus identified in the most devastating areas of the continent, even in some cases in countries under embargo. Although the actions differ from the commitments made by States in terms of transparency in their acquisition of arms, the United Nations continues to create control mechanisms on the arms trade: the 1991 Conventional Arms

²⁸⁸ *Dan Suleiman M., Onapajo H., Mustapha A.B.* External Influence, Failed States, Ungoverned Spaces and Small Arms Proliferation in Africa // Palgrave Macmillan, Cham. 2021. P. 161-185.

Register (transparency in international arms transfers), the Wassenaar Arrangement of 1995 (control of exports of conventional arms and dual-use material) or the Arms Trade Treaty of 2012 (regulation of arms transfers and exports).²⁸⁹

Documentation from investigations and prosecutions concerning illicit SALWs shipments to states and non-state actors in Sub-Saharan Africa from 2006 to 2010 suggests a reference point, albeit with limits, for estimating illegal weapons flows into the region. Depending on an assessment of state officials and press reportage on the internet, fourteen incidents have been found (see Table 4). Prosecutions were terminated once accusations were proven untrue or unsubstantiated in three situations (1, 5, and 8). Massive weapons were discovered in incidents 10, 11, 12, and 14. In most scenarios, firearms could be successfully delivered to clients, whilst arms are usually confiscated and intercepted before or during shipment by security agents. Due to the complex nature to access data, especially in situations featuring small volumes of weapons or the involvement of unofficial State (military) accusations, the document's accessibility is difficult to judge. Furthermore, charges of unlawful international SALWs shipments may not result in legal action or may never be investigated. France, for instance, a prosecution involving criminal acts regarding arms shipments to Angola from 1993 to 1998 resulted in sentences only in 2010. An example is the direct re-export of 77 T-72 tanks to South Sudan delivered to Kenya in 2007–2008 from Ukraine. Although Ukrainian officials have claimed that Ukraine did not authorize the re-shipment and that Kenya had accepted an end-user certification preventing re-export, the situation was never legally investigated. After breaching the UN export ban, the instances demonstrate that no agreement was reached on the situation. Transactions comparable to those listed in table 4.2 can occur without being deemed a crime. For instance, a British broker with unlawful practice of large shipment of SALWs (case 14) without approval from the

²⁸⁹ *Tan A.T.* Understanding the arms trade. In *Research Handbook on the Arms Trade*. Edward Elgar Publishing, 2020 Dec 15. P. 442.

British government; however, there was no evidence that the shipment was illegal from the importing country (Nigeria) or the manufacturing country. Many small arms were purchased, according to the Nigerian Police, because the Nigerian government believed that the security agencies (Police) needed appropriate weapons to tackle the problems of election in 2007. The allegations in the next most major case 11 had nothing to do with the armaments' alleged desired location (Gambia). The allegations focused on firearms entering Nigeria without Nigerian authorization and under fake declarations of merchandise.²⁹⁰

Table 3: Investigated and prosecuted cases of illicit exportation of SALWs to sub-Saharan Africa

	Investigating countries	start	Case description
1	France	2008	An arranged shipment by a French company to supply several armed light aircraft and helicopters to Chad was illegality without a French exporting licence. The investigation ended without prosecution in 2008.
2	United Kingdom	2008	The alleged shipment of 5 military vehicles from the UK to Sierra Leone in 2008 without export credentials. Company was fined in 2009.
3	United States	2008	The intended transfer of assault weapon ammunition to Sudan in contravention of US export regulations. In 2008, the suspect was imprisoned.
4	Israel	2009	Without approval from Israeli authorities, an Israeli company trained Guinean special troops and supplied them with weaponry. In 2010, the company was fined.
5	Nigeria	2009	Supplied by a Ukrainian plane that arrived in Kano, northern Nigeria, a small number of mortars and machine weapons were suspected of being sent to Nigerian rebel troops. In 2009, it was verified as a legitimate shipment to Equatorial Guinea.
6	United Kingdom	2009	In 2005–2006, a UK company supplied Sudan with 30 BV-206 military vehicles via Norway contravention of British export restrictions. In 2009, two persons were arrested and convicted.
7	United Kingdom	2010	The shipment without a permit of weapons from the UK to countries worldwide included small quantities of submachine guns and ammunition to Nigeria and other arms to Burkina Faso, Senegal, and Gabon in 2005–2007. Two people were arrested and convicted 2010.
8	Taiwan	2010	The delivery to Angolan rebel's province of Cabinda of 1884 tonnes of ammunition meant for destruction via Bulgaria and Romania. Due to a lack of proof, the investigation was called off in 2010.
9	South Africa	2010	A South African firm is suspected of illegally supplying firearms and ammunition to the DRC. However, the UN acknowledged that the weapons

²⁹⁰ *Tan A.T.* Understanding the arms trade. In *Research Handbook on the Arms Trade*. Edward Elgar Publishing, 2020 Dec 15. P. 49.

			were for UN security forces in West Africa, the probe was terminated in 2010.
10	United States	2010	The United States attempted a shipment to the Ivorian Government with 4000 pistols, 200 000 rounds of ammunition, and 50 000 tear gas grenades in contravention of the UN sanctions. The case results are unknown.
11	Nigeria	2010	The supply of 13 containers with ammunition for mortars, light weapons, and artillery rockets to the Gambia through the port of Lagos violated Nigerian import laws. It was reported to the UN sanction committee as a violation of the UN arms sanction on arms exports from Iran.
12	United States	2010	The planned supply from the USA of 700 Kalashnikov and 6000 Kalashnikov from Bosnia and Herzegovina to Somalia violated US laws. Two people were arrested and convicted in 2011.
13	Somalia	2010	The supply to the leaders in Puntland, a cargo plane of weapons and military uniforms violated the UN arms embargo on Somalia. Goods seized by Somaliland authorities with six people arrested and convicted in 2010.
14	United Kingdom	2011	The shipment from the UK of 70 000 rifles, 10 000 pistols and 32 million ammunitions from China and other countries to the Nigerian Police in 2006–2007 violated British law.
15	Libya	2011-2014	To halt the spread of weapons in the Sahel, Nigerien authorities targeted the northern Agadez area, which borders Libya, Algeria, and eastern Mali. Nigerien weapons seizures remain minimal, with less than 1,000 SALWs, IEDs, rockets, and hand grenades seized between 2011 and 2014, although much more SALWs were taken out in Libya after Muammar Gaddafi's collapse.

Source: SIPRI. Arms flows to Sub-Saharan Africa. 2011. Electronic resource: <https://www.sipri.org/sites/default/files/files/PP/SIPRI30.pdf> // International Affairs Review. Arms trafficking fuelling conflict in the Sahel. Electronic resource: <https://www.iar-gwu.org/print-archive/ikjtfxf3nmqgd0np1ht10mvmkfron6n-bykaf-ey3hc-rfbxp-dpte8-klmp4> [Accessed date: 20.01.2020].

SALWs are understood in the same way the United Nations (UNGA 1997)²⁹¹ described. The spread of these arms manifests itself on multiple levels (national, regional, and international) and in various ways. In relatively speaking, though, the historical dynamics of the occurrences or activities surrounding SALWs are frequently peripheral, whilst the national and regional geopolitical elements are forcibly stressed, owing to deficient geopolitical descriptions. As a result, the prevailing view of the growing threat by unregulated areas and SALWs in Sub-Saharan Africa minimise, if not

²⁹¹ UNGA. Report of the Panel of Governmental Experts on Small Arms (A/52/298 of 27 August (annex)). 1997. / United Nations. Electronic resource: <https://undocs.org/pdf?symbol=en/A/52/298> [Accessed date: 03.06.2021]

eliminates, global players' culpability in the sub-decadent region's geopolitical dynamics.²⁹² The belief that such a marginal analysis of the phenomenon's international politics prevents a coherent understanding of the issue of SALWs in sub-Saharan Africa's lawless areas. To comprehend the magnitude and proliferation of SALWs in sub-Sahara, how it began, the shifting patterns of violent conflicts in the sub-region, and maybe control or manage the predicament, international actors' geopolitics must be deduced. Using the Sub-Saharan African region as the central reference point, global actors have historically aided the emergence and preservation of "ungoverned spaces" across time. Consider the involvement of major powers in the 2011 Libyan revolt and how NATO and its allied forces' ouster of former president Ghaddafi threatened the Sahel-Sahara ungoverned regions by distributing SALWs into the ranks of unregulated persons, organisations, and areas.²⁹³ As a result, the involvement of significant powers in managing the difficulties of ungoverned areas of sub-regions, particularly the expansion of SALWs and the conflicts they produce, aggravate, or prolong, must be highlighted and managed, if not resolved permanently. It will culminate in a holistic view of the issue and, as a result, a sustainable remedy. Analytically, this case uses Critical Security Studies (CSS) and the security dilemma paradigm. The concepts of critical theory that pertain include an unwillingness to associate freedom with any framework of rules or system of ideas; investigating the fundamental assumptions and reasons of relevant theories and structures of reality; the need for the notion to adapt to emerging issues facing humanity; the need for means to be emancipation, and scepticism of existing traditions.²⁹⁴ As a result, CSS is a conceptual custom that criticises, and questions established security expertise. Human privilege security, as contrasted to the

²⁹² *Tan A.T.* Understanding the arms trade. In *Research Handbook on the Arms Trade*. Edward Elgar Publishing, 2020.P. 96.

²⁹³ *Christian P.* The 2011 Libyan uprising, foreign military intervention, and international law // *Juridikum: Zeitschrift für Kritik-Recht-Gesellschaft*. 2011. № 2. P. 159-169.

²⁹⁴ *Bronner S. E.* *Critical theory: A very short introduction*. Oxford University Press; 2017. P. 144.

State or the geostrategic ambitions of actors in the international system, does not criticise traditional cliches for the sake of criticising them. It is also “an effort to surpass the state and national sovereignty through insecurity as the centre of the geopolitical in the present world order,” concentrating instead on ordinary people’s dread of danger and livelihoods.²⁹⁵

As previously noted, States authorities, local and marginalised leaders are implicated in the plague of SALWs; nevertheless, geopolitical challenges in the region facilitate the acquisition and transit of weapons, emphasising the degree of the situation. The involvement of major powers as Western leaders like the United States, the United Kingdom, and France, or as Western-dominated international organisations example, NATO or the United Nations, is significant robust in the interaction between unregulated zones and SALWs. It is critical to notice that the major suppliers of arms to Sub-Saharan are predominantly major Western powers, as seen in Tables 4. These nations have contemporary geopolitical influence and interests in the region. However, most of them have rooted colonial ties to Africa. To address the core causes of SALWs, the need to explore the geopolitical consequences of repressive globalisation in both historical and contemporary manifestations is crucial.²⁹⁶ In this context, the evaluation should include the actors’ activities in the spread of SALWs endangering sub-Saharan ungoverned places. To begin with, there are historical and contemporary components to the geopolitical dynamic that magnify the threat of uncharted zones through the growth of SALWs. Furthermore, this argument emphasises the need for major powers to analyse remedies to SALWs and unregulated areas in the Sahara. Restating the prior argument that unregulated places should be defined in the classical sense is critical. Sub-Saharan

²⁹⁵ *Hutchful E.* From Military Security to Human Security. In J. Akokpari, A. Ndinga-Muvumba, & T. Murithi (Eds.), *The African Union and Its Institutions // Sunnyside: Jacana Media.* 2008. P. 63-84.

²⁹⁶ *Whatley W.C.* The gun-slave hypothesis and the 18th century British slave trade // *Explorations in economic history.* 2018. Vol. 67. P. 80-104.

region, for instance, inhabits several well-organised non-state actors in the world during and after colonialism. Even today, traces of such regimes can be found. The lack of Westphalian state power is referred to as unregulated zones, and it is the most widespread unit of study in modern international relations and world politics, despite the presumption of a complete break from the coloniality of “weapons for slaves” during the slave trade era.²⁹⁷ The colonial initiative in Africa generated and aided the dilemma of SALWs via three strategies: graphic violence recorded on the African continent via Treaty of Berlin in 1884–1885, the colonisation prototype of governance through institutions, and the post-independence nation’s progression of colonial doctrines.²⁹⁸ The Treaty of Berlin “constituted a border problem in Africa” as it did not consider the geopolitical and societal narrative of the territories, resulting in nations being divided and adversary communities being forcefully merged, irrespective of the impact and long-term implications of these actions.²⁹⁹ Eighty percent of African boundaries follow latitudes or longitudinal patterns, and many researchers suggest these synthetic partitions are the origins of Africa’s economic disaster,” according to post-Berlin colonial powers. After the inaugural formation of fictitious nationalities at Berlin, the second phase by which colonialism supported the dilemma of ungoverned territories involves how colonial powers controlled distinct geographical territories in Africa differently.³⁰⁰ The colonial state developed armed troops and police to carry out the colonial invasion, arming them with weapons. They focused administrative resources on urban areas and wealthy regions after capturing territory, abandoning enormous

²⁹⁷ *Pilosof R.* 'Guns don't colonise people...': the role and use of firearms in pre-colonial and colonial Africa // *Kronos*. 2010. Vol. 36(1). P. 266-277.

²⁹⁸ *Dan Suleiman M, Onapajo H, Mustapha A.B.* External Influence, Failed States, Ungoverned Spaces and Small Arms Proliferation in Africa. Palgrave Macmillan, Cham. 2021. P. 161-185.

²⁹⁹ *Galito M.S.* Terrorism, ethnicity, and Islamic extremism in Sahel // *JANUS. NET*. 2012. Vol. 3(2). P. 139-152.

³⁰⁰ *Dupont A.* National security dilemma: new threats, old responses. *Australian Financial Review*. 2013. Vol. 15. P. 5.

swaths of rural terrain as tributaries for the colonial economic benefit chain. The colonisers prioritised metropolitan areas above rural ones in terms of resource allocation. Rural areas become commercially accessible but politically worthless.³⁰¹ As a result of colonial administrations prioritising development along the shore while neglecting the hinterlands mainly undeveloped, many African nations are mired in the geopolitics of “wet” and “dry” development. This colonial concept of “governance by convenience,” along with the original injustice in establishing colonial border lines, promoted what is now referred to as “unregulated” regions. Azeez Olaniyan (2018) shows how enormous swaths of Nigerian forests have been unregulated, resulting in abductions, smuggling weapons, trafficking, and terrorism. Moreover, western powers used SALWs as a primary tool oppressive.³⁰² Besides smuggling arms into sub-Saharan Africa during the slave trade era, both colonial and post-colonial regimes used SALWs as governance mechanisms. The continuation of colonial dominance in Nigeria, for example, required “effective interaction with the multifarious deployment of weaponry”. Presently of weapons supported operations such as coups and all forms of organised crime ranging from local, regional to international after independence, not because western powers have been unable to manage the activities of insecurity adequately, but because African leaders have been concerned solely with forcefully retaining the colonial inherited nation.³⁰³

In conclusion, the imperial endeavour in sub-Saharan Africa has relied heavily on relationships between minority bourgeoisie and criminal organizations pursuing localized agendas on the one hand and international powers on the other. Whereas sub-

³⁰¹ Patrick S. “Failed” states and global security: Empirical questions and policy dilemmas // *International studies review*. 2007. Vol. 9(4). P. 644-662.

³⁰² Olaniyan A. Foliage and violence: Interrogating forests as a security threat in Nigeria // *African Security Review*. 2018. Vol. 27(1). P. 88-107.

³⁰³ Aderinto S. *Guns and Society in Colonial Nigeria: Firearms, Culture, and Public Order*. Indiana University Press. 2018. P. 336.

Saharan national authorities and localized actors have featured vital positions in orchestrating and executing the establishment of unregulated spaces, the primary role of international actors with a colonial past on the continent will continue to influence the sub-regions geopolitical environment, either as individuals or through their affiliation in multilateral and intergovernmental organizations. The involvement of western powers in the transhistorical formation of unregulated territories is usually associated with the issues of SALWs, wars, and failed/weak States in sub-Saharan Africa.

CHAPTER THREE: INSTITUTIONAL INITIATIVES IN THE STRUGGLE AGAINST SALW

Analysis of national regulations and procedures in sub-Saharan African states has shown that, in general, the implementation of these laws is weaker and lacks goodwill from state leaders compared to the current realities of arms proliferation. The lack of transparency and the flaws in these systems have, on several occasions, favored irresponsible and even illicit transfers.³⁰⁴ The provisions of regional legal instruments on SALW are, in many respects, very robust, and some of them serve as an example at the international level: for example, ammunition is systematically included (unlike most international instruments) on SALW. They could significantly influence conventional arms control systems in African states and on ATT discussions. Indeed, the legal instruments presented above, particularly those developed in West and Central Africa, present a relatively complete framework of obligations in matters of SALW control.³⁰⁵ These include establishing a single competent authority, an authorization/license system for imports, exports and transits, measures on brokering, the use of specific documents, marking, recording, and reporting requirements, and cooperation within and between states. Implementing these provisions concerning SALW could encourage sub-Saharan countries to extend them to all conventional armaments and thus fill many gaps in their national arms control systems. In addition, specific provisions of these legal instruments represent fundamental standards at the international level and can serve as a basis for discussion in the framework of the negotiations for a robust and comprehensive ATT.³⁰⁶ These include the obligation to issue licenses for transfers, the issue of criteria for

³⁰⁴ *Boutwell J., Klare M.* Small arms and light weapons: Controlling the real instruments of war // *Arms Control Today*. 1998. Vol. 28(6) P.15.

³⁰⁵ *Stemmet A.* Regulating small arms and light weapons: the African experience // *African Security Studies*. 2001. Vol. 10(3). P. 90-98.

³⁰⁶ *Sears N.A.* Controlling Small Arms and Light Weapons Proliferation: The Potential of the Arms Trade Treaty // *Paterson Review of International Affairs*. 2012. Vol. 12. P. 35-59.

evaluating transfers, the ban on the transfer of arms to an embargoed state, the use of unique documents (and the importance of validating and authenticating them), the consideration of brokering, the creation of monitoring and implementation structures or even the total ban on transferring weapons to non-state groups.

Harmonization of legislation. To effectively harmonize and strengthen laws, two approaches can be proposed. The first approach is to recognize and ensure internal regulations complement various laws linked to firearms usages and transportation control, like customs and importation laws and armed violence.³⁰⁷ Additionally, guarantee that laws are uniform and consistent across the country and that state or provincial legislation do not weaken, undermine, or create loopholes in national law. The second method is to preserve or establish equivalent regulations across neighboring nations, to guarantee that one country's laws do not jeopardize the efforts and initiative of others in regulating firearms and minimize armed conflict.

National harmonization: entails determining if legislation in different provinces, states, and territories are coherent, do not contradict each other, and the national norm serves as the baseline. The main aim is to close any gaps that might jeopardize the new rules and practices. This involves bringing together relevant authorities and concerned groups from each state-region or province to evaluate national laws and determine where it may contradict, undermine, or clash with national laws.³⁰⁸ Provinces or territories may have additional or different regulations, but it is critical that they are not less stringent than the national norm or do not supersede national laws for whatever circumstances.

Regional harmonization: Regulates and facilitates the lawful movement of SALW across nations and ensures that weak stringent in adjacent countries do not

³⁰⁷ Ayuba C., Okafor G. The role of small arms and light weapons proliferation in African conflicts. 2014. Vol. 9(3). P. 76-85.

³⁰⁸ Danwanka S.A. Legislation, Institution-Building and the Control of Small Arms and Light Weapons in Africa. Palgrave Macmillan, Cham. 2021. P. 453-472.

undercut jurisdictions or national law. For example, Botswana's tight regulations have been harmed by South Africa's due to more lenient arm practices paving the way for increased crime and armed conflict.³⁰⁹ Harmonization does not imply that all nations' laws must be similar. Rather than being harmed by weak legislation or bad execution in neighboring states, one nation's efforts are not harmed but instead avoid the process of undermining or weakening the legislative laws of neighboring countries. Different regional and sub-regional mechanisms, such as the Bamako Declaration (2000), the SADC Firearms Protocol (2001), the Nairobi Protocol (2004), ECOWAS Convention on SALW (2006), and Kinshasa Convention (2010), give good instances of collaborative mechanism for development.³¹⁰ Harmonization can also be built on regular interaction and conversation between nations to resolve common concerns, such as cross-border SALWs smuggling. Harmonizing laws across countries include consensus on accepted measures of certain concepts, the establishment of basic control requirements, the creation of a universal or minimal set of offences, and the maintenance of uniformity in punishments.³¹¹ Information exchange within regions is essential, and frequent face-to-face interactions or digital dialogues between senior government officials may substantially promote collaborative ties that stimulate information and intelligence sharing.

³⁰⁹ Mogire E. The Humanitarian impact of small arms and light weapons and the threat to security // In 15th International Amaldi conference: Changing threats to global security: Peace or Turmoil. 2004. P. 255-282.

³¹⁰ Greene O., Marsh N. 10 Governance and small arms and light weapons // Small Arms, Crime and Conflict: Global governance and the threat of armed violence. 2013. Vol 15. P. 163.

³¹¹ Stemmet A. Regulating small arms and light weapons: the African experience // African Security Studies. 2001. Vol. 10(3). P. 90-98.

3.1 Sub-regional perspectives

West African region (ECOWAS). The 15 signatory states of the *Economic Community of West African States (ECOWAS)* adopted on June 14, 2006, the ECOWAS Convention on SALW. This replaces the Moratorium on the Import, Export and Manufacture of Small Arms in West Africa, the oldest international initiative on SALW, established in 1998. This Convention entered into force on November 20, 2009. Ivory Coast and Guinea have signed it but not ratified it. The Convention contains several provisions relatively like those of other regional legal instruments: brokering, visitor certificates for temporary imports, marking of weapons during manufacture and importation, harmonization of legislation, the establishment of National Committees on SALW.³¹² On the other hand, its provisions on transfer control are ambitious and original. Indeed, a principle of total prohibition of SALW transfers was established, and the conditions for exemption (in the cases of self-defense and national security, maintenance of order and participation in peace operations) are defined (*Article 3*). The acquiring State must transmit requests for exemption to the Executive Secretary of ECOWAS (*Article 5*). The latter must assess the request according to several types of criteria: quality of the information provided, compliance or not with international obligations and international law, aspects related to end-use (human rights violations, terrorist acts, implications for the internal security of a country or regional stability, etc.) or the risk of diversion of transferred arms (*Article 6*). In case of a favorable response, the Executive Secretary of ECOWAS provides a certificate of authorization that will accompany the license request and the end-user certificate. It is also required to inform all ECOWAS States within 90 days and to compile exemptions and refusals in an annual report sent to States (*Article 5*). To operate such a robust and complex system, the Convention requires States to put in place a solid national transfer control system

³¹² *Berkol I.* Analysis of the ECOWAS Convention on Small Arms and Light Weapons and recommendations for the development of an Action Plan. Note d'Analyse du GRIP. 2007. P. 11.

capable of verifying and validating the authenticity of the documents used (*Article 4*), as well as a centralized computerized SALW database. To excite this, the Executive Secretary of ECOWAS is responsible for establishing a sub-regional register of SALW on information provided by States and a register of weapons used in peace operations (*Article 10 and 11*). Finally, all transfers to non-state groups are banned (*Article 3 §2*). For now, this ambitious regional SALW control system is slowly developing. ECOWAS is strengthening its structures, and its member states have agreed on a Regional Action Plan. The transfer exemption document has been standardized, and the end-user certificate is expected to follow the same path. At the same time, a memorandum of understanding was signed between ECOWAS and the Wassenaar Agreement under which requests for transfers to ECOWAS must go through the Executive Secretary of ECOWAS.³¹³ The latter plans to enter into similar agreements with other entities. Finally, a guide to the harmonization of national legislation should soon be presented to States.

SALWs are easily accessible to non-state actors via illegal means for various reasons, most notably crime and conflicts in West Africa. The illegal distribution of SALWs has resulted in several armed clashes with fierce and heavy casualties affecting the quest for development and stability. Despite the diverse sources of firearms, the flow of illegal SALWs in the region has become more complex, with issues such as securing weak borderlines, artisan manufacturing, easy access to national stockpile weapons, unauthorized dealers/merchants, militias, and terrorism, among others.³¹⁴ Arms play an essential role in gaining access to additional firearms to supply the domestic demands for criminal activities and violent conflict in West Africa. The trafficking of arms also

³¹³ *Bankale O.B., Uchehbu C.J.* West Africa: Regional Control of Small Arms and Light Weapons Proliferation. Palgrave Macmillan, Cham, 2021. P. 909-926.

³¹⁴ *Krause K.*, editor. Weapons and the World. Small Arms Survey Cambridge University Press. 2015. P. 24.

places a high value in the hands of non-state actors, garnering large sums of money due to the reason for which arms are used.³¹⁵ In addition to insecurity and high death rate causality, the impact on West Africa stretches to other forms such as transnational organized crime (drug trafficking, modern slavery, illegal resource mining, cross-border smuggling, pirate attacks, and money laundering).³¹⁶ Due to the damage to the region, the threat of SALWs spread has given rise and noteworthy cooperation from international and continental institutions. The ECOWAS Commission was tasked to aid the President of the Commission in facilitating the execution of SALW concerns (ECOWAS Convention 2006). Due to the easy accessibility of arms, internal conflicts have become more frequent, prompting the regional institutions and States to eliminate the illegal spread of SALWs.³¹⁷ Apart from the integration mission, ECOWAS has enlarged its objective and ambition to include regionalized measures to resolve persistent violence, focusing on the issue of SALWs and related challenges. With the acceptance of the Protocol on Conflict Prevention (1999), Prevention and Management became a collective duty of Member States specified in the 1993-revised ECOWAS treaty, and these initiatives solidified the successes of ECOWAS engagement in all forms of conflicts.³¹⁸ On the other hand, the approach aimed to pursue a collective strategy via regionalized choices, pledges, and processes to address the consequences of the Cold War's resurgence, like the accumulation of SALWs. Despite various problems such as poor governance and limited resources, these innovations have aided in the containment of alternative sources of destructive instability with regional implications.

³¹⁵ *Darkwa L.* The Challenge of Sub-Regional Security in West Africa: The case of the 2006 ECOWAS convention on small arms and light weapons. Nordiska Afrikainstitutet; 2011. P. 39.

³¹⁶ *Aning K., Amedzrator L.* Critical perspectives on transnational criminality in West Africa // Journal of Military and Strategic Studies. 2016. Vol. 17(2). P. 70-75.

³¹⁷ *Aall P., Crocker C.A, editors.* Minding the gap: African conflict management in a time of change. McGill-Queen's Press-MQUP. 2016. P. 342.

³¹⁸ *Bankale O.B, Uchegbu C.J.* West Africa: Regional Control of Small Arms and Light Weapons Proliferation. Palgrave Macmillan, Cham. 2021. P. 909-926.

The increasing prevalence and uncontrolled use of SALWs prompted ECOWAS to take measures to identify the severe threats posed on the region's unusual SALW flow. Under this context, Badmus (2009) noted that the ECOWAS Moratorium on the Importation, Exportation, and Manufacture of SALWs on 31 October 1998, as well as the institutionalization of the ECOWAS Small Arms Control Program (ECOSAP), set the tone for ECOWAS accomplishments in managing weapons in peace efforts and non-conflict situations in the Member States.³¹⁹ The ECOWAS Convention on Small Arms and Light Weapons (2006), Ammunition, and Other Related Materials, which offered a credible framework for combatting the unlawful circulation of SALWs in West Africa, was founded on this concept. These accomplishments with other regional projects strengthened ECOWAS Member States' confidence. While establishing significant and beneficial venues for lowering and managing conflict in West Africa, the strategy also provides more consistent and gradual stability and development objectives via continental and international cooperation and collaboration. The ECOWAS/EU Small Arms Projects on Border operation was implemented as an arms collection program in West Africa is a notable example (see Table 5).³²⁰ On the other side, the concept sought to promote a systemic strategy through regionalized decisions, commitments, and mechanisms to mitigate the impacts of the Cold War's rebirth, such as the buildup of SALWs. Notwithstanding various issues, like inadequate leadership and insufficient resources, these challenges have helped create alternative means of catastrophic turmoil with regional ramifications.

³¹⁹ *Badmus I.A., Isiaka A. Managing Arms in Peace Processes: ECOWAS and the West African Civil Conflicts.* Center for African Studies at the University of Porto Panoramic. Portugal. 2009. P. 89.

³²⁰ *Ibid* 2021. P. 1043.

Table 4: ECOWAS/EU arms collection project, 2015

States	Strategy	Indicators	Outcome
Cote d'Ivoire in Guiglo, Man, Danane, Touba and Odiene regions.	Awareness effort to raise community knowledge on SALWs, as well as a program evaluation assessment.	Exchanging illicit arms for community development.	5 identified sites and 5 indicated containers of arms storage.
Guinea: Security personnel from Lola, Yomou, Macenta, Gueckedou, Kissidougo, Beyla and Nzerekore.	Campaigns to raise awareness about the consequences of illegally retained and circulated firearms in communities.	Evaluation of management approach in order to guarantee that firearms recovery effort is carried out effectively.	4 storage facilities and 4 containers of arms were identified.
Liberia in Maryland County, River Gee County and Grand Gedeh County.	Awareness and educational campaign in local communities to encourage people to return their firearms in exchange for infrastructural projects in their communities.	Implementing effective development initiatives that functions as a firearm collecting centre	3 identified sites and 3 indicated containers for weapon storage.
Sierra Leone in Kenema, Kailahun, Kono and Koinadugu Districts	Awareness raising initiatives in local communities on SALWs control	Implementation of a communication plan and community-based programs to raise awareness concerning consequences of SALWs.	12 identified sites and 5 indicated containers for weapon storage.
Niger: Abala, Banibangou, Inates, Gorooul, Tilia and Tchintabaraden.	Community engagement programs, as well as a communication strategy, high-level educational and awareness campaign on the implications of SALWs.	Voluntary firearms hand over at the common border (Tahoua, Tillabery, Maradi) of Niger with Nigeria and with Mali.	6 identified sites and 5 indicated containers for weapon storage.
Mali: Mopti, Gao, and Bamako.	Different awareness activities and campaign in the communities, such as	Economic advantages to the entire country as a result of a proper	20 identified sites and 5 indicated containers for weapon storage.

	the dangers of firearm acquisition.	approach to the SALW challenge.	
Nigeria: 6 Geo-Political Zones	Increased awareness and survey execution in 2 geopolitical zones: the South-East and the South-South Zones.	Ensure that the systematic and comprehensive National Survey on measures for preventing SALW spread in Nigeria.	Development of a National SALW Action Plan

Source: Small Arms Annual Report ECOWAS-EU Small Arms Project. 2015. Electronic resource: <https://www.ng.undp.org/content/dam/nigeria/docs/gov/SALW%20Annual%20report%202015%20e.pdf> [Accessed: 27.11.2021].

The main source of worry in West Africa about the wide and easy accessibility of SALWs is the difficulties involving widespread unlawful usage of arms and the risk represented by these weapons to fragile nationals of the region. The complexities affiliated with the spread of illegal SALWs are intertwined with multiple causal and multifaceted impacts of flawed institutions of governance, framework, and approach, economic hardship, and underdevelopment, particularly among 'diverse' societies and ethnocultural communities.³²¹ Firearms are therefore used as first-hand weapons in intra- and intercommunal conflicts, armed insurgencies, rebellious activities, radicalism, and insurgency, all of which are common in the region. It's critical to recognize that these complicated processes have taken three different paths, all of which have aided the expansion of SALWs.³²² The first trends are based on the projected types and numbers of SALW roaming in the hands of unauthorized individuals in the region. The trend of weapons procurement in West Africa is estimated to be based on the frequency of thefts/lootings of security agencies' stockpiles or foreign transfers either through

³²¹ *Nzeako U.S, Rilwan A.M.* The smuggle and proliferation of Small Arms and Light Weapons (SALW) within the West African sub-region. A contemporary appraisal // *UZU JOURNAL*. 2021. Vol 8(1). P. 165-195.

³²² *Themnér L, Wallensteen P.* Armed conflict, 1946–2010 // *Journal of Peace Research*. 2011. Vol.48(4). P. 525-536.

legitimate procurement or illegal trade and trafficking.³²³ Arms possession in West Africa centers around channels and stockpiles mainly from Nigeria, Benin, Togo, Ghana to Ivory Coast, Liberia, Sierra Leone, Guinea, Guinea Bissau, The Gambia, Senegal, and then from Mali to Burkina Faso, Niger, Chad and returning to Nigeria from the northern. On the other hand, recent flow patterns are impacted by the Sahel crisis, as well as the presence of insecurity and political turmoil in Mali's neighboring nations (as shown in Fig. 1).

Fig 4: Movements of SALWs in West Africa



Source: UNODC. TOC in West Africa. 2013. P. 33. Electronic resource: https://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf [Accessed: 26.11.2021].

The presence of lengthy and unsecured land and maritime borders are also connected to the movement of SALWs into the region. Since independence, international boundaries, and corridors for the SALWs movement have existed to fulfil

³²³ *Муркитис М.И.* Незаконный оборот оружия в Зарубежных Странах // Вестник Всероссийского института повышения квалификации сотрудников Министерства внутренних дел Российской Федерации. 2018. №3. С. 151-155.

a variety of demands, including irregular, uncontrol and unauthorized movement of people, cross-border trafficking of natural resources and agricultural goods. According to Ikoh (2013), the West African Coastline functioned as a trafficking corridor for weapons traffickers, travelling through the Gulf of Guinea, confirming that most West African countries' weak borders on land and sea enable smuggling from nations such as Cameroon and Equatorial Guinea via speedboats and ferries on the open seas and shorelines.³²⁴ After the civil wars in the Mano River area, West Africa continues to recycle arms, which determines the rationale of firearm possession throughout the region. The second scenario explores the extent of national inventories and the distribution of arms acquisition among organized criminal gangs in West Africa. The capture of governmental inventories of SALWs, mainly where factions' groups seize firearms, for example, the National Patriotic Front of Liberia and the Revolutionary United Front (RUF) of Sierra Leone, is crucial to the spread complexities of SALWs in the region. As a result of unsecured stockpiles, armed violent non-state actors were able to raid police and military armories, leading to the recurrent dilemma of SALW spread in West Africa.³²⁵ Following insurgent attacks on national law enforcement agencies and military personnel, holding firearms inside the region becomes challenging. The Tuareg Nationalist Movement for the Liberation of Azawad (MNLA), Al Qaida in the Islamic Maghreb (AQMI), Movement for Unity and Jihad in West Africa (MUJAO), and Ansar al-Dine Movements, for example, all stormed State security and military stockpile in Mali. Additionally, the Boko Haram assaults against the Nigerian military and the Multinational Joint Task Force (MNJTF) demonstrate that this is a regular path

³²⁴ *Ikoh M.U.* The interface of formal and informal policing structures in Calabar Metropolis: implication for community policing in Nigeria // *Journal of Power, Politics and Governance*. 2013. Vol. 1(1). P. 46-56.

³²⁵ *Keili F.L.* Small arms and light weapons transfer in West Africa: a stock taking // *In Disarmament Forum*. 2008. Vol. 4. P. 5-11.

for violent non-state actors to get firearms.³²⁶ The situation deteriorated when the Boko Haram conscripted women, girls, and especially children to carry firearms, like the incidents of child soldiers enlisted by insurgent factions in Liberia and Sierra Leone during the Civil Wars, posing a more significant threat to the region.³²⁷ The surge in farmer-herdsman confrontations across the region provides more evidence of illicit arms acquisition. The scenario involving cattle rustling and smuggling across Nigeria, Ghana, Mali, Senegal, and other nations in the area, which has a long history, testifies to the shifting trends in the illegal usage of SALWs in West Africa. For safety, most herders move through unregulated cattle pasture routes carrying guns.³²⁸ As a result, the recycling of firearms and the sequence of SALWs stockpiles in West Africa have gotten more complicated. The third intricacy embodies trade patterns, incorporating supply and demand pressures as part of the elements that influence the possession and procurement of arms in West Africa. According to the Assessment Survey on Small Arms in the Sahel Region and Neighboring Countries, the methods by which citizens get guns follow four distinct tendencies.³²⁹ The first entails purchasing legally from licensed dealers, such as in Senegal, or from an international dealer, like in Niger. The procurement of artisanal or craft-made arms which are locally created or available is another source for civilian procurement.

The situation worsened when Boko Haram conscripted women, girls, and especially infants to bear guns, like the incidents of child soldiers recruited by rebel factions in Liberia and Sierra Leone during the Civil Wars, posing a greater threat. The

³²⁶ *Bankale O.B, Uchegbu C.J.* West Africa: Regional Control of Small Arms and Light Weapons Proliferation. Palgrave Macmillan, Cham. 2021. P. 909-926.

³²⁷ *Ibid* 2021. P. 1043.

³²⁸ *Nwakanma E., Boroh S.E.* Demography of Conflict, and the Herders-Farmers Crisis in Nigeria // *The Nigerian Journal of Sociology and Anthropology*. 2019. Vol. 17(2). P. 28-40.

³²⁹ *Keili F.L.* Small arms and light weapons transfer in West Africa: a stock taking // *In Disarmament Forum* 2008. Vol. 4, P. 5-11.

surge in farmer-herdsman confrontations across the region provides more evidence of illegal weapons possession.³³⁰ The pattern with cattle rustling and trafficking along with Nigeria, Ghana, Mali, Senegal, and other nations, which has a long history, testifies to the shifting factors in the criminal use of SALWs in West Africa. For safety, most herders moving through mainly unregulated West African cattle pasture areas carry and trade firearms. As a result, the flow of firearms and the distribution of SALWs in West Africa have gotten more complicated. Other ambiguity follows the economic trends, incorporating supply and demand pressures as elements that influence the ownership and procurement of SALWs. According to the Survey on Small Arms in the Sahel Region and Neighboring Countries, the methods by which citizens get weapons follow four distinct tendencies.³³¹ The first entails purchasing legally from licensed dealers, such as in Senegal, or an international merchant, like in Niger. The purchase of artisanal or craft-made guns that are domestically created or available for acquisition by civilians is the second link. Such transfers are often uncontrolled and so unlicensed in Burkina Faso, Mali, and Nigeria. Citizens can get weapons on the black market as another option, and civilians can obtain weapons via gift or inherit as a fourth source. Stashes of artisan makers in the area, primarily in Ghana and Nigeria, are stretching the dynamic complexity. They have artisanship capabilities that precede the colonial era. This connects directly to SALWs for conducting sociocultural ceremonies in certain nations, where having a gun is a symbol of status amongst certain ethnicities such as the Akan, Gonja, and Dagombas.³³² In Togo, the main transition of firearms manufacturing is restricted to firearm part maintenance, while blacksmiths also create for agricultural

³³⁰ *Bah A.M.* Micro-disarmament in West Africa: the ECOWAS moratorium on small arms and light weapons. *African Security Studies*. 2004. Vol. 13(3). P. 33-46.

³³¹ *Bowsher G., Bogue P., Patel P., Boyle P., Sullivan R.* Small and light arms violence reduction as a public health measure: the case of Libya // *Conflict and health*. 2018. Vol. 12(1). P. 1-9.

³³² *Asmild M., Ohene-Asare K, Tam F.* Considering Favourability Indices as part of the Malmquist Index. In 2nd UGBS Conference on Business and Development, Conference Proceedings. 2014. P. 183.

reasons. Benin is also known for its expertise in indigenous arms manufacturing, which produces rifles for hunting and others seeking personal defense.³³³ Artisan manufacturing in Nigeria is scattered around the country, with South-West and East (Awka, Anambra state), acting as guides to its iconic term, 'Awka-made.' Awka is recognized as the center for handgun manufacture, explosives (Ogbunigwe in the Igbo language of Southeastern Nigeria), dynamite, firearm part maintenance, and obtaining artisan technical abilities in Nigeria, with an artisanal tradition of blacksmith abilities in handgun building passed down via many generations.³³⁴ Other noteworthy regions of handicraft manufacturers in Nigeria include Kuru and Barkin Ladi in Plateau state, Aba and Onitsha in the Southeast region, Benue state and the Niger-Delta region with Eleme in Rivers State and Awka Ibom states.³³⁵ These factors combined presented a chance to increase regional collaboration and control, which is the most effective way to accomplish SALW retrieval and eradication in West Africa.

To combat SALW in West Africa, ECOWAS Member States have taken numerous initiatives at the regional. The Organization for African Unity/African Union (OAU/AU) Bamako Declaration, which sprang from a shared "African Approach" to combating SALW spread at the UN Small Arms Conference in New York in July 2001, was a pioneering effort in this direction. In response to armed conflict, armed violence, and the cross-border flow of unlawful SALW in West Africa, ECOWAS devised successful measures that were geared to satisfy the institutional and political determinants demands for the Member States and the ECOWAS Commission in the

³³³ *Bewiadzi A.S.* Informal Trade Routes and Security along the Aflao-Lomé Border Region (Ghana-Togo) // *Journal of Borderlands Studies*. 2022. Vol. 37(2). P. 317-37.

³³⁴ *Ehiane S.O., Uwizeyimana D.D.* Challenges in combating the proliferation of small arms and light weapons (SALW) in Nigeria: a human security perspective // *Journal of African Foreign Affairs*. 2018. Vol. 5(3). P. 65.

³³⁵ *Onuoha F.C.* Small arms and light weapons proliferation and human security in Nigeria // *Conflict Trends*. 2011. Vol. 2011(1). P. 50-56.

region.³³⁶ Following in-depth investigations of the source, magnitude, spread, and influence of the SALW movement throughout West Africa's porous borders, several measures were launched. As a result, on October 31, 1998, the Conference of Heads of State and Government in Abuja signed a Moratorium on the Import, Export, and Transfer of SALWs in West Africa to halt the proliferation of firearms. According to Badmus (2009), the ECOWAS Moratorium was a crucial step in developing a systematic plan to combat SALW spread in West Africa.³³⁷

With the participation of the ECOWAS Monitoring Group (ECOMOG) and the rebuilding of the Sierra Leone People's Party (SLPP) administration in March 1998, the Moratorium functioned as the foundation for disarming operations in Sierra Leone. Disarmament, Demobilization, and Reintegration (DDR) procedures were proven difficult during this initial stage owing to reluctance from parties and administrative members involved. Several soldiers and armed groups fled to Liberia and Ivory Coast with their weapons.³³⁸ The first stage of the DDR initiative, which received international approval and non-governmental assistance, was created in April 1998, and executed by the Authorities of Sierra Leone assisted by ECOWAS and UNDP, focusing on members of rebel forces involved in the civil war following the overthrow (coup) on May 25, 1997. Conversely, a limited disarmament procedure proceeded, taking in another 2600 soldiers during the transitional period, which lasted from May 2000 to May 2001. The next stage of DDR took place from 2001 to 2002, from the outcome of ECOWAS and the UN's vigorous and coordinated measures to get the peace negotiations on course.³³⁹ Three important primary objectives guided the development of the Moratorium as a

³³⁶ *Adetiba T.C.* Transnational syndicates and cross-border transfer of small arms and light weapons in West Africa: A threat to regional security // *Journal of African Union Studies*. 2019. Vol. 8(1). P. 93-113.

³³⁷ *Ibid* 2009. P. 89.

³³⁸ *Miller D., Ladouceur D., Dugal Z.* From research to road map: learning from the arms for development initiative in Sierra Leone. Geneva: United Nations Institute for Disarmament Research. 2006. P. 96.

³³⁹ *Talentino A.K., Pearson F.S.* Weapons of War, Weapons of Peace: DDR Processes in Peacemaking. *International Peacekeeping*. 2020. Vol. 27(1). P. 152-175.

policy. The main goal of ECOWAS was to prevent potential conflicts while conducting post-conflict rebuilding and to combat growing criminality and lawlessness. Another reason for implementing the method was to enhance member nations' socioeconomic growth. These initiatives were built on the principle that effective management of SALWs in West Africa hinged on authorities establishing an acceptable degree of security inside their respective countries.³⁴⁰ With the Security First Approach in West Africa, ECOWAS engaged in a far more efficient law and order system, like Security Sector Reform attached with international supervision. The strategy also aimed to offer practical replacements for the functions that weapons serve, such as development initiatives, by substituting with reward systems during firearms retrieval. The Moratorium plan, which was bolstered by the Program for Coordination and Assistance for Security and Development (PCASED) plan in 1999, was in line with ECOWAS' goal of successful SALWs management through its security-first policy framework.³⁴¹ Despite multiple hiccups, a great degree of inventiveness, and outcomes that were slightly less helpful than expected for ECOWAS, the procedure shown to have achieved some amount of success in West Africa in terms of SALWs management. The returned weapons collected in Sierra Leone and Liberia following the civil wars was an example of a successful initiative.³⁴² This strategy, as well as different firearms gathering and destruction programs, offered strategic and legal guidance for ECOWAS, particularly in terms of educating security and military officials and improving firearms restrictions at border points in Benin, Niger, Nigeria, and Mali.

³⁴⁰ *BolakFunteh M., Oladejo A.F.* Assessing the implementation of the regional policy on trafficking in small arms and light weapons control in West Africa // *Sumerianz Journal of Social Science*. 2019. Vol. 2(1). P. 1-2.

³⁴¹ *Bah A.M.* The ECOWAS Moratorium on small arms and light weapons: micro-disarmament in West Africa // *African Security Review*. 2004. Vol. 13(3). P. 33-46.

³⁴² *Adetiba T.C.* Transnational syndicates and cross-border transfer of small arms and light weapons in West Africa: A threat to regional security // *Journal of African Union Studies*. 2019. Vol. 8(1). P. 93-113.

In its campaign against SALWs spread in West Africa, the ECOWAS established a Moratorium, to tackle numerous conflicts fueled by illegal arms circulation. Considering this enormous stride, the Moratorium's consensual character has posed issues to ECOWAS, as it lacked sanctioning authority and its surveillance system is ineffective. The ECOWAS Convention on SALWs, Ammunition, and Related Materials, which became effective in 2009 as an interconnected approach to SALWs control in West Africa, provided an upgraded framework.³⁴³ The initiative through training, availability of equipment, advancement of Standard Operating Procedures (SOPs) guidelines, instructions, and empowerment components, among others, were outlined as being significant for the implementation of the Convention and connected prescriptive paradigms as the blueprint to firearms retrieval in West Africa. The broad areas covered by the Convention's efforts and steps to combat SALW in the region are as follows³⁴⁴. PCASED ended in 2003 with the ratification of the Convention and then was succeeded in 2006 by the ECOWAS Small Arms Program (ECO-SAP) to promote a five-year strategic action framework for the project of the Convention in the region, focusing on national requirements on SALWs. The West African Action Network on Small Arms (WAANSA) aided member nations in sensitization, mobilization, and involvement with their legislative bodies for resource mobilization under the relevant legislation of Conduct to the Moratorium in 1998, which mandated the institution of National Commissions of Small Arms and Light Weapons Control (NATCOM) with better control and impact of the society under the WAANSA.³⁴⁵

³⁴³ *Maiangwa J.S., Tar U.A.* Private Security Companies and the Proliferation of Small Arms and Light Weapons in Africa. Palgrave Macmillan, Cham. 2021. P. 609-625.

³⁴⁴ Note: Capacity building of National institutions; Harmonization of Legislation; Data Management; Arms Marking and Tracing; International transfers; Brokering; Stockpile management; Border Controls; Awareness-raising campaigns; DDR and Recovery of Arms; Cooperation and Assistance.

³⁴⁵ *Darkwa L.* The Challenge of Sub-Regional Security in West Africa: The case of the 2006 ECOWAS convention on small arms and light weapons. Nordiska Afrikainstitutet; 2011. P. 39.

A source of foreign collaboration and support under the ECOWAS Convention, ECOSAP was phased down in 2011 and succeeded by the African Union-European Union (AU-EU) Small Arms Project in 2014. Furthermore, in 2015, the previously mentioned ECOWAS-EU Arms for Development Project was created as a more tailored response to address West Africa's unique concerns. See table. The ECOWAS member states were eligible to partake in two aspects of the AU-EU initiative, Arms Marking and the cross-cutting Promoting Gender Mainstreaming Survey, due to its relative progress to the other RECs. Burkina Faso, Ivory Coast, Ghana, and Mali were among the ECOWAS Member States that took part in the project, and with funding to begin the identification of the weapons through the acquisition of marking equipment and training for recognition of weapon types and source of manufacture. The ECOWAS maintains its accomplishments through global collaboration with West Africa by supporting the resolution of common problems such as managing inventory, adequate online sources, and documentation, all of which are related to the present study of international standards and best practices in security and safety and stockpile control. At the state level, the initiative necessitated the formation of active surveillance mechanisms, federal regulations against infringements of global arms ban, nationwide arms retrieval and destruction programs, and civil society involvement, all of which were backed up by the commission's crucial role in ensuring institutionalization of the framework as specified in the Convention. ECOWAS interacts with a variety of actors who provide knowledge and finances to execute the requirements of the instruments via collaborations with key actors. For example, the 10th European Development Fund (EDF) launched the European Union Support to ECOWAS Regional Peace, Security, and Stability Mandate Program (ECOWAS-EU PSS Project) in 2016. An element on realistic disarmament was formalized, to implement the different articles of the Convention and other multilateral guidelines against the spread of SALW. The Arms for Development Project was incorporated on an initiative in the Mano-River Union

(Ivory Coast, Liberia, Guinea, Sierra Leone) and two Sahel states (Niger and Mali), as shown in Table 5. It is important to keep in mind that ECOWAS' engagement with the EU prompted it to promote capability development and plans for realistic community disarmament, with backing from the UN Development Program (UNDP). Overall, the initiative raised awareness about the socioeconomic consequences of SALWs spread in West Africa, including targeting unemployed youths, property and life damages, displacement of people, and decaying health and education institutions, among others.³⁴⁶

In sum, there is still a long way to go to coordinate the battle against unlawful spread of SALWs in an optimal and productive manner. For example, it's still unclear how successful DDR activities is to the West African region, which stymies growth in the sphere of SALW containment. The inability of disarmament in Niger, Nigeria, Senegal, and other nations needs expanded information technology capabilities, such as database construction and data analysis. More attention on the mitigation of SALW spread in Member States and transportation throughout the region should be based on an efficient, alert system. As a result, it is critical to institutionalize plans and strategies that develop knowledge-sharing processes among participants across Member States. As a result, unique study will help narrow the gap among policies and practices by proposing alternative ideas to ECOWAS small arms control activities based on research results on SALWs in Member States. The development of SALWs and an ineffective regulatory system in West Africa has driven and aggravated conflicts. Sometimes in the region where not only firearms shipments and violent non-state actors exist, but a much more complicated scenario of volunteer combatants has destabilized the region. The rise in intra-state conflict, along with a key trend in creating unique non-state warring groups, as well as expanding links between local, national, and regional conflicts throughout West African states ranging from Mali to Niger and Nigeria, are concerning.

³⁴⁶ *Adetiba T.C.* Transnational syndicates and cross-border transfer of small arms and light weapons in West Africa: A threat to regional security // *Journal of African Union Studies*. 2019. Vol. 8(1). P. 93-113.

These new patterns have had broader repercussions for the landscape of turmoil transnationalization, forcing institutional entities like ECOWAS to respond by developing coherent and strategic regional mechanisms to handle the growing dynamics. More efforts are needed to leverage states' capacity in distinct efforts to regulate SALWs to truly comprehend how to effectively curtail present trends of SALW spread within West Africa.

Central Africa region. Central Africa acquired legal instrument to combat the uncontrolled circulation of SALWs called Kinshasa Convention³⁴⁷, which was adopted in 2010 with signatories of 11 countries of the *Economic Community of Central African States (ECCAS)*. The Convention entered into force after six states ratified it. The Convention was inspired in many ways by the ECOWAS instrument. It defines SALW, ammunition, parts and components, transfers, brokering, as well as novelty, the end-user certificate (*Article 2*). As in West Africa, transfers to non-state groups are prohibited (*Article 4*). In general, transfers are authorized when justified by the need for self-defense and national security, maintaining order or participation in peace operations (*Article 3*). The Convention also details the procedures and conditions for issuing transfer authorizations: each State must set up an authorization system and a body responsible for issuing these authorizations; each authorization request must contain a minimum amount of information. The criteria considered for authorizing a transfer are listed very succinctly (risk of embezzlement, violation of international law or even violation of embargoes and international commitments) (*Article 5*). The Convention devotes a short article to the end-user certificate: national obligations and regional harmonization (*Article 6*). Measures related to operational mechanisms are relatively like those of the ECOWAS Convention (temporary import certificate, brokering, marking and registration). States Parties are required to define specific entry points for

³⁴⁷ Kinshasa Convention. 2010. Electronic resource: <https://www.unrec.org/docs/Kinshasa.pdf> [Accessed: 24.05.2020]

SALW at borders (*Article 18*). Finally, the creation of national and regional databases, harmonization of national laws legislation, and establishing a regional action plan are required.³⁴⁸

Illegal SALWs prevalence and flow has indeed characterized central Africa since the conclusion of the Cold War. Amid an armed crisis like the civil wars, separatist movement, and terrorist group (Boko Haram), the repercussions are highly visible. Especially in the Central African region, these firearms spread freely and indiscriminately. To effectively regulate the transfer of arms, strategic measures are required to prevent the spread and illicit trafficking of arms and ammunitions.³⁴⁹ Preventing the phenomena, policies that apply and correspond to the national, regional, and continental levels should be explored and implemented. Notwithstanding the negotiations under the auspices of the United Nations Standing Advisory Committee on Security Issues in Central Africa (UNSAC), the Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components can be used for manufacture, maintenance, or assembly, recognized as the Kinshasa Convention, seeks to regulate Small Arms and Light Weapons, and prevent illegal sale and smuggling in the region.³⁵⁰ Among these are geopolitical causes, violent wars, refugee flows, and unrestricted international armaments trade. Similarly, a few attributes enable the unlawful and spontaneous flow of weapons in the sub-region: an absence of disciplinary legislation, unclear regulation of firearms such as the Kalashnikov (AK-47), a total absence of a reliable measures to evaluate weapons, and, finally, physical

³⁴⁸ *Mubiala M.* The Kinshasa Convention for the Control of Small Arms and Light Weapons in Central Africa // *African Yearbook of International Law Online/Annuaire Africain de droit international Online*. 2018. Vol. 23(1). P. 489-96.

³⁴⁹ *MacEachern S.* Searching for Boko Haram: a history of violence in Central Africa. Oxford University Press. 2018. P. 248.

³⁵⁰ *Zughni F.* Central African Countries Sign Small Arms Pact // *Arms Control Today*. 2011. P. 41(1). P. 6.

features of these firearms³⁵¹. These firearms flow freely due to the absence of supervision in Central Africa, which is helped by transfer procedures used by smugglers and insufficient regulation state security agencies, as well as bribery and corruption.³⁵² Central Africa appears to be a ‘Triangle of Death.’ The region is notorious for its violent battles, cartels, and banditry, and it is sometimes referred to as “unregulated territory” or “out of governmental control.” Violent crime, terrorist attacks, bandit trends, insurgents, and abduction are all common occurrences for inhabitants as a result of massive illegal commerce and availability of firearms. The cross-border nature of this weapons smuggling poses serious risks to Central African regional security.³⁵³ Acquisition of firearms in the Central African area prolongs wars, bloodshed, and contributes significantly to large movement of people, abuses of human rights and international humanitarian law, all of which are detrimental to women and children. ECCAS adopted a legal mechanism to counter the spread of SALW, following the footsteps of other African regional institutions.³⁵⁴ The UN Standing Advisory Committee approved this resolution on Security Issues in Central Africa at its 25th ministerial conference in May 2007. Following that, UNSAC endorsed the Expert Report in May 2008 in Luanda (Angola) during the 27th ministerial conference.³⁵⁵ It also charged the ECCAS Secretariat, which is led by the UNREC (United Nations Regional Center for Peace and Disarmament in Africa), with developing the future regional framework to combat SALWs. The ECCAS Secretariat submitted a preliminary

³⁵¹ *Rottman G. L.* The AK-47: Kalashnikov-series assault rifles. Bloomsbury Publishing. 2011. P. 80.

³⁵² *Alley R.* Small arms and light weapons: the disjunction problem. *Conflict, Security & Development*. 2019. Vol. 19(2). P. 143-72.

³⁵³ *Bourne M.* Powers of the gun: process and possibility in global small arms control. *International Politics*. 2018. Vol. 55(3). P. 441-461.

³⁵⁴ *Ibid* 2019. P. 368-388

³⁵⁵ Secretary-General's message to the 27th Ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa. 2008. Electronic resource: <https://www.un.org/sg/en/content/sg/statement/2008-05-15/secretary-generals-message-27th-ministerial-meeting-united-nations> [Accessed date: 24.11.2021].

draft legislative document to the committee members during the 28th UNSAC ministerial conference in Libreville (Gabon) in May 2009.³⁵⁶ Simultaneously, the Republic of Congo presented to the Secretariat a proposed legislative document heavily influenced by the wording of the ECOWAS Convention on SALW. According to the verdict made by the members of UNSAC, the ECCAS Secretariat presented two frameworks during the ministerial session in Chad (Ndjamena), 2009.³⁵⁷ The instrument was adopted by ECCAS Member States and presented before the United Nations General Assembly, in October 2009.³⁵⁸

The UNODC's Global Firearms Program (GFP), in collaboration with ECCAS, held a regional conference for Central African countries in Kinshasa, Democratic Republic of Congo, to examine the efficiencies and interconnections between the Firearms Protocol and the Kinshasa Convention on Small Arms and Light Weapons (SALW) in 2019, which the European Union contributed to the project, which made it feasible.³⁵⁹ The Kinshasa Convention went into effect in 2017, and since then, national, and regional changes have been taken to facilitate adopted measures. Considering that most nations are signatories not only to the Kinshasa Convention and the Firearms Protocol but also to other international instruments such as the Arms Trade Treaty, the UN Program of Action on SALW, and the Nairobi Protocol on SALW, UNODC and ECCAS have taken advantage of this situation to examine the necessity to harmonize

³⁵⁶ 28th UNSAC ministerial conference in Libreville (Gabon), [A/64/85-S/2009/288]. 2009. Electronic resource: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N09/359/96/PDF/N0935996.pdf?OpenElement> [Accessed: 24.11.2021].

³⁵⁷ ECCAS secretariat on the institutional evolution of the subregional peace and security, [A/64/638-S/2010/54] N'Djamena, Chad. 2009. Electronic resource: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N10/225/77/PDF/N1022577.pdf?OpenElement> [Accessed: 24.11.2021].

³⁵⁸ Note: 1. A draft legislative framework to combat SALWs in Central Africa, and 2. a plan of action for the execution of the future legal mechanism.

³⁵⁹ Regional conference for Central African countries on links between Kinshasa Convention on Small Arms and the Firearms Protocol. 2019. Electronic resource: <https://www.unodc.org/unodc/en/firearms-protocol/news/regional-conference-for-central-african-countries-on-links-between-kinshasa-convention-on-small-arms-and-the-firearms-protocol.html> [Accessed date: 26.11.2021].

national arms regulations and laws in Central Africa. Experts from the UNODC and the ECCAS addressed the international legal framework on SALWs. The UNODC created and published a regulatory evaluation and correlative analysis of arms law in the subregion, taking into consideration current legislation in each nation. ECCAS and the United Nations Regional Centre in Africa facilitated this analysis with of part of the United Nations Office for Disarmament Affairs that have been acting on these issues in the subregion. On April 30, 2010, in Kinshasa (Democratic Republic of Congo), the Kinshasa Convention was overwhelmingly accepted as part of an initiative to prevent, control, and eradicate Illegal trading in SALWs (Program of Action). On March 8, 2017, this subregional mechanism for the controlling and combating illicit trade and smuggling of SALW went into effect.³⁶⁰ The Convention's final version was presented in April 2010 and opened for signing on November 19 of that year in Brazzaville. After national deliberations, most nations signed it that day, with Burundi, Equatorial Guinea, and Rwanda signing it in 2011. To enter effect thirty days following the sixth ratification, the Convention needed to be ratified by at least six States. At the end of 2012, however, there were just four States Parties: Chad, Gabon, the Central African Republic, and the Republic of Congo. If the other States agree to speed up the process to enable ratifications in 2013, it will take far longer, and it was not until the beginning of 2017 that six States finally ratified the document (Cameroon on January 30, 2015, followed by Angola on February 6, 2017), allowing them to enter force.³⁶¹

³⁶⁰ Note: Angola, Cameroon, Central African Republic, Republic of Congo, Gabon, Sao Tome and Principe, and Chad were countries that ratified the convention among the 11 signatory countries that have signed the Convention. On November 23, 2018, the National Assembly of the Democratic Republic of Congo (DRC) passed a legislation ratifying the Convention. The Parliament of Equatorial Guinea gave the executive authorization to adopt the Convention.

³⁶¹ *Mubiala M.* The Kinshasa Convention for the Control of Small Arms and Light Weapons in Central Africa. *African Yearbook of International Law Online //Annuaire Africain de droit international Online.* 2018. Vol. 23(1). P. 489-496.

The Convention lays several requirements for regulating SALW, as well as their ammunition, parts, and components. Unlike the ECOWAS Convention, which forbids SALW shipments unless excluded, the Kinshasa Convention enables but restricts transfers between States, which must be justified by the necessity to preserve order, defense, national security, or participation in international peacekeeping operations.³⁶² Transfers to non-state groups are prohibited. In terms of civilians, the ownership of light weapons is forbidden, and the possession of small guns is subject to regulations (obtaining a license, etc.). SALW, ammunition, and their components are also subject to several regulations, including the marking of weapons and the registration of brokers. States must also adopt laws for protecting guns and ammunition inventories, whether they are held by manufacturers, distributors, or security personnel. The number of points of entrance into the country is restricted and tightly monitored.³⁶³ Finally, States must collaborate and share information, not just through SALW databases and periodic reports, but also more spontaneously, such as when arms are seized or when tracing is requested. These measures need a review, adaption, and harmonization of national legislation at the sub-regional level, as well as human, financial, and technical resources, which the States agree to supply. As a result, the Convention's provisions address a wide range of issues related to the battle against the spread of illicit SALW and regulating lawfully owned weapons.³⁶⁴ The States Parties have extremely distinct features, which impact the sub-capacity regions engaging cooperatively in regulating SALW. The internal situation is important to consider since it affects the state's ability to manage its

³⁶² *Farha J., Krotz M., Mohammed E.O.* More Bang for Their Buck: Enhancing the Sustainability of Surplus Ammunition Destruction Programs. *The Journal of Conventional Weapons Destruction*. 2019. Vol. 23(2). P. 42-45.

³⁶³ *Zughni F.* Central African Countries Sign Small Arms Pact. *Arms Control Today*. 2011. Vol. 41(1). P. 6.

³⁶⁴ *Holtom P.* Prohibiting arms transfers to non-state actors and the Arms Trade Treaty. *The United Nations Institute for Disarmament Research (UNIDIR) Resources*. 2012. P. 18.

borders and might affect the demand for weaponry from private players. In terms of border and territory control, there are significant differences within ECCAS between, on the one hand, states with strong territorial control, such as Rwanda or Angola, and territories where the state's authority is expressed little, such as the DRC or the Central African Republic.³⁶⁵ In the CAR crisis, the Séléka alliance offers a fresh approach. While armed organizations are not unprecedented in the CAR, the establishment of a mega-militia is. While organizations do cluster to some level in areas of identification, the overarching motivation is to get access to stronger firearms, resources like food and financial aid, and the capacity to extract money from citizens to replenish meager reimbursements. Conflict Armament Research shows that it is easy to acquire firearms in the Central African region. The firearms collected from combat zones in the CAR are included in Table 6. The data shows what happened during the UN arms embargo on the nation in 2013. Nevertheless, following a dispute with France about the use of recycled arms retrieved from Somalia, the ban was removed, allowing Russia to supply arms to the nation.³⁶⁶ The entirety of Séléka militants' arms was discovered in Bangui. This suggests that the rebel group had access to a large stockpile of firearms, allowing it to attract additional recruits. The research results raise a lot of questions because it's impossible to infer that the arm producing nations are directly supplying arms to violent non-state actors. End-user commitments are allegedly being broken as well, as in the cases of China and Sudan. Many of the firearms supplied to Sudan were discovered in the Central African Republic, implying that end-user contracts were not followed. Secondly, firearms found amid anti-Balaka and civilians by Conflict Armament

³⁶⁵ *Isaacs-Martin W.* Central African Republic: The Contagion of Identity-Linked Sectarian Violence, Internally Displaced Populations (IDPs) and Small Arms Proliferation // Palgrave Macmillan Cham. 2021. P. 681-705.

³⁶⁶ *Ross A.* How Russia moved into Central Africa. Reuters. 2018. Electronic resource: <https://www.reuters.com/article/us-africa-russia-insight/how-russia-moved-into-centralafrica-idUSKCN1MR0KA>. [Accessed date: 21.12.2021]

Research suggests that arms producing nations, like Spain and Italy, are usually not in a contractual obligation with armed groups or state authorities. It appears that arms are being transported through Cameroon's and maybe other neighboring nations' borders. Plus, development of arms artisan implies that firearms can be utilized without being obliged to any arms producing nation.³⁶⁷ Violent non-state armed groups operate on both sides of the boundaries in these nations, for example Lord's Resistance Army. Furthermore, country differences are caused by a variety of variables. In certain cases, such as in the CAR or the DRC, the absence of territorial control is primarily owing to a lack of resources dedicated to security.³⁶⁸ Other nations have been accused of attempting to destabilize their neighbors by preferring the funding and equipping of armed organizations, such as Rwanda, which has been accused by the United Nations of supporting the M23 insurrection in the Democratic Republic of Congo. Inconsistencies in the adaptation of national legislation to the Convention's provisions highlight the ongoing inequities between States Parties. This poses a barrier to the Convention's enforcement. Chad, for example, although being one of the first countries to ratify the Convention in 2012, nonetheless has an outdated legal arsenal when it comes to SALW control.³⁶⁹ While a lack of legislative reform is not in and a breach of the Convention (the latter only becomes enforceable after it goes into effect), many nations face a significant amount of legislative work. The low rate of ratification of the Convention – five countries out of eleven have yet to finish the process – emphasizes the importance of these barriers to an effective regional dynamic. Some of them, such as Burundi, Rwanda, and the Democratic Republic of the Congo (DRC), are already

³⁶⁷ *Kwaja C.* The Context of Small Arms Proliferation in Africa: State Fragility and Management of Armed Violence. Palgrave Macmillan Cham. 2021. P. 113-131.

³⁶⁸ *Schomerus M.* The Lord's Resistance Army: Violence and Peace-making in Africa. Cambridge University Press. 2021. P. 320.

³⁶⁹ *Titeca K.* The Lord's Resistance Army (LRA) in the Democratic Republic of Congo:(un) invited Guests? IOB, Institute of Development Policy, University of Antwerp. 2020. P. 29.

participants of other regional treaties on the issue, such as the Nairobi Protocol, which brings together more than ten East African countries (the DRC has also signed the SADC Protocol). Duplication of regional instruments appears to reduce the attraction of a new instrument for these three States, who have not yet joined the Kinshasa Convention.³⁷⁰ Finally, pre- and post-election conflicts in some countries, such as Burundi and the Democratic Republic of the Congo, diminish the chance of fresh ratifications.

Table 5: Reported sources of weapons and ammunition in the Central African Republic from 2000 to 2017

Country of origin	Production year	Type of arms retrieved
China	2000–2001 2002–2006 2006–2007 2008–2011	7.62×54R mm ammunition; 82-2 hand grenades; 82 mm HEAT recoilless rifle rockets; Type 56-2 assault rifles; Type 82-2 hand grenades; PP93 60 mm mortar and mortar rounds; 12.7 × 108 mm ammunition; DZPIC-40 40 mm RPG rockets; 7.62 × 54R mm ammunition; 9 × 19 mm ammunition; 7.62 × 39 mm ammunition; QLZ-87 35 mm grenade launchers; Type 69 40 mm HEAT RPG; rockets and propellant charges.
Iran	2000–2002 2003–2004 2000–2007	7.62 × 39 mm ammunition; 12.7 × 108 mm ammunition; 12.7 × 108 mm ammunition; 7.62 × 54R mm ammunition.
Sudan	2013	7.62 × 39 mm ammunition; Karaba light tactical vehicles; 82 mm mortar rounds; 60 mm mortar rounds; Khawad 12.7 × 108 mm machine guns; 120 mm mortar rounds; 7.62 × 51 mm ammunition; Makhtar 7.62 × 54R mm general purpose machine gun
United Kingdom	2007	5.56 × 45 mm L15 and L16 tracer ammunition.
Czechia	2000-2010	PZ-59 7.62 × 54R mm ammunition; 9 × 19 mm sub machine gun Ammunition.
Belgium	2008	12.7 × 99 mm ammunition
Bulgaria	2001 2002 2006–2008; 2009	FSQSD3 fuses 30 mm UBGL grenades; RHU-HEF 30 mm grenades; RHE-F 40 mm UBGL grenades; 40 mm under barrel grenade launcher; VOG-25 40 mm grenade.
Germany	2012	MAN KAT-1 military trucks

³⁷⁰ *Mubiala M.* The Kinshasa Convention for the Control of Small Arms and Light Weapons in Central Africa // *African Yearbook of International Law Online*. 2018. Vol. 23(1). P. 489-496.

South Africa	2012	Milkor-1 grenade launchers
Spain, Italy, and Cameroon	2012	Anti-Balaka and civilians; 12 gauge shotgun shells

Source: Conflict Armament Research. Non-state armed groups in the Central African Republic. 2015. Electronic resource: <https://www.conflictarm.com/reports/non-state-armed-groups-in-the-central-african-republic/> [Accessed date: 25.11.2021].

Central African nations agreed to create a legally enforceable mechanism to ensure subregional surveillance of SALWs, ammunition, and equipment used in its fabrication. The initial text of the document was discussed at the UN Standing Advisory Committee on Security Questions in Central Africa’s 30th ministerial conference, which took place in the DRC from April 26 to 30, 2010.³⁷¹ Angola, Burundi, Cameroon, Central African Republic (CAR), Chad, Congo, DRC, Equatorial Guinea, Gabon, Rwanda, and Sao Tome & Principe are among the eleven member nations. The Committee meets twice a year at the ministerial level to assess the geopolitical environment in Central Africa and the subregion’s disarmament and arms control programs. National experts from eight of the subregion’s member nations were also given the chance to present their current national guidelines. The conference’s participatory approach encouraged Member States’ sharing of ideas and experiences on the challenges they have faced so far in implementing international legal instruments on armaments. These conversations aided in the identification of particular legislation development technical assistance requirements. Follow-up initiatives to assist the nations’ present reform efforts were discussed. The UNODC is in talks with several nations in the area to explore how it might help draft revised and harmonized laws. Since 2018, the UNODC has been collaborating with national government of Chad and

³⁷¹ United Nations Standing Advisory Committee: Instrument for the control, in Central Africa, of small arms and light weapons [A/65/517–S/2010/534]. 2010. Electronic resource: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N10/587/96/PDF/N1058796.pdf?OpenElement> [Accessed: 23.11.2021]. Note: The Secretary-General created the Committee on 28 May 1992 to promote weapons control, disarmament, non-proliferation, and development in Central Africa.

Central African Republic to amend legislation and regulations. Furthermore, it benefited from the expertise and advice of delegates from the Regional Centre on Small Arms (RECSA), UNREC, and the United Nations Regional Office for Central Africa (UNOCA), which serves as the Secretariat of the United Nations Standing Advisory Committee on Security Questions in Central Africa (UNSAC), whose mission is to handle the “reconstruction and peacebuilding operations among its Member States, via confidence-building and firearms regulation measures.” The exercise was conducted under the EU-funded initiative “Tackling transnational illegal weapons smuggling through the enforcement of the United Nations Convention Against Transnational Organized Crime and its Firearms Protocol.”

In sum, the succession of legislative mechanisms for regulating SALW was adopted throughout Sub-Saharan Africa since the entrance into effect of the SADC Protocol on SALW in 2004. The Kinshasa Convention’s entrance into effect marks a significant step forward in the battle against the proliferation of small arms in Central Africa, since it is the final sub-region to do so. The Convention is more ambitious than the previous ones, but it is also more accomplished since it could account for the shortcomings of the other documents. In addition to a shortage of resources, variations in internal realities will hamper the sub-capacity regions to cooperatively combat arms trafficking. The DRC, for example, has shown little inclination to incorporate the provisions of the Conventions into its legal arsenal despite being a party to three separate sub-regional agreements but only ratifying one of them, the Nairobi Protocol and whose capital has hosted the adoption of the Convention. In reality, there is still a lot of work to be done before the African Union’s Silencing the Guns 2020 policy can reach its goal. At the national level, nations must negotiate the reduction of stockpiles of arms; establish methods or instances of discussion to allow for the peaceful resolution of problems; and prevent any possibility of a crisis turning into an armed war. Another proposal is for the national strengthening of the state’s position and commitment to

promote international collaboration in order to improve border control and combat arms trafficking. Governments should also endeavor to combat corruption, poverty and elevate living standard, especially in relation to security forces and customs workers in charge of border inspections. Sub-regional administrations, for instance, should promote transparency and instill the discipline of effective governance in order to prevent social instabilities and armed conflicts from becoming the main source of firearms accumulation.

Eastern African region. In the Horn of Africa and the Great Lakes region, eleven states have agreed to develop the instrument substantially identical to the SADC Protocol, known as the *Nairobi Protocol*³⁷², which was opened for signature on April 21, 2004, and entered into force in May 2006. Five French-speaking countries are States Parties: Burundi, Djibouti, DRC, and Rwanda. Seychelles has signed it but not ratified it. The drafters of the Nairobi Protocol drew heavily on the SADC Protocol, which explains why most of the provisions are identical. There are, however, some innovations. Important points include the obligation for States Parties to: Adopt legislative measures to criminalize the illicit trafficking of SALW and to sanction the violation of the arms embargoes of the United Nations and/or regional organizations (*Article 3*); Incorporate into their legislative laws to coordinate procedures relating to import, export and transit and establish minimum standards in this area; To standardize the way weapons are manufactured and imported in the States or to regulate brokering (*Article 3c*); Strengthen sub-regional cooperation between police, intelligence, customs and border control services (*Article 4a*) and create a system of mutual legal assistance to fight against illicit trafficking in SALW (*Article 14*); and Mark weapons when they

³⁷² The Nairobi Protocol. 2006. Electronic resource: <https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/recsa-nairobi-protocol-for-the-prevention-control-and-reduction-of-small-arms-and-light-weapons-in-the-great-lakes-region-and-the-horn-of-africa.pdf> [Accessed date: 24.05.2020]

are made, imported, and keep records for at least ten years (*Article 7*). Unlike the SADC Protocol, this Protocol also contains an article exclusively devoted to arms transfers (*Article 10*), the main provisions of which are: The establishment of an “effective (national) system for granting export and import permit or authorization, as well as measures relating to international transit”. These documents must contain a minimum amount of information; The obligation to verify, before each transaction, that the importing State has granted the relevant permits and that the transit States have given a written agreement; The obligation for the ‘State of import to inform the State of export of receipt of a shipment; and ensure that the relevant documents can be verified or validated. Finally, the Protocol requires States to: Set up a national system of regulation of brokers (*Article 11*); and develop mechanisms for transparency, information exchange and harmonization, by setting up National Focal Points and establishing sub-regional systems to verify the validity of relevant documents, to harmonize them and to facilitate their exchange of information on possible violations (*Article 16*). To implement the Nairobi Protocol, States Parties established the Regional Centre on Small Arms (RECSA), an intergovernmental organization responsible for coordinating the action of National Focal Points of Member States to implement the Protocol and to put in place National Action Plans.³⁷³ To facilitate the Protocol’s application, member nations to the Nairobi Protocol launched the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa, and Bordering States (RECSA) in 2005.³⁷⁴ RECSA assisted national governments in a range of aspects in 2012, such as firearms and ammunition destruction, aid in developing national action plans (in the DRC and Malawi), institution-building associated with gender mainstreaming and improved inter-

³⁷³ *Alley R.* Small arms and light weapons: the disjunction problem // *Conflict, Security & Development*. 2019. Vol. 19(2). P. 143-172.

³⁷⁴ *Machakanja P., Manuel C.S.* Southern Africa: Regional Dynamics of Conflict and the Proliferation of Small Arms and Light Weapons. Palgrave Macmillan, Cham. 2021. P. 983-1001.

agency collaboration on SALW, revision of national laws and regulations (in Kenya and Tanzania), improvement of public awareness on SALW in local areas (in Kenya), and introducing a researchers' seminar to investigate risks and recommendations to the problem.³⁷⁵ RECSA's functions expanded to other sub-regions, including the purchase of arms-identification machines for 4 West African countries (Ivory Coast, Ghana, Mali, and Togo), electronic data recording for Ivory Coast, Ghana, and Togo, improved institutional capacity with effective proactive regulations on SALW for security agencies, civil society, and media (in East, Southern, and West Africa), and the facilitation of combined cross-border commissions.³⁷⁶ RECSA has always been chastised for a lack of concern to national priorities and a systematic method, as evidenced by providing of two arms-identification machines to Southern Sudan in 2010, which were reportedly delivered without the required database software, severely restricting the machines' utility.

The Nairobi Protocol for the Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa is the catalyst for measures against these SALWs in East Africa. While East African countries realize the Program of Action's international significance, the Nairobi Protocol takes center stage. It addresses regional problems and requires Member States to implement its rules.³⁷⁷ The Nairobi Protocol was signed in 2004 and came into force in May 2006, after the approval of the Guide to Best Practices to implement the Protocol in 2005. The five East African nations formed regional collaboration to observe the Protocol's enforcement; they also function as focus points for the Program of Action's execution for East African

³⁷⁵ *Greene O., Marsh N.* Governance and small arms and light weapons // In *Small Arms, Crime and Conflict*, Routledge. 2013. P. 179-198.

³⁷⁶ *Wepundi M., Nthiga E., Kabuu E., Murray R., del Frate A.A.* Availability of small arms and perceptions of security in Kenya: an assessment. Geneva: Small Arms Survey. 2012. P. 128.

³⁷⁷ *Dye D.* Addressing the demand-side of SALW proliferation // *Arms Control: Africa*. 2008. Vol. 1(2). P. 9-10.

Community's SALWs operations. Officials of the police force, national defense forces, several agencies (like foreign affairs, interior, and immigration) and members of civil society made up the national links in East Africa.³⁷⁸ By the mid-1990s, the countries in the area had become acutely conscious of the threat of excess arms and had taken cooperative measures at the regional level. After a military takeover in Burundi in 1996 intensified the country's civil conflict and the UN Security Council's inability to decide on weapons sanctions, the DRC, Eritrea, Ethiopia, Kenya, Rwanda, Tanzania, Uganda, and Zambia imposed regional arms sanctions on Burundi.³⁷⁹ In 1999, the seven governments lifted both the sanctions and the arms embargo, despite the urging of human rights organizations, in consideration of peace negotiations aimed at ending the civil conflict.³⁸⁰ The regional sanctions failed to accomplish the desired goal of halting arms imports into Burundi, partly due to regional nations' inability to monitor weapons supplied from outside the area, and regional players' own violations of the embargo. This purportedly involved a Burundian rebel collaboration with Rwandan insurgents, as well as arms trafficking from South Africa via the DRC and Zambia.³⁸¹ According to National Focal Points on SALW in Kenya, Uganda, Burundi, and Rwanda, the transnational existence of the SALW threat, as well as the common security risk of armed non-state actors endangering national sovereignty and stability, creating the

³⁷⁸ *Lamb G, Dye D.* African solutions to an international problem: arms control and disarmament in Africa. *Journal of International Affairs.* 2009. Vol. 62(2). P. 69-83.

³⁷⁹ SIPRI database. Multilateral arms embargo on Burundi. Electronic resource: https://www.sipri.org/databases/embargoes/eu_arms_embargoes/burundi/multilateral-arms-embargo-on-burundi [Accessed: 26.11.2021]

³⁸⁰ *Grauvogel J.* Regional Sanctions against Burundi: A Powerful Campaign and Its Unintended Consequences // German Institute of Global and Area Studies, Hamburg. 2014. Vol. 255. P. 1-27.

³⁸¹ Human Rights Watch World Report 1999: Events of December 1997-November 1998. Human Rights Watch. 1998. Electronic resource: <https://books.google.ru/books?id=LdWZrfsdqAEC&lpg=PR13&ots=UJwUquisLN&dq=Human%20Rights%20Watch%2C%20E%80%98A%20Strike%20Against%20Genocide%3A%20Talking%20Points%20Regarding%20an%20Arms%20Embargo%20on%20Burundi&lr&pg=PR6#v=onepage&q&f=false> [Accessed date: 27.11.2021]

willingness to formulate regional arms regulation law.³⁸² The liberal institutional theory postulates nicely with this reason. That explanation still doesn't clarify why regional plan was implemented as a ban. Historically, weapons bans, particularly regional or worldwide, have not yielded the expected effects. An embargo aimed at a specific country would never gain the required support from that country's close allies. Moreover, as a weapons control mechanism and embargoes were developed elsewhere and do not sit well with the regional political framework of dual sovereignty, that's the relationship between colonizers and colonized.³⁸³ The idea of implementing a regional weapons sanction was made not because it was thought to be the most likely solution to the issue, but because weapons ban was the only legal multinational arms regulation instrument (that supports the theory of historical institutionalism) and implementing it would send a powerful message to the global community that the region was it governed by the collective decision of states.

Burundi's situation was not exceptional, but the responses were. Whilst ban on Burundi was broken, governments in the area kept working on tactical measures to handle SALWs. Eastern Africa Police Chiefs Cooperation Organization (EAPCCO) was established in 1998. EAPCCO was formed to facilitate regional security collaboration in the fight against transnational organized crime, especially the proliferation of illicit weapons. Burundi, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Seychelles, Somalia, Sudan, Tanzania, and Uganda are among the 11 member nations of EAPCCO.³⁸⁴ It is regarded as the Nairobi Protocol's first institutional birthplace. The 1995 action by Interpol's General Assembly on regionalization, in which the institution approved regulations for the formation and management of Regional Bureaus, successively led to

³⁸² *Grip L.* Small arms control in Africa. (Academic dissertation) Helsinki University. 2017.

³⁸³ *Ibid* 2017. 79-103.

³⁸⁴ *Cline L.E.* African regional intelligence cooperation: Problems and prospects //International Journal of Intelligence and Counterintelligence. 2016. Vol. 29(3). P.447-469.

the formation of 7 regional Interpol offices, four of those are in Sub-Saharan Africa, instituting the formation of EAPCCO.³⁸⁵ Even the EAPCCO Secretariat is housed at the Interpol Sub-Regional Bureau in Nairobi. ‘It would be incorrect to take this as proof of Western support for regional integration,’ says Alice Hills, who has researched African policing heavily (although not its arms management aspect). Interpol’s effort to enforce a European-style architecture on African policing agencies would be equally erroneous.’³⁸⁶ Rather, regional security alliance based on African police chiefs grew as a result of its distinctive political responsibilities and strong ties to the presidents, and also the capacity to discern if regional challenges are genuine or rhetorical. According to Hills, “the essential determinant influencing the interaction between the national, regional, and global levels of security” is top police officers.³⁸⁷ Hills’ case seemed to have validity at first inspection. The Nairobi Protocol’s original institution, as well as the other three regional SALWs control accords on the continent, is the Police Chiefs Cooperation Organization.³⁸⁸ The function of EAPCCO and other regional police cooperation groups in the establishment and management of regional weapons control mechanisms is often overlooked, if not completely ignored.

The Nairobi Declaration mandated quarterly Ministerial Review Meetings, as well as an Action Agenda and a Plan of Action. The two were implemented in November 2000 and updated in the August 2002 Ministerial session. The Action Plan called for a collaboration between states, civil society organizations, and interregional organizations

³⁸⁵ *Dye D.* Arms control in a rough neighborhood: the case of the Great Lakes Region and the Horn of Africa // Institute for Security Studies Papers. 2009. Vol. 2009(179). P.16.

³⁸⁶ *Ibid* 2021. P. 1095.

³⁸⁷ *Hills A.* Managing the interface: regional security and substate politics in Africa // African security. 2008. Vol. 1(2). P. 92-114.

³⁸⁸ *Lisakafu J.* Interregionalism and police cooperation against cross-border crime in East Africa: Challenges and prospects // South African Journal of International Affairs. 2018. Vol. 25(4):563-579.

like EAPCCO to carry out the Declaration's realization.³⁸⁹ It is insufficient to describe institutional design decisions with either arbitrary or merely the consequence of rational desires to optimize efficiency. A closer examination of the events using process tracking reveals that historic interpretations and methods of weapons control affected design decisions, as carried out by individual players in certain events happening in close vicinity to the event.³⁹⁰ Furthermore, the Nairobi Protocol was established as a neoliberal system of management of arms control practice, thanks to events tracking and recording approach. It was decided, for example, the security threats of weapons should be handled regionally rather than locally. In African regional government, the social institution practices in ministerial and summit conferences are frequent, with a concern for government officials to develop an identity of state development and promote essential values, according to Söderbaum.³⁹¹ Kenya, Tanzania, and Uganda signed a re-establishment pact in 1999, entered effect in July 2000. (a few months after the adoption of the Nairobi Declaration). Since the EAC's re-form, the member nations have made bold measures toward establishing a common economy. The EAC's main aim is to create a single currency and provide the groundwork for a political framework (from the experience of colonial powers). Burundi and Rwanda joined the EAC in 2007. Most nations in the region have shown a desire to join the EAC. The five EAC member nations adopted the Security Protocol in 2013, which established a uniform strategy for addressing security challenges in the area. The pact commits the five governments to work together to solve common security issues and outlines cooperative development of policies, initiatives, methods, strategies, and programs to combat the spread of illegal

³⁸⁹ *Thusi T.* Assessing Small Arms Control Initiatives in East Africa: The Nairobi Declaration // *African Security Studies*. 2003. Vol. 12(2). P. 17-26.

³⁹⁰ *Engel U.* Peacebuilding Through Space-making: The Spatializing Effects of the African Union's Peace and Security Policies // *Journal of Intervention and State building*. 2020. Vol. 14(2). P221-236.

³⁹¹ *Söderbaum F.* Modes of regional governance in Africa: neoliberalism, sovereignty boosting, and shadow networks // *Global Governance*. 2004. Vol. 10(4). P. 419-436.

SALWs.³⁹² The Security Protocol shows some potential framework more prone to fully integrate neoliberal system, given its brief lifespan, such evaluation is premature. Unlike the other three African regional economic institutions that serve as the structural foundation of regional SALWs regulation treaties, the EAC has exercised only a minor role in SALWs regulation. The Nairobi Declaration was approved before the EAC was legally re-introduced, which is one rationale for this. The scale and nature of the SALWs crisis, according to SALW focal points and police commissioners in the EAC area, lies to a considerable part outside of the three founding states, especially in war turn nations.³⁹³ It's worth noting that the notion of expanding international SALWs regulation beyond neighboring nations to include the root of the issue does not include arms producing nations. Another explanation might be that, compared to ECOWAS, the EAC has been quite hesitant to participate in peace and security issues. In the long term, the function of the EAC and its member nations in SALWs regulation in the broader area, which includes the five governments most overtly engaged in neoliberal SALWs regulation, is expected to become even more crucial.³⁹⁴

The Nairobi Protocol is a ratified weapons regulation that covers 15 countries, ranging from the Republic of Congo to Somalia. The Protocol provides the legal framework on legislative and institutional changes, identification and transfer restrictions, management of seized arms, mutual legal support, increased accountability, anticorruption strategies, and regional institutional arrangements, which are stipulated

³⁹² *Nieuwkerk A.V.* The peace and security architecture of African subregional organizations // Palgrave Macmillan, New York. 2013. P. 51-75.

³⁹³ *Ettang D., Lukhele S.* The small arms and crimes dilemma in Tanzania: improving national and regional security responses: East Africa-issue on focus // *Africa Conflict Monthly Monitor*. 2013. Vol. 2013(04) P. 38-43.

³⁹⁴ *Rwengabo S.* Institutional Design and the Implementation of the African Peace Security Architecture in Eastern Africa // *Africa Development*. 2016. Vol. 41(4). P. 107-138.

in 14 articles (sections 3 to 17).³⁹⁵ Since 2001, the most developed regional mechanism has been the Nairobi Protocol on private or personal possession of firearms. The regulations include a prohibition on personal possession of automatic and semi-automatic firearms, which is significantly more stringent than in other modern nations, including all EU member states. The Protocol is more dynamic than other regional treaties from an institutional theory standpoint since it is legally enforceable and more precise in mandating activities to be implemented by member nations.³⁹⁶ As a result, execution is expected to be quite expensive and gradual due to a widespread lack of institutional capability. From a neorealist standpoint, totalitarian regimes' engagement is frequently associated with high substantive obligation norms. Significant standards do not equate to high expenses due to lack of accountability or responsibility for national fulfillment. Additionally, the Protocol lacks a punishment system and no provisions for dealing with non-compliance. Furthermore, from the standpoint of developing norms, the Protocol's primary flaw is that it omitted the Declaration's provisions on effective governance, human rights, and eradication of excess arms in the society.³⁹⁷ States affirm to the Nairobi Protocol's preamble that "a coordinated approach to apprehend and address the issues must include implementing organizational procedures and systems to promote equality, human rights practice, the legal system, and effective governance, and also economic development and innovation," but the Protocol contains no legal framework for effective governance, military expenditure, or civil rights.

In sum, from a historical-relational standpoint, the Nairobi Protocol aligns with the fundamental attribute of the neoliberal aspect of SALWs management systems. The

³⁹⁵ *Lamb G., Dye D.* African solutions to an international problem: arms control and disarmament in Africa // *Journal of International Affairs*. 2009. Vol. 62(2). P. 69-83.

³⁹⁶ *Garcia D.* Developing indicators for evaluating the national implementation of regional law on arms in Africa // *African security review*. 2009. Vol. 18(1). P. 76-90.

³⁹⁷ *Abdullahi I.* Techniques for combating the proliferation of small arms and light weapons in Sub-Saharan Africa: legal aspects // *South Asian Journal of Marketing & Management Research*. 2015. Vol. 5(1). P. 1-30.

Protocol, like the Declaration, guarantees national security via military methods and contains no requirements for accountability, reductions in defense budget or weapons importation, or enhanced military performance. It raises concerns about illegal SALWs shipments while preserving firearms sales, manufacture, and usage in the formal sectors. More broadly, it exemplifies what Galtung described to as the legalist approach to weapons regulation in the 1960s, its emphasis on using rules to designate behavior as right/conforming or wrong/nonconforming and an emphasis on formulating treaties and agreements. Latham and Krause critique the legalist approach to weapons regulation as Western arms control ideology, defined by logical, bureaucratic, and commercial negotiation techniques and security judgments, as well as a reliance on institutional laws and norms. More precisely, the Nairobi Protocol's structure and applicability imply that neoliberal practice imprinted modernized measures of SALWs control practice on the Protocol, such as arms identification, recording and licensing.

Southern African region. The *Southern African Development Community (SADC)* is the first region on the continent to adopt a binding legal instrument on SALW. The SADC Protocol was signed by States of the region on March 9, 2001 and entered into force on November 8, 2004. Three French-speaking states have ratified it: Madagascar, the DRC, and Seychelles. The main provisions of the Protocol concerning the control of SALW require States to: Make the infringement of arms sanction decided by the United Nations Security Council (*Article 5 §2*) punishable; Incorporate into their legislation measures to coordinate procedures relating to import, export and transit and establish minimum standards in this area; to mark in a standardized way the weapons manufactured and imported into the States, or to regulate brokering (*Article 5 § 3*); Establish and improve national databases and communication systems to control and monitor movements at borders (*Article 6*); Harmonize the documents used, and in particular end-use certificates, and establish systems to verify their validity and authenticity (*Article 8*). The Protocol suffers from the lack of an implementation and

monitoring mechanism. SADC has been working for several years in collaboration with the Southern African Police Chiefs Cooperation Organization (SARPCCO) for police cooperation to remedy these shortcomings. However, the application of the provisions of the Protocol remains imperfect.³⁹⁸ Its transposition into national laws and practices is still slow in several States. In addition, no initiative has been taken to harmonize national practices and documents. However, SARPCCO is working on a draft for a mutual operating standard procedure for applying the Protocol. The SADC Protocol's main goal is to prevent, battle, and eliminate illicit weapons, ammunition, and other related manufactured parts.³⁹⁹ It also aims to control the shipment of lawful SALWs in order to reduce the flow of these firearms in the region. In particular, the Protocol strives to harmonize national regulations on the manufacturing and ownership of SALWs in the territory. As a result, the SADC Protocol "signifies a substantial advancement in the activities of Southern African governments to combat the plague of SALWs." Outmoded state laws, outdated control measures, uncertain peace processes, porous borders, and inadequate capacity of governments, whilst influencing civil society to evaluate the licit and illicit movement of weapons, posing enormous obstacles not just to in addressing the fundamental issue of SALWs commerce in the southern African region, but also in initiating the SADC Protocol.⁴⁰⁰ Furthermore, there is little, if any, accurate data information to measure the benefits and effectiveness of adopting the SADC Protocol.

The history of the SADC Protocol is fascinating and potentially beneficial to other African areas. On a variety of topics, the Southern African Development Community

³⁹⁸ *Berman E.G., Maze K.* Regional Organizations, and the UN Programme of Action on Small Arms (PoA). Geneva: Small Arms Survey. 2012. P. 176.

³⁹⁹ *Machakanja P., Manuel C.S.* Southern Africa: Regional Dynamics of Conflict and the Proliferation of Small Arms and Light Weapons // Palgrave Macmillan, Cham. 2021. P. 983-1001.

⁴⁰⁰ *Stott N.* Implementing Southern Africa Firearms Protocol. Identifying challenges and priorities // Institute for Security Studies Papers. 2003. Vol. 2003(83). P. 16.

designates the framework action plan to target various forms of SALWs challenging in the region. The organization's orientation is determined by the presidents of nation and essential ministries from its member nations, whilst SADC policy is implemented through a range of technical advisory boards.⁴⁰¹ SALWs were previously considered as largely a foreign policy goal (together with other SALWs regulation problems), but they are now gradually being considered as a public protection threat for SADC nations. As the situation of SALWs became more prominent in Southern Africa, States devised several complementary measures. In the first case, an NGO-sponsored session endorsed the Program of Action on illegal firearms. In May 1998, SADC and European Union delegations supported a resolution against firearms smuggling, which was subsequently adopted by SADC and European Union foreign ministers. Following that, in August 1999, during the conference in Mozambique (Maputo), the SADC Council of Ministers issued its first declaration on the problem of preventing and fighting illegal smuggling of firearms and malicious activities.⁴⁰² The Council highlighted the region's numerous violent clashes had resulted in a profusion of firearms. As a result, illegal behavior like armed robberies and the unlawful smuggling of firearms have increased in the territory. Considering the Council directed SADC to develop a regional framework to regulate SALWs, whilst designating the Southern Africa Regional Police Chiefs Cooperation Organization (SARPCCO) as the implementor of the framework. SARPCCO was founded in 1995 to organize police efforts on challenges that threatened the subregion's order and safety.⁴⁰³ In July 1999, the Agreement in Respect of Cooperation and Mutual Assistance in the Field of Combating Crime became legal. It serves as a platform for

⁴⁰¹ Bah A. Toward a regional approach to human security in Southern Africa. Canada: Centre for International Relations, Queen's university Kingston. 2004. P. 98.

⁴⁰² SADC Summit of Heads/State/Government. 2005. Electronic resource: <https://www.sadc.int/about-sadc/sadc-institutions/summit/> [Accessed date: 27.04.2021]

⁴⁰³ Stott N. SARPCCO recommends firearm marking standard for Southern Africa. Arms Control: Africa. 2004. Vol. 3(2). P. 15-16.

subregional coordination in areas that operate entirely or partially beyond the jurisdiction of southern African military ministries, like illegal smuggling of arms and preventing criminal activities. Despite SARPCCO independence, it still collaborated extensively with SADC and its subcommittees. SARPCCO created an arms department and assigned investigators whose purpose is to monitor the SADC Protocol implementation and function as an interface between member countries and the SADC Secretariat, after its designation as the executive agency for SADC on SALWs matters.⁴⁰⁴ The SADC Policy was developed by a special committee consist of members from Mozambique, South Africa, Swaziland, Zambia, Zimbabwe, and the SADC Secretariat. The special committee decided at its first meeting in Botswana (Gaborone), October 1999 that whatever SALW policy was produced, one of its major components should be a statement that would contribute to the emergence of a legally enforceable subregional protocol and accompanying action plan.⁴⁰⁵ The SADC Protocol, adopted in August 2001 by the heads of government of Southern Africa, was negotiated and eventually adopted as a result of this decision.

Since SADC designated SARPCCO to be the SADC Protocol's implementing authority, the legislative sub-committee of SARPCCO created broad principles of application. "A framework of operations to prevent, fight, and regulate spread of illegal smuggling of SALWs, was developed in anticipation to the introduction of the SADC Protocol," according to Jerry Ekandjo, Namibia's Minister of Home Affairs. "The main important characteristic of the initiative is the unification of laws, data interchange, and the establishment of information technology-based management for SALWs," he

⁴⁰⁴ *Stott N.* SARPCCO recommends firearm marking standard for Southern Africa. *Arms Control: Africa*. 2004. Vol. 3(2). P. 69-83.

⁴⁰⁵ *McLean A.* Small arms-big challenge: Can Southern Africa show the way for the 2001 UN conference? // *African Security Studies*. 2000. Vol. 9(2). P. 3-12.

added.⁴⁰⁶ Although, there was no clarification about the condition of any implementation structure, although it was implied that SADC and SARPCCO Secretariats were consulting whilst developing a concrete initiative to be presented to the SADC Organ on Politics, Defense, and Security for authorization. SARPCCO “Action Plan on SADC Protocol on the Control of Firearms, Ammunition, and Other Related Materials” appeared in 2002.⁴⁰⁷ A couple of seminars for nations in the subregion that have been designated as improvements for execution are listed in this program. In some ways, it reaffirms the Protocol’s commitments, but with deadlines and details on which SARPCCO sub-committee is in charge of managing the efforts. The initiative stresses the need for nations in the region to adopt standard operating procedures and training programs in areas such as joint operations and gun disposal. The initiative also establishes timetables for the revision of national rules governing guns ownership and the enactment of regulations to ease the provision of mutual legal support.⁴⁰⁸ Several State governments have indeed incorporated the SADC Protocol’s requirements at the national level. In other cases, the Protocol includes responsibilities that certain nations have previously fulfilled, such as reviewing border restrictions and engaging into bilateral treaties to help in the detection and destruction of weapon’s stock. Furthermore, some State has designated a National Focal Point and are revising their national laws in light of the Protocol’s criteria.⁴⁰⁹ Essentially, every country in Southern Africa is participating in transnational police operations and investigations as a result of their involvement in SARPCCO. For instance, the South African government decided in

⁴⁰⁶ *McLean A.* Small arms-big challenge: Can Southern Africa show the way for the 2001 UN conference? // *African Security Studies*. 2000. Vol. 9(2). P. 16.

⁴⁰⁷ *Ettang D.* South Africa: Xenophobia, Crime and Small Arms Proliferation. Palgrave Macmillan, Cham. 2021. P. 819-845.

⁴⁰⁸ *Fafore O., Adekoye A.* An overview of the effects of organized crime on southern Africa // *Journal of African Foreign Affairs*. 2019. Vol. 6(1). P. 107-118.

⁴⁰⁹ *Lamb G.* Policing and Boundaries in a Violent Society: A South African Case Study. Routledge. 2022. P. 282.

February 1999 to destroy all excess, unnecessary, outdated, and seized firearms with calibers of less than 12.7 mm, preventing them from falling into illicit SALWs trade, and has established a recurring process within security agencies such as police and defense forces.⁴¹⁰ The South African government also took moves to strengthen state-owned weapons regulation. Operation Rachel, a cooperative activity between Mozambique and South Africa's police forces, is still destroying illegal SALWs stockpiles in Mozambique, whilst several nations have indicated a desire to form similar joint exercises.⁴¹¹ In November 2001, the Kingdom of Lesotho eradicated its excess weapons collection. Swaziland and Botswana have both received equipment from the British government to destroy illicit and seized firearms.

In sum, six of the nine countries have firearms laws dating back to the 1960s and 1970s. Zimbabwe's legislation goes back 28 years before independence in 1980, making it one of the oldest arms regulation laws. As a result, much of this law needs to be updated to keep up with current regional and international firearms management trends and methods. Apart from South Africa, no country's law necessitates a proficiency assessment before issuing a civilian weapons license. However, attempts in southern Africa to reform weapons regulation are underway. Namibia and Botswana are now examining their weapons laws to ensure compliance with the SADC Protocol. In South Africa, the National Assembly passed new, more stringent gun control laws in 2000, which complied with the SADC Protocol's standards and went into effect in July 2004 once the applicable regulations were feasible. While it is critical that all nations in the area implement updated laws, the police in Zambia and Mozambique, for example, are under-resourced. New legislation requiring the police to acquire extra skills and

⁴¹⁰ Tracey L. Ticking time bombs: ineffective weapons stockpile management in Africa // Institute for Security Studies Papers. 2011. Vol. 2011(223). P. 16.

⁴¹¹ Mtonga R. Southern African initiatives in the implementation of the UNPoA // Arms Control: Africa. 2005. Vol. 4(1). P. 12-14.

knowledge, as well as perform additional jobs, may be of minimal benefit unless the appropriate allocation are provide for this objective. The governments of all the nations involved, sign the SADC Protocol. Excluding Swaziland, every one of these nations' national parliaments has accepted the pact. Unfortunately, there's been inconsistent results in terms of implementing the Protocol's different stipulations. Several nations have formed, or are in the process of creating, National Focal Points (NFPs), a framework that would bring together delegates from key government ministries, as well as civil society in certain situations.

3.2 African Union approaches and initiatives in tackling SALWs.

For the past ten years, sub-Saharan Africa has been engaged in regulating the circulation of SALW to limit their uncontrolled proliferation and lessen its devastating impact. These initiatives reflect a widely shared perception among local authorities, international institutions, and civil society organizations: SALW are the weapons that cause the most damage in Africa and regulating their circulation. Therefore, it represents a priority for the improvement of security on the continent.⁴¹² Sub-Saharan four regional SALW control instruments were developed relatively independently and contain specific provisions in terms of SALW transfers. Even in regions where these instruments have entered into force, few States have transposed these provisions into their national legislation and effectively apply them. However, many review processes are currently underway and are expected to adopt revised laws due to the ever-evolving system of arms proliferation in sub-Saharan Africa. In addition, some states may decide to extend most of the measures relating to SALW (particularly concerning the transfer control system or the definition of certain concepts such as transit or brokering) to their entire

⁴¹² *Mittawa G.* Illicit Small Arms and Light Weapons in Africa. Palgrave Macmillan, Cham. 2022. P. 383-396.

national system control of conventional arms transfers.⁴¹³ Despite the common stands on SALW transfer control systems put in place by these legal institutions, sometimes present significant differences, which can pose problems both for the external observer and for the authorities of the certain African States which are involved or linked to several of these texts as they are therefore responsible for fusing both national and regional laws. This is the case in several Central African countries, particularly the DRC, which has linked itself to three instruments. In contrast, other states, such as Comoros and Mauritania, have not signed or ratified any regional legal instrument on SALW.

The African Union (AU) is not a significant player in the fight against the proliferation of SALWs in Africa. Instead, it is organized at the regional level. The continental organization has, however, developed two initiatives in this area. In July 1999, the 35th Ordinary Session of the Assembly of Heads of State and Government of the OAU called for the development of an “African approach to the problems posed by proliferation, circulation and illicit trafficking in small arms and light weapons”.⁴¹⁴ The first OAU Ministerial Conference on SALW was held from November 30 to December 1st, 2000 and adopted the Bamako Declaration. The document recommends several measures taken at different levels (national, regional, and international) to address the problem. Subsequently, in December 2005, the AU convened in Windhoek (Namibia) the second continental conference governed by experts on the illicit trade in SALWs. The latter adopted the Windhoek Common Position⁴¹⁵, which updates the recommendations formulated in the Bamako Declaration and asks the AU Commission

⁴¹³ *Mittawa G.* Illicit Small Arms and Light Weapons in Africa. Palgrave Macmillan, Cham. 2022. P. 41-68.

⁴¹⁴ *Kwaja C.* The Context of Small Arms Proliferation in Africa: State Fragility and Management of Armed Violence // Palgrave Macmillan, Cham. 2021. P. 113-131.

⁴¹⁵ African Union/UNODA. ‘Windhoek Common Position.’ United Nations Programme of Action Implementation Support System: Regional Organisations. 2005. Electronic resource: <https://www.gunpolicy.org/firearms/citation/quotes/3216> [Access date: 14.04.2021].

to organize and follow up on the proposals made in the position, and, to “convene a technical and legal workshop in order to create a legally binding mechanism to prevent, combat and eradicating the illicit flow and trade of SALWs”.⁴¹⁶ However, the AU is “currently developing terms of reference to engage a special envoy for disarmament that can promote a comprehensive continent-wide disarmament agenda”. A step forward to put into practice the policy recommendations formulated previously.

Africa went through a period of rebuilding and economic growth after several African nations gained independence in the 1960s. Conflicts inside and between nations existed in various locations at the same period. The problems connected with achieving long-term peace and creating inclusive communities in which all individuals are seamlessly integrated and participate in society have created several challenges that harm economic success, governance, human rights, and development. Civil wars and armed conflicts remained a component of the continent’s political and socioeconomic realities throughout the 1990s.⁴¹⁷ Terrorist organizations and organized criminals were involved in new forms of confrontations across the continent. It was evident that attempts to create peace needed to be reaffirmed. The African Union (AU) continues its attempts to develop an effective structure for preventing, resolving, and responding to crises throughout the continent.⁴¹⁸ With the establishment of the African Union’s Peace and Security Council (AU-PSC), which supported the African Peace and Security Architecture (APSA) agenda in early 2002, such a framework finally saw the light of day.⁴¹⁹ The Panel of the Wise, the Continental Early Warning System, the execution of

⁴¹⁶ *Maza K.D., Koldas U., Aksit S.* International Organizations and Conflict Management: A Contextual Analysis of the African Union (AU) // *Journal of African Union Studies*. 2021. Vol 10(2). P. 5.

⁴¹⁷ *Ibid* 2021. P. 113-131.

⁴¹⁸ *Ettang D.* Africa and the global trade in illicit small arms and light weapons // *Routledge*. 2013. P. 231-240.

⁴¹⁹ *Klaousen P.* African Peace and Security Architecture (APSA): If you want ‘to silence the guns’ by 2063, first kill the ‘white elephant’ // *Routledge*. 2022. P. 116-127.

the African Standby Force and its Rapid Deployment Capability, and other preventive diplomacy measures have been the foundation of the Common African Defense and Security Policy. In 2013, another significant step toward resolving Africa's turmoil was made.⁴²⁰ On the fifth anniversary of the African Union, heads of state and government agreed on a course of action with the aim of putting an end to arms violence by 2020. The Peace and Security Council (PSC) then attempted to engage Member States and African Union representatives to create innovative measures to accomplish this aim during its 430th meeting in April 2014.⁴²¹ Heads of State and Government implemented the Ceremonial Agreement on a Common African Defense and Security Plan in 2004 to supplement continued measures to combat the illegal movement of SALWs, which culminated in the implementation of the Bamako Declaration on the Common African Position on the Illegal Spread, Circulation, and Trafficking of SALWs by the Institution of African Unity's Council of Ministers in December 2000.⁴²² The Bamako Declaration was the continent's first effort toward regulating the illegal circulation of SALWs. It also indicated African Heads of State's readiness to participate in the final deliberations on the United Nations Prevention Program of Action. Sub-Saharan African multilateral method of fighting illegal spread of SALWs, which tackles sub-regional features and challenges, is related to the AU policy such as "Silencing the Guns", see Figure 1. These initiatives, as shown in Table 7, are mutually adopted, binding and establish a disarmament and SALWs regulation approach across the sub-Saharan Africa. For example, the ECOWAS Convention places a strong focus on national databases and registrations of SALWs. Despite these procedures, the sub-region does not appear to

⁴²⁰ *Anekwe S.C., Oddih M.C.* World Orders and Violation of African Sovereignty: Reflections on Africa Union Security Architecture // ZIK Journal of Multidisciplinary Research. 2020. Vol. 3. P. 66-86.

⁴²¹ *Maiangwa J.S., Tar U.A.* Private Security Companies and the Proliferation of Small Arms and Light Weapons in Africa // Palgrave Macmillan Cham. 2021. P. 609-625.

⁴²² *Adetiba T.C.* Transnational syndicates and cross-border transfer of small arms and light weapons in West Africa: A threat to regional security // Journal of African Union Studies. 2019. Vol. 8(1). P. 93-113.

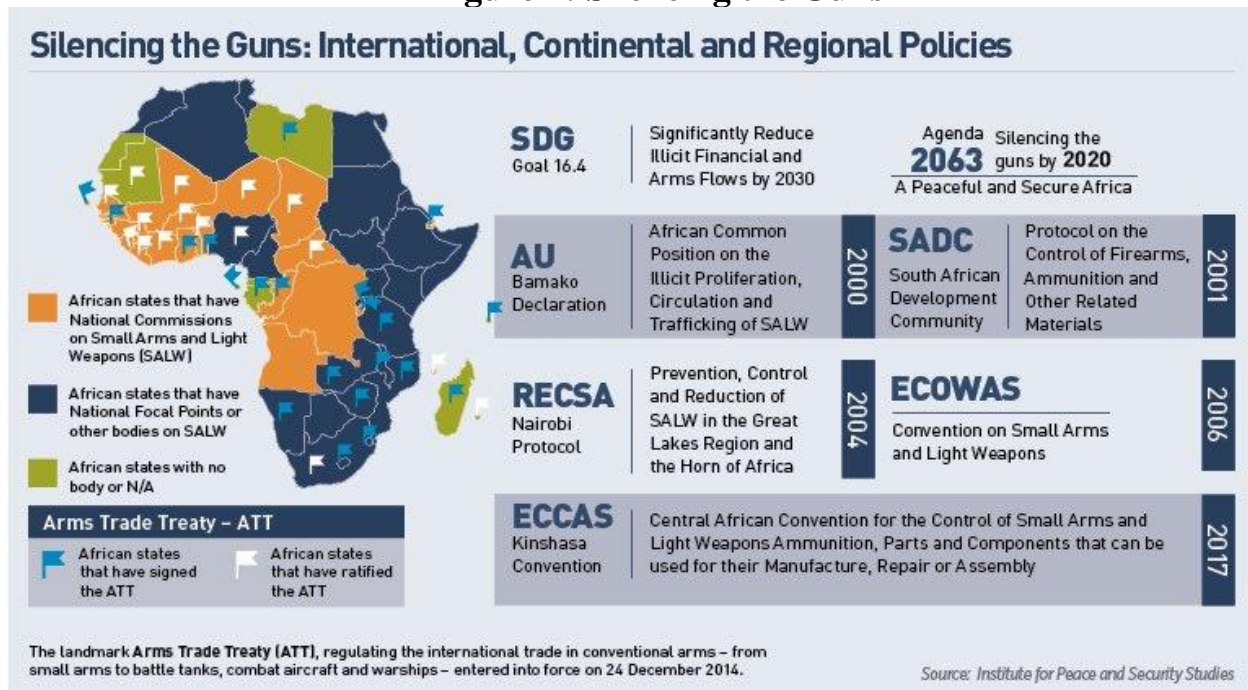
have had much progress in fighting the spread of SALWs, as it is a step forward to create rules and another to assure their effective and efficient execution, shown in Table 4. In most sub-Saharan African countries, the problem was never policy design, but rather successful execution. Notwithstanding the AU’s and other sub-regional endeavors and mitigation tactics on SALWs have continued to remain the mainstay and booster of the sub-region’s conflict heritage. Even though ECOWAS, ECCAS, EAC, and SADC all adopted sub-regional programs of action and moratoriums aimed at restricting weapons spread, little or no progress was made.

Table 5: Main regional and sub-regional approaches to the regulation of SALWs in sub-Saharan Africa

Regional/Sub-regional institutions	Strategies/measures
African Union (AU)	Bamako Declaration (2000) on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of SALWs. African Union Strategy on the Control of Illicit proliferation, Circulation and Trafficking of SALWs (2013). Silencing the Guns Plan of Action on Controlling Illicit SALW (2018).
Economic Community of West African States (ECOWAS)	Convention on Small Arms and Light Weapons, their Ammunitions and Other Related Materials (2006). Also known as the “ECOWAS Convention”.
Economic Community of Central African States (ECCAS)	Central Africa Convention for the Control of SALW, their Ammunition and Parts and Components that can be used for their Manufacture, Repair, or Assembly (2010). Also known as the “Kinshasa convention”.
East African Community (EAC)	The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa and bordering (2004).
Southern Africa Development Community (SADC)	SADC Protocol on the Control of Firearms, Ammunition and Other Related Materials (2001).

Source: Compiled by Authors 2021

Figure 4: Silencing the Guns



Source: Africa Renewal / Institute for Peace and Security Studies. 2019. Electronic resource: <https://www.un.org/africarenewal/magazine/december-2019-march-2020/silencing-guns-campaign-kicks-2020> [Accessed date: 28.11.2021].

The African Union Regional Economic Communities Steering Committee on Small Arms was established in 2008, and the development of both the African Union Strategy on the Control of Illicit Proliferation, Circulation, and Trafficking of Small Arms and Light Weapons and the African Union Common Position on an Arms Trade Treaty (ATT) were essential proposals that offered Member States with the required frameworks and tools to share expertise and establish a continental mechanism that supports the African Union Commission on implementing the initiative coherently.⁴²³ The Steering Committee has aided in the coordination of tracking of Member States' compliance with their commitments at the regional and continental levels. It's also worth noting that African Union member countries have consistently backed all international measures aimed at disarmament and non-proliferation. It should be

⁴²³ Oluwakayode O.E., Mugabi B., Dju O. The Plagues of Africa // Voprosy Politologii. 2020. №11(3). P. 995-1001.

remembered that the African Union’s Assembly of Heads of State and Government, which met in Addis Ababa, Ethiopia, in January 2013, implemented proposal *Assembly/AU/Dec.472(XX)*, which urged African Union Member Counties to use the African Common Position on the Arms Trade Treaty to restructure the challenges and protect the African interests during the United Nations conference on the ATT in March 2013.⁴²⁴ Security Sector Reform (SSR) was also considered as an important component of the African Union’s post-reconstruction and development process after war and conflict, and as component of the African Union’s attempts to minimize violence on the continent. In this sense, SSR is not only necessary for the development of military and police capacities, but it is also a strategy for conflict prevention and resolution. In January 2013, the African Union approved a Framework for Action on Post-Conflict Reconstruction and Development, acknowledging its relevance.⁴²⁵ This guideline emphasizes the importance of giving attention to the rehabilitation and improvement of security agencies’ capacity.

The African Union is not a prominent player in Africa’s fight against the spread of SALWs. Regionally, it is more structured. The continental organization launched two projects in this area. The 35th general session of the Organization of African Unity’s (OAU) Assembly of Heads of State and Government called for the establishment of a “African response to the difficulties posed by the spread, circulation, and illegal smuggling in SALWs” in July 1999.⁴²⁶ The Bamako Declaration was implemented at the inaugural OAU Ministerial Conference on SALW, which took place from November

⁴²⁴ *Piccini N.* The Legality of Small Arms Production // Contemporary Challenges: The Global Crime, Justice, and Security Journal. 2020. Vol. 1. P. 91-107.

⁴²⁵ *Dhanapala J., Donowaki M., Lumpe L.* Small arms control: old weapons, new issues. London: Routledge; 2019. P. 320.

⁴²⁶ Declarations and decisions adopted by the thirty-fifth Assembly of Heads of State and Government, AHG/Decl.1 (XXXV), Algeria, 12-14 July 1999. 1999. Electronic resource: https://au.int/sites/default/files/decisions/9544-1999_ahg_dec_132-142_xxxv_e.pdf [Accessed date: 28.11.2021].

30 to December 1, 2000. The document suggests that a variety of actions be done at various levels (national, regional, and continentally) to address the issue. Following that, in December 2005, the African Union hosted the second continental meeting of government specialists on the illicit trafficking in SALWs in Windhoek (Namibia).⁴²⁷ The latter implemented the Windhoek Common Position, which updates the Bamako Declaration's recommendations to States and requests that the African Union Commission organize and oversee the implementation of the position's suggestions, including "convening a legal and technical session to establish a binding legal framework to prevent, combat, and eradicate the illegal trade in SALWs." The African Union is now "forming guidelines to employ a special disarmament representative that can push for a coherent continent-wide disarmament agenda," according to the AU. This would be a significant leap toward putting the policy proposals into action. The Organization of African Unity (OAU) conducted an in-depth investigation into strategies to reduce the development and transmission of low-caliber military armaments as early as 1996.⁴²⁸ At the subregional and continental levels, African leaders also pledged to tackle the unlawful spread, circulation, and smuggling of SALWs, and landmines. The Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation, and Trafficking of SALWs entered into force in December 2000, whilst embodying these objectives. The Declaration was created to: "promote measures aimed at restoring peace, security, and confidence among and between Member States to reduce the resort to arms; promote structures and processes to strengthen democracy, observing human rights, the rule of law, and good governance, as well as economic recovery and development; and, most importantly, to promote

⁴²⁷ *Ndulo M, Emeziem C, editors.* The Routledge Handbook of African Law. London: Routledge. 2021. P. 652

⁴²⁸ Kirsten A, Stott N. Controlling the transfer of arms: progress and challenges in the African context // Institute for Security Studies Papers. 2008. Vol. 2008(159). P. 16.

comprehensive solutions to the problem of the illegal spread, circulation, and trafficking of munitions.”⁴²⁹ The Bamako Declaration was structured to “improve the capacity of Member States to identify, seize and destroy illicit weapons and to put in place mechanisms to regulate the circulation, possession, transfer and use of SALWs; promote a culture of peace by encouraging education and public awareness programs on the problems of the illegal spread, circulation and smuggling of SALWs, in all sectors of society, national institutions, agencies and regional frameworks of action to prevent, regulate and eradicate the illegal spread and trafficking of SALWs in Africa.”⁴³⁰ The Bamako Declaration imposes no obligatory responsibilities on African States as a political declaration. It is, arguably, the only instrument that binds all African countries, including those in North Africa, to a set of SALWs regulations. The Declaration was heavily referenced during the UN Small Arms Program of Action negotiations, leading in the adoption of numerous themes that are particularly significant to African countries in that document.

In sum, a significant dedication will be required to execute the African Union’s initiatives, structures, and mechanisms. SALWs are obviously related to the violent conflicts that actually threaten Africa’s peace and development. This predicament puts the continent in jeopardy, as these arms are capable of wreaking havoc and killing a large number of people. Due to the evolution and multiplicity of entities, such as pirates, terrorists, and crime syndicates, conflict patterns and recent trends in weapons smuggling are shifting across Africa. Existing difficulties are persisting while getting more complicated. Collaboration between the African Union and the United Nations is critical in this respect. To build effective synergy and collaboration of measures to prevent violent conflicts in Africa, a strong cooperation is required. A measure between

⁴²⁹ African Union Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. 2000.

⁴³⁰ *Magliveras K.D., Naldi G.J.* The African Union. Wolters Kluwer Law & Business. 2014. P. 88.

the African Union and the United Nations in implementing the 2030 Agenda and the 2063 Agenda would undoubtedly assist Regional Economic Communities (REC) in accelerating development by reducing conflict in their respective territories. A solid cooperation with civil society is critical in the face of contemporary conflict dynamics and emerging developments in the weapons trade. It is crucial to emphasize the role it may play in averting violence, supporting peace, and spreading awareness in indigenous communities at this key moment. It is also vital for Member Countries to collaborate to avoid their territory from being utilized for arms-related activities. Steps should be implemented in accordance with the United Nations Security Council, the African Union Peace and Security Council, and the Arms Trade Treaty duties.

3.3 International perspectives and initiatives on SALWs

The United Nations mechanism and framework on SALWs. For several years, the international community has sought to combat the harmful effects of arms proliferation and the threats posed by their links with organized crime and other serious crimes. As a result, several treaties and agreements have emerged internationally. The Arms Trade Treaty (ATT), adopted on April 2, 2013, by the United Nations General Assembly, is the latest of these instruments developed at the international level to ensure peace, security and stability through the prevention and fight against illicit trafficking of SALWs.⁴³¹ Previous international mechanisms, in particular, the United Nations Convention against Transnational Organized Crime (“CTO Convention” or “Palermo Convention”, adopted in 2000), the against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition (Firearms Protocol) additional to the CTO Convention; the 2001 Action program to manage and thwart the illicit trade

⁴³¹ *Efrat A.* Toward internationally regulated goods: controlling the trade in small arms and light weapons // International Organization. 2010. Vol. 64(1). P. 97-131.

of SALWs and a worldwide mechanism to help States recognize and track SALWs consistently and accurately (International Tracing Instrument of 2005).⁴³²

While examining and analyzing each of these instruments, there is a need to identify their synergies and complementarities to enable States Parties assimilate these instruments and those who plan to accede to them by applying the relevant provisions at the national level. The Treaty, the CTO Convention and its Additional Firearms Protocol are multilateral treaties. They contain legally binding and often mandatory provisions.⁴³³ The Action program and the International Tracing Instrument are not legally binding treaties and therefore do not create legal obligations but instead call for political commitment. Despite these different legal statuses, these texts all have broadly similar and even compatible objectives: to regulate the various categories of conventional weapons, to prevent and combat illegal activities. In terms of synergies, common points concerning national regulatory frameworks, authorizations/licenses for arms transfer, import systems, brokering, nationwide focal points, international cooperation and enforcement measures will be addressed.⁴³⁴ These instruments differ in their fields of application, the materials involved, and the type of international arms trade activities. The various obligations related to marking, registration, neutralization, and transshipment will also be analyzed.

Arms proliferations pose a severe threat to human security and development. Often linked to other forms of organized crime and terrorist activities, illicit trafficking is a transnational phenomenon requiring coordinated action at international, regional,

⁴³² *Laurance E, Stohl R.* Making global public policy: the case of small arms and light weapons. Geneva: Small Arms Survey. 2002. P. 51.

⁴³³ *Strobel K.* Table of Treaties, Resolutions and Other Legal Documents. In *Organized Crime and International Criminal Law*. Netherlands: Brill Nijhoff, 2021. P. 276.

⁴³⁴ *Holtom P.* Introduction to international instruments to control conventional arms and address the illicit arms trade // *Conventional Arms Control in the Commonwealth Initiative (CACCI): Briefing Note*. 2018. P. 12.

and national institutions. To meet these challenges and help States face them, the international community has ended up adopting several international and regional instruments after more than twenty years of efforts and initiatives.⁴³⁵ The global framework consists of three legally binding treaties and two general policy instruments. On April 2, 2013, the UNGA voted to adopt the Arms Trade Treaty (ATT).⁴³⁶ It entered into force on December 24, 2014, becoming the latest instrument to be developed following considerable international efforts to promote peace, security, and stability through conventional arms control. The other initiatives studied are the United Nations Convention against Transnational Organized Crime and the Protocols Thereto⁴³⁷ (“CTO Convention” or “Palermo Convention”), its additional Protocol against the illicit production, trafficking of arms, and ammunition (Firearms Protocol)⁴³⁸; the 2001 Action program to Prevent, Combat and Eradicate the Illicit Trade in SALWs (Program of

⁴³⁵ Nave E. The Importance of the Arms Trade Treaty for the Implementation of the Sustainable Development Goals // *Journal of Conflict and Security Law*. 2019. Vol. 24(2). P. 297-324.

⁴³⁶ When put to the vote on 2nd April 2013, the UNGA adopted the international arms trade treaty, despite failing to achieve a unanimous vote but received support from most Member States. 2013. Electronic resource: <https://news.un.org/en/story/2013/04/435972-un-general-assembly-approves-global-arms-trade-treaty> [Accessed date: 15.05.2020] // Audio-visual library of international law: Historical context of the Arms Trade Treaty. 2013 Electronic resource: <https://legal.un.org/avl/ha/att/att.html> [Accessed date: 15.05.2020].

⁴³⁷ The UN Convention against Transnational Organized Crime was adopted by UNGA *Resolution 55/255* on 15 November 2000. Signed by the Member States in Palermo, Italy, between 12-15 December 2000 and entered into force on 29 September 2003. Three Protocols further supplemented the Convention, most notable the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, which was adopted by UNGA *Resolution 55/255* on 31 May 2001. It became officially binding on 3 July 2005. 2005. Electronic resource: <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html> [Accessed date: 15.05.2020]

⁴³⁸ The Firearm Protocol supplements the UN Convention on organised crime, adopted by *Resolution 55/255* of 31 May 2001 at the 55th session of the General Assembly and became legally binding on 3 July 2005. 2005. Electronic resource: <https://www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html> [Accessed date: 20.05.2020]

Action)⁴³⁹ and the International Instrument to Enable States to detect the rapid and reliable tracing of illicit SALWs “International Tracing Instrument” of 2005.

Developed at different times and in different thematic contexts, these instruments, despite the diversity of their scope, have shared compatible objectives and form the basis of a broader international legal framework on SALWs. This device aims to create global standards to frame international trade, which essentially concerns all States.⁴⁴⁰ These steps are needed because the world is concerned about the increasing challenges presented by criminal organizations and the problems of illegal production and trafficking of ammunition, resulting in damaging effects on the economy, political and social balance, paradoxically fueling violent conflicts. However, each legal document deals with a specific area and, depending on the topics covered, and there will inevitably be some overlap.⁴⁴¹ Thus, when developing their national regulatory and policy frameworks, States Parties should not consider these instruments separately, but on the contrary as a means of improving and extending the interconnection of their respective provisions, which should be integrated into national practice.

Each of these documents contains legally binding and essentially mandatory provisions. States accede to these instruments after a formal process of ratification, acceptance, or approval and then become parties to these instruments and undertake to comply with their obligations. As of January 2016, 186 states were party to the CTO Convention, 114 to the Firearms Protocol and 78 to the ATT.⁴⁴² The international action

⁴³⁹ Programme of Action on Small Arms and Light Weapons. 2001. Electronic resource: <https://unrcpd.org/conventional-weapons/poa/> [Accessed date: 20.05.2020]

⁴⁴⁰ Samira S. Combating the proliferation of small arms and light caliber, the planting of landmines under international law // The Arabic journal of human and social sciences. 2021. Vol.13(3). P.130-142

⁴⁴¹ Bourne M. Powers of the gun: process and possibility in global small arms control // International Politics. 2018. Vol. 55(3). P. 441-461.

⁴⁴² UNODC. The Firearms Protocol and the Arms Trade Treaty: Divergence or Complementarity? Issue Paper. 2016. Electronic resource: <https://www.unodc.org/documents/firearms-protocol/SynergiesPaper.pdf> [Accessed date: 20.05.2020]

program for tracing firearms is not legally binding and does not provide for a formal accession process. They, therefore, do not establish legal obligations but require political commitment. As its name suggests, the Program of Action is a program that sets out the actions that states should strive to take at the national, regional, and global levels. Similarly, the International Tracing Instrument can be described as a standard-setting tool to facilitate the tracing process.⁴⁴³ Each instrument addresses different aspects of the international trade in conventional arms from the point of view of crime prevention and criminal justice, regulatory standards of legal trade and means of combating arms proliferation.

The Firearms Protocol: The Firearms Protocol to the Palermo Convention followed soon after, in May 2001, and entered into force on July 3, 2005. The Protocol is a reaction to the immediate need to thwart, fight, and exterminate the illegal manufacture and smuggling of SALWs. As indicated in its preamble, these practices are harmful to the safety and protection of States, regions, and the world. As formulated in *Article 2*, its purpose is to “promote, facilitate and strengthen cooperation among States with the aim to prevent, combat and eliminate the illicit manufacturing, trafficking in firearms and ammunition.” All the obligations listed therein aim to achieve this objective. This approach through crime prevention and criminal justice corresponds to the broader goals of the Convention against Transnational Organized Crime. The Firearms Protocol is the first legally enforceable arms agreement, establishing an international duty for states to prohibit and fight illegal firearms and munitions manufacture and smuggling. Additional instrument to the Convention against Transnational Organized Crime, the Firearms Protocol seeks to prevent crime and the illicit manufacturing and trafficking in firearms, their parts and components and ammunition. The Protocol establishes a comprehensive regulatory framework to ensure

⁴⁴³ Karp A. Estimating global law enforcement firearms numbers. Geneva: Small Arms Survey. 2018. P. 11.

the effective control of certain activities relating to arms and ammunition and allow their tracing throughout their lifetime, from the date of manufacture, import, export, all through to the destination. Thus, the Protocol includes specific provisions in matters of security, marking, neutralization and removal, confiscation, and controls of the international transfer of these weapons. In addition, like the CTO Convention, the Firearms Protocol calls on States to incorporate certain criminal offences into their national law and give more weight to international cooperation. Since it focuses on international transactions, the Protocol establishes procedures for importing, exporting, and the transit of arms and ammunition. It is a system based on reciprocity between states, which must issue authorizations before allowing the departure, arrival or transit of arms loads in their territory. To prevent and reduce illicit trafficking of SALWs, law enforcement agencies need to trace and track every firearm. To this end, the Protocol provides a unique identification number assigned to each weapon. Other provisions that reinforce the criminalization provide that States criminalize the illicit making, trafficking, alteration, or obliteration of markings. These criminal offences cannot be detected or prosecuted effectively without sufficient evidence, which is why the Protocol provides for the detailed recording of transnational movements of firearms. It also offers other “optional” offences, including registration, illicit reactivation, illicit brokering, import, export, and transit control. In addition, the provisions of the CTO Convention are fundamental in this regard.⁴⁴⁴ In particular, the “Articles” on mutual legal assistance and extradition for offences covered by the Protocol are essential tools for law enforcement.

⁴⁴⁴ The Firearm Protocol supplements the UN Convention on organised crime, adopted by *Resolution 55/255* of 31 May 2001 at the 55th session of the General Assembly and became legally binding on 3 July 2005. 2005. Electronic resource: <https://www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html> [Accessed date: 20.05.2020]

The Program of Action: The Program of Action was developed almost simultaneously as the Firearms Protocol and enacted by the UNGA in July 2001.⁴⁴⁵ It is a strategic framework that addresses several issues related to preventing the illicit trade of SALWs. Given its voluntary nature, the Program of Action mainly contains general commitments and does not define specific measures that States must take to achieve their objectives. For example, the Program asserts that States should create legislative laws, policies, and administrative structures to exert an adequate level of control over manufacturing, importation, exportation, transit, or re-shipment of SALWs. Still, it does not specify the nature and description of effective management and control of arms. Therefore, the other instruments are essential to effectively implement this Program of Action since they provide more specific measures that States are obliged or encouraged to take. The Program of Action is a non-binding policy framework that defines states' actions to act at the national, regional, and global levels. The structured approach, like the Convention against TOC, the Firearms Protocol, and the Arms Trade Treaty, underscores the need for states to act at all levels and cooperate in the process of international scale to combat and eradicate the illicit trade in SALWs.⁴⁴⁶ The framework is rooted in the realization that the unlawful manufacture, transfer, and circulation of SALWs, the excessive accumulation and uncontrolled proliferation in many parts of the world constitute a threat to security and development. It foresees 23 actions at the national level, eight at the regional level, ten at the global level, and 17 other actions concerning “international enforcement, cooperation and assistance”.

The Convention on Certain Conventional Weapons is a key piece of international humanitarian law. It aims to reduce cruelty in arm violent conflict by restricting or controlling the use of firearms that may cause needless harm or have destructive effects.

⁴⁴⁵ Programme of Action on Small Arms and Light Weapons. 2001. Electronic resource: <https://unrcpd.org/conventional-weapons/poa/> [Accessed date. 20.05.2020]

⁴⁴⁶ Ibid 2004. P. 294.

Recently, legally enforceable international conventions have established laws governing the means and techniques of conflict. The Saint Petersburg Declaration of 1868 and the Hague Declaration of 1899 both prohibited the use of ordnance and expandable bullets. The Geneva Protocol of 1925 prohibited the employment of biological and chemical weapons. This prohibition was further tightened by the signing of the Biological Weapons Convention in 1972 and the Chemical Weapons Convention in 1993, both of which barred the creation, manufacturing, stockpiling, and distribution of such weapons. The global community took decisive action to remove anti-personnel landmines in the 1990s. The ratification and widespread compliance to the 1997 Convention on the Ban of Anti-personnel Mines reflects widespread public awareness on the cost of lives of today's armed violent conflicts. Another major agreement is the Convention on Certain Conventional Weapons. The Convention, together with the 1949 Geneva Conventions and its 1977 Additional Protocols, is one of the primary instruments and framework of international humanitarian law regarding SALWs. The Convention on Certain Conventional Weapons, adopted under the auspices of the United Nations in 1979 and 1980, expands on conventional principles governing warfare and weapons, such as the necessity that civilians and combatants be distinguished in all circumstances; and the restriction on using weapons that cause severe pain, suffering or death of combatants unavoidable. Although these broad principles apply to all arms used in conflict or wars, the Convention imposes bans or limits the use of conventional weapons that are widely regarded as dangerous.⁴⁴⁷ These demonstrates that the Convention on Certain Conventional Weapons is a living document that can adapt to advances in arms technology while also considering changes in the character and behaviour of conflicts

⁴⁴⁷ Convention on Certain Conventional Weapons. Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects. 2003. Electronic resource: https://shop.icrc.org/convention-on-prohibitions-or-restrictions-on-the-use-of-certain-conventional-weapons-which-may-be-deemed-to-be-excessively-injurious-or-to-have-indiscriminate-effects.html?__store=en [Accessed date: 20.05.2020].

and wars. The Convention has proven to be a useful foundation for dealing with emerging humanitarian challenges on conventional weapons.

The International Tracing Instrument: In 2005, during the review of the Program of Action, Member States developed and adopted the International Tracing Instrument. Although not legally binding, it clarifies the obligations taken under other legal instruments. It introduces voluntary commitments relating to the marking, registration, and tracing of SALWs and cooperation to prevent and limit illicit activities related to these weapons. The International Tracing Instrument complements and consolidates the commitments already made by States under the relevant international instruments, notably the Firearms Protocol. It was created under the aegis of the Program of Action. It was designed considering the preamble parameter, “the tracing of illicit SALWs, including, but not limited to those manufactured with military specifications which are also suitable for the context of all forms of crime and conflict situations.”⁴⁴⁸ Its main objective is to enable States to identify and trace illicit SALWs quickly and reliably. Most weapons are branded instantly after manufacture, an absence of adequate identification and documentation mechanisms in many nations, particularly in Africa, contributes to spillage and easy spread of SALWs in sub-Saharan Africa, particularly during wars and conflicts. In some circumstances, illicit users of such arms purposefully erase the manufacturer's marks on arms, rendering them unidentifiable or untraceable through conventional regular inspections. In certain cases, new arms are purposefully delivered during armed confrontations, with little concern for record keeping. The circumstances that exist in armed conflict contexts are thus one of the key drivers of untraceable weaponry within communities.

⁴⁴⁸ *Parker S.* National implementation of the United Nations small arms Programme of Action and the international tracing instrument: An analysis of reporting in 2009-10. Geneva: Small Arms Survey. 2010. P.80.

The Arms Trade Treaty: Twelve years after adopting the Firearms Protocol and Program of Action, the international community adopted the Firearms Trade Treaty (ATT). Since the first calls made in the mid-1990s, it has evolved into developing common international standards to regulate the global arms trade. In 2006, the UNGA began the formal process to establish a treaty to adopt its *resolution 61/89*. The UNGA passed it on April 2, 2013. The treaty defines two objectives: to institute the “strictest common standards possible” to regulate the international trade in conventional arms; and “preventing and eliminating the illicit trade in conventional arms and preventing the diversion of such weapons” (*Article 1*). By defining these two standards, the ATT establishes a regulatory framework for the transfer of conventional arms and other related materials specified in the treaty. It also provides for a series of measures that States must take or be encouraged to prevent diversion. ATT deals with measures to regulate the legal international trade in conventional arms to prevent and eliminate their illicit trade and prevent their diversion to the illegal market or unauthorized end-use.⁴⁴⁹ It establishes the framework of a national control regime to regulate arms exports, deters and detect the diversion into the hands of organized criminal or terrorist groups based on standard criteria defined in *Article 7*. It also provides the unique circumstances in which the transfer of ammunition materials (categories of conventional arms and ammunition, and components) is prohibited under *Article 6*. “Transfer” is broadly defined to include export, import, transit, transshipment, and brokerage. The planned bans cover all these forms of transfer, while the criteria for risk assessment only apply to exports. The importing States must adopt steps to guarantee the valuable and relevant information is provided to the exporting State Party, upon its request, to assist it in carrying out its national assessment (*Article 8*). Although parts and components and ammunition fall within the scope of the Treaty, they are only affected by the transfer,

⁴⁴⁹ Parker S. Analysis of States' Views on an Arms Trade Treaty // United Nations Institute for Disarmament Research. 2007. P. 41.

export bans, and the obligation of the pre-export assessment referred to in *Articles 6 and 7*.

While the Firearms Protocol encourages states parties to regulate firearms brokering, the ATT is the first international Treaty that introduces the obligation for States to act, under its national laws, to control brokerage activities under its jurisdiction (*Article 10*). From this point of view, the ATT represents a more advanced law than the Firearms Protocol. Finally, States Parties must prepare an annual report covering the previous calendar year regarding exports and imports authorized or made (*Article 13*). Specific provisions of the ATT leave States parties entirely free as to the most appropriate means of implementing certain obligations. For example, *Article 14* on “Treaty Enforcement” requires each State to adopt “the necessary measures” to enforce national laws and regulations implementing the provisions of the ATT. The other instruments, notably the Firearms Protocol, with its crime prevention and criminal justice lens, can be used to determine these necessary measures. The links between the Firearms Protocol, the Convention it complements, and the Treaty can be explained by divergence and complementarity. The Treaty covers the eight main categories of conventional weapons means that its purpose is not limited to illicit activities. The Treaty is mainly designed to regulate international trade and not criminal or judicial action. The two instruments do not have the same fields of activity and objectives. Nevertheless, the cause they defend, the fight against illicit trafficking and the prevention of its negative consequences on humans, countries, and regions, more importantly, the fact that the Treaty was in part designed to enforce and implementing the Firearms Protocol and the Convention it complements, show that the two instruments, rightly, complement each other. The application of these two instruments is, above all, subject to the national law of the States Parties, in compliance with their obligations and their relevant international commitments; it is implausible the case for all countries that the same authorities will be responsible for dealing with the issues

raised by each of them. However, it is evident that both instruments have their strengths and weaknesses; for example, the Protocol and the Convention from which it derives are much more rigorous, detailed, and specific in their wording and the obligations of States. The Treaty is a relatively new framework and did not enter into force until 2014. It has more substantive elements than the Protocol, and its scope is broader. It was drafted from the pre-existing commitments contained in the Protocol gives weight to both instruments. Several countries are parties to both instruments, demonstrating the need for harmonized and complementary implementation at the national level.

Table 5: UN Related reports and resolutions on small arms and light weapons

Security Council		General Assembly	
Reports	Resolutions	Reports	Resolutions
2017:S/2017/1025	2017: S/RES/2370	2018: A/73/168	2018: A/RES/73/69
2015: S/2015/289	2015: S/RES/2220	2017: A/72/122	2017: A/RES/72/57
2013: S/2013/503	2013: S/RES/2117	2016: A/71/438	2016: A/RES/71/48
2011: S/2011/255		A/CONF.192/BMS/2016/2	2015: A/RES/70/49
2008: S/2008/258		2014: A/BMS/2014/1	
2007: S/PRST/2007/24		2010: A/64/135/Add.3	2010: A/RES/64/54
2005: S/PRST/2005/7		2009: A/64/391	2009: A/RES/64/48
2004: S/PRST/2004/1			2006: A/RES/60/81
2002: S/PRST/2002/30		2001: A/55/383/Add.3	2001: A/RES/55/255
2001: S/PRST/2001/21		1997: A/52/600	1998: A/RES/52/38
1999: S/PRST/1999/28		1995: A/50/590	1996: A/RES/50/70

Source: created by the author.

The United Nations perspective and initiative on SALWs. Sub-Saharan Africa shows a demonstration of how conflict and armed violence, frequently sparked, or worsened by SALWs spread, have a clear influence on development. The demand and supply sides of SALW-related problems in the region are both driving factors. Actors involved are interested in obtaining these arms for various purposes, and due to weak broad control, many arms would easily get into local communities with violent extremists, terrorists, and organized crime organizations.⁴⁵⁰ As a result, the widespread

⁴⁵⁰ Parker S. Analysis of States' Views on an Arms Trade Treaty // United Nations Institute for Disarmament Research. 2007. P. 47.

sense of fear fuels the desire for firearms among citizens seeking to secure their personal protection. On the supply side, there are a wide range of issues to contend with. Many nations in Sub-Saharan Africa are receivers of legitimate SALW shipments from both inside and outside the continent, as some regimes are manufacturers' firearms. Legally acquired arms, on the other hand, may rapidly become an issue if they are routed from their intended end uses.⁴⁵¹ The Convention Against Transnational Organized Crime was approved at the United Nations Millennium General Assembly in November 2000. The UN General Assembly enacted the 3rd protocol, the Protocol against the Manufacturing of and Trafficking in Illicit Firearms, Ammunition, and Related Materials (UN Protocol), in May 2001. SALW proliferation in African continues to represent a systemic and extensive danger to many countries' long-term socio-economic development, particularly for developing nations. The illegal trafficking and spread of firearms represent a threat to the continent.⁴⁵² Events in one location can have ramifications in several other parts of the sub-region. Localized crises are frequently transformed into national or, in the worst-case scenario, regional conflict as a result of the easy spread of firearms. SALW kill without consideration for age, gender, religion, or ethnicity, and their impacts are catastrophic. As a result, rather than being viewed as a zero-sum game, attempts to combat the spread must be viewed as a commitment to the greater good.⁴⁵³ The UN has considerably increased worldwide efforts to stop the spread of SALW throughout the years. Implementing the United Nations Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) in 2011, accompanied by the International Arms

⁴⁵¹ *Parker S.* Analysis of States' Views on an Arms Trade Treaty // United Nations Institute for Disarmament Research. 2007. P. 19-26.

⁴⁵² *Stohl R., Myerscough R.* Sub-Saharan Small Arms: The Damage Continues // Current History. 2007. Vol. 106(700). P. 227.

⁴⁵³ *O'hare B.A, Southall D.P.* First do no harm: the impact of recent armed conflict on maternal and child health in Sub-Saharan Africa // Journal of the Royal Society of Medicine. 2007. Vol. 100(12). P. 564-570.

Tracing Instrument and the Firearms Protocol to the United Nations Convention against Transnational Organized Crime, outlined a common guideline within which Member States and regional institutions can implement several measures, both independently and collaboratively. Only the Protocol, which went into effect in 2005, has legal authority.⁴⁵⁴ This somehow doesn't resolve Member States' political commitment and effort to execute the requirements of these numerous agreements. In this context, the effectiveness of Member States' compliance depends on a variety of variables, such as a scarcity of available funds. Developing nations, such as Sub-Saharan Africa, are confronted with unique challenges in terms of monetary, technological, and human resources.

The Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was enacted by nations in 2001 (PoA). Government's commitment to tighten national SALWs rules, boost stockpile control, guarantee that arms are accurately labelled, increase weapons tracking coordination, and participate in regional and international collaboration and support as part of the mechanism.⁴⁵⁵ In 2005, the General Assembly established the International Tracing Instrument (ITI)⁴⁵⁶, a worldwide mechanism for collaboration in arms tracking, as part of the PoA framework. The 2030 Agenda for Sustainable Development currently involves enhancing arms traceability.⁴⁵⁷ Both treaties together provide the regulatory regime on SALWs that all UN Member States approved and consider feasible. Nations

⁴⁵⁴ *Grillot S.R.* Global gun control: Examining the consequences of competing international norms // *Global Governance*. 2011. P. 529-555.

⁴⁵⁵ *Wood B, Danssaert P.* Africa and the Regulation of Transnational Arms Brokering: Challenges to Implement International Standards. Springer, Cham. 2020. P. 189-210.

⁴⁵⁶ International Instrument to enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. 2005. Electronic resource: <https://front.un-arm.org/wp-content/uploads/2021/03/International-Tracing-Instrument-six-official-languages.pdf> [Accessed date: 02.12.2021]

⁴⁵⁷ *Anders H.* The UN Process on Small Arms: All Is Not Lost. *Arms Control Today*. 2007. Vol. 37(2). P17.

frequently submit report on the progress of implemented activities of the PoA and ITI at Biennial Meetings of States and Review Conferences regularly. In particular, national officials conduct Meetings of Governmental Experts (MGE) to profit from the expertise of skilled professionals on small SALWs control issues.⁴⁵⁸ The Firearms Protocol and the Arms Trade Treaty are part of the global system of agreements and regulations. There are also regional mechanisms and roadmaps for the regulatory control of SALWs.

The UNSC maintains peace and security but is also quite concerned about the threat posed by SALWs. It has engaged SALWs challenges throughout its platform, from Security Sector Reform to firearms ban to counterterrorism and peacekeeping in specific countries and regions. The Firearms Protocol and the Arms Trade Treaty are part of the global system of agreements and regulations. There are also regional mechanisms and roadmaps for the regulatory control of SALWs.⁴⁵⁹ SALWs was first considered as a separate agenda by the UNSC in 1999. The UNSC passed *Resolution S/RES/2117(2013)* on SALWs in 2013, which emphasized on the illegal shipment, the consequences of stockpile, and abuse of SALWs. Additional measures in *Resolution S/RES/2220(2015)* targeted at enhancing international collaboration, ensuring the efficient execution of UN weapons sanctions, and supporting the Arms Trade Treaty. Between *Resolution S/PRST/1999/28*, *Resolution S/PRST/2001/21*, *Resolution S/PRST/2002/30*, *Resolution S/PRST/2004/1*, *Resolution S/PRST/2005/7*, and *Resolution S/PRST/2007/24*, the UNSC released Presidential remarks on SALWs. Since 2008, the UNSG has continuously presented special reports to the UNSC on the impact of SALWs, which are usually delivered every two years. The African Union's main

⁴⁵⁸ *Mashi M.A., Mohammed H.* Customs, Contrabands and Arms Control in Africa // Palgrave Macmillan Cham. 2021 P. 539-566.

⁴⁵⁹ *Abdullahi I.* Techniques for combating the proliferation of small arms and light weapons in Sub-Saharan Africa: legal aspects // South Asian Journal of Marketing & Management Research. 2015. Vol. 5(1). P. 1-30.

campaign, “Silencing the Guns in Africa,”⁴⁶⁰ was the subject of a resolution approved in 2019. The resolution referred to the effective execution of essential arms control mechanisms and regimes, particularly those pertaining to SALWs, emphasizing the importance of combating illegal armaments in attaining a conflict-free Africa. The UN Security Council resolutions, particularly in relation to SALWs, have transformed over the previous three decades. This shift indicates the growing diversity of UN activities, difficulties and programmatic solutions connected to weapons and ammunition control, as well as the formation of new multilateral conventional weapons control systems and practices.

The United Nations Office for Disarmament Affairs, in collaboration with the African Union Commission, assisted 7 African countries enact the “Africa Amnesty Month” in 2020, as part of the UN’s widespread support to the African Union initiative of “Silence the Guns in Africa by 2020,” as authorized by UNSC *Resolution 2457 (S/RES/2457)*. The AU Master Roadmap was formed in 2017 as a component of the African Union Master Roadmap of Practical Steps to Silence the Guns in Africa by 2020. In accordance with African and international law, the African Union Assembly (*Decision 645 (XXIX)*) named September each year until 2020 “Africa Amnesty Month” for the submission and recovery of unlawfully possessed firearms. The combined AUC-UNODA initiative was held in 7 African nations in 2020, with funding from Germany and Japan. The Central African Republic, the Democratic Republic of the Congo, Kenya, Burkina Faso, Cameroon, Ethiopia, and Ivory Coast were the participating nations.⁴⁶¹ The project features included positive collaboration and awareness

⁴⁶⁰ UNSC Resolution S/RES/2457 on “Silencing the Guns in Africa” was adopted by the UNSC at its 8473rd meeting. 2019. Electronic resource: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/058/31/PDF/N1905831.pdf?OpenElement> [Accessed date: 04.12.2021].

⁴⁶¹ UNODA. The destabilizing accumulation, illicit transfer and misuse of small arms and light weapons continue to initiate, sustain, and exacerbate armed conflict and pervasive crime globally. Electronic resource: <https://www.un.org/disarmament/convarms/salw/> [Accessed date: 04.12.2021].

campaigns on the adverse repercussions of illegal ownership of SALWs and munitions, as well as a general request to submit the weapons to national security or agencies, integrity between security agencies and societies, retrieval of arms and ammunition, secure storage, identifying and record-keeping, and public destruction. The Regional Centre on Small Arms (RECSA) was designated to implement the 2020 Africa Amnesty Month to develop regional and national responsibility.⁴⁶² RECSA's principal mission is to assist its 15 East and Central African Member States in implementing the Nairobi Protocol. At the national level, National Focal Points and National Commissions led the initiative on Small Arms Control. Government institutions are tasked with dealing with national arms regulation such as secured storage of weapons, record-keeping, as well as voluntary weapons collection and disposal. Based on national and regional established initiative, this framework allowed for regional and national owned initiatives.⁴⁶³ In accordance with the 2030 Agenda for Sustainable Development, Africa Amnesty Month contributes considerably to the accomplishment of SDG on significant reductions in illegal weapons flows.

In sum, the employment of SALW-related terminology in UNSC resolutions, particularly in relation to the damage and consequences, has developed dramatically over the previous three decades. This growth indicates the difficult and programmatic solution in the UN missions, weapons, and ammunition management, and also the introduction of new multilateral conventional arms control guidelines and procedures. The United Nations makes the Modular Small-Arms-Control Implementation Compendium (MOSAIC) accessible, which provides national and regional security agencies and policymakers with pragmatic, credible assistance on a wide variety of SALWs control concerns. UNODA developed a framework for establishing and

⁴⁶² Wood B., Danssaert P. Africa and the Regulation of Transnational Arms Brokering: Challenges to Implement International Standards. Springer Cham. 2020 P. 215-218.

⁴⁶³ Ibid. P. 189-210.

maintaining arms-free spaces to provide complete and coherent instruction for local and national governments, including international cooperation on armed conflict management and peacebuilding agencies in attempts to prevent and minimize armed violence in sub-Saharan Africa.

EU initiatives on SALWs. The EU first became conscious of the need to intervene in the realm of illegal trade and the spread of SALW in the 1990s. The Union approved a Code of Conduct for the Export of Conventional Arms in May 1998, a mechanism that lays out 8 criteria that are designed to serve as minimal standard values for Member States when exporting to third countries. This Code of Conduct became a Common Position in December 2008, while highlighting eight requirements which emphasizes the important of adhering to international human rights law.⁴⁶⁴ However, due to the diverse objectives and concerns of each Member State, the application of the various criteria is not always consistent. The Joint Action agreed by the Council in 2002 addresses the regulation of SALW spread in particular. Three goals were proposed: to prevent the accumulation and spreading of SALW; to assist in reducing inventories to levels that are commensurate with National security requirements; and to assist in resolving the issues that result from uncontrolled accumulation.⁴⁶⁵ Every year, an annual assessment report is prepared with the goal of reviewing the different measures carried out within the scope of the Joint Action, as well as Member States' adherence to it. Still on the subject of SALW, the Council approved the EU initiative to prevent the Illegal Accumulation and Trafficking in Small Arms and Light Weapons and Their Ammunition in December 2005. Due to the lack of coordination between the many instruments dealing with SALW, this instrument allows for a broad framework to be

⁴⁶⁴ *Kiss Y.* Small Arms and Light Weapons Production in Eastern, Central, and Southeast Europe. Geneva: Small Arms Survey. 2004. P. 54.

⁴⁶⁵ *Tocci N.* Resilience and the role of the European Union in the world // Contemporary Security Policy. 2020. Vol. 41(2). P. 176-194.

established.⁴⁶⁶ Despite its ostensibly global breadth, the Strategy prioritizes the African continent. “Africa is the continent most afflicted by the effect of internal conflicts worsened by the overwhelming inflow of SALWs,” the Council said, justifying its decision. The increasing number and proportion of UN peacekeeping missions (MINUSIL, MINUL, UNOCI, MONUC, MINUEE, ONUB, MINUS, AND AUMIS) and the proliferation of UN ban on Liberia, Somalia, DRC, non-governmental forces of Sierra Leone and Rwanda, Ivory Coast, Sudan, and South Sudan) are examples of the seriousness of the threat to African states by illegal trafficking of SALWs.⁴⁶⁷ The execution of this approach focuses on the preventative components of the campaign against SALWs, and hence serves as a strong addition to programs aimed at responding to armed violence for example, the Disarmament, Demobilization, Reintegration (DDR), and Security Sector Reform programs (RSS).

The Cotonou Agreements and the EU Strategy for Africa of 2005, among other European measures to establish the basic aspects of an efficient and cohesive engagement with Africa, made it feasible to approve the Joint Africa-EU Strategy during the second EU-Africa Summit, Lisbon in 2007.⁴⁶⁸ It’s a collaboration that emphasizes the significance of coordinating initiatives in governance, trade, peace, security, and human rights, developing the Africa-EU intercontinental ties. The Joint Strategy is primarily funded by European Commission financial instruments, such as the Instrument for Stability, the European Development Fund (EDF), and the Instrument for Development Cooperation.⁴⁶⁹ Donations also were paid by the EU and its Member

⁴⁶⁶ *Alley R.* Small arms and light weapons: the disjunction problem // *Conflict, Security & Development*. 2019. Vol. 19(2). P. 143-172.

⁴⁶⁷ *Vasiliev A.M., Degterev D.A., Shaw T.M.* Africa, and the Formation of the New System of International Relations. Switzerland: Springer. 2021. P. 305.

⁴⁶⁸ *Kell F., Vines A.* The evolution of the Joint Africa-EU Strategy // Routledge. 2020. P. 105-120.

⁴⁶⁹ *Angelini L.* The European Union and conflict prevention in Africa: partnering with civil society to build sustainable peace // Edward Elgar Publishing. 2021. P. 37-50.

States, as well as through specific African mechanisms, such as RECs. 8 strategic relationships were highlighted in the Joint Strategy, including one on Peace and Security. The aim of this alliance is to demonstrate that peace and security are necessary preconditions for growth and long-term development. The goal is to strengthen both reactive capacity and response effectiveness to shared challenges to peace and security by enabling excellent collaboration across the two continents.⁴⁷⁰ The first crucial initiative defined within this relevant collaboration was to “strengthen interaction on obstacles to peace and security” emphasizing the importance of intervening in region infested by SALWs, indicating the importance of “fostering institutional capacity, networking, collaboration, and sharing of information on SALW, explosive remnants of war, and anti-personnel landmines, as well as prevention against smuggling.”⁴⁷¹ Before going into more detail on the EU’s specific initiatives in Africa in relation to SALWs, it’s important to remember that the campaign against this phenomenon is part of a much larger framework of measures.

Brussels has developed an action plan as part of the European Union’s (EU) Policy towards SALW, which was adopted in December 2005, and whereby it gives major assistance to current regional and national efforts in Sub-Saharan Africa. (The SADC and Nairobi Protocols, as well as the ECOWAS Convention), the area is prioritized. Considering this, the EU has been working on a project to “boost the performance and efficiency of ECCAS in regional security in order to enhance peace, enhance ECCAS’ political awareness, and boost the engagement of its Member States” since January 2007.⁴⁷² Since 2010, the Regional Center on Small Arms (RECSA) has

⁴⁷⁰ Barra M., Martin S.V. Reinforcing Energy Governance under the EU Energy Diplomacy: A Proposal for Strengthening Energy Frameworks in Africa // *European Journal of Risk Regulation*. 2018. Vol. 9(2). P. 245-267.

⁴⁷¹ NÄSSI T. EU external relations with Africa // *L’Europe Unie*. 2021. Vol. 17(17). P. 56-63.

⁴⁷² Lisakafu J. Interregionalism and police cooperation against cross-border crime in East Africa: Challenges and prospects // *South African Journal of International Affairs*. 2018. Vol. 25(4). P. 563-579.

aided in the execution of an AU-EU multi-year initiative named “The Fight Against the Illicit Accumulation and Trafficking of Firearms in Africa.” The initiative’s 2nd phase started in July 2013 and lasted for 3 years, with the goal of improving African nations’ ability to effectively conduct and combine measures to counter the spread and smuggling of illegal SALW.⁴⁷³ In 2014, the project continues to assist efforts to establish an African Continental Police Chiefs Coordinating Body (AFRIPOL), as well as several actions aimed at enhancing RECSA’s institutional framework to increase its efficiency. RECSA has helped Sub-Saharan African nations with a range of technical and material support, including the supply of digital marking equipment, aid in building national strategy, follow-up training.⁴⁷⁴ The EU supported the initiative to promote ‘The Fight Against the Illicit Accumulation and Trade in Firearms and Ammunition in Africa,’ which was executed by RECSA, as part of a mechanism for long-term stability component. This mechanism aids in the execution of the combined Africa-EU Strategy’s on Peace and Security component. The initiative’s goal is to help national and regional initiatives in Sub-Saharan Africa to combat SALWs spread. The initiative’s initial phase, which got €3 million grant, began in 2010 and ended in June 2013. The EU provided an additional €2.7 million to the initiative, which ran for another 3 years starting in July 2013.⁴⁷⁵ Expanding on the previous three-year initiative, the aim is to improve the capacity of diverse participants to effectively implement and manage anti-SALW efforts. The European Union’s Code of Conduct for the handling of arms transfers (SALW) falls within the framework of global strategies related to the control of arms sales. This includes references to the sub-Saharan African region. The implementation of the Code of Conduct initially falls under the global strategies related

⁴⁷³ *Wheeler T.* Tackling the proliferation of small arms and light weapons: an opportunity for EU-China cooperation. Routledge. 2016. P. 105-124.

⁴⁷⁴ *Ibid* 2018. P. 88.

⁴⁷⁵ *McMahon J.A.* Africa Post-Brexit in EU Development Cooperation Policy and UK Trade Policy: Investing in new Relationships. Springer Cham. 2019. P. 181-203.

to the control of arms exports. However, as the guidelines become more specific, references to the African region are being developed. The EU's objective to understand this harmful phenomenon in direct relation to what it deems as the most afflicted region is realized with the execution of the "pan-African" initiative on SALWs. There are three main goals that the European Union aims to achieve in Africa: 1. strengthening of the operational capacities of Member States, 2. improving the tracing of weapons, and 3. supporting the civil society and legislature. This motivation can be characterized by the notion that the problems of SALW necessitate a worldwide and collective action at many levels. The regional strategy is clearly the sort of action advocated by certain fields of the campaign against SALWs, among these several vectors.

In sum, given that SALW propagation practically recognizes no boundaries and bilateral operations frequently violate country sovereignty, this decision appears to be sound. Nonetheless, it should be emphasized that transferring these debates and efforts to the regional level can often be hampered by relations between one or more Member States, or by the sluggish pace of such institutions, which depend on their member states' willingness to act. The two main EU institutions have regularly run into challenges in integrating SALWs operations. The rivalry between the Commission and the Council, have posed significant barriers to the development of effective and consistent action. Similarly, the abundance of tools and strategy makes it difficult to get a comprehensive idea of the entire scenario. The EU's key target in the short and medium term is to increase consistency between the tools and institutions (the Council and the Commission). In this regard, it is fascinating to see how the European External Action Service's creation makes a difference. In a broader sense, initiatives conducted with African regions have little prospect of achieving significant long-term reforms until all arms-exporting nations amend their actions. Additionally, the existing strong relationship between development cooperation, human security, and the battle against SALW in EU external policy is expected to constitute the foundation of important future

European efforts in the subject. More than ever, the numerous acts and initiatives undertaken must be supplemented with initiatives designed to strengthen the rule of law in order to encourage all players to act responsibly.

CONCLUSION

Small arms and light weapons have been known to be the most tools used to influence and control arm conflicts and civil wars in sub-Saharan Africa, as the author highlight in the dissertation. The most violent conflicts in sub-Saharan Africa were featured with SALWs as the primary tool which exacerbate conflicts, as these weapons are easily accessible, moved and trafficked to conflicting regions, due to lack of government regulations in and across borders. The easy accessibility has been extended to violent non-state actors and civilian as they do not trust the government to provide adequate security. From another viewing point political and military leaders have weaponised the use of SALWs to retain power or take power, leading to advent of civil wars and coups. This indicates that perhaps the militarization of political group through SALWs facilitated the emergence of a new militarized governing elite, with the capacity to displace traditional leaders who may have risen to power through more legitimate means. African rulers and politicians have built governance and security philosophy on the concept of collecting and using arms to legitimise, hold, and utilise power continuously by exploiting the youths that are already agitated. For example, in Bonga Training Centre, South Sudanese John Garang informed the graduating group of Sudanese People Liberation Army militants that with this AK-47, they can acquire everything they want: food, women, and anything else that comes with a happy life. The philosophy of developing robot individuals equipped with AK-47s, indoctrinated to execute friends and foes, has developed. Local society elites obtain weapons for emancipation struggles or access to control community resources, regions and militant groups, pirates, and other forms of non-state actors that require arms to accomplish different objectives, just as the political elite purchase weapons to enable them authority.

When analyzing the impact of SALWs, it has been shown that, the implications of ‘diversion’ of firearms from legitimate source (particularly government stockpiles)

to illicit markets (black or grey market) was highlighted, while emphasizing on the easy diversions by political leaders, violent non-state actors and particularly unsuitable regimes. It is also important to state the impact of SALWs on the social fabric of African society, where arms are seen as a symbol of power over national laws or security agents. For a continent that has been characterized as failing and unsafe for so long, the author found it totally remarkable that regional effort to regulate SALWs, at least in terms of structure and substance, outperforms that of practically all other continents. Due to ambiguity, in many cases, arms supplied to sub-Saharan Africa have had undesirable effects. 1. Easy access to arms is an incentive for the recipients to achieve their goals via violence instead of dialogue; human rights violations. 2. Arms recipients often cannot secure their stockpiles, and weapons have been lost or stolen by non-state actors. 3. Arms recipients have deliberately diverted weapons to targets of UN arms embargoes or organized criminal groups in neighboring countries. 4. Arms supplied to the military can use for coups governments against governments. Given the devastation caused by small arms and light weapons proliferation, Africa is at a considerable disadvantage. SALWs non-proliferation have had terrible consequences in the Sub-Saharan, as well as the African continent and the rest of the world. SALWs trafficking is ubiquitous in Sub-Saharan Africa, where security and stability are elusive and far-fetched realities. Continuing hostilities around the region has resulted in an ever-increasing demand for SALWs as the primary tool used in conflicts, which has resulted in a rise in deaths and injuries, including internally displaced persons, including women and children. The surge of insecurity will continue to jeopardize democracy, tranquility, and safety, putting social and economic prosperity at risk. Despite the abundance of natural resources, the region is home to some of the world's poorest countries. Bad leadership, insecurity, and endemic corruption have played a significant role in states' incapacity to prevent arms trafficking and restrict the spread of weapons. Considering this fact, most governments have recognized the necessity for actions and regulations to address the

problem of SALWs and its harmful impact on Sub-Saharan Africa's development. Notwithstanding, with various international efforts and initiatives, success still seems elusive due to a lack of government reluctance and goodwill to control the trading and spread of weapons. More importantly, a tranquil and secure atmosphere offers the prospect of stability that is a prerequisite for socio-economic development.

Small arms and light weapons regulation in Africa has gone through several stages and is far from having a unified set of procedures and purpose. The author demonstrated that SALWs proliferation is not a novel concept, it has evolved over the years in response to the variations in events, entities (e.g., militarization) and world economy (e.g., the international arms sales), whereas the specific pattern and implications of SALWs practices has been molded by broader political systems, particularly West-South interaction. While arms acquisition is not generally addressed in many Sub-Saharan African nations in terms of its influence on peace and security, corruption in weapons purchase has attracted public attention in a handful of situations. The subject of corruption, as well as government of sub-Saharan African's readiness to confront it, might pave the way for more dialogue, transparency, and accountability in arms acquisition. Research indicates that exporters and importers devised ad hoc mechanisms to prevent easy accessibility to arms. Purchasing countries' internal policies and supplying countries' international policies both reflected concerns about the easy spread of SALWs. Various control methods arose as a method to manage West-South interactions, for example, the Arms Trade Treaty. Arms regulation was enforced on sub-Saharan African governments on occasions as part of a 'cognitive dissonance' policy, in which European arms suppliers employed trade restrictions on certain categories. It's impossible to say how much traders and merchants actually followed these systems of sanctions at the time as the dissertation highlight different instances of illicit arms trade to the sub-region.

The influence of external actors on demand and supply of SALWs in Sub-Saharan Africa can be highlighted via the use of those arms in conflict regions. Due to a lack of domestic advanced arms-manufacturing infrastructure in sub-Saharan Africa, governments remain entirely reliant on external sources for SALWs. Export restrictions on weapons and military hardware to nations in turmoil in sub-Sahara don't have any effect on warring participants' military capability. France, Belarus, the USA, China, Israel, Russia, and Ukraine have delivered the majority of substantial armaments to the sub-region in the last decade. SALWs shipments to sub-region have a variety of motivations, such as direct monetary gain and reinforcing political clout with control over resources. However, militant factions obtain many weapons by capturing security agents with access to arms with a considerable proportion smuggled. Evidence indicates that between 2006 and 2015, non-state actors in the sub-region obtained weapons from external sources, particularly from neighbouring countries, with the assistance of State authorities of those nations on certain occasions. Consequently, despite the region's low weapons industry, states must understand their roles as weapons importers and prospective suppliers of or gateways of firearms to violent non-state actors.

When examining the approaches and initiative of sub-Saharan African institutions, it is proven in the research, that regionalization of SALWs regulation is a product of neoliberal governance. Evidence shows that there are several overlapping issues in weapons regulation throughout the comparable period with notable issues such as nations being members of different sub-regional institutions for instance Angola, Rwanda and Tanzania are member of different sub-regional institutions, meaning it will be complicated for these countries to fully implement and harmonize both protocols with its national laws. In sub-Saharan Africa, the abundance of arms regulation mechanisms is unmatched with the levels of compliance and execution. The most notable reasons justify this are limited funds (or non-allocation of funds in budgetary allocations for arms regulations); an absence of advance technical expertise; disparities

in legislative laws inherited from various colonial legacies; a lack of harmonization between government ministries/departments (working at direct odds); and conflicting national and subregional agenda. Based on Harrison's arguments, most sub-Saharan African countries have witnessed several governance reforms phases in the economic and political sector since the 1990s. The emphasis on capacity-building as well as institutional and administrative change is one point of convergence. Other areas of commonality include the language and means used to promote foreign influence and involvement, as well as the desire for public involvement. Different funding nations seeking to impose institutional channels and methods more in align with Western policies in order to influence the sub-regions SALWs regulation practices from 'poor governance' to 'effective governance' primarily motivated by neoliberal SALWs governance, in literal sense. The research reveals that, East and Central Africa have a common system of regional SALWs regulation regime, which was influenced with a significant level of donor reliance, leading to deeper involvement by international actors in national defense and security agencies in the countries of the region in the name of technical support, training programs and institutional capacity. The sub-regional institutions in teams of application of SALWs control polices and mechanisms are merely quasi-institutions because they are supported by foreign economic aid, advocated, and developed by foreign personnel. The lack of state authority in Central African may illustrate why the ECCAS Governments' SALW convention has failed to be legally binding or hold any form of authority, and why nations in the region have preferred to participate in ECOWAS and RECSA conventions. Regional harmonization of laws offers a chance to eliminate legislative disparities that favor weapons smugglers. Corruption is undoubtedly another problem since it impacts the effectiveness and maintenance of border control. It is also critical to develop and improve collaboration between institutions within the states and regions. Improved mutual trust among border inhabitants, political and administrative officials can also assist border control systems

to work more effectively. Finally, technological exchanges and training tailored to the requirements of individual countries are critical.

Finally, the author concluded that aside from the empirical evidence, the purpose of this thesis was to logically analyze, elaboration on the theory, practice of SALWs control and proliferation. Albeit the historical-relational perspective utilized in this study draws on arising substantial literature on practice of SALWs and neoliberal regime, along with existing concepts in international relations, historical institutionalism, and world politics. Historical-relational theory and descriptive approach initiate a unique methodological approach for SALWs practice, regulation, and management, allowing to classify the progression of arms practice and control in sub-Saharan Africa via segments such as preindustrial, colonial, decolonial, and neoliberal regime, which will not be possibly feasible without using theories such as balance of power, international and neoliberal regimes. The evolutionary analyses and classification enabled the characteristics of sub-Saharan Africa's SALWs practice and regulation systems at various historical dates to be revealed. However, the authors viewpoint recognizes that power, regimes, and norms are useful notions, it emphasizes that the elements do not generate or encompass arms control. Arms control approaches have varied in terms of flexibility (demand and supply), inclusivity (illicit market), international alliance, purpose, and goal. Traditional IR theories are incapable of accounting for these fluctuations over time and in different regions. It has also been proven that norms and tradition, for example, have supported but not driven the proliferation of SALWs. An objective source of SALWs has indeed been employed as a means of dominance, as well as incentive for operations and emancipating expeditions. Sub-Saharan African actors' methods for managing ties with the West, particularly reliant on designing or interacting with weapons manufacturers, have been essential in influencing the continent's arms practice, measures, and regulations, which are predicted by varying strategies for accessing power, resources and incorporated in

impactful political systems. The outcomes of this research indicate that SALWs practice and control have a detrimental effect on both positive and negative peace, specifically that arms regulation has a doubtful link for both social justice and empowerment, including its potential to minimize violent conflict. While sub-Saharan African SALWs practice and control regimes encounter obstacles that exceed the available resources, the fundamental failures of SALWs control are the inability to reduce violent conflict, arms importation and proliferation, and military spending, due to the fact that these are not the existing regimes' aims. The key goals are to strengthen state sovereignty, enforce accountability, eradicate corruption, build interactive and integrated communities with improved living standards, improve regional confidence, and finally, improve regional integration, all in the name of increasing interdependence and ultimately stability and economic progress.

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ABBREVIATIONS

AMISOM - African Union Mission in Somalia
ATT - Arms Trade Treaty
AU – African Union
ECCAS - Economic Community of Central African States
CEN-SAD - Community of Sahel-Saharan States
CPA - Comprehensive Peace Agreement
DDR - Disarmament, Demobilization, and reintegration
DRC - Democratic Republic of Congo
EAANSA - East Africa Action Network on Small Arms
EAC - East African Community
EAPCCO - Eastern Africa Police Chiefs Cooperation Organization
ECOSAP - Economic Community of West African States Small Arms Control Program
ECOWAS - Economic Community of West African States
EU - European Union
GRIP - Group for Research and Information on Peace and security
IANSA - International Action Network on Small Arms
ICP - International Cooperating Partner
IDP - Internally Displaced People
IGAD - Intergovernmental Authority on Development
IGADD - Intergovernmental Authority on Drought and Development
INTERPOL - International Criminal Police Organization
NGO - Non-governmental Organization
NISAT - Norwegian Initiative on Small Arms Transfer
OAU - Organization of African Unity
OSCE - Organization for Security and Cooperation in Europe
RECs - Regional Economic Communities
RECSA - Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa, and Bordering States
ROC - Republic of Congo
SADC - Southern African Development Community
SALW - Small Arms and Light Weapons
SAP - Structural Adjustment Program

SAS - Small Arms Survey

SARPPCO - Southern Africa Regional Police Chiefs Cooperation Organization

SIPRI - Stockholm International Peace Research Institute

SSR - Security Sector Reform

UN – United Nations

UNDP - United Nations Development Program

UNODC - United Nations Office on Drugs and Crime

UNPoA - United Nations Program of Action