The economic community of West African state (ECOWAS) and the control of illicit proliferation of small arms and light weapons in West Africa (1998-2005)

Mba Atinga
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ABSTRACT

DEPARTMENT OF INTERNATIONAL AFFAIRS AND DEVELOPMENT

ATINGA, MBA B.A. UNIVERSITY OF GHANA, 1997

M.A. INDIANA UNIVERSITY OF PENNSYLVANIA, 2002

THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) AND
THE CONTROL OF ILLICIT PROLIFERATION OF SMALL ARMS AND LIGHT
WEAPONS IN WEST AFRICA (1998-2005)

Advisor: Dr. Art Hansen
Dissertation dated May 2008

West Africa has an estimated eight million illicit small arms in circulation. The uncontrolled proliferation of small arms and light weapons (SALW) fuelled conflicts in West Africa, galvanizing member states of the Economic Community of West African States (ECOWAS) to adopt measures to bring sanity to bear on the security situation in West Africa.

Any discussion of the dynamics of conflict should accordingly look at the small arms factor in the many conflicts that plagued the subregion. The research examines all the initiatives that ECOWAS deployed to combat SALW in West Africa – the Moratorium Declaration, arms embargoes, and arms collection and destruction. ECOWAS anti-proliferation efforts began in 1998 with the signing of the Moratorium Declaration in 1998 in Abuja, Nigeria.
This research delves into the facilitating role SALW plays in conflict, factors that motivate people to acquire SALW and some of the sources of supply of weapons to West Africa. It also traces the history and evolution of ECOWAS, especially its conflict resolution mechanism.

The research uses both primary and secondary data. The secondary data were gathered from books, journals, magazines and newspaper articles. Information was also gathered from publications and websites of reputable organizations working on SALW such as the Economic Community of West African States, Norwegian Initiative on Small Arms Transfers (NISAT), International Action on Small Arms (IANSA), the United Nations, Small Arms Survey, Oxfam and Human Rights Watch.

Primary data were collected by unstructured interviews with small arms experts, civil society organizations working on SALW and disarmament and officials of the police, military, defense intelligence and foreign affairs.

The research analyzes the progress and gains ECOWAS made in containing SALW between 1998 and 2005. It was found that some states undermined the ECOWAS initiatives by being suppliers of arms to factions in conflict or destabilizing sitting governments. Some provisions of the Moratorium such as the harmonization of laws and the development of an arms register for ECOWAS were not achieved. Gains were made in adhering to the application for exemptions for SALW imports, thus building confidence between states. ECOWAS and governments increasingly see civil society as a major partner in fighting SALW proliferation, giving rise to hopes of realizing the goal of ridding the subregion of illicit SALW.
THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) AND
THE CONTROL OF ILLICIT PROLIFERATION OF SMALL ARMS AND LIGHT
WEAPONS IN WEST AFRICA (1998-2005)

A DISSERTATION
SUBMITTED TO THE FACULTY OF CLARK ATLANTA UNIVERSITY IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY

BY
MBA ATINGA

DEPARTMENT OF INTERNATIONAL AFFAIRS AND DEVELOPMENT

ATLANTA, GEORGIA
MAY 2008
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For my wife, Agnes Hawa Ayebo, and our children, Michael, Sandino and Jude, this stage of my academic career would have been impossible without them. They endured my several years of absence and were a source of encouragement. I will forever remain appreciative of their patience, unflinching moral support and their belief that it was all for the good of the family.

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# TABLE OF CONTENTS

ACKNOWLEDGMENTS .................................................................................................................. ii

LIST OF TABLES .......................................................................................................................... vi

LIST OF ABBREVIATIONS ........................................................................................................... vii

Chapter | Page
--- | ---
1. INTRODUCTION .................................................. 1
   Statement of the problem ........................................ 7
   Purpose .................................................................. 9
   Significance of the study ......................................... 9
   Methodology ....................................................... 9
   Limitations ......................................................... 9
   Organization of the study ....................................... 10

2. LITERATURE REVIEW ...................................... 12
   Sources of Conflict .............................................. 12
   Quality of Governance ....................................... 14
   Manipulation of Ethnicity .................................... 16
   Natural Resources .............................................. 19
   Influence of SALW on Conflict ......................... 21
   SALW and their Impact ..................................... 23
   Regional Organizations and SALW Control ........ 27
   African Regional Organizations and SALW Control 32
   Research Questions ......................................... 42

3. METHODOLOGY ............................................ 43
   Itinerary ......................................................... 45

4. ECOWAS: HISTORY, STRUCTURE AND EVOLUTION ........ 47
   The Liberian Civil war and the Consolidation of ECOWAS Conflict .... 54
   Resolution Mechanism ..................................... 54
   ECOWAS Intervention in Liberia ....................... 56
   The Revised ECOWAS Treaty of 1993 .................. 57
   Competing Intergovernmental Organizations ........ 59
   Organizational Structure of ECOWAS ............... 60
   The Executive Commission ............................... 62
   Security Mechanism of the Revised Treaty .......... 64
   Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security 65
## TABLE OF CONTENTS

5. SMALL ARMS TRADE AND TRAFFICKING IN WEST AFRICA .......... 72
   Demand for SALW ................................................................. 73
   Crime and Banditry ............................................................. 74
   Insecurity and the Privatization of Security .......................... 74
   Inter-group Competition ...................................................... 77
   Politicians and the Contest for Power ..................................... 78
   Non-State Actors (Armed Groups) .......................................... 81
   Culture .................................................................................. 85
   Factors Facilitating Illegal SALW Proliferation in West Africa ... 85
   Weak Regulatory Framework .................................................. 87

6. SOURCES OF SMALL ARMS AND LIGHT WEAPONS
   SUPPLY IN WEST AFRICA ..................................................... 92
   The State as a Major Source of Weapons Supply .................... 93
   External Support to Rebel Fractions ....................................... 95
   Arms Brokers and Dealers .................................................... 99
      Victor Bout ........................................................................ 102
      Leonid Minin ..................................................................... 103
      Guus Kouwenhoven .......................................................... 105
      Sanjivan Ruprah ............................................................... 106
   Local Craft Industries ........................................................... 107
   Recycled Weapons .............................................................. 110
   Refugees .............................................................................. 110

7. ECOWAS INITIATIVES IN COMBATING SMALL ARMS
   AND LIGHT WEAPONS ......................................................... 113
   The 1998 ECOWAS Moratorium on the Importation, Exportation and
   Manufacture of Light Weapons ............................................. 114
   Chronology of Events Leading to the Moratorium .................. 115
   National Commissions ......................................................... 119
   Exemptions ........................................................................... 120
   Arms Collection and Destruction .......................................... 122
   Arms Embargoes ................................................................... 124
      Liberia ............................................................................... 125
      Sierra Leone ...................................................................... 127
      Togo ............................................................................... 129
      Ivory Coast ....................................................................... 130
   Disarmament ........................................................................ 131

8. SUMMARY AND CONCLUSIONS .............................................. 135
   General Assessment .............................................................. 136
   Conclusions .......................................................................... 138
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Commissions</td>
<td>138</td>
</tr>
<tr>
<td>Arms Register</td>
<td>140</td>
</tr>
<tr>
<td>Harmonization of legislative and administrative measures</td>
<td>140</td>
</tr>
<tr>
<td>Collection and Destruction of Surplus Weapons</td>
<td>141</td>
</tr>
<tr>
<td>Exemptions</td>
<td>142</td>
</tr>
<tr>
<td>Arms Embargoes</td>
<td>142</td>
</tr>
<tr>
<td>APPENDIX 1 Human Development Ranking of ECOWAS Members</td>
<td>144</td>
</tr>
<tr>
<td>APPENDIX 2 Arms Deliveries to Developing Nations</td>
<td>145</td>
</tr>
<tr>
<td>APPENDIX 3 Production of Major Modern Automatic Rifles</td>
<td>146</td>
</tr>
<tr>
<td>APPENDIX 4 Request by Nigeria for Exemption</td>
<td>147</td>
</tr>
<tr>
<td>APPENDIX 5 Consent Form</td>
<td>148</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>149</td>
</tr>
</tbody>
</table>
LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Armed groups in West Africa</td>
<td>84</td>
</tr>
<tr>
<td>2. Exemptions granted by ECOWAS under the Moratorium</td>
<td>121</td>
</tr>
<tr>
<td>3. Ceremonial arms destruction in West Africa</td>
<td>123</td>
</tr>
<tr>
<td>4. Ceremonial arms destruction in Niger</td>
<td>124</td>
</tr>
<tr>
<td>5. Arms embargoes on ECOWAS member states</td>
<td>124</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Description</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
</tr>
<tr>
<td>AFRC</td>
<td>Armed Forces Ruling Council</td>
</tr>
<tr>
<td>AHSG</td>
<td>Authority of Heads of State and Government</td>
</tr>
<tr>
<td>APC</td>
<td>All Peoples Congress</td>
</tr>
<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>CEWARN</td>
<td>Conflict Early Warning and Response Mechanism</td>
</tr>
<tr>
<td>DDR</td>
<td>Disarmament, Demobilization and Re-integration</td>
</tr>
<tr>
<td>DFID</td>
<td>Department for International Development</td>
</tr>
<tr>
<td>DSC</td>
<td>Defence and Security Commission</td>
</tr>
<tr>
<td>ECOMOG</td>
<td>ECOWAS Ceasefire Monitoring Group</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>Economic Community of West Africa States</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FOSDA</td>
<td>Foundation for Security and Development in Africa</td>
</tr>
<tr>
<td>IANSA</td>
<td>International Action Network on Small Arms</td>
</tr>
<tr>
<td>IGAD</td>
<td>Intergovernmental Authority on Development</td>
</tr>
<tr>
<td>IPU</td>
<td>Inter-Parliamentary Union</td>
</tr>
<tr>
<td>LURD</td>
<td>Liberians United for Reconciliation and Development</td>
</tr>
<tr>
<td>MEND</td>
<td>Movement for the Emancipation of the Niger Delta</td>
</tr>
<tr>
<td>MFDC</td>
<td>Movement of the Democratic Forces of Casamance</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Form</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------</td>
</tr>
<tr>
<td>MODEL</td>
<td>Movement for Democracy in Liberia</td>
</tr>
<tr>
<td>MSC</td>
<td>Mediation and Security Council</td>
</tr>
<tr>
<td>NAN</td>
<td>News Agency of Nigeria</td>
</tr>
<tr>
<td>NatComs</td>
<td>National Commissions</td>
</tr>
<tr>
<td>NBCW</td>
<td>Nuclear, Biological and Chemical weapons</td>
</tr>
<tr>
<td>NISAT</td>
<td>Norwegian Institute on Small Arms Transfers</td>
</tr>
<tr>
<td>NPFL</td>
<td>National Patriotic Front of Liberia</td>
</tr>
<tr>
<td>OAS</td>
<td>Organization of American States</td>
</tr>
<tr>
<td>OAU</td>
<td>Organisation of African Unity</td>
</tr>
<tr>
<td>OSCE</td>
<td>Organization for Security and Co-operation in Europe</td>
</tr>
<tr>
<td>PCASED</td>
<td>Program for Coordination and Assistance for Security and Development in Africa</td>
</tr>
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<td>PIF</td>
<td>Pacific Islands Forum</td>
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<td>PNDC</td>
<td>Provisional National Defence Council</td>
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<td>RUF</td>
<td>Revolutionary United Front</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>SALW</td>
<td>Small Arms and Light Weapons</td>
</tr>
<tr>
<td>SARPCCO</td>
<td>Southern African Regional Police Chiefs Coordinating Organisation</td>
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<td>UEMOA</td>
<td>Union Economique de Monetaire Ouest Africaine</td>
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<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>
LIST OF ABBREVIATIONS

UNDP  United Nations Development Program
UNIDIR  United Nations Institute for Disarmament Research
UN  United Nations
UNAMSIL  United Nations Mission in Sierra Leone
UNOMIL  United Nations Observer Mission in Liberia
UNPoA  Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
USA  United States of America
CHAPTER 1
INTRODUCTION

The control of the weapons of violence had always been an issue of importance throughout history. It had always been deemed important to contain their spread, whether for reasons of safeguarding the territorial integrity of the state or to assure the security of citizens, or both. During the Cold War, the focus of concern for pacifists, statesmen and peace activists was the stockpile of nuclear, biological and chemical weapons (NBCW) and the real danger that they could be deployed in any major confrontation between the two superpowers – the USA and the Soviet Union. Humanity heaved a sigh of relief after the Cold War ended. Gone then was the threat of confrontation between two heavily armed camps. But there was still concern about those weapons of mass destruction because of the fear that the stockpile in the arsenal of the former Soviet Union could fall into the hands of terrorists.

Third World countries in the post-Cold War period were confronted by a new and equally threatening menace – small arms and light weapons (SALW). Unfortunately, even though small arms were such a threat, not enough attention was paid to them. The concern was more on NBCW, and by 1990, when the Cold War came to an end, “well-defined agendas, structures and institutions” had been negotiated for their control.¹ Global emphasis on NCBW reflected the concerns of the largest Western states; Third

World countries had different priorities. With fragile institutions and at rather very
delicate stages in nation building, these countries were sitting on a powder keg of SALW.

In 2002, it was estimated that about seven million small arms were in circulation
in the West African region; this figure was even widely regarded as conservative. In
West Africa, these guns were a mix of imported and locally manufactured guns. SAWL
had progressed over the years from menace to scourge. Apart from their implication in
violent crime, SAWL threatened the stability of states and, in some instances, compelled
the international community to recognize brutal and criminal elements disguised as
leaders of rebel movements.

Globally, there were 49 major conflicts that started between 1990 and 2005. Major wars were defined as those with at least 1,000 battle-related deaths per year. SALW were the only arms used in 46 of those conflicts. Only one conflict (the 1991 Gulf War) was dominated by heavy weapons. The causes of those conflicts were many and diverse; no two conflicts were the same. In West Africa, the major cause of the conflicts was bad governance. Independence brought with it hopes of accelerated development and the participation of the citizenry in governance. Unfortunately those hopes were dashed soon after independence. In most countries, political power soon became the exclusive preserve of “big men” who patronized the ordinary people. Power became the monopoly of cliques from a political party, ethnic group or clan. The majority remained voiceless and excluded from decisions affecting them. Corruption found fertile ground to thrive. Politics was not an expression

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of altruism but a competition to see who got to share the national cake in the most unfair manner. Elections became a farce. The results of some elections were even known before they were conducted, in some cases yielding 90 percent of votes in favor of unpopular incumbents.

The Samuel Doe regime in Liberia epitomized all that was typical about bad regimes. His Krahn ethnic group dominated the Liberian army and, as Adebajo puts it, “He effectively turned a national institution into a Krahn-dominated instrument of oppression.” Doe purged the army of the Gio and Mano ethnic groups and Americo-Liberians. His regime was brutal and bloodthirsty.

Other causes of conflict included the manipulation of ethnicity by politicians; that meant, playing ethnic groups against each other to shore up a politician’s power. The economic decline of the 1980s created very difficult living conditions and contributed to conflict. Many regimes had no clue as to how to revive their struggling economies and bowed to dictates from the World Bank and the International Monetary Fund. The prescriptions of these multilateral agencies worsened the situation. Poverty became entrenched, and living standards fell. There was little to go around, and the little that was available was shared among select groups or interests. Marginalized ethnic or interest groups rose up against the perpetrators of their marginalization. No West African nation was immune from the illegal infiltration of small arms and light weapons.

To control the proliferation of SALW in West Africa, a variety of options were available – national, bilateral, regional and international. The national option involved a nation relying on requisite internal measures such as national arms control legislation and on border security to control the inflow and outflow of SALW. Bilateral options meant

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that two countries would conclude agreements to stem the flow of arms between their
countries. With the regional option, countries belonging to a regional organization such
as ECOWAS arrived at a mutually acceptable framework to control arms flow through
negotiations and agreed to enforce the provisions of those frameworks. The international
option was the situation where countries subscribed to agreements reached at
international fora such as the African Union or the United Nations.

National and bilateral solutions were not viable, principally because of the
transnational character of SALW trade and trafficking. Many countries shared borders
with several other countries, and the common thread was the porousness of the borders.
Guinea-Bissau and Sierra Leone had borders with two other countries. Liberia, Togo and
Ghana each shared borders with three other countries. Benin, Nigeria and Mauritania
each shared borders with four other countries. Senegal, Guinea and Ivory Coast each
shared borders with five other countries. Mali and Burkina Faso shared borders with six
other countries, and Niger had borders with eight other countries. The only exceptions to
multiple borders in West Africa were the archipelago of Cape Verde and the Gambia,
which was nearly surrounded by Senegal. In addition to shared borders, there were other
factors related to arms trafficking that could not be controlled by one nation alone, for
example, the presence of multinational criminal organizations, armed conflict in
neighboring countries, poorly manned borders and lax regulation of firearms.  

The reality of geopolitics and the political economy of arms exports made a
global approach to controlling small arms and light weapons very difficult, though
desirable. According to Control Arms (a campaign coalition of Amnesty International,

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5 Sarah Meek, “Combating Arms Trafficking: Progress and Prospects,” in Running Guns The
International Action Network on Small Arms and Oxfam), the arms industry was unlike any other because it operated without regulation and suffered from widespread corruption and bribes. The five permanent members of the UN Security Council – the USA, UK, France, Russia, and China - were responsible for eighty-eight per cent (88%) of reported conventional arms exports. Control Arms asserted that, contrary to their responsibilities and legal obligations, the G8 countries (USA, UK, France, Russia, Germany, Italy, Japan and Canada) supplied weapons to irresponsible end users. For example, France and Germany exported arms to three countries - Myanmar (Burma), Sudan and China - that were subject to European Union embargoes. With such politically, economically and militarily powerful countries deriving so much revenue and political leverage from arms sales, a global control regime was difficult to attain.

The AK-47 assault rifle was "the world’s favorite killing machine." There were up to 70 million in circulation. They were found in the state arsenals of at least 82 countries and were produced in at least 14 countries across four continents. While the research for this dissertation was being conducted, Venezuela signed a deal for the local assembly of the weapons, the first of its kind in the Americas. In Africa at that time the AK-47 rifle could be bought for as little as $30.

Regional approaches appeared to offer the best option. The Economic Community of West African States (ECOWAS), which was founded in 1975, consisted of the states of Benin, Burkina Faso, Cape Verde, Côte d’Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo. Of

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the 16 countries in the region, nine were Francophone, five Anglophone, and two Lusophone. Mauritania, one of the sixteen, withdrew from ECOWAS in 2000. ECOWAS was originally founded to promote economic integration and development in West Africa. The conflicts in the sub-region and the grave humanitarian crises they sparked compelled ECOWAS to modify its original objectives to include conflict management.

ECOWAS’ initiative was the first such attempt by a regional body to get a grip on the problem of illegal SALW trade and trafficking. The ECOWAS example encouraged East and Southern Africa to establish regional mechanisms to deal with SALW. The African Union itself was inspired by ECOWAS to put the issue of SALW at center-stage in its attempt to deal with conflicts and terrorism in Africa. In 2000, as part of their preparation for the UN conference on SALW, African countries issued the Bamako Declaration urging African states to put in place measures to coordinate and harmonize efforts to address the illicit proliferation, circulation and trafficking of small arms and light weapons.

In March 2000, Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, and Uganda, Burundi, the Democratic Republic of Congo, Rwanda, and Tanzania (of the Great Lakes Region) signed The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa to address the illicit proliferation of small arms in the Horn of Africa and the Great Lakes Region. Similarly, they acknowledged that for SALW proliferation to be tackled effectively, it had to be done regionally.

The conclusion of colonial or liberation wars and the anti-apartheid struggle had left millions of weapons in private and undesirable hands in Southern Africa. In August 2001, the Southern African Development Community (SADC) adopted the Protocol on
the Control of Firearms, Ammunition and Other Related Materials in the SADC Region to also address on a regional basis the widespread availability of SALW.

Other regional organizations such as the Organization of American States (OAS), the Association of Southeast Asian Nations (ASEAN), the European Union (EU), the Pacific Islands Forum, and the Andean Community also launched regional measures to confront SALW proliferation.

Statement of the Problem

Owing to the numerous civil wars and coups d’etat, West Africa was described as one of the world’s most unstable regions.8 Between 1989 and 2005, civil wars raged in Liberia, Sierra Leone, Mali, Niger, Guinea-Bissau, Guinea, Senegal and the Ivory Coast. The conflicts varied in causes and duration, but not in the weapons of choice - SALW. Violent inter-ethnic and inter-religious conflicts were recorded in nearly all the West African countries, with small arms featuring prominently as a catalyst. The interest in illicit SAWL therefore arose from the danger they posed to human security, rising levels of crime and banditry, the deaths and destruction, and the stability of states in the West African region.

SALW also affected the onset, duration and lethality of conflict. Easy availability of SALW encouraged aggrieved persons to prefer quick and violent endings to disputes instead of prolonged negotiations and compromises. In the Liberian civil war, negotiations for peace accords or agreements were broken as soon as they were signed. Thirteen peace accords were agreed to and broken. The factions had vast stockpiles of SALW and challenged the authority of ECOWAS peacekeepers, sometimes attacking

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8 Adekeye Adebajo, Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau (Boulder, Colorado: Lynne Rienner Publishers, 2002), 24
them and in the process killing some and stealing their weapons. This made the intervention of ECOWAS to stop the carnage in Liberia very costly in terms of human lives and materials. In many of the troop-contributing countries, especially in Nigeria and Ghana, the problems led to loud calls for their troops to be pulled out.

SALW also helped fuel human rights abuses, especially when law and order had broken down and there was no mechanism to bring abusers to justice. The easy availability of SALW and their possession by rogue elements undermined democracy since such elements could flout authority at will and impose their dangerous choices on the majority who did not have access to SALW.

Until 1989, West Africa did not have a significant illicit SALW problem. The war in Liberia flooded the subregion with SALW, thus making the curbing of SALW a priority. The Declaration of a Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa in October 1998 by ECOWAS Heads of State and Government at their twenty-first ordinary summit in Abuja, Nigeria was a recognition of the magnitude of the SALW proliferation crisis and the ECOWAS resolve to deal with it. Besides the Moratorium, ECOWAS and its member countries took a number of initiatives such as enforcing arms embargoes, disarmament after the signing of peace accords, confiscation of arms from unauthorized people, and arms destructions.

Other protocols, such as the 1999 Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security and the Supplementary Protocol on Good Governance and Democracy adopted in 2001, were adopted to remove the root causes of conflict. These were undertaken in the pursuit of the overarching goal of ensuring peace and security.
Purpose

The purpose of this research was to analyze the progress and gains ECOWAS made in containing SALW between 1998 and 2005.

Significance of the Study

Most studies had looked at ECOWAS’ initiatives separately with the most attention being paid to the moratorium. This was the first in-depth study of ECOWAS as a regional organization that looked at all of its initiatives (the 1998 Moratorium, arms embargoes and disarmament) in an integrated way. The research covered a seven-year period: 1998-2005.

Methodology

The research used both primary and secondary data. The secondary data were gathered from books, journals, magazines and newspaper articles. Information was also gathered from publications and websites of reputable organizations working on SALW such as the Economic Community of West African States, Norwegian Initiative on Small Arms Transfers (NISAT), International Action on Small Arms (IANSA), the United Nations, Small Arms Survey, Oxfam and Human Rights Watch.

Primary data were collected by semi-structured interviews with experts and civil society organizations working on SALW and disarmament. Some officials working with security agencies were also interviewed.

Limitations

This study covered the seven-year period of the Moratorium from 1998-2005 in West Africa. Insights gained from the study may be relevant only to that period and West Africa. The research investigated only the demobilization and disarmament schemes and arms embargoes imposed by ECOWAS and not those undertaken by the United Nations.
in West Africa. The findings may not be generalizable for similar United Nations initiatives in West Africa.

The researcher was unable to meet with and interview officials of the ECOWAS Commission in Abuja, Nigeria. However, access to other interviewees consisting of small arms experts and reputable civil society organizations largely filled the gap, and the inability to meet officials of the ECOWAS Commission did not vitiate the findings of this research.

**Organization of the Study**

This dissertation is divided into seven chapters. Chapter 1 is the introduction of this study and contains the statement of the problem, the purpose of the study and its significance.

Chapter 2 is the literature review. It reviews the literature on sources of conflict, the impact of SALW and what instruments regional organizations had put in place to handle the scourge. Chapter 3 deals with the methodology. This was largely a qualitative study involving the examination of primary and secondary data.

Chapter 4 is an in-depth study of ECOWAS – its history, structure and evolution from a body originally charged with economic integration to one that became largely defined by its conflict management role.

Chapter 5 examines small arms trade and trafficking in West Africa. It delves into the motivations for the acquisition of small arms to West Africa and the factors that facilitated the proliferation of small arms in West Africa.

Chapter 6 focuses on the sources of small arms supply in West Africa and the main actors involved.
Chapter 7 focuses on ECOWAS and its initiatives in combating small arms, specifically the 1998 Declaration of a Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa and its related instruments. This chapter also discusses arms embargoes, demobilization and disarmament.

Chapter 8 contains the summary and conclusion.
CHAPTER 2
LITERATURE REVIEW

The literature review examined three bodies of literature: the sources of conflict in general and in Africa, small arms and light weapons (SALW) and their impact, and regional organizations and SALW control. This chapter examines these topics one at a time in that same order.

Sources of Conflict

The discourse on the sources of violent conflict was dominated by the analysis of political and social arrangements, uneven development and even psychological motives. Much of the literature on the causes and predictors of conflicts in Africa ignored or omitted the contributory influence of small arms. Small arms largely “escaped the radar.”

West Africa had not experienced any inter-state wars, even though boundary tensions had been recorded between some states in the past. The wars in West Africa were internal or civil wars. The sources of these intra-state conflicts were diverse, but some common threads ran through them. Ali Mazrui postulated that, while the causes might have had something to do with the quality of governance, they generally included ethnic rivalry, economic deprivation, uncertain processes of political succession, the uncertain equilibrium in civil-military relations and political repression.¹

Another perspective offered to explain the history of war in Africa related to state formation in Africa—a artificial borders, quasi-states, weak governing institutions with minimal capacity and a statist model of political and economic development. Combining these factors with patrimonial politics where “office holders expropriated state resources to reward their networks of clients and their power bases,” the stage was set for conflict. In a similar vein, Catherine Newbury’s analysis of several studies acknowledged the “weakness of states that fail to behave like developed states of the West.” According to her, in some parts of Africa, there were “shadow or criminal” states where leaders, in order to maintain their hold on power, “inforrnalized” the state by creating structures parallel to that of the formal state and engaged in predatory behavior, often using violence and war.

In his analysis of why the state disintegrated in Sierra Leone, Gibrill (2007) identified four broad political and economic trends that eventually led to the war. The trends were applicable to the causes of the several conflicts in West Africa generally. These were:

1. The sharply contested and uncertain character of political succession that involved increasing authoritarianism and militarization of the political process.

2. The venal misappropriation and looting of national resources, increasing mass hardship and steep declines in economic fortunes.

3. The reassertion of the significance of historic loyalties and political

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traditions and the violent quest by marginalized groups for a political role
and,

4. Political interference and contagious violence from without.\(^4\)

Quality of Governance

The instability in West Africa was in reality a crisis of good governance. Until the mid-1990s, most governments in West Africa were either one-party or military regimes. Democracy revolving around free and fair elections, respect for human rights, free speech, freedom of association, respect for minorities and the independence of the judiciary had convulsive or brief life spans. Change of governments through the ballot box was rare. In the view of Gyimah-Boadi (2004) politics was typified by “brinkmanship and machismo” where even elected leaders appointed party stalwarts to plum offices as a reward for loyalty and sycophancy. This resulted in “crude majoritarianism, winner-takes-all and neglect of minority interests instead of moderation, reciprocity and give-and-take.”\(^5\)

In Sierra Leone, the civil war had historical causes starting with the personalized and monolithic rule of the ruling party, the All Peoples Congress (APC). The APC created a predatory or shadow state, which led to the destruction of civil society and democratic accountability. The tools of destruction were thuggery, intimidation, patronage and violence.\(^6\) Richard Sandbrooks defined a predatory state as “one in which office-holders and their clients prey upon society by extracting wealth, through legal and

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illegal means without offering any useful services.”⁷ By the 1980s, economic decline had set in causing widespread inflation, misery and unemployment. This led to widespread anger and discontent. The government of Joseph Momoh failed to resolve the crisis. As argued by Gibrill, “the venal misappropriation and exploitation of national resources, deepening economic crisis, growing hardship and dependence on external sources for national finance” led to national destitution and catalyzed political disintegration.⁸ Furthermore, the political class abdicated its responsibilities and engaged in looting the resources of the state. This provided the perfect backdrop for the invasion - on false pretenses of saving the masses – in March 1991 by Foday Sankoh and his so-called Revolutionary United Front backed heavily by Liberia.

The roots of the Liberian civil war lay in the attempts by factional or ethnic groups to monopolize the state and its resources to their exclusive benefit. In the process, heavy-handed methods were employed to cow other groups into submission. Prior to 1980, organized conflict arose because of the marginalization of the indigenous peoples by the Americo-Liberian elite. This elite monopolized all the apparatuses of state. The coup of 1980 by Samuel Doe only changed the ethnicity of the oppressor. His Krahn ethnic then assumed control of the Liberian state, and the Americo-Liberian elite, the Gio and Mano ethnic groups became targets of repression. The absence of a tradition of democracy and accountability, combined with the patron-client structure of political, economic and social relationships, and corruption, led Liberia down into the abyss of

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civil war. The invasion by Charles Taylor (an Americo-Liberian) in 1989 was a continuation of this familiar trend.

In September 2002, about 800 soldiers mutinied against their planned demobilization in Ivory Coast. It was the sixth coup or attempted coup within three years. This was the spark that generated the civil war that effectively divided West Africa’s once most peaceful country into north and south – the north controlled by rebel soldiers of the New Forces and the south controlled by the government. The mutiny was just a manifestation of the larger identity issue of who was considered an Ivorian. Unable to manage a severe economic crisis and faced with a rise in the popularity of the main opposition party in the mid-1990s, the government of Henri Konan Bedie launched a xenophobic campaign around the concept of Ivoirite, tagging the party of former prime minister Alassane Ouattara, the Rassemblement des Republicains, as a foreigners’ party. Alassane Ouattara, the former prime minister, hailed from northern Ivory Coast. The politics of exclusion of other groups was now institutionalized, and this gave birth to a rebellion by marginalized northern elements to reclaim their identity as Ivorians.

**Manipulation of Ethnicity**

Ethnicity or ethnic diversity per se did not constitute a problem. It was the manipulation of ethnicity for partisan gain by vested interest groups that created the problem. All West African states were multi-ethnic and multi-religious. Peaceful co-existence between these ethnic groups had been problematic in some cases since independence. The British exploited ethnic differences in furtherance of their infamous “divide and rule” approach to managing multi-ethnic entities. In the then British West Africa, the colonial authorities had their own characteristics of the various ethnic groups.

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Some were considered warlike and so formed the bulk of recruits into the colonial army that was used to suppress nationalist agitations and to pacify the colonies. The colonial army, according to Young, was often constituted by people from different regional and social milieus than the nationalist leadership. However, he argued that while ethnic consciousness did figure in the dynamics of conflict influencing patterns of participation and responses to violence, ethnicity by itself did not drive conflicts or define their origins.¹⁰

In the opinion of Ricardo Laremont, the standard academic response to the question of why violence occurred had been that violence and war occurred because of irreconcilable ethnic differences. Laremont was convinced that:

Despite much postmodernist philosophical and sociological critiques of the artificiality of race and ethnicity as ontologically real categories of analysis, on a political level the changing contours of ethnicity and race still remain real factors in the provocation of war.¹¹

Nearly all countries in West Africa continued to experience violent ethnic conflicts. While these conflicts may have had their roots in the colonial legacy, succeeding governments had done little to forge a sense of common nationhood. The differences between ethnic groups had rather been exploited to enable cliques to hang on to power, as president Samuel Doe disastrously did in Liberia. This observation accorded with the view that unequal access by ethnic groups to state power, public goods and/or economic opportunities sharpened ethnic hostilities.¹² A recipe for ethnic tensions to

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escalate into armed conflict was created when a state was unable to guarantee law and order or basic services or exploited ethnic differences. This created fertile grounds for civil wars to develop because regional/ethnic movements that were emboldened by the state decay challenged the central authorities or a perceived ethnic enemy.\textsuperscript{13}

Arguably, the issue of ethnicity was a difficult one to manage, largely because "ethnicity taps cultural and symbolic issues – basic notions of identity and the self, of individual and group worth and entitlement - the conflict it generates are intrinsically less amenable to compromise than those revolving around material issues."\textsuperscript{14} This explained why seemingly innocuous disputes between individuals belonging to different ethnic groups sometimes degenerated into full-scale ethnic conflict. In 1994 in Ghana, a dispute between a Konkomba man and a Nanumba man about the cost of a guinea-fowl quickly degenerated into a full scale ethnic conflict.\textsuperscript{15} However, the real reason for that conflict was a struggle over land rights and traditional authority jurisdiction. Ethnic differences became more volatile "when competing notions of morality – of the sacred and the profane – are invoked."\textsuperscript{16}

The Nigerian civil war (1967-1970) had complex causes. The crux of the problem related to problems of state formation and state building. Nigeria was cobbled together out of several ethnic groups into the modern state in 1914. The largest country in West Africa with a population of about 130 million, Nigeria had more than 200 ethnic groups speaking over 250 languages. However, suspicions and distrust among the three major

\textsuperscript{13} Ibid

\textsuperscript{14} Larry Diamond and Marc Plattner, "Introduction," in Nationalism, Ethnic Conflict, and Democracy ed. Larry Diamond and Marc Plattner (Baltimore: The Johns Hopkins University Press) xviii

\textsuperscript{15} The Konkomba and the Nanumba are ethnic groups in northern Ghana.

\textsuperscript{16} Larry Diamond and Marc Plattner, Ibid
ethnic groups – the Hausa-Fulani in the north, the Yoruba in the west and the Igbo in the south-west - fuelled the coups and counter-coups that led to the attempted secession by the Igbo and the resulting carnage of the civil war. By the end of the civil war, millions had died.

Both the British colonial authorities and post-independence governments did not resolve the issue of how once independent and proud kingdoms could co-exist in the new state with their pride intact. According to Mazrui, postcolonial wars erupted partly because of the “sociological and political mess that “white” colonialism created in Africa.” Colonialism, he posits, destroyed traditional conflict resolution mechanisms without replacing them with effective substitutes.17

Natural Resources

In many of the major conflict zones in West Africa, and generally worldwide, the control of natural resources was a factor in the motivation for conflict. Rebel groups usually set up shop first in the resource-rich areas. This led to the greed versus grievance thesis to explain the motives of rebel groups. The foremost proponent of this perspective, Paul Collier, argued that rebel movements were not protest movements but the manifestation of organized crime. Ultimately, for Collier, greed was the dominant issue in conflict onset and intensity. He wrote:

Economic characteristics – dependence on primary commodity exports, low average incomes, slow growth, and large diasporas – are all significant and powerful predictors of civil war. Rebellions either have the objective of natural resource predation, or are critically dependent upon natural resource predation in order to pursue other objectives. These, rather than objective grievances, are the risk factors which conflict prevention must reduce if it is to be successful.18


He postulated that countries that had a substantial part of their gross domestic product coming from the export of primary commodities were more radically at risk of conflict. In his opinion, primary commodity exports were the most lootable of all economic activities. For that matter, any economy that was dependent upon primary commodity export offered plenty of opportunities for predatory rebellion. Collier asserted that rebel movements were most intransigent when they had resources to finance their wars.

In 2001, about a quarter of the roughly 50 active wars and armed conflicts had a strong resource dimension. Legal or illegal resource exploitation had helped trigger or exacerbate violent conflict or financed its continuation. Indeed, some of those civil wars were referred to as resource wars because the abundance or scarcity of natural resources was a motivator for launching a conflict. In Africa, war quickly became complicated when material resources such as diamonds and oil became available to combatants as alternate sources of financing their wars. In the 1990s, resource exploitation yielded between 100 and 187 million dollars per year for Charles Taylor and between 25 and 125 million dollars per year for the Revolutionary United Front of Sierra Leone. The natural resource explanation for conflict informed Lansana Gberie’s opinion that the Sierra Leonean civil war was masterminded by “criminal economic interests.”

Evidently the sources of Africa’s conflicts were legion. Monocausal explanations obfuscated rather than illuminated the discourse. In the same manner, the assumption that conflict stemmed from the inability of states to behave like the developed states of the

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20 Ibid

West was simplistic and neglected important issues like history and culture. Ascribing motives for rebellion to greed and neglecting grievance was also problematic because “in protracted conflicts, it becomes increasingly difficult to disentangle the complex and shifting motivations that become embedded in them.”

Influence of SALW on conflict

The civil wars in Liberia and Sierra Leone lasted for a decade and eight years, respectively. The Ivory Coast civil war began in 2002 and was not yet effectively concluded by 2005. These wars lasted so long partly because of the access to weapons by combatants, hence fostering the view that access to weapons was an important part in the analysis of conflict. Small arms were an important factor in the motivation, onset, duration and lethality of conflicts. One of the biggest donors to Africa, the Department for International Development (DFID) of the United Kingdom, contended that, while conflicts in Africa originated from weak state institutions, economic decline and shock, natural resource abundance or scarcity, the availability of arms sustained and fueled them. Raymond Copson iterated that political belief and ideology, ethnic and regional factors, poverty, weak state capacity, and regional inequality were the domestic causes of wars in Africa. He added that the easy access to arms enabled excluded groups who demanded participation in the state to resort to war.

While wars were driven by a combination of factors, argued Michael Klare, the easy availability of weapons made it more likely that potential belligerents would choose

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23 Department for International Development, United Kingdom, “The Causes of Conflict in Sub-Saharan Africa” (October 2001), 15

24 Raymond Copson, Africa’s Wars and Prospects for Peace (New York: M. E. Sharpe, 1994), 95
violence and not negotiation as a way of resolving grievances. The abundance of arms had also contributed to the severity, duration and geographic scope of recent wars, making small arms proliferation a very significant factor in the dynamics of contemporary conflict. On these premises, Klare made several significant observations. First, there was a close and symbiotic relationship between light weapons trafficking and contemporary forms of violence. Second, the outbreak of ethnic and internal conflict in weak and divided societies often produced an "internal arms race" that further drove the acquisition of small arms and light weapons. Third, the emergence of internal arms races and the outbreak of conflict in weak and divided societies were fostered by an immense worldwide abundance of small arms and light weapons. Fourth, even relatively small quantities of light weapons could prove highly destabilizing in vulnerable and fractured societies. Finally, light weapons flowed to existing and potential belligerents through a wide array of channels, public and private, licit and illicit.

The apparently ceaseless flow of small arms and light weapons to governments, militias and other actors contributed to slaughter, the undermining of democratic governance and serious human rights violations in the Great Lakes Region of Africa as indicated by Kathi Austin. Any effort to reduce the violence had to confront the "high degree of internal militarization resulting from unimpeded flows of weapons."

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Small arms were a factor in the opportunity for ethnic groups and governments to use violence as a form of political expression, and in their willingness to do so. Arms acquisitions were associated with increased conflict or bellicose behavior, while, occasionally, arms embargoes were associated with declining violence. Additionally, widespread availability of arms to intransigent and entrenched fighters or government forces could also raise the potential costs of intervention – humanitarian or military.\textsuperscript{28} The heavy cost of ECOWAS’ intervention in Liberia in terms of casualties and resources vindicated those generalizations.

SALW and their Impact

The importance of SALW relative to security, governance and development had become part of the public agenda largely because of the work of humanitarian agencies and non-governmental organizations such as the International Action Network on Small Arms (IANSA), Small Arms Survey (a project of the Graduate Institute of International Studies, Geneva), Oxfam, Control Arms, International Alert, Human Rights Watch, the World Health Organization (WHO), and the Norwegian Initiative on Small Arms Transfers (NISAT). The United Nations (UN) and specifically the United Nations Development Program (UNDP) was a major advocate for the control of small arms and played a significant role in international efforts to curb small arms proliferation.

The UNDP estimated that there were about 550 million small arms in circulation. It contended that the sheer quantity available could support violent solutions over peaceful ones - particularly in the absence of legitimate authority and the rule of law. Small arms in the view of the UNDP had both direct impacts and indirect impacts on human development. Small arms were responsible for about 500,000 deaths each year,
rising criminal violence, collapse of health and education services, declining economic activity and damage to the social structure among others.\textsuperscript{29}

The United Nations Secretary-General, Kofi Annan, in 2002 lamented that:

The death toll from small arms dwarfs that of all other weapons systems, and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could well be described as ‘weapons of mass destruction’. Yet there is still no global non-proliferation regime to limit their spread, as there is for chemical, biological and nuclear weapons.\textsuperscript{30}

This chilling recognition of the impact of small arms followed the conclusions of the 1997 Report of the Panel of Governmental Experts on Small Arms set up by the United Nations. The report determined that “the excessive and destabilizing accumulation and transfer of small arms and light weapons is closely related to the increased incidence of internal conflicts and high levels of crime and violence,” thereby making it an issue of legitimate concern by the international community.\textsuperscript{31} NISAT was emphatic that “there will be little progress in settling or avoiding wars and humanitarian emergencies if there is not a concerted effort to control and limit production and transfer of small arms”\textsuperscript{32}

A sense of desperation and urgency was observed in the reports of humanitarian agencies when they discussed small arms. Control Arms stated that the international trade in arms was “dangerously out of control” and proceeded to insist that controlling arms


transfers was in the fundamental interest of all states. They argued that “irresponsible
arms transfers fuel human rights abuses and are a proven catalyst for conflict, prolonging
wars once they break out, increasing their lethality and adding to the human cost.”

The perspective of Human Rights Watch was that “the uncontrolled proliferation and
widespread misuse of small arms represented a global human rights and humanitarian
crisis” because small arms facilitated countless human rights abuses and violations of
international humanitarian law.

Illicit trafficking in small arms had not escaped the attention of the G8, the
world’s leading industrial nations – Canada, France, Germany, Italy, Japan, Russia, the
United Kingdom and the United States of America (USA). It first appeared on the agenda
of the G8 (then the G7) during the 1995 Economic Summit in Halifax, and by the time of
their 1997 Denver summit it had become a priority, “with the leaders promising to
combat illegal firearms trafficking through a new international instrument and to press for
standard systems of firearms identification and a stronger regime for import and export
licensing of firearms.”

Ironically, six of the eight members of the G8 (USA, UK,
France, Russia, Germany and Italy) were among the top ten largest global arms exporters,
and all of the eight exported large amounts of major conventional weapons or small
arms.

34 Human Rights Watch, “Small Arms and Human Rights: The Need for Global Action” Human
070703.htm (accessed September 19, 2006).
2006).
36 Control Arms, “The G8: Global Arms Exporters; Failing to Control Irresponsible Arms
September 20, 2006).
The US government, on its part, wanted tighter controls on the proliferation of illicit small arms and light weapons because, in regions of the world suffering from political instability and violent conflict, those weapons had “proven a major obstacle to peace, economic development, and efforts to rebuild war-torn societies.”37 This was in spite of the fact that the USA was the world’s largest exporter of small arms and light weapons and ammunition, exporting $741 million worth of small arms and light weapons in 2001.38

Regional Organizations and SALW Control

Regional organizations (also referred to as intergovernmental organizations) were organizations where “full membership is officially solely open to states and the decision-making authority lies with representatives from governments.”39 Membership of an intergovernmental organization involved the ceding of some amount or form of sovereignty by the participating states or, threats to the independence and power of the national elites who created them.40 How much sovereignty states were willing to cede, and how often, sometimes led to tensions within intergovernmental organizations and often to paralysis - temporary or permanent.

States formed regional organizations to confront threats to their collective existence. Political threats to the collective existence of states, especially those in a


40 James Hawdon, Emerging Organizational Forms (Westport, CT: Greenwood Press, 1996), 2
contiguous area, were a significant push factor for the formation of regional organizations in Africa. Some regional organizations like ECOWAS started off as purely economic arrangements and eventually took on more overt political postures. Besides states, regional organizations had the legal authority to create and enforce laws, coordinate and wage warfare, and enforce symbolic or economic sanctions on “deviant” states. They served as channels of communication among nations in an attempt to foster cooperation and reduce conflict and helped maintain order by establishing normative guidelines and creating rules. Regional organizations had acquired legitimacy by maintaining or securing peace among warring factions. Because of their shared membership, they had been found to reduce the likelihood of armed conflict among member states.41

Indeed, Article 52 of the United Nations Charter encouraged regional organizations to play a role in maintaining regional security. It stated:

Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.42

On the issue of SALW, the United Nations played a proactive role, and many of the regional frameworks that emerged, especially after 2000, were a result of the UN’s work. Since the mid-1990s the United Nations had placed the issue of small arms and light weapons firmly on the international political agenda. It promoted awareness of the problems posed by these weapons and established a number of expert groups, notably the Panel of Governmental Experts on Small Arms in 1997 and the Group of Experts on the Problem of Ammunition and Explosives in 1999. Those expert groups were established

41 James Hawdon, Emerging Organizational Forms (Westport, CT: Greenwood Press, 1996), 2
to study the nature and causes of such accumulations and transfers of small arms and light weapons and to recommend ways and means to prevent and reduce them.

In December 1999, the United Nations General Assembly therefore decided to convene a Conference on the Illicit Trade of Small Arms and Light Weapons in All its Aspects in July 2001. The purpose of the conference was to decide on steps nations should take to prevent the illicit trade in small arms. The result of the 2001 conference was the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA). The UNPoA required UN member nations to make illicit gun production and or possession a criminal offence. States were required to establish a national coordination agency on small arms, identify and destroy stocks of surplus weapons and keep track of officially-held guns. In addition, states were to mark guns at point of manufacture for identification and tracing, and maintain records of gun manufacture. On arms exports, states were obliged to issue end-user certificates for exports/transit and notify the original supplier nation of re-export.

Other obligations involved the disarmament, demobilization and re-integration (DDR) of ex-combatants and the collection and destruction of their weapons. States were also urged to support regional agreements and encourage moratoria. States were encouraged to engage in more information exchange, ensure better enforcement of arms embargoes, and include civil society organizations in efforts to prevent small arms proliferation.43

Some regional organizations, however, had launched their own SALW anti-proliferation measures before the global initiative of the UN. In 1997, the Organization

43 United Nations, Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, UN Document A/CONF 192/15 (July 2001), Sections II-III.
of American States (OAS), the Association of Southeast Asian Nations (ASEAN) and the European Union (EU) launched their regional measures.

The OAS signed in 1997 the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA or the OAS Convention). It was the first international legally binding agreement on small arms and light weapons. Though its definitions of firearms and explosives are broad it only targeted commercial transfers and not government transfers.

ASEAN signed in 1997 the Plan of Action to Combat Transnational Crime. Though not exactly an agreement on small arms, it recognized small arms and light weapons as an important root of transnational crimes. Unfortunately, according to the Inter-Parliamentary Union (IPU), “given its particular nature as an organization based on the principles of ‘soft diplomacy’ and non-interference and also in the light of the non-binding character of this Plan of Action, the measures adopted over the last few years have never had a truly regional impact.”

Also in 1997, the European Union (EU) signed the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms. The program provided a coherent framework for tackling illicit weapons trafficking but made no provisions for reviewing, reforming or harmonizing regulations among EU member states. In 1998 the EU also adopted the non-legally binding Code of Conduct on Arms Exports. The adoption of the code enjoined EU governments to consult each other when considering granting export

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44 Inter-Parliamentary Union, “The Role of Parliaments in Strengthening the Control of Trafficking In Small Arms and Light Weapons and their Ammunition.” C-I/114/R-pre (January 13, 2006). Draft Report, 11.
licenses, especially to countries that had been denied them by other member states.\textsuperscript{45}

In 2002, the Code of Conduct was replaced by the Joint Action on Small Arms. The joint action referred to the control and registration of exports, transparency and evaluation of potential importers. The objectives of this project were to combat, and contribute to ending, the destabilizing accumulation and spread of small arms, the reduction of existing accumulations of these weapons and their ammunition to levels consistent with countries' legitimate security needs, and to help solve the problems caused by such accumulations.\textsuperscript{46} As a joint action, it was legally binding, but it was implemented through national laws and procedures.

In November 2000, the Organization for Security and Co-operation in Europe (OSCE), recognizing that the “excessive and destabilizing accumulation and uncontrolled spread of small arms are problems that have contributed to the intensity and duration of the majority of conflicts,” adopted the politically binding OSCE Document on Small Arms and Light Weapons.\textsuperscript{47} The participating states committed themselves to combat illicit trafficking of small arms in all its forms through the adoption and implementation of national controls, contribute to the reduction and prevention of the excessive and destabilizing accumulation and uncontrolled spread of small arms, and exercise due restraint to ensure that small arms were produced, held and transferred only in accordance with legitimate defense and security needs.

\textsuperscript{45} Integrated Regional Information Networks, \textit{Guns Out of Control. The Continuing Threat of Small Arms}. IRIN IN-DEPTH, 47.


The Brasilia Declaration by Latin American and Caribbean States in November 2000, preparatory to the meeting of the first UN small arms conference in 2001, emphasized states’ rights to self-defense and thus arms procurement and measures taken on a national level.

In 2000, the Pacific Islands Forum (PIF), comprising Australia, Kiribati, the Republic of the Marshall Islands, the Federated States of Micronesia, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, the Solomon Islands, Tonga, Tuvalu, Vanuatu, and Fiji, issued the Nadi Framework. Initially a preparatory document for the UN conference on small arms, it developed into a Weapons Control Bill in 2003 seeking a common approach to weapons control in the Pacific and proposing model legislation for PIF members. Gary Mauser criticized the Nadi Framework as being ‘based on non-scientific advocacy that is currently enjoying unwarranted favor in the international arena where greater control is justifiably sought over SALW’. Mauser argued that there was no scientific validity in associating civilian possession of guns with the upsurge in violent crime in the Pacific.48

The Andean Community (Bolivia, Colombia, Ecuador, Peru and Venezuela) issued in 2003 the Andean Plan to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in all its Aspects. It recommended the criminalization of the possession and use of all small arms and light weapons.49


49 Integrated Regional Information Networks, Guns Out of Control. The Continuing Threat of Small Arms. IRIN IN-DEPTH, 47.
African Regional Organizations and SALW Control

Africa’s intractable conflicts assured that the regional organization, the African Union (formerly the Organization of African Unity), and the sub-regional organizations devoted considerable time and resources in managing conflict. Theoretically these regional organizations had several advantages - physical proximity to the conflicts, greater motivation to resolve them and sometimes more legitimacy. The proximity at the same time could be a disadvantage as they might have been tainted by the dynamics of a situation.

Hussein Solomon argued that the proliferation of transnational security threats like small arms proliferation in addition to the perceived limitations of national or bilateral options in dealing with them led to increased focus on regional responses. Another factor in the development of regional responses according to him was the post-Cold War environment in which Africa no longer posed any geostrategic value for the world powers and therefore was left on its own.

Indeed, concern about the negative impact of uncontrolled flow of weapons in Africa had been longstanding. A League of Nations document prepared as a background for the 1925 Geneva Conference for the Control of the International Trade in Arms, Munitions and Implements of War stated that one of the purposes of the St. Germain Convention of 1919 was to prevent the importation of arms, except under the strictest possible control, to certain defined areas, including parts of Africa. According to this document:

The task of preventing bloodshed in great parts of Africa and in the countries which border the Red Sea is rendered far more difficult if the inhabitants have

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access to unlimited quantities of arms and munitions. It was felt to be especially desirable to bring this part of the Treaty quickly into effect in order to prevent dissemination to these parts of the world of the surplus stocks left over from the war.⁵¹

It was safe to argue that the major reason behind this concern at that time was preempting African challenges to imperialist domination of Africa.

No concrete measures were taken until 1998 when the OAU adopted its first ever decision on the proliferation of SALW in Africa at an OAU Heads of State and Government meeting in Ouagadougou, Burkina Faso. This decision reiterated the urgency and need for inter-African cooperation in the search for solutions to the problems posed by the proliferation of SALW. The OAU tasked itself with the primary role of coordinating the anti-proliferation effort. At the OAU Assembly of Heads of State and Government held in Algiers, Algeria (12-14 July 1999), the Summit endorsed the holding of a Continental Conference of African Experts on Small Arms in 2000.⁵²

In December 2000, member states of the Organization of African Unity (OAU) met in Bamako, Mali to develop an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. This ministerial conference was in preparation for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, scheduled for New York, from 9th to 20th July 2001. Member states consequently issued the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. This declaration was not legally binding. It however

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recognized that problem of small arms should be addressed at several different levels - local, national, regional, continental and international.\textsuperscript{53}

The African regional organizations that were reviewed here were those that had specific frameworks or policies in place to deal with SALW proliferation. They included the Intergovernmental Authority on Development (IGAD), the Great Lakes Region, the Southern Africa Development Community (SADC) and the Economic Community of West African States (ECOWAS). Those regional bodies – ECOWAS, SADC, and IGAD - had become the frontline in the fight against the proliferation of small arms. Regional organizations that were of a purely economic character were therefore not reviewed.

The Inter-Governmental Authority on Development (IGAD) comprised the East African states of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, and Uganda. According to Article 18 (A) of the Agreement establishing IGAD, member countries undertook to act collectively to preserve peace, security and stability, which were essential prerequisites for economic development and social progress.\textsuperscript{54} In the mid-1990s, the founders of IGAD decided to revitalize the organization into a fully-fledged regional political, economic, development, trade and security entity similar to SADC and ECOWAS. The IGAD Heads of State and Government meeting at the 9th Summit in Khartoum in January 2002 signed a Protocol on the Establishment of a Conflict Early Warning and Response Mechanism (CEWARN).\textsuperscript{55} CEWARN also tracked the


\textsuperscript{54} Inter-Governmental Authority on Development, \textit{Agreement Establishing the Inter-Governmental Authority on Development (IGAD)}, IGAD/SUM-96/AGRE-Doc, Nairobi, (21 March 1996), Article 18A (Conflict Resolution).

\url{http://www.iss.co.za/AF/RegOrg/unity_to_union/igadprof.htm} (accessed October 11, 2006).
proliferation of small arms as these exacerbated the violence and intensity of pastoral conflict.

In March 2000, IGAD members together with Burundi, the Democratic Republic of Congo, Rwanda, and Tanzania (of the Great Lakes Region) signed The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa to address the illicit proliferation of small arms in the Horn of Africa and the Great Lakes Region -- two regions devastated by conflict. They pledged to "join efforts to address the problem, recognising the need for information sharing and co-operation in all matters relating to illicit small arms and light weapons including the promotion or research and data collection in the region and encouraging co-operation among governments and civil society."  

The Southern African Development Community (SADC) - the southern Africa regional organization - was made up of Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. The Southern Africa Region had been an area of concentration of illegal arms. In August 1999, in Maputo, the SADC Council approved the establishment of a regional policy for the control of small arms and light weapons. SADC further indicated that the Southern African Regional Police Chiefs Coordinating Organisation (SARPCCO) would be appointed as the implementation agency of a SADC policy on small arms and cross-border crime prevention.

The SADC adopted in August 2001 the Protocol on the Control of Firearms, Ammunition and Other Related Materials in the SADC Region. The SADC Protocol

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focused mostly on supply-side interventions but also acknowledged the key relationship between limiting the availability of weapons and maintaining stable peace processes and post-conflict situations. The IPU observed that it was a:

Legally binding commitment that governs the most important aspects of controlling the trafficking in and proliferation of small arms in the region: traceability, cooperation between States and the control of cross-border trafficking, protection and proper management of stocks belonging to States, destruction of surplus and confiscated weapons, weapons collection programs, sensitization, and the possession of arms by civilians.

The IPU further opined that, while the Nairobi Declaration on the Problem of Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (March 2000) and its plan of action represented a statement of firm intent with a comprehensive program of action, its implementation had been far from perfect. The Nairobi Protocol incorporated practically eighty per cent of the content of the SADC Protocol. Both the Nairobi and SADC Protocols were harmonized. Because of this uniformity, a comparable and coherent level of legislation in much of sub-Saharan Africa could be achieved.

From the above, the African regional organizations were compelled by their collective reality to focus their attention on the maintenance of security and conflict management. Amitav Acharya advocated the use of realistic criteria in judging the performance of Third World regional organizations because they might have been inhibited in performing collective security functions because of the military weakness of their members. However, they could:


Develop norms, principles and habits of cooperation and reduce sources of tension through functional interaction. Thus while regional security arrangements in the Third World may fall short of a full-fledged collective security apparatus with enforcement capacity, they can complement the preventive diplomacy, peacemaking, and peacebuilding roles of the UN.\footnote{Amitav Acharya, “Beyond Anarchy: Third World Instability and International Order After the Cold War,” in \textit{International Relations Theory and the Third World}, ed. Stephanie Neuman (New York: St. Martin’s Press, 1998), 183.}

The development of norms, principles and habits of cooperation, particularly against SALW, was complicated by the web of relationships – relations between states, between states and non-state actors (rebel groups, warlords, private companies, arms traffickers and brokers), between states and ECOWAS, between ECOWAS and non-state actors and finally between non-state actors. A crosscutting issue in all was the struggle for power and influence.

The decision of ECOWAS to intervene in Liberia in 1990 to halt further carnage illustrated the complexity of these relationships. Ghana, the Gambia, Guinea, Nigeria and Sierra Leone supported intervention on humanitarian grounds. Burkina Faso and Ivory Coast opposed intervention in Liberia in spite of the unspeakable suffering and slaughter that was taking place. According to Comfort Ero, Blaise Compaore, Head of State of Burkina Faso, was widely suspected of providing the National Patriotic Front of Liberia (NPFL) with a strategic planning ground and acted as a major source of arms supply for Charles Taylor, while Libya was a training ground for the NPFL. Both Compaore and President Houphouët-Boigny of Côte d’Ivoire were alleged to have taken those positions because of personal relationships. Togo refrained from intervening. The opposition to the deployment of ECOMOG raised fears that the age-old rivalry between the Anglo and Francophone countries would be rekindled.\footnote{Comfort Ero, “ECOWAS and the Sub-regional Peacekeeping in Liberia,” (1995) \textit{Journal of Humanitarian Assistance}. \url{http://www.jha.ac/articles/a005.htm} (accessed June 7, 2007).} Nigeria’s motives for supporting
intervention were the subject of several speculations. Possible motives included a desire for a hegemonic role in West Africa, humanitarianism, and personal relations between the Nigerian head of state, General Ibrahim Babangida, and the Liberian leader, General Samuel Doe.

In West Africa, the sixteen heads of state of member countries of ECOWAS signed on October 31, 1998, the Moratorium on the Importation, Exportation and Manufacture of Light Weapons in ECOWAS member states in recognition of the immense security threat posed by the proliferation of SALW. In the preamble to the Moratorium, they acknowledged that ‘the proliferation of light weapons constitutes a destabilizing factor for ECOWAS Member States and a threat to the peace and security of our peoples.’61 The Moratorium was the first by a regional group in the world to deal with the proliferation of SALW.

To ensure a collective and transparent effort in the implementation of the Moratorium, the Heads of State signed a Code of Conduct on December 10, 1999. Member states agreed to abide by the Code of Conduct and reiterated that the Moratorium was to apply to the import, export and manufacture of light weapons. Import, export and manufacture of components and ammunition were also to be subject to strict control in line with the spirit of the Moratorium. Article 4 of the Code of Conduct called for the establishment of national commissions to ensure coordination of concrete measures for effective implementation of the Moratorium at national levels. Member states were enjoined by Article 7 to harmonize and adopt regulatory and administrative measures necessary for exercising control of cross-border transactions, while Article 8 called for the development of an ECOWAS arms register and database.

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Apart from their own initiatives, West African countries were signatories to several declarations that sought to curb small arms proliferation. These included the 2004 African Union Protocol to the OAU Convention on the Prevention and Combating of Terrorism, the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, and the United Nations' Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects of 2001. Besides the Moratorium, ECOWAS had undertaken some ad hoc initiatives to control small arms in the negotiations to end the civil wars in Liberia and Sierra Leone. These included arms embargoes, weapons buy-back programs, disarming of regular and irregular combatants and demobilization.\footnote{Emmanuel K. Aning, “Eliciting Compliance from Warlords: The ECOWAS Experience in Liberia, 1990-1997,” \textit{Review of African Political Economy} 26, no. 81 (September 1999), 335-348}

When the Heads of State signed the Moratorium in 1998, they directed the Executive Secretary of ECOWAS in collaboration with the Program for Coordination and Assistance for Security and Development in Africa (PCASED) - a regional project of the UNDP - to assess and evaluate the Moratorium after the initial three-year period. To confirm the ever-present threat posed by SALW and its proliferation, ECOWAS renewed the Moratorium for another three years in July 2001 and again in October 2004.

The Moratorium declaration was described as an unprecedented move by a subregional organization and a significant step in addressing the problem of illicit small arms proliferation and general disarmament in the sub-region. It was lauded as laying the foundation for the development of a region-wide strategy on arms proliferation in
particular, and disarmament in general.\textsuperscript{63} Similarly, Rachel Stohl and Rhea Myerscough described West Africa as having made “the most dramatic strides toward curbing the illicit trade in small arms, with its unprecedented moratorium.”\textsuperscript{64} On the contrary, Comfort Ero and Angela Ndinga-Muvumba argued that at its adoption the Moratorium was seen as “groundbreaking and visionary”, but the enthusiasm waned as difficulties and doubts developed.\textsuperscript{65} Another less enthusiastic view of the West African effort was that, instead of providing a framework for response to armed crime, violence and conflict that remained a reality in West Africa, the Moratorium remained an expression of intent.\textsuperscript{66}

On June 14, 2006, based on a recommendation from the ECOWAS Executive Secretary, Heads of State and Government signed the ECOWAS Convention on Small Arms, Light Weapons, their Ammunition and Other Related Materials. This consequently transformed the Moratorium from a voluntary, renewable non-binding document to a legally binding permanent convention. The ECOWAS Executive Secretary was responsible for monitoring the implementation of the Convention.

According to the ECOWAS Heads of State and Government, the Convention, built on the progress achieved in the implementation of the Moratorium and consolidated its gains. By the Convention, each Member State, among other obligations, undertook to

\textsuperscript{63} Alhaji M. S Bah, “Micro-Disarmament In West Africa: The ECOWAS Moratorium on Small Arms and Light Weapons,” \textit{African Security Review}, 13 no.3 (2004), 34


control the manufacture of SALW within its territory and to regulate the activities of local SALW manufacturers. The Convention prohibited the possession, use and sale of light weapons by individuals and also requested member states to regulate the possession, use and sale of small arms by civilians. Unlike the Moratorium, sanctions would be applied to states that flouted their obligations to the convention. The Convention lay outside the scope of this work that examined ECOWAS actions only through 2005.

The history of conflict in West Africa clearly showed the destructive impact of SALW. The conflicts led to millions of deaths and destruction of vital economic infrastructure, undermined democracy and gave birth to generations who knew nothing but war and were scarred by it. Liberia went through nearly a decade of civil war while the one in Sierra Leone lasted eight years. When this research ended, Ivory Coast, which had been in violent conflict since 2002, was effectively partitioned in two, with rebel groups controlling the north while government forces controlled the south. Several attempts at mediation by ECOWAS, the AU and the UN had not succeeded in permanently silencing the guns in the Ivory Coast.

Conflicts arose out of a mix of factors – ethnicity and its manipulation, social exclusion or marginalization, poverty, abundance or scarcity of resources, repression, and irresponsible leadership. However, as the literature review had shown, even though SALW per se did not cause war, they were very important in the motivation, onset duration, and lethality of conflict. When SALW were easily accessible to combatants, belligerents were more likely to choose violence and not negotiation as a method of resolving conflict. Easy availability could encourage intransigence and provide opportunities for disgruntled elements to choose violence as a means of political

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67 Economic Community of West African States, ECOWAS Convention on Small Arms, Light Weapons, their Ammunition and Other Related Materials, (Abuja, 2006)
expression. The ongoing armed conflict in Nigeria’s Niger Delta region was an illustration of this. In a conflict area awash in SALW, the costs of intervention were potentially very high in terms of resources and casualties to peacekeepers and combatants.

Regional organizations like ECOWAS were therefore justified in giving priority to curbing the proliferation of SALW and, by implication, attempting to contain conflict. This might have involved modifying their original goals but it was worthwhile since no development could take place in the presence of widespread human insecurity. It was hoped that the results of this research might contribute to strengthening the efforts of ECOWAS in ridding West Africa of illicit SALW.

Research questions

The purpose of this research as stated earlier was to analyze the progress and gains ECOWAS made in containing SALW between 1998 and 2005. To achieve this purpose the research addressed the following specific questions:

1. How effective had the 1998 ECOWAS Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa been in controlling SALW?

2. How effective had been arms embargoes in combating SALW proliferation in West Africa?

3. How effective had been disarmament programs in combating SALW proliferation in West Africa?
CHAPTER 3

METHODOLOGY

The period covered by this study was the seven-year period from 1998 through 2005. 1998 was chosen as the starting date because that was the year in which the Moratorium was signed. The signing of the Moratorium brought SALW into the public consciousness and for the first time committed governments, albeit voluntarily, to curbing SALW proliferation. The period ended in 2005, a year after the moratorium was renewed for a second time; the moratorium had therefore been operational for seven years. As of 2005, only one hot spot remained in West Africa – Ivory Coast. The moratorium was converted in June 2006 into a permanent legally binding convention. The conversion occurred after the period covered by this research, so the scope of this research did not include the implementation and impact of the conversion.

This study analyzed the basis of the decision to declare the Moratorium, the security environment at the time, the progress made by ECOWAS in the implementation of the Moratorium, as well as the impact of other initiatives employed by ECOWAS to control SALW, such as arms embargoes and disarmament schemes.

The research used both primary and secondary data. The secondary data were gathered from books, journals, magazines and newspaper articles. Information was also gathered from publications and websites of reputable organizations working on SALW such as the ECOWAS, Norwegian Initiative on Small Arms Transfers (NISAT),
International Action on Small Arms (IANSA), the United Nations, Small Arms Survey, Oxfam and Human Rights Watch.

Primary data were collected by semi-structured interviews with experts and civil society organizations working on SALW and disarmament. Some officials working with security agencies were also interviewed. The following list of questions guided the interviews:

1. Did any member states seek exemptions from the Moratorium in order to meet their ‘legitimate national security needs or international peacekeeping operation requirements’? If yes, how many?
2. Were any applications rejected? If yes, how many, and why?
3. Under the Code of Conduct for the implementation of the Moratorium, member states were enjoined to provide the Executive Secretary of ECOWAS with annual reports on the ordering or procurement of weapons. How many states complied, and to what extent?
4. Was a regional arms database established?
5. What structures and procedures were established within the ECOWAS Secretariat to assist member states in the implementation of the Moratorium?
6. How significant a problem were artisanal blacksmithing industries in SALW proliferation?
7. Many states passed laws to implement the Moratorium. What problems were encountered? If the states passed laws, what steps were taken to harmonize the legislation?
8. Were all states enthusiastic about implementing the Code of Conduct?
9. What was the role of civil society in raising awareness about SALW?
10. What were the current estimates of the number of illicit SALW in circulation?

11. What were the causes of demand for SALW?

12. What were the sources of illicit arms in West Africa?

13. Did all participating states establish national commissions? What was their composition?

14. On the whole, what has been the performance of these national commissions?

15. Have any arms (surplus to national security requirements or illegally possessed) been confiscated and destroyed? If so, how many, and what category?

16. Was there any inter-state collaboration among customs officers and law and order agencies to advance the purpose of the Moratorium? If there was any collaboration, what were the problems and effects?

17. How effective was the 1998 ECOWAS Declaration of a Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa in controlling SALW?

18. How effective were arms embargoes and disarmament programs in combating SALW proliferation in the experience of ECOWAS?

19. Apart from the Moratorium and disarmament programs, in what other ways has ECOWAS attempted to control SALW?

Itinerary

The researcher spent three months March 16-May 15, 2007 in Ghana gathering data and interviewing a number of experts and civil society activists working to check small arms proliferation in West Africa. The months of March and April were largely used in interviews and collection of secondary data. The month of May was spent in analyzing
the data and making follow-ups. The interviews and data collection were done in Accra. Trips were also made to Kumasi and Tamale to collect information and observe local artisans engaged in local gun manufacturing. In Accra, the following offices were visited:

1. Foundation for Security and Development in Africa
2. The Ghana Police Service
3. National Firearms Bureau
4. Ghana Army Headquarters
5. Defense Intelligence of the Ghana Army
6. Ministry of Foreign Affairs
7. Africa Security and Dialogue Research
8. Kofi Annan International Peacekeeping Training Center
9. University of Ghana Balme Library
10. West African Action Network on Small Arms

The researcher also had a telephone interview with an official of the United Nations Regional Center for Peace and Disarmament in Africa.
CHAPTER 4
ECOWAS: HISTORY, STRUCTURE AND EVOLUTION

In the 1970s, West Africa was as politically unstable as it was in 2005. Those were the heydays of one-party regimes and military rulers sitting atop unaccountable and undemocratic regimes. Coups and counter-coups were the norm. Civil society was naturally shut out of the political and development discourse. As noted by Adebajo, “Thirty-seven out of seventy-two successful military coups d’etat in Africa (about 50 percent) between 1960 and 1990 occurred in West Africa, a subregion with less than a third of the OAU’s (Organisation of African Unity) members,” putting West Africa in the league of the world’s most unstable subregions.¹ The only exceptions to the general intra-state instability were Senegal and The Gambia that were ruled by elected governments. The Gambia witnessed an abortive coup in 1981.

The sixteen states that formed ECOWAS in 1975 were divided by colonial legacies and linguistic heritage (Anglophone, Francophone and Lusophone), by competing ideologies (capitalist and pro-West versus socialist and pro-East), by economic development models and by military alliances. Asante observed that:

If Africa as a whole is badly fragmented, West Africa must be the most fragmented subregion on the continent. West Africa represents the most heterogeneous conglomeration of states in Africa, and has the largest number of

ministates, with populations too small in size to be viable markets.  

Ironically, in spite of this fragmentation, the subregion was also the most heavily populated of Africa’s subregions. The combination of colonial legacy, fragmentation and remote control by outside forces engendered suspicion and distrust, creating a security dilemma amongst states.

The formation of ECOWAS created anxiety in some external powers because of a fear of loss of influence. France was especially wary of the new ECOWAS project because of its historical political and economic ties to some of the countries in the subregion. France had been the colonial master of nine out of the 16 original members of ECOWAS. These ECOWAS members were tied to France through a variety of measures - defense and military pacts and currency linkage. Benin, Burkina, Ivory Coast, Guinea Bissau, Mali, Niger, Senegal and Togo, whose common central bank is the Central Bank of West African States (BCEAO), all used the CFA franc which was guaranteed in French francs by the French Treasury.

These members also formed an influential part of the Francophone cultural family via use of the French language. France and Ivory Coast (the largest Francophone economy) were wary of Nigeria’s role in the proposed community; Ivory Coast resented the prospects of Nigerian domination while France on the other hand envisaged a reduced role and influence if the ECOWAS project came to fruition.

Nigeria dwarfed every other country in West Africa on account of the size of her economy, population and military capability. France tended to stoke and sustain this fear.

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3 Ibid.
of domination. Thus the formation of the Communauté Économique de l’Afrique de l’Ouest in 1973 by Ivory Coast, Senegal, Niger, Upper Volta, Mali and Mauritania, actively encouraged by France, was to counterbalance Nigerian influence within West Africa. Furthermore, when negotiations for the revision of the ECOWAS Treaty in 1992-1993 were being undertaken, the Francophone states formed the Union Économique et Monétaire de l’Ouest Afrique (West African Economic and Monetary Union) externally guaranteed by France. This did not go unnoticed as yet another attempt to undermine ECOWAS by France. Several states in the subregion were critical of the dependency relations between France and its colonies and France's desire to sustain the dependency. That ECOWAS has survived to date represents a triumph of local actors over external actors in forging integration no matter the challenges.

Prior to the birth of ECOWAS, Nigeria, which was Africa's most populous state and the economic powerhouse of West Africa, was recovering from a disastrous civil war (1967-1970). The Nigerian civil war itself was a source of regional tension because Ivory Coast had recognized the secessionist state of Biafra in 1968, and Benin for a brief period in 1969 had permitted relief flights from its territory to the secessionists. Nigeria's post-civil war recovery and survival as a unified nation was aided partly by the oil boom of 1974 that saw her awash in petrodollars and a spirit of benevolence towards her neighbors.

It was in this challenging environment, or rather in spite of it, that ECOWAS was

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established by the Treaty of Lagos on May 28, 1975 and became operational in March 1977. The delay in coming to force was due to on-going discussions on five protocols relating to its implementation.\(^7\) ECOWAS owed its birth largely to the vision of Nigeria and the diplomatic skills of its then leader, General Yakubu Gowon, who found a willing partner in General Eyadema, President of Francophone Togo.

The objective of ECOWAS, according to Article 2 (1) of the 1975 ECOWAS Treaty, was to:

Promote economic cooperation and development in all fields of economic activity, particularly in the fields of industry, transport, communications, energy, agriculture, natural resources, commerce, monetary and financial questions and in social and cultural matters for the purpose of raising the living standards of its people, of increasing and maintaining economic stability, of fostering closer relations among its members and of contributing to the progress and development of the African continent.\(^8\)

According to Article 2 (2) of the treaty, ECOWAS was to ensure in stages the following:

1. Elimination of customs duties and other charges of equivalent effect in respect of the importation and exportation of goods between Member States.
2. Abolition of quantitative and administrative restrictions on trade.
3. Establishment of a common customs tariff and a common commercial policy towards third countries.
4. Abolition of obstacles to the free movement of persons, services and capital.
5. Harmonization of the agricultural policies and the promotion of

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\(^8\) Victor Essien, “Regional Trade Agreements in Africa: A Historical and Bibliographic Account of ECOWAS and CEMAC.”
common projects, notably in the fields of marketing, research and afro-industrial enterprises.

6. Implementation of schemes for the joint development of transport, communication, energy and the infra-structural facilities as well as the evolution of a common policy in these fields.

7. Harmonization of the economic and industrial policies of the Member States and the elimination of disparities in the level of development of Member States.

8. Harmonization of the monetary policies of the Member States.

9. Establishment of a Fund for Co-operation, Compensation and Development.9

Under the Treaty, the principal governing institution of the Community was the Authority of Heads of State and Government (AHSG), whose decisions and directives were binding on all Community institutions. The Council of Ministers, consisting of two representatives of each Member State and subordinate only to the AHSG, was mandated with making recommendations to the AHSG on matters of policy aimed at the efficient and harmonious functioning and development of the Community. The Executive Secretariat, headed by the Executive Secretary, supervised the daily functioning of the Community.

The Treaty of Lagos was concerned solely with economic and monetary issues. It was modeled on the European Economic Community and shared similar philosophy. In spite of the volatile nature of the sub-region, no mention was made of security, defense or

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9 Victor Essien, “Regional Trade Agreements in Africa: A Historical and Bibliographic Account of ECOWAS and CEMAC.”
political issues. In view of the tension between the Anglophone and Francophone states and, particularly, wariness by the Francophone states that Nigeria nursed hegemonic ambitions, it was prudent to avoid such delicate issues. Additionally, the OAU principle of non-interference in other states’ affairs may have informed their decision. However, as Abbas Bundu, the former Executive Secretary of ECOWAS observed, “the need to create an atmosphere of confidence and trust throughout the region as a precondition for regional integration was felt soon after the Community became operational,” and this led to the 1978 Protocol on Non-Aggression and the 1981 Protocol on Mutual Assistance in Defence.  

By the terms of the Protocol on Non-Aggression, ECOWAS member states were to do the following:

1. Refrain from the threat or use of force or aggression against the territorial integrity or political independence of other member states.
2. Refrain from committing, encouraging or condoning acts of subversion.
3. Refrain from hostility or aggression against the territorial integrity or political independence of other member states.
4. Prevent resident or non-resident foreigners from committing acts of subversion against the sovereignty of other member states.
5. Commit to the pacific settlement of disputes. 

Under the 1981 Protocol on Mutual Assistance in Defence, member states declared and accepted that “any armed threat or aggression directed against any Member States shall
constitute a threat or aggression against the entire Community." Consequently, member states resolved to provide mutual aid and assistance for defense against any armed threat or aggression. However, the protocol was silent on what should be done if the armed threat to a member state originated from within the state. The protocol also called for the creation of an Allied Armed Forces of the Community to be constituted by member states from specially earmarked units of national armies. It further stipulated in Article 16 that, when a member state was the target of an external threat or aggression, the Head of State of that country should send a written request for assistance to the current chairman of the Authority of ECOWAS with copies to all members.

The 1978 Protocol on Non-Aggression and the 1981 Protocol on Mutual Assistance in Defence marked a recognition by the signatories that West Africa constituted a regional security complex, that is, "a group of states whose primary security concerns link together sufficiently that their national securities cannot be considered apart from one another." In apparent response to concerns that ECOWAS had shifted from its original economic integration agenda, Aning argued that, "The inclusion of security related protocols was a necessary progression from the economic foundations underpinning the integration scheme. ECOWAS as a moving target is responding to the enduring security problems in West Africa." Similarly, Ero insisted that the convergence between economic and political matters informed the signing of the Protocol on Non-Aggression

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12 Economic Community of West African States, *Protocol on Mutual Assistance in Defence*.


and the Protocol on Mutual Assistance on Defence.\textsuperscript{15}

**The Liberian Civil War and the Consolidation of ECOWAS’ Conflict Resolution Mechanism**

The outbreak of civil war in Liberia in 1989 tested the meaning, relevance and scope of these protocols. The Liberian civil war marked the point when ECOWAS became identified more with regional security than with regional economic integration. Eventually it also drove ECOWAS into searching for a security mechanism and a legal framework to enable members to become each brother’s keeper. Obviously, no trade and development could take place when bullets were flying and the productive population was killing, avoiding being killed or actually being killed.

According to the United Nations Development Programme, “The World Bank estimates that a civil war lasts seven years on average, with the growth rate of the economy reduced by 2.2% each year… One study puts the average cost of a conflict as high as $54 billion for a low-income country, taking into account the increased risk of future conflict.”\textsuperscript{16} From the beginning of the Liberian civil war in 1989 to its formal conclusion in 1997, 200,000 died and 1.2 million were displaced out of a pre-war population of only 2.5 million.\textsuperscript{17}

The Liberian civil war began on December 24, 1989, with the invasion of Liberia from neighboring Cote d’Ivoire by Charles Taylor with his Libyan and Burkina-trained


\textsuperscript{17} Christopher Tuck, “Every Car Or Moving Object Gone: The ECOMOG Intervention in Liberia,” *African Studies Quarterly* 4(1), http://web.africa.utl.edu/bsg/v4i1a1.htm (accessed July 11, 2007).
National Patriotic Front of Liberia (NPFL) rebels. The invasion was an attempt to overthrow the brutal regime of President Samuel Doe – a regime well known for its ethnic exclusion and gross abuse of human rights. By the middle of 1990 Liberia had become a “slaughterhouse” and a theater for warlords outdoing each other in bestiality. In the face of inaction from the United Nations, the task of halting the carnage fell on ECOWAS.

Some member states of ECOWAS had other reasons for intervening. Charles Taylor’s NPFL fighters had killed some Nigerian citizens and held others hostage in the Nigerian embassy in Monrovia in early 1990. The Gambia was worried about Charles Taylor and the NPFL because a number of NPFL fighters were involved in an unsuccessful coup in the Gambia in 1991. This attempted coup was widely believed to have been sponsored by Libya’s Colonel Gaddafi. Guinea and Sierra Leone, which shared borders with Liberia, felt the most direct impact of the war – Guinea was host to 225,000 refugees and Sierra Leone 69,000. To add insult to injury, the NPFL contained in its ranks Sierra Leonean dissidents who tried to destabilize her. The outbreak of the Sierra Leonean civil war in 1991 launched from Liberia vindicated Sierra Leonean concerns.

The civil war in Liberia was also a study in the fusion of personal interests of leaders and national interests in the conduct of international relations. Burkina Faso’s Head of State, Blaise Campaore, and President Houphouët-Boigny of Côte d’Ivoire had personal reasons for meddling in the tragic conflict. According to Ero, then President

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Samuel Doe of Liberia had killed former President Tolbert and arrested his eldest son, Adolphus Tolbert, (son-in-law of Houphouët-Boigny), who was subsequently murdered in jail. Burkina, whose president was a son-in-law of Houphouët-Boigny, was also the conduit for arms to the NPFL from Libya, the serial meddler in West African affairs. Nigeria under General Ibrahim Babangida supplied arms to Doe at the beginning of the conflict. The Nigerian leader, President Ibrahim Babangida, was seen by some as Doe's sub-regional godfather. In gratitude, Doe named a Graduate School of International Relations and a major road in Monrovia after President Babangida.

ECOWAS Intervention in Liberia

At the 13th summit of the Heads of States of ECOWAS countries held in Banjul, Gambia on May 30, 1990, member states, under the chairmanship of Sir Dawda Jawara of Gambia, set up a five-member Standing Mediation Committee (SMC) - comprising Nigeria, Ghana, Gambia, Mali and Togo - to negotiate an end to the murderous conflict in Liberia. At another summit on July 6, 1990, in Banjul, Gambia, the five members of the SMC took the unprecedented step of sending a multinational peacekeeping force into Monrovia.

On July 14, 1990, President Doe, who was beleaguered in the Executive Mansion and cut off from the rest of Liberia by the NPFL fighters, activated Article 16 of the 1981 Protocol on Mutual Assistance in Defence by appealing to the ECOWAS chairman that, “it would seem most expedient at this time to introduce an ECOWAS Peace-keeping Force into Liberia to forestall increasing terror and tension and to assure a peaceful transitional environment.”

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21 Ibid.
On August 24, 1990, ECOWAS deployed a multinational force of 3,000 troops in Monrovia, the Liberian capital. This force, named the ECOWAS Ceasefire Monitoring Group (ECOMOG), began its difficult task that oscillated between peacekeeping and peace enforcement for the next eight years. The legality or otherwise of ECOMOG’s intervention and the track record of ECOMOG in peacekeeping are topics that lay outside the scope of this research.

In 1991, the shockwaves of the collapse of the Berlin Wall reverberated all over the world and resulted in the collapse of many dictatorial and one-party regimes. With civil wars raging in Liberia and Sierra Leone, an ECOWAS Heads of State meeting in Abuja, Nigeria on July 6, 1991, adopted the Declaration of Political Principles. While taking note of the changing international political and economic landscape, the Heads of State recommitted themselves to the 1978 Protocol on Non-Aggression and reiterated that economic development could only flourish in an atmosphere of peace and stability. They pledged respect for political pluralism, respect for fundamental human rights, and the inalienable right of the individual to “participate by free and democratic processes in the framing of the society in which he lives.”

The Revised ECOWAS Treaty of 1993

Given the changed subregional environment, the changing international landscape and the realities of maintaining subregional security, the 1975 Treaty stood in need of an overhaul. The various protocols signed since 1978 attested to this. A Committee of Eminent Persons (CEP) under General Yakubu Gowon, the architect of the original treaty, was mandated to make recommendations for a revised treaty.

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According to Kufuor, the Committee identified some inherent weaknesses. The powers of the Authority of Heads of State and Government were so ambiguous that the exact extent of its powers and functions were unknown. The Council of Ministers' powers were restricted with no original or delegated powers. Compliance to decisions by Member States was voluntary; not even the decisions of the AHSG were binding on the Member States. Additionally, the Committee observed that the Executive Secretariat had no real decision-making powers.

The CEP recommended that ECOWAS transition from an inter-governmental organization to a supranational one. The revised treaty was submitted to the ECOWAS Summit of Heads of State held in Cotonou in July 1993 and adopted. The Revised Treaty (1993) endowed ECOWAS with supranationality as recommended by the CEP. Member States agreed to partial surrender of national sovereignty in order to make possible the creation of a regional economic identity. This was a qualitative shift in the mandate of ECOWAS. It had changed from an international organization where observance of agreements depended on voluntary cooperation to a supranational organization where compliance to agreements was obligatory. Article 77 of the Revised Treaty spelled out sanctions for non-fulfillment of obligations.

The Revised Treaty aimed to:

I. Promote co-operation and integration, leading to the establishment of an economic union in West Africa in order to raise the living standards of its peoples.

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2. Maintain and enhance economic stability.

3. Foster relations among Member States.

4. Contribute to the progress and development of the African Continent (Article 3).

Competing Intergovernmental Organizations

In Article 2 of the Revised Treaty, the leaders, with history as a guide, decided that ECOWAS would ultimately be the sole (emphasis by the author) economic community in the region for the purpose of economic integration and the realization of the objectives of the African Economic Community.

Running parallel to ECOWAS and posing a threat to ECOWAS’ integrationist goals was the Union Economique de Monetaire Ouest Africaine (UEMOA), a Francophone West Africa economic union. It was the successor to the Communaute Economique de l’Afrique de l’Ouest (CEAO) formed in 1974. UEMOA grouped together eight Francophone (Benin, Burkina Faso, Ivory Coast, Guinea, Mali, Niger, Senegal, and Togo) and one Lusophone (Guinea-Bissau) countries out of the 15-member ECOWAS.

Both ECOWAS and UEMOA shared the same objectives – free trade, free movement of persons as well as a common external tariff.25 There certainly were divided loyalties when it came to implementing decisions of both groups, especially if they conflicted.

The multiplicity of intergovernmental organizations in West Africa and their drag on ECOWAS was noted by Bundu (1997), who described it as creating duplication and

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financial burdens. Kufuor (2006) stated that:

A report noted that West African countries set up approximately 50 intergovernmental organizations over a 25-year period with most of them being superfluous as their functions overlapped. Compounding the problem of overlapping membership of integration arrangements is the economic relationship between the ex-colonies in West Africa and their former colonial authorities. For instance most of French-speaking West Africa, i.e. countries in the West African Franc Zone are linked to France through a preferential monetary co-operation arrangement... Multiple intergovernmental organizations also led to divided loyalties because of competing treaty obligations.

Organizational Structure of ECOWAS

The highest institution in ECOWAS was the AHSG of Member States. Its major functions were to determine general policy and major guidelines of the Community and to harmonize and co-ordinate the economic, scientific, technical, cultural and social policies of member states. The Authority met at least once a year in ordinary session and its decisions were binding on members. The chair of the Authority was elected once a year. The other institutions were the:

1. Council of Ministers.
3. Economic and Social Council.
4. Community Court of Justice.
5. Executive Secretariat (transformed into the Executive Commission in January 2007).

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The Council of Ministers comprised the Minister in charge of ECOWAS Affairs and any other Minister of each Member State. It approved the work programs and budgets of the Community and its institutions. The Council met at least twice a year in ordinary session with one of such sessions immediately preceding the ordinary session of the AHSG.

The Community Parliament was mandated to consider issues concerning human rights and fundamental freedoms of citizens. Other areas for consideration included any issues affecting the Community, especially as they related to the review of the ECOWAS Treaty, citizenship and social integration. On these issues, the Parliament could make recommendations to the appropriate institutions and/or organs of the Community. Seats were shared on the basis of population. Consequently, Nigeria had 35 seats, Ghana eight, Cote d'Ivoire seven, while Burkina Faso, Guinea, Mali, Niger and Senegal had six seats each. Benin, Cape Verde, The Gambia, Guinea Bissau, Liberia, Sierra Leone and Togo had five seats each.

The Community Court of Justice was made up of a president, chief registrar and seven judges. It was the principal judicial organ of ECOWAS. Generally, the Court examined any disputes arising out of the application and the interpretation of the Treaty, but might also be required to examine litigation arising out of human rights violations in the area covered by the Community. Its creation constituted a milestone in strengthening the institutional mechanisms for the protection of human rights and citizen rights in the sub-region. Since all members of ECOWAS had acceded to the African Charter on Human and Peoples' Rights and other international human rights conventions and enshrined such rights provisions in their constitutions, this court was one avenue for holding governments accountable.

The inaugural session of the Court admitted a suit challenging the Nigerian
Federal government's closure of the Nigeria/Benin border in August 2003. A Nigerian businessman, Mr. Olajide Afolabi, who alleged that the closure of the border between Aug. 9 and Aug. 15, 2003, was unlawful, filed the suit. In his application, Afolabi said the closure was a violation of the right to his freedom of movement and goods as enshrined in Article 12 of the African Charter on Human and People's Rights.²⁸

In June 2007, the Community Court also issued a hearing notice for a suit filed against the Republic of Gambia by the Media Foundation for West Africa (MFWA) on behalf of a "disappeared" Gambian journalist, Chief Ebrima Manneh, a reporter of the pro-government Banjul-based Daily Observer newspaper. The application sought an order from the sub-regional court to compel the government of President Yahya Jammeh to immediately release Chief Manneh and compensate him adequately.²⁹

One of the major aims of the ECOWAS Bank for Investment and Development (formerly the Fund for Co-operation, Compensation and Development) was to institute a compensation mechanism to offset losses by states that would have been adversely affected by the new regimes of tariffs brought about by the Treaty. It functioned principally as the development financing arm of ECOWAS.

The Executive Commission

At their January 19, 2007, summit in Ouagadougou, ECOWAS heads of state and government endorsed the transformation of the Executive Secretariat into a Commission, as well as the restructuring of other ECOWAS institutions to make them more efficient and effective to play their roles in the integration and development processes of West


Africa. The Executive Commission was composed of a President, Vice-President, and seven Commissioners. At the time of this research, it was undergoing a restructuring process to position it to better meet the challenges of promoting regional integration, good governance, sustainable development, peace and security in the region. In addition to the novelty of the commissioners, the Commission had powers to take decisions without necessary recourse to the ECOWAS chairman, thereby quickening the implementation of the body's decisions. The Commissioners were drawn from different countries and thus broadened member participation and representation on the Commission. Below was the top hierarchy of the Commission as of 2007:

- President – Ghana.
- Vice President – Burkina Faso.
- Commissioner for Administration & Finance – Nigeria.
- Commissioner for Trade, Customs, Industry and Free Movement of Persons – Sierra Leone.
- Commissioner for Infrastructure – Togo.
- Commissioner for Macro-economic Policy – Cote d’Ivoire.
- Commissioner for Political Affairs, Peace and Security – Mali.
- Commissioner for Human Development and Gender – Senegal.

It should be borne in mind that, under Article 20 of the Revised Treaty, ECOWAS officials owed loyalty and were accountable only to the Community, and Member States were enjoined to respect the international character of the Community and undertake not to seek to influence the officials in the performance of their duties.
Security Mechanism of the Revised Treaty

The Revised Treaty incorporated the various protocols of conflict resolution (Protocol on Non-Aggression, Protocol on Assistance on Defence) and the Declaration of Political Principles. They were expressed in the following subsections of Article 4 (Fundamental Principles):

1. Non-aggression between Member States.
2. Maintenance of regional peace and stability and security through the promotion and strengthening of good neighborliness.
3. Peaceful settlement of disputes among member states, active co-operation between countries and promotion of a peaceful environment as a prerequisite for economic development.
4. Recognition, promotion and protection of human and peoples’ rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights.
5. Accountability, economic and social justice and popular participation in development.

Article 58 (Regional Security) of the Revised Treaty urged member states to cooperate with the community in establishing and maintaining appropriate mechanisms for the timely prevention and resolution of intra-State conflicts. To facilitate this, Member States, among other undertakings, would resort to good office, conciliation, mediation and other means to peacefully resolve disputes. Member states would establish a regional peace and security observation system and peacekeeping forces where appropriate. Additionally, where necessary and at the request of a member, ECOWAS would provide election observers.
The Liberian, Sierra Leonean and Guinea-Bissau conflicts clearly articulated the need for a permanent security mechanism to deal with current and future conflicts. Ad-hoc measures had been used to deal with these crises, and these had threatened the fragile cohesion of ECOWAS. Thus on December 10, 1999, the ECOWAS Heads of State meeting in Lome, Togo, signed the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (hereinafter referred to as the Mechanism). The Mechanism effectively replaced the protocols on Non-Aggression, Mutual Assistance in Defence and Article 58 of the 1993 Revised Treaty.  

Given the overarching importance of this protocol, an in-depth discussion of its provisions is appropriate.

The Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security

Among the core objectives of the mechanism were the following:

1. Prevent, manage and resolve internal and inter-state conflicts.
2. Maintain and consolidate peace, security and stability within the Community.
3. Constitute and deploy a civilian and military force to maintain or restore peace within the sub-region when the need arises.
4. Strengthen cooperation in the areas of conflict prevention, early warning, peacekeeping operations, the control of cross-border crimes, international terrorism and proliferation of small arms and anti-personnel mines.
5. Formulate and implement policies on anti-corruption, money-laundering and illegal circulation of small arms.

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The Mechanism avoided the ambiguities of the Protocol on Mutual Assistance in Defence by spelling out cases where ECOWAS could intervene. The Mechanism would be invoked in cases of aggression or conflict in any member state, or conflict between two or more member states. If an internal conflict threatened to trigger a humanitarian disaster, pose a serious threat to peace and stability in the subregion, or spawn serious violations of human rights and the rule of law, the Mechanism would be applied. Additionally, there would be cause for intervention when a democratically elected government was threatened or actually overthrown. The authority to initiate an intervention rested on either a decision by the Authority of Heads of State, the MSC, a request from a member state, the Executive Secretary, the African Union or the United Nations.

Realistically, the Mechanism could not be applied across the board. Like all other protocols or agreements, success depended on the good behavior of the hegemon, Nigeria, which accounted for 75 percent of West Africa's GNP, 66% of total exports, and more than half (55 percent) of the population of the subregion. With an army of 94,500 troops, Nigeria dwarfed the combined total of the rest of ECOWAS member states. For example, if there was an internal conflict in Nigeria that met the criteria for intervention, ECOWAS might not be able to intervene. The combined armies of the rest of the member countries could not intervene in Nigeria. Secondly, they would not have the financial capacity to undertake any such enterprise.

The Mechanism established a Mediation and Security Council (MSC) comprising nine Member States, seven of which were elected by the Authority. The other two members were the current chairman and the immediate past chairman of the Authority.

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each of whom had an automatic right to membership. The elected members served for a renewable two-year term. Decisions of the MSC were taken by a two-thirds majority vote. Deliberations of the MSC were held at three levels – Heads of State, ministerial and Ambassadorial – and presided over by the current chairman of ECOWAS.

The functions of the MSC, inter alia, were to decide on all matters relating to peace and security; decide and implement all policies for conflict prevention, management and resolution, peacekeeping and security; authorize all forms of intervention and decide particularly on the deployment of political and military missions.

The following organs were established to support the Mechanism: the Defence and Security Commission (DSC), the Council of Elders and the ECOWAS Ceasefire Monitoring Group (ECOMOG). The DSC assisted the MSC in formulating mandates of the peacekeeping force, defined the terms of reference for the Force, appointed the Force Commander and determined the composition of contingents. Basically, the DSC was a military planning body composed in the main by Chiefs of Defence Staff, officers responsible for Internal Affairs and Security and Experts of the Ministry of Foreign Affairs. It met quarterly.

The Council of Elders comprised eminent persons of diverse backgrounds in society. The list of qualified elders was compiled by the Executive Secretary and approved by the MSC. They were dispatched to douse the flames in conflict situations when the need arose.

ECOMOG was composed of several stand-by units from member countries ready for immediate deployment. It was tasked with observation and monitoring, peacekeeping and restoration of peace, humanitarian intervention in situations of disasters, and enforcement of sanctions including embargoes. States that contributed contingents might
be invited to bear the cost of operations during the first three months and would be reimbursed by ECOWAS within a maximum of six months. ECOWAS would then proceed to finance the operations. For each operation that was being undertaken by ECOMOG, the Executive Secretary appointed a Special Representative. This Special Representative was responsible for the political orientation of the mission and initiated negotiations between warring factions. The MSC appointed the Force Commander of ECOMOG on the recommendation of the Executive Secretary. The Force Commander reported to the Executive Secretary through the Special Representative.

Under the Mechanism, an Early Warning System was established – an Observation and Monitoring Center located at the ECOWAS Secretariat and four Observation and Monitoring Zones within the sub-region. Zone 1 comprised Cape Verde, The Gambia, Guinea-Bissau, Mauritania and Senegal with the headquarters in Banjul, Gambia. Zone 2 comprised Burkina Faso (headquarters), Cote d'Ivoire, Mali, and Niger. Zone 3 was constituted by Ghana, Guinea, Liberia and Sierra Leone with headquarters in Monrovia. Zone 4 had Nigeria, Togo and Benin hosting the headquarters. The Zonal bureaux collected data that impacted on the peace and security of the zone and the sub-region on a state-by-state and day-to-day basis.

The Mechanism was funded by provisions from the ECOWAS annual budget, as well as from requests for funds from the United Nations, other international agencies, and the African Union, and voluntary contributions and grants from bilateral and multilateral sources.

Funding posed a major challenge in a subregion where donors funded most national budgets, and ECOWAS dues were perpetually in arrears. ECOWAS acknowledged in 2006 that most member states owed huge arrears of contributions to the
various budgets and funds of the Community Institutions. For example, in 2006 only five member states (Benin, Burkina Faso, Côte d’Ivoire, Mali and Nigeria) were up to date in the payment of their contributions to the Executive Secretariat budget. Total arrears outstanding amounted to US $38.4 million. The most substantial amounts were owed by Liberia, which had accumulated arrears for over 20 years; Mauritania (for 15 years); Sierra Leone and Gambia (each 11 years in arrears.); Cape Verde and Guinea-Bissau (each for 10 years); Niger (for 8 years); Guinea and Senegal for 5 years); and Togo and Ghana (for 2 years).32

Some member states were unable to prefinance their participation in ECOMOG operations before being reimbursed by ECOWAS. Nearly all the West African economies depended on primary commodity exports that faced severe challenges in the volatile global market. Senegal’s participation in ECOMOG operations in Liberia was underwritten by the US.

In December 2001, ECOWAS Heads of State and Government adopted the Supplementary Protocol on Good Governance and Democracy. This protocol addressed the root causes of conflicts in the sub-region. The leaders observed that, for the Mechanism to become really effective, it needed to be complemented by a protocol that would address issues such as prevention of internal crises, democracy and good governance, and the rule of law and human rights. Some of the underlying principles of the supplementary protocol were separation of powers, independence of the judiciary, zero tolerance for coups and other unconstitutional means of obtaining power, freedom of the press and association, and popular participation of citizens in decision-making. ECOWAS in this protocol committed itself to providing assistance in the conduct of any

national election and to send a monitoring team.

The Protocol on Good Governance and Democracy called for non-partisan armed forces and police and their subordination to civil authorities. It also stipulated that the culture of every group of people should be respected and developed, that marginalized groups like women and the youth should be integrated into political and economic processes, and respect for religious beliefs. This Protocol contained sanctions for breaches. If a democracy was abruptly terminated through extra-constitutional means or there was a massive violation of human rights in a member state, ECOWAS could apply the following sanctions: refusal to support candidates presented by the Member State for elective posts in international organizations; refusal to organize ECOWAS meetings in the member state concerned and suspension of the member state from all ECOWAS decision-making bodies.

These sanctions per se could not deter coup makers, but the possibility that the international community would back ECOWAS' sanctions was what could hold coup makers in check. ECOWAS could count on some successes in this regard. For example, its opposition to the September 2003 coup d'état in Guinea Bissau compelled the coup makers to set up an interim government of civilians and conduct elections in March 2004. After the death of Gnassingbe Eyadema of Togo in 2005 after 38 years of dictatorial rule, ECOWAS led the effort to resist the attempt by the military to undemocratically install his son, Faure Eyadema, as president. Faure stood down, but later became president after manipulated elections two months later. In February 2007, ECOWAS also successfully brokered a peace deal between Guinea’s President Lansana Conte and trade unions that had embarked on several weeks of violent protests to press home demands for better governance and living conditions. The protests left about a hundred dead and threatened
to degenerate into civil strife and endanger neighboring states.

The evolution of ECOWAS was gradual and dictated by the difficult security challenges of the late 1980s and beyond. Rather than seeing this as a deviation from the original goals, it should be seen as the broadening of the mandate of ECOWAS. In its various treaties and protocols ECOWAS rightly drew the nexus between economic development and security or stability. No development could take place without security.

With many of the crises (Liberia, Sierra Leone, Guinea-Bissau and Ivory Coast) that took a toll on ECOWAS resolved or dying down, it was clear that ECOWAS would begin to devote more attention to economic integration. That was what the transformation of the Executive Secretariat into a Commission would hopefully help accomplish.
CHAPTER 5
SMALL ARMS TRADE AND TRAFFICKING IN WEST AFRICA

This research adopted an integrated approach to SALW proliferation, that is, it analyzed both the reasons for demand for SALW and the sources of supply. The demand side of the equation would answer the question of what motivated people or groups to demand small arms, and the supply side would discuss how people came by these weapons.

According to the United Nations, “small arms are weapons designed for personal use, while light weapons are those designed for use by several persons serving as a crew.”¹ Small arms included revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine-guns. Light weapons included heavy machine-guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems and mortars of calibers of less than 100 mm. Ammunition and explosives included cartridges (rounds) for small arms, shells and missiles for light weapons, mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems, anti-personnel and anti-tank hand grenades, landmines and explosives.² Also categorized as small arms were hand grenades and commercial firearms such as hunting rifles.

² ibid
Generally, SALW were small, easy to conceal, light and portable, durable, easy to maintain, required relatively less training to manipulate and were widely available. For example, the AK-47 (Avtomat Kalashnikov 47), the most popular and most iconic assault rifle, was described by the British Broadcasting Corporation as “durable, simple to use, and, with only nine parts, easy to dismantle and maintain. It can fire 600 rounds a minute, with each bullet still potentially lethal at distances of more than a kilometre (two-thirds of a mile).”\(^3\)

The AK-47 was the darling weapon of freedom fighters, rebels, bandits and terrorists. The aforementioned characteristics of SALW made them easy to recycle between hotspots, sometimes hundreds of miles apart. Additionally, their lightness had partly made possible the recruitment of child soldiers. Improvements in technology enabled SALW’s acquisition of new characteristics: reductions in size and weight, improvements in target acquisition, increased rate of fire, improved ballistic and terminal effects of projectiles, enhanced durability, and reduced costs and maintenance requirements.\(^4\) As a result of the less complex design of SALW, artisans or blacksmiths in West Africa and elsewhere with little or no formal technical training were able to manufacture SALW in their foundries.

**Demand for SALW**

Several reasons motivated people to acquire SALW. These included: insecurity (personal or group), inter-group competition, politicians and the contest for power, non-state actors, crime and banditry. Culture or tradition was also a motivating factor for

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the acquisition of weapons among some ethnic groups in West Africa.

**Crime and banditry**

Criminals and bandits found in SALW the most effective means to scare their victims into compliance or to kill whoever stood in their way. There was a rising incidence of violent crime in the sub-region, and the security agencies were unable to stem it. This was particularly true in the urban areas and on the highways. The heinous crimes committed included armed robbery and murder. The police were sometimes overmatched by the firepower of the bandits. Acknowledging the ineffectiveness of the police and the justice system in combating crime, many communities resorted to instant mob justice, that is, lynching of suspects.

**Insecurity and the privatization of security**

An effective government should have provided at least two basic functions: security of its people and meeting their basic needs. The lack of either of these (especially security) deprived a government of legitimacy and credibility and invited citizens to resort to Hobbesian self-help. Guaranteeing security entailed a well-equipped and functioning police and military and, crucially, monopoly of the use of force. Other criteria were a functioning judicial system and predictable laws.

For internal security the police were the most crucial organ. The police were by law expected to maintain law and order, enforce the law, and protect life and property and prevent crime. To be able to do this required that the police as an institution be well staffed, properly trained, well equipped, knowledgeable of the law and committed to upholding it. Unfortunately, in nearly all West African countries the police were understaffed, underpaid and poorly equipped in terms of communication gadgets and
transport. In some cases, they did not have suitable office accommodation and, unsurprisingly, no barracks.

The police as an institution had also borne the brunt of the difficulties facing West African economies. For nearly two decades, West Africa had suffered economic decline owing to falling prices for major exports - gold, diamonds, timber, cocoa, cotton, and groundnuts. The exception to falling revenues was Nigeria, the largest oil exporter in Africa. However, mismanagement and corruption had prevented her from reaping the full effects of windfalls. At the opposite end, West African countries were saddled with high import bills of manufactured goods and oil. Their budgets were largely donor funded. Often, basic equipment like computers, radios and transport for the police had to be procured through loans or gifts from donors.

Additionally, nervous rulers or governments tended to pay more attention to the needs of the military than the police for reasons of regime security and projecting national pride. Disgruntled soldiers were a threat to regime security as Dr. Kofi Busia, Prime Minister of Ghana, found out in what was dubbed the “amenities coup” on January 13, 1972. The aggrieved soldiers complained that the government was insensitive to their welfare, stating that Dr. Busia took away even the few privileges or amenities they enjoyed under the Nkrumah government, which was itself overthrown in a 1966 coup. President Joseph Momoh, himself a soldier, in Sierra Leone also fell victim to the anger of disgruntled soldiers in 1992. This led governments to pay more attention to the welfare of soldiers. After all, no policemen had staged a coup before.

The poor capacity of the police to tackle crime, especially the rising incidence of

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armed robbery, encouraged people to defend themselves in any way they could by purchasing weapons, building walls topped with barbed wire around their houses, installing closed-circuit television or forming neighborhood vigilante groups. Chike Okafor captured the situation in Nigeria:

In Nigeria, people do not ask the victim of armed robbery whether they had a description of the bandits, or if police showed up to investigate... The reason why an armed robbery victim in Nigeria cannot call the police is apparent. First, some rotten members of the police force is either involved in the planning, execution or protection of the armed men. Second, they are badly compensated to risk their lives in the line of duty. There is a lack of strong compensatory benefit package to the police force, something that would provide a safety net to their families should they die while in the line of duty for their country. Third, they suffer from poor training. Forth, they are ill equipped to fight twenty first century crime. Even their uniform speaks for itself, an outfit that dates back to colonial rule or thereafter.

In West Africa the police were concentrated and visible in the urban areas, but the rural areas hardly had a police presence. Even in the urban areas, a criticism of police work was that they tended to be subservient to the rich and powerful and largely patrolled government residential areas and the homes of indigenous and expatriate elites. Atuguba made a similar argument that the police in Ghana had failed in providing community policing, and that had encouraged the rise of private security organizations, vigilante groups and land guards for those who could pay for such policing services.

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policing, and that had encouraged the rise of private security organizations, vigilante
groups and land guards for those who could pay for such policing services.10

Personal security was an important driver for weapon acquisition in West Africa.
One of the more preferred means that people utilized to defend themselves and their
property was a personal weapon - a pistol or rifle. A locally manufactured pistol sold for
five dollars ($5), and a single barrel gun sold for about sixty dollars ($60) in Ghana.11
These were often purchased clandestinely from either arms dealers or local gun
manufacturers. More often, those who purchased these weapons clandestinely did not
undergo any weapon training or handling and posed a risk to themselves and others,
particularly in decisive moments. Besides, there were virtually no companies outside the
police and military institutions that trained people on how to handle weapons, even for
those who purchased guns legally.

A kind of internal arms race existed between law-abiding citizens and criminals,
the former to defend themselves and the latter to be more efficient or effective in their
operations. For both groups that sought weapons, there was no shortage of supply from
local blacksmiths and the illegal market.

Inter-group competition

Communal clashes were quite common in West Africa, especially between
contiguous communities that had rival claims to land or water resources. In the Sahelian
countries of Mali, Niger, Burkina Faso, Senegal and Northern Nigeria, violent conflicts
broke out between farmers (pastoralists) and herders, though not on the scale and

10 Samuel Ampah, “Police Must Learn From Landguards, Private Security: Atuguba,”
Ghanajournal com http://theghanajournal.com/2007/05/30/police-must-learn-from-landguards-private-
security-atuguba/ (accessed on August 4 2007).

11 Author’s field research in Ghana April 2007.
intensity as in East Africa and the Horn of Africa. These conflicts often occurred in the rainy season, especially over crop damage and grazing lands.

Some clashes occurred because of contest for traditional offices like chieftaincy, for example between the Kusasi and Mamprusi ethnic groups of Bawku in Northern Ghana. There also were clashes between religious groups (inter or intra-religion) over doctrine. Kano and Kaduna in Northern Nigeria were hotspots of inter-religious violence. Weapons used in these clashes were usually SALW. The inability of the state to resolve these competing claims and punish those who were responsible for the outbreak of violence led to the harboring of feelings of vengeance. Thus, all over West Africa there were communities that were in a perpetual state of tension and always arming themselves for the next round of hostilities.

Latham argued that, where the state itself posed a threat to the security to individuals or communal groups, the situation encouraged people to acquire SALW to defend themselves. This was especially true with authoritarian states that had been captured by a specific communal group or interest. When this happened these groups turned to SALW as the principal instrument to secure themselves and their property against state-organized violence, predation and criminal violence.\(^\text{12}\)

**Politicians and the Contest for Power**

Elections in West Africa generated cycles of violence. Politics was seen as a zero-sum game or a do-and-die affair. Partly because some electoral commissions did not generate enough credibility in the electoral process, or because politicians desired power at all costs, politicians often resorted to all kinds of illegitimate methods to ensure that the

election results turned out in their favor. Some politicians stockpiled weapons and armed thugs to intimidate both voters and election officials. Nigeria’s general election of April 23, 2007, was perhaps the worst example on record in West Africa. In the run-up to the elections, the Inspector-General of the Nigeria Police Force in a testimony to the Nigerian Senate lamented:

Now coming down to the security situation in the country in relation to the 2007 elections, I have to inform you that we have arms in large quantities in our society; proliferation of arms and ammunitions in our society... There is a big threat of proliferation of arms and ammunitions in this country. Some politicians do carry arms during rallies; students have been caught with arms and ammunitions on their way to conventions; armed robbers carry sophisticated arms more than ever before.13

In Oyo State, politicians also cried out against the massive accumulation of arms in the preparations for the election. They contended that, unless the police command in the state took the weapons out of circulation, their sensitization efforts to stop politically motivated assassinations would fail. The former Oyo State Governor, Alhaji Lam Adeshina, admonished, “there is the need for the police to be non-partisan in the handling of political affairs in the state, to create a level playing ground for all parties to operate. There are caches of ammunitions in the political environment. People go about with pump action guns, the likes the police should be using to combat crime.”14

The April 2007 election was widely condemned by external election monitors and the international community as not meeting the most basic standards of conducting free and fair elections. The European Union, for example, said that its observers “witnessed examples of ballot box stuffing, alteration of official result forms, stealing of sensitive


polling materials, vote buying and underage voting.”15 A more detailed catalog of abuses is furnished below:

The Electoral Commission’s catalogue of illegalities included the flouting of court orders; illegal/unconstitutional disqualification of candidates; refusal to include the names and pictures of major opposition candidates for the gubernatorial elections in Anambra State in spite of subsisting court rulings; the late arrival or non-arrival of voting materials in many places followed often by no voting, yet results were announced; in some states, the INEC headquarters announced a result when the Resident Electoral Commissioner in situ said there was no result; declaration of results while collation and counting of votes were still going on; and a month after the April polls ended, three INEC staff were caught thumb-printing ballot papers meant for the election at Igarra, Edo State, in a bid to manufacture supporting evidence for their already declared result. These can hardly be said to be the actions of a competent and fair arbiter in an electoral contest.16

When institutions of the state encouraged disrespect for the law and indicated that impunity was worthwhile, ordinary citizens followed the examples set. Ordinary citizens were also more likely to resort to violence as a means of articulating grievances.

As an indication of the apparent high demand for SALW in Nigeria, the News Agency of Nigeria (NAN) reported that the price of machetes fell by half in parts of Nigeria after the end of the April 2007 general elections because demand from thugs sponsored by politicians had subsided. The NAN surveyed prices in the northeastern state of Gombe and found that a good quality machete was selling for 400 naira ($3) compared with 800 naira before the election, which was characterized by politically motivated violence in many states.17

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Dissatisfaction with the modalities for conducting elections, especially around the key question of who qualified as an Ivorian, was one of the causes of the break-out of civil war in Ivory Coast in 2001. Togo’s presidential election in April 2005 led to political violence, the flight of 16, 500 people to neighboring Benin and Ghana and several deaths.18

Non-state actors (armed groups)

It was ironic that West Africa, a region that did not engage in armed struggle to achieve independence, became home to numerous armed groups that wreaked death and mayhem and threatened regional stability. The reason for their emergence was simply attributable to bad governance on the part of the ruling class. The access of these groups to SALW enabled them to challenge the state’s monopoly of the instruments of violence and led to collapsed or failed states.

Florquin and Berman (2005) identified 35 active armed groups operating in West Africa between 1998 and 2004 – nine in Cote d’Ivoire, one in The Gambia, two in Guinea, one in Guinea-Bissau, three in Liberia, two in Niger, twelve in Nigeria, one in Senegal, and four in Sierra Leone. These were pro-state, rebel or anti-state, and vigilante groups contracted to safeguard various financial, religious, communal and ethnic interests.20 Most of these armed groups still existed at the time of this research.

The weapons used by these armed groups varied. There were AK-47s, Czech SAs, light machine guns, Czech Model 26s, Sten MK 2s, Rocket Propelled Grenades


(RPG), MAT-49s, MG 36s, Berettas, HK G3s, Belgian FN-FALs, US M-16s, G3s, locally manufactured guns, pump-action shot guns, and other sophisticated European-made assault rifles\textsuperscript{21}.

After the publication of the list by Florquin and Berman, the Movement for the Emancipation of the Niger Delta (MEND) was formed in December 2005. It became the highest profile and most sophisticated armed group in Nigeria in terms of weaponry and attacks on oil installations. The MEND challenged the Nigerian state with impunity by taking hostages, kidnapping oil workers, blowing up oil pipelines and engaging in oil bunkering. The Niger Delta of Nigeria had the largest concentration of armed groups in West Africa. Some were sponsored or hired by politicians for political objectives. As von Kemedi put it, “In the Niger Delta, election is a violent activity. It is not something you prepare for by campaigning or producing manifestos. You prepare for it by assembling guns, drugs and thugs.”\textsuperscript{22} Besides the well-known ones like the MEND, the Niger Delta Volunteer Force, the Niger Delta Vigilante, the Niger Delta People’s Volunteer Force, there were over one hundred (100) so-called “cults.” These were originally student fraternities formed in the 1990s that had morphed into criminal gangs with SALW as their instrument of demanding compliance. These cults included the Icelanders, Greenlanders, KKK, Germans, Dey Gbam, Mafia Lords, Vultures and the Martyrs Brigade.


The restoration of peace, though fragile, in Liberia and Sierra Leone led to the disbanding of the armed groups in these countries. Rebel groups and the government in Cote d'Ivoire signed a peace accord in 2007, and the various pro and anti-government militias ceased hostilities and were observing the truce brokered by Burkina Faso in February 2007. The peace that was taking hold in Cote d'Ivoire, Liberia and Sierra Leone in no way gave room for absolute comfort. Both governments and rebel groups were known to renege on signed peace agreements. Secondly, members of these armed groups were mostly recruited from the ranks of disaffected youth or the lumpen-proletariat and could easily sell their skills to the next bidder who came with an attractive agenda.
## Table 1. Armed Groups in West Africa (1998-2005)

<table>
<thead>
<tr>
<th>Country</th>
<th>Armed group</th>
<th>Year formed</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cote d’Ivoire</td>
<td>New Forces</td>
<td>2003</td>
<td>AG - observing ceasefire</td>
</tr>
<tr>
<td></td>
<td>Group of Patriots for Peace</td>
<td>2002</td>
<td>AG - observing ceasefire</td>
</tr>
<tr>
<td></td>
<td>Front for the Security of the Center-West (FSCO)</td>
<td>2002</td>
<td>PG - observing ceasefire</td>
</tr>
<tr>
<td></td>
<td>Front for the Liberation of the Great West (FLGO)</td>
<td>2002</td>
<td>PG - observing ceasefire</td>
</tr>
<tr>
<td></td>
<td>Young Patriots</td>
<td>2000s</td>
<td>PG - observing ceasefire</td>
</tr>
<tr>
<td>The Gambia</td>
<td>Green Boys (formerly called 22 July Movement)</td>
<td>1999</td>
<td>PG - active</td>
</tr>
<tr>
<td>Guinea</td>
<td>Young Volunteers</td>
<td>2000</td>
<td>PG - disbanded</td>
</tr>
<tr>
<td></td>
<td>Movement of the Democratic Forces of Guinea (RFDG)</td>
<td>1996</td>
<td>AG - disbanded</td>
</tr>
<tr>
<td>Liberia</td>
<td>Liberians United for Reconciliation and Democracy</td>
<td>2000</td>
<td>AG - demobilized</td>
</tr>
<tr>
<td></td>
<td>Movement for Democracy in Liberia (MODEL)</td>
<td>2003</td>
<td>AG - demobilized</td>
</tr>
<tr>
<td></td>
<td>Government of Liberia militias</td>
<td>1997</td>
<td>PG - demobilized</td>
</tr>
<tr>
<td>Niger</td>
<td>Niger Movement for Justice (MJN)</td>
<td>2007</td>
<td>AG - active</td>
</tr>
<tr>
<td>Nigeria</td>
<td>Bakassi Boys</td>
<td>1999</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>O’odua People’s Congress (OPC)</td>
<td>1994</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Arewa People’s Congress (APC)</td>
<td>1999</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Egbesu Boys of Africa (EBA)</td>
<td>1998</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Niger Delta Volunteer Force</td>
<td>1998</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Niger Delta Vigilante (NDV)</td>
<td>2000</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Niger Delta People’s Volunteer Force (NDPV)</td>
<td>2003</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Movement for the Emancipation of the Niger Delta (MEND)</td>
<td>2005</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Hisbah Groups</td>
<td>1990s</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Federated Niger Delta Ijaw Communities (FNDIC)</td>
<td>1997</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Al-Sunna Wal-Jamma</td>
<td>2002</td>
<td>V - active</td>
</tr>
<tr>
<td></td>
<td>Zamfara State Vigilante Service</td>
<td>1999</td>
<td>V - active</td>
</tr>
<tr>
<td>Senegal</td>
<td>Movement of the Democratic Forces of Casamance (MFDC)</td>
<td>1982</td>
<td>AG-active</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>Revolutionary United Front (RUF)</td>
<td>1991</td>
<td>AG-demobilized</td>
</tr>
<tr>
<td></td>
<td>Civil Defence Forces (CDF)</td>
<td>1996</td>
<td>PG - demobilized</td>
</tr>
<tr>
<td></td>
<td>West Side Boys (WSB)</td>
<td>2000</td>
<td>AG - disbanded</td>
</tr>
</tbody>
</table>


*Key:* AG – Anti-government; PG – Pro-government; V – Vigilante.
Culture

In many West African societies, guns were an important part of their culture. For example, guns (typically single or double-barreled guns) were fired at funerals of chiefs and other prominent personalities, as well as on the birth of male children to signify joy. Such societies also had gun-making clans, for example among the Dagomba and Gonja of Northern Ghana and the Ashanti. Guns were also a status symbol indicating masculinity or the ascension to manhood in some West African communities.

Amongst nearly all West African societies, guns were also used for hunting game or for scaring off wild beasts and birds. The local blacksmiths were the main suppliers of guns to such communities. However, as Ivor Fung observed rather ominously, traditional hunters were turning increasingly to sophisticated military-style weapons for the pursuit of traditional hunting activities.23

Factors Facilitating Illegal Proliferation of SALW

The long, porous, undermanned and undersurveilled borders and coastlines of West African countries were a major boost to elements who wanted to traffic in arms in the subregion. Apart from the few approved entry points, the rest of the borders were available for anybody willing to purvey weapons. For example, Nigeria shared a 932-mile land border with Niger and Chad to the North, about 621 miles with Benin to the west, 1056 miles with Cameroon in the east and had about 435 miles of coastline. As noted earlier, many West African countries shared borders with at least two states. As a result of their weak resource base, and occasionally dealing with the fallout from poor governance, security officials were overwhelmed. Moreover in recent times, owing to

pressure from the United States and the United Kingdom, these states also had to divert a lot of personnel and resources into monitoring and combating the drug trade.

Countries bordering conflict zones like Liberia, Sierra Leone and Ivory Coast were subject to cross-border infiltration of arms and mercenaries. Nigeria shared a border to the north with the chronically unstable republic of Chad and Niger. Chad had been intermittently at civil war since 1965. Remnants of the rebel wars had drifted southwards into Nigeria over the past decade. Operating in large bands of 30 to 50 armed men they engaged in banditry on highways in northeast and central Nigeria. They also were available to contestants in land disputes as mercenaries. Many of the arms smuggling rings operated out of Equatorial Guinea, Gabon, and Cameroon. In the Niger Delta smugglers used speedboats to connect with ships on the high seas, and then ferried the arms back to shore. Niger shared borders with seven countries, including Algeria that had been battling Islamic insurgents and terrorists since disputed elections there in 1991. The Tuareg rebel Niger Movement for Justice formed in February 2007 was based in northern Niger near the Algerian border.

Compounding the issue of poorly manned borders was the presence of corrupt customs, gendarmes and police personnel who sometimes abetted the criminal activities of smugglers for personal enrichment. Generally all West African countries suffered from a weak security infrastructure that disabled them from effectively policing their air space, land and sea borders. In an indictment of Sub-Saharan Africa’s surveillance capacity of its air space, Wood and Peleman (2000) observed that:

Sub-Saharan Africa in particular, lacks sufficient skilled air traffic controllers,

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24 Integrated Regional Information Networks, Guns Out of Control: The Continuing Threat of Small Arms, IRIN IN-DEPTH (May 2006), 18
radar equipment and trained personnel to monitor the vast air space between the southern border of Egypt and the northern borders of South Africa... Sub-Saharan air traffic control has been highly dependent on the selective intelligence and satellite capacity of the former colonial and major world powers and on the alertness of thinly spread airport inspectors and customs agents. In such an atmosphere arms smuggling thrives.25

**Weak Regulatory Framework**

In all West African countries there were, on paper, strict laws governing gun ownership, a legacy of colonial rule. Colonial authorities were strict on gun ownership mainly for self-serving reasons; the laws were designed to preempt native challenge to colonial rule. However, the enforcement of these laws was negligent or discriminatory. In Burkina Faso, by Decree 2001, a civilian could possess a gun only with authorization by the sector Minister after the civilian’s character had been vetted. Even if the vetting did not reveal any problem, the Minister might use his discretionary powers to deny authorization. This also applied to the manufacture of firearms and ammunition irrespective of whether they were imported or made in the country. Many people, especially politicians, used their personal influence to obtain authorizations for their supporters once the application had been deposited.26 Combined with poor record keeping this was a recipe for illegal diffusion of weapons.

In Nigeria, the Firearms Act, enacted in 1959 and reviewed in 1995, regulated the production, import and export of small arms and light weapons. The Act prohibited the possession or control of firearms of certain categories except through a license granted by the President. Only registered firearms dealers could deal in arms or ammunition. The

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importation or exportation of firearms or ammunition other than through prescribed seaports and airports was also unlawful. The manufacture, assembly or repair of firearms and ammunition could be undertaken only at a public armory or at arsenals of the military. The stringent control measures remained an aspiration because guns were available to all kinds of persons and from all manner of sources.27

Apart from the immense challenges to the arms control regime from porous borders, smugglers, armed groups and international brokers, the Nigerian law itself had a number of inadequacies. There was no restriction on the quantity of weapons that could be held by a person or on the amount of ammunition that could be held at any one time. There also were no restrictions on how, where and when a firearm could be used, and there was no competency testing. No controls over brokers existed, and finally penalties for unlawful possession of firearms were not severely deterrent enough.28

In Sierra Leone, the legal statute for the control over the production, import, export, transit and transfer of Small Arms and Light Weapons, that is, the Arms and Ammunition Ordnance of 1955, was outdated and did not meet contemporary security challenges, a fact acknowledged by the government.29 Sierra Leone’s licensing procedure was highly centralized and protracted, leaving a lot of room for evasion, and the outdated

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penalties did not serve as a serious deterrent.\textsuperscript{30}

Senegal had a much more restrictive policy on weapon possession by civilians. Firearm possession was regulated by law 66-03 1966. According to Agboton-Johnson, et al (2004), the legislation prohibited production, import and export, trade, stockpiling, acquiring, possessing and transporting SALW, their ammunition and other separate parts, as well as any kind of specialized material that could be used to produce SALW, and established sanctions in the event of a breach.\textsuperscript{31} Approval of licenses to possess a weapon was a protracted process. The license was valid for 3 years, after which the authorities could renew or withdraw the license. On average, a total of 120 licenses were granted per year.\textsuperscript{32} An unintended consequence of the restrictive nature of the legislation was that people turned to the black market to purchase SALW. The border with Guinea-Bissau and other neighboring countries and local markets was a ready source of supply of illicit weapons. Like all of West Africa, porous borders facilitated weapon infiltration. State organs dealing with SALW control were under-resourced financially and technically, while poorly compensated police and gendarmes did not effectively enforce the law.\textsuperscript{33}

Ghana’s major legislation governing arms was the Arms and Ammunition Act, 1962 (Act 118). According to Aning, it comprehensively regulated the possession and use of arms and ammunition in Ghana. The National Redemption Council Decree (NRCD 9) of 1972 improved the registration process but continued to prohibit the local manufacture

\begin{footnotesize}


\textsuperscript{32} Ibid.

\textsuperscript{33} Ibid.
\end{footnotesize}
of arms. The law allowed blacksmiths to repair imported guns that were damaged in Ghana; however, the same law forbid them to manufacture weapons.\footnote{Emmanuel Aning, “Home Made and Imported Guns,” \textit{West Africa} (7th–13th July 2003): 18.} Furthermore, Aning (2005) stated:

The legislative regime allows two categories of arms importers in Ghana: those described as individual first class arms and ammunition dealers who import between 1,000 and 2,000 shotguns a year, and second-class importers who bring in fewer than 1,000 units a year. Annual shotgun imports in Ghana average 20,000 units and are dominated by five major arms importers: Game Marketing Limited; Yadco Enterprise; Globart Teslia Enterprise; Bradco Trading & Associates; and Ampoma Ahwene Enterprise (GoG, 1999, p. 3). In 2003, new gun registrations fetched the Ghana Police Service 1.4 billion Cedis (USD 155,000). At 250,000 Cedis per gun registration, this implies that only about 5,600 guns are registered annually, which raises questions about the final destination of other imported guns. According to the Arms and Ammunition report of 1999 (GoG, 1999), a disturbing number of guns imported into Ghana are then smuggled into other West African states.\footnote{Emmanuel Aning, “The Anatomy of Ghana’s Secret Arms Industry,” in \textit{Armed and Aimless Armed Groups, Guns and Human Security in the ECOWAS Region}, ed. Nicolas Florquin and Eric Berman. (Geneva: Small Arms Survey, 2005), 95.}

Some licensed dealers or importers of shotguns were another source of weapon leakage into undesirable hands. Licensed dealers under-reported stocks of weapons, both as a way of avoiding the taxman and the scrutiny of the police. The police in line with procedure were expected to witness the receipt of the arms imports, accompany the dealer to the designated warehouse and confirm the quantities received. The police were also expected to provide a lock for the warehouse and give a copy of the key to the arms dealer. These procedures had broken down, and most of the dealers did their transactions without the oversight of the police.\footnote{Interview with a senior police officer of the Ghana Police Service, April 11, 2007.} Hopefully, with the passage of the Ghana National Commission on Small Arms and Light Weapons Act (Act 736) in May 2007, the Commission (a body
to advise on the issue and possession of SALW) would move to lobby for the enforcement of the oversight function of the police.
Before discussing the specific sources of SALW in West Africa, it is important to trace how SALW came to be so widespread and available. It was generally acknowledged that the Cold War unleashed SALW uncontrollably into many parts of the world, especially Africa, and into the hands of rogue states, warlords, rebels and human rights abusers. Africa, especially southern Africa, had been one of the fiercest battlefields of the proxy wars of the 1970s and 1980s. Both the West (USA and Europe) and the East (led by the ex-Soviet Union) supported client states (and factions) and armed them to the teeth in an attempt to carve out and maintain spheres of influence.

The Cold War ended in 1989 with the collapse of the Berlin Wall and the implosion of the Warsaw Pact that grouped together Eastern European countries in a military alliance. The countries and constituent republics of the Soviet Union that became independent found themselves with huge stocks of arms – both nuclear and conventional – and a weak capacity to manage the stockpile. Additionally, starved of cash because of the withdrawal of support from the Soviet Union, some of these former Warsaw Pact countries and ex-constituent republics began to dispose of surplus stocks of arms. During the Soviet era, the Ukraine was a key plank in the Soviet Union's defense strategy against a western North Atlantic Treaty Organization (NATO) attack. Ukraine was equipped to maintain a standing army of 800,000, almost three times the size of Ukraine's
military in 2005. After the Soviet Union collapsed in 1991, Ukraine inherited the Soviet stockpiles of military hardware intended for a military far larger than Ukraine’s.¹ Like vultures flocking on a carcass, freelance arms merchants in partnership with army officers plundered the vast surplus stocks and sold them to whoever was willing to buy – including national armies and rebel armies in the hotspots of West and Central Africa.

Leonid Minin, a notorious Ukrainian arms dealer, was the major arms supplier to Charles Taylor in the 1990s. Charles Taylor’s rebellion against the Doe regime (began in 1989) in Liberia opened the sluice gates of the arms dam in West Africa, thanks to his relationship with illegal arms brokers like Minin, Guus Kouwenhoven and the governments of Burkina Faso and Ivory Coast.

The State as a Major Source of Weapons Supply

The state in the West African context was a major source of supply or diffusion of weapons. It was the largest purchaser of legal weapons and the source of legal and illegal transfers. Armories of the state also held the largest stockpiles of arms. However, the state did not always live up to its responsibilities to keep weapons out of the reach of unauthorized users. Armories, especially police armories, were poorly guarded and inventories not properly maintained. Sometimes bandits raided the armories and stole weapons, and some rogue or corrupt security officials stole or rented state arms to criminals.²

One of the major sources of SALW proliferation in West Africa since the 1980s was the various coups and counter coups in West Africa (Ghana: 1966, 1967, 1972, 1979, 


The familiar routine involved dissident soldiers breaking into state armories and distributing weapons to their supporters and co-conspirators to strengthen their hand in the fighting. Armory guards were inevitably the first casualties. No matter the result of the fighting, a lot of weapons fell into the wrong hands and were hardly ever recovered or accounted for. Defeated soldiers abandoned their weapons in order to flee faster, and rogue elements also sold some. During the ensuing power vacuum in the immediate coup period, inventory management was poor and weapons leaked into the larger society.

A peculiar feature of the coups in West Africa, especially in the 1980s, was that junior officers led them. This was true in Ghana, Sierra Leone, The Gambia, Liberia and Burkina Faso. These regimes, initially very populist, also helped to diffuse arms into civilian hands by arming their civilian supporters. Musah (2004) argued that “the advent of junior officers coups further exacerbated arms diffusion, introduced arms possession to the civilian youth - radical students, workers’ leaders and the marginalized sections of the urban population - and increased gun-related civilian casualty rates.”

In Ghana, the Provisional National Defence Council (PNDC) government (1982-1992) armed some members of the Committees for the Defence of the Revolution (CDRs) and the Civil Defence Organization (popularly called Peoples Militia) to counter

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the activities of smugglers, dissident soldiers and other "counter-revolutionary forces".\footnote{Personal knowledge. The author was the regional coordinator of the Committees for the Defence of the Revolution in the Upper East Region of Ghana from 1983-1990.}

No records were kept or, even if they were kept, they were done improperly. Interviews by the author with officials of the Ghana Army and Police revealed that stockpile management in the early years of the PNDC was poor.\footnote{Colonel J B.E. Guyiri. "The Menace of Armed Robbery in Ghana: A Case study of Ghana" (Post-Graduate Diploma thesis, Ghana Institute of Management and Public Administration, Accra, 2005), 25} The same strategy was pursued in Burkina Faso under Captain Thomas Sankara and Blaise Compaore between 1983 and 1987 when they also armed members of their defense committees.

Returning peacekeepers were known to smuggle weapons back to their home countries and sell them. According to Florquin and Berman, poorly paid Nigerian soldiers who had served in peacekeeping missions in other African countries, such as Liberia and Sierra Leone, often returned home and sold their weapons to combatants or gun dealers.\footnote{Eric Berman and Nicolas Florquin, "Armed Groups and Small Arms in ECOWAS Member States (1998-2004)," in Armed and Aimless: Armed Groups, Guns and Human Security in the ECOWAS Region, ed. Nicolas Florquin and Eric Berman (Geneva: Small Arms Survey, 2005), 341.} Sometimes they sold them back in the conflict zone.

**External Government Support to Rebel Factions**

Another source of weapons supply in West Africa was state supply of weapons to factions engaged in internal conflict, particularly in neighboring countries. This was clearly evident in the Liberian and Sierra Leonean civil wars.

Guinea was a supporter of the rebel Liberians United for Reconciliation and Development (LURD) since 1999. In 2002, the Charles Taylor government conducted investigations after it captured 81mm mortar rounds from LURD rebels in Lofa County. The investigation traced the rounds to the United Arab Emirates (UAE). The UAE, upon
inquiry from Liberia, acknowledged that they were part of a military assistance package
to Guinea in 1998.\textsuperscript{7} It should be noted that the government of Guinea had signed the
ECOWAS Moratorium on the exportation, importation and manufacture of SALW in
1998 at the same time Guinea was busy arming the LURD rebels. In late 2003 Guinea
supplied more weapons to the (LURD) in their second attempt to enter Monrovia and
oust Charles Taylor. The Guinean Ministry of Defense imported weapons (including
bullets, rocket-propelled grenades and mortar rounds) from Iran in mid-2003 and
arranged for these to be forwarded to the LURD rebels. Ivory Coast also recruited
mercenaries and supported the Movement for Democracy in Liberia (MODEL) rebel
faction.

The Liberian government itself was the beneficiary of weapons airlifts from Libya
via Burkina Faso and Ivory Coast beginning from 1989. The government of Guinea was
faced with Liberian-sponsored incursions by RUF rebels, dissident soldiers and Liberian
soldiers in 2000-2001. Because of the inability of the regular army to contain the Liberian
incursions, the government of Guinea mobilized and armed an estimated 30,000 Guinean
youth known as the Young Volunteers.\textsuperscript{8} Though not all the Young Volunteers were
armed, not all those who were armed returned their weapons after the invaders were
repulsed. Furthermore, according to Milner, besides looting from the state armory, the
second most significant source of small arms illegally circulating in Guinea were those
arms that were officially issued by the Guinean military but never returned at the end of

\textsuperscript{7} Human Rights Watch, “Weapons, Sanctions, Military Supplies and Human Suffering: Illegal

\textsuperscript{8} James Milner, “The Militarization and Demilitarization of Refugee Camps in Guinea,” in Armed
and Aimless: Armed Groups, Guns and Human Security in the ECOWAS Region, ed. Nicolas Florquin and
military service. Guinean law did not always require retiring police or army officers to return their service weapon upon retirement. Those weapons routinely leaked to criminal elements.  

The government of Guinea-Bissau had been suspected for a long time of providing arms to the separatist Movement of the Democratic Forces of Casamance (MFDC) operating in the Casamance region of southern Senegal. On June 5, 1998, President Joao Bernardo Vieira fired the head of the armed forces, General Ansumane Mane, accusing him of allowing arms to be smuggled to rebels in the southern Senegalese province of Casamance. In the factional fighting that ensued, the MFDC helped Mane’s forces fight President Joao Bernardo Vieira, while Vieira’s forces were supported by Senegalese and Guinean troops.

At the time of this research, Guinea-Bissau was the weakest link in the fight to stem SALW proliferation and the drug (cocaine) trade. The country had a major SALW problem owing to its long and bitter armed struggle against Portuguese colonialism. After the departure of the colonialists, Guinea-Bissau (like post-Soviet Ukraine) was saddled with more arms than it needed for its security needs. A lot of those weapons found their way out and oiled the SALW supply route to the Cassamance rebels in Senegal. The country of Guinea-Bissau was mired in chronic poverty and political instability. Its coastline was full of uninhabited islands, creeks and swamps, thereby providing perfect cover for drug smugglers and gunrunners. Lamentably, the Guinea-Bissau police did not have vehicles, patrol boats, computers, or even handcuffs.

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According to the UN Panel of Experts on Ivory Coast, militants of the rebel Forces Nouvelle of the Ivory Coast were accused of selling weapons to people in the Ghanaian border village of Saru in order to purchase food, cars and other consumer items in 2005. The Malian authorities also accused the Forces Nouvelle of also being responsible for smuggling SALW to Mali on motorcycles using unapproved routes.\textsuperscript{10}

Governments in the subregion often supported coupists in neighboring countries. It was a truism in international relations that every government wanted a friendly government in the neighboring country. Liberia under Charles Taylor (under the bidding of Libya’s Gaddafi) supported a coup in the Gambia in 1990 and later armed and financed the murderous Revolutionary United Front in Sierra Leone. The Sierra Leonean government, itself besieged by rebels, organized and armed traditional hunters of the Mende ethnic group known as the Kamajors into what became known as the Civil Defence Force. After the conclusion of the civil war, it was common knowledge that not all Kamajors returned their weapons.

Ghana under the PNDC was said to have supplied weapons (donated by Libya) to Thomas Sankara and Blaise Compaore of Burkina (then known as Upper Volta) to overthrow the government of Jean-Baptiste Ouedraogo in 1983.\textsuperscript{11,12} The PNDC had geo-strategic reasons for supporting the coup in Upper Volta. The incipient PNDC government was hemmed in on all its three land borders (Upper Volta to the north, Ivory


Coast to the west and Togo to the east) by hostile governments who offered sanctuary to dissident soldiers of the regime. Therefore, it needed breathing space on its northern border by having a friendly government. After the success of the coup in Upper Volta, dissident Ghanaian soldiers and anti-PNDC elements based there relocated elsewhere.

According to the Small Arms Survey, the “ant trade” complemented regional leaders’ supply of weapons to various armed groups. The “ant trade” referred to the steady trickle of weapons from one destination to another – arms bought legally in one country then smuggled in bits to another. It was a significant source of SALW and was sometimes linked with larger-scale trafficking. Warri, the capital of Delta State, was a notorious center of such trade, supplying smugglers from Guinea-Bissau, Gabon and Cameroon.13

Arms Brokers and Dealers

Working hand-in-hand with states, warlords and rebel leaders was the critical link in the illicit traffic in the SALW trade – brokers. These were middlemen who organized arms transactions between two or more parties – bringing together, “buyers, sellers, transporters, financiers and insurers to make a deal, particularly where the parties are divided by culture, politics and or/geo/raphy.”14 Brokering was a profit-driven industry; it was not politically or ideologically driven. Brokers profited from both buyers and purchasers. Very few countries had legal instruments to regulate these brokers, partly because they were not arms traders in the strict sense of the description. Often they were

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not defined as a specific category under national arms export laws of states.\textsuperscript{15} Not all brokers were engaged in illegal or dubious activities. According to Wood and Peleman, generally those brokers who were operating outside their home countries on behalf of dubious clients tried to locate cheap supplies of arms in states that lacked the capacity to properly control stocks and arms exports. Alternatively, they tried to operate where "governance is so weak that there is no manifest political will to exercise proper control."\textsuperscript{16}

The United States had the toughest, most comprehensive and far-reaching legislation on arms brokers at the time of this research. The U.S. law regulated arms brokering activity by any U.S. citizen (whether in the US or abroad) or person otherwise subject to U.S. jurisdiction, engaging in brokering activities at home or abroad, and also of foreigners located in the United States who conducted arms brokering activities. The brokers were required both to register as arms brokers and to apply for a license for each brokering activity. The law also provided severe penalties for default.

Brokers had a sordid record in busting arms embargoes and delivering their deadly merchandise to the killing fields of West Africa. Using forged or false documents (for example end-user certificates), front companies enlisted the help of corrupt officials. Exploiting weak controls, the brokers were adept at avoiding scrutiny. In Africa, they often used aircraft and the air cargo industry, filing false flight plans, submitting


\textsuperscript{16} Ibid.
fraudulent documents, and flying improperly registered aircraft to execute their deals.\footnote{17} 

Arms were found described in air freight documents as agricultural equipment, spare parts, fish, tents and second-hand clothing.\footnote{18}

False end-user certificates were a major weapon in their arsenal. An end user-certificate, vital as a license for the sale of military equipment, indicated that the recipient was the authorized beneficiary of the shipment and undertook not to resell, export or transfer to any other party or state, without the seller’s permission. Vines (2005) indicated that, investigations by UN panels and investigative journalists since 2000 had found the following examples of end-user certificates being used in attempts to procure weapons:

1. An end-user certificate was issued in Burkina Faso that authorized a brokering company registered in Gibraltar, Engineering and Technical Company Ltd. to obtain arms. The certificate was used to obtain authorization for the shipment of 68 tons of defense equipment and ammunition to Burkina Faso in March 1999. The arms shipment ended up in Liberia.
2. A series of end-user certificates for PECOS Company, registered in Guinea, were used to obtain military equipment for Liberia in a series of shipments from Kyrgyzstan, Moldova and Slovakia in 2000 and 2001.
3. An end-user certificate from Côte d'Ivoire enabled a Moscow company, Aviatrend, to ship five million cartridges from the Ukraine. These were diverted to Liberia in July 2000.
4. Two fake end-user certificates from Nigeria were used as the basis for shipments of 200 tons of weapons from Zastava in Serbia to Liberia via the broker Temex in 2002.
5. Two Ukrainians and a Russian national registered two companies in Ghana: Life and Technologies Ghana Ltd and Yuri-M, a plastics company in Accra. Through this network they organized the production of false letterhead and fake official


stamps of the Ghanaian defense and foreign ministries in order to create a fake end-user certificate to sell arms from Russia and Ukraine to Pakistan in 2003.\footnote{Alex Vines, “Combating Light Weapons Proliferation in West Africa,” \textit{International Affairs} 81, no 2 (March 2005), 346.}

The brokers were of varying nationalities -- the former Eastern Europe (Ukraine, Armenia, Bulgaria, and Slovakia), Belgium, The Netherlands, Lebanon and the United Kingdom) -- and backgrounds: ex-military officers, intelligence officers and businessmen. The most notorious of them in the West African context included Victor Bout, Leonid Minin, Guus Kouwenhoven and Sanjivan Ruprah.

\textbf{Victor Bout}

Victor Bout, a Ukrainian known as “Africa’s Merchant of Death,” was a former KGB (ex-Soviet Secret Service) officer and arms broker. He used at least five aliases and different versions of his last name (Butt, Bont, Buttee, Boutov). Bout’s operations first gained suspicion when his Liberian-registered aircraft were based at Ostend airport in Belgium in 1995. He left Ostend in 1997 after a UN and Belgian investigation into allegations that a number of aging Russian planes were supplying arms to the Hutu extremists responsible for the Rwandan genocide. Bout’s intricate and elusive network was identified as supplying arms to Angola, the Democratic Republic of Congo, Liberia and Sierra Leone. Since the early 1990s, according to a UN Report, Bout “oversees a complex network of over 50 planes, tens of airline companies, cargo charter companies and freight-forwarding companies, many of which are involved in shipping illicit cargo.”\footnote{United Nations, \textit{Report of the Panel of Experts on Sierra Leone}, S/2000/1195 (Dec 2000), paragraph 229.} Bout’s fleet of ex-Soviet planes, registered as Air Cess, was used to deliver attack helicopters, armored vehicles and anti-tank mines to Liberia, which supported the
RUF rebels in neighboring Sierra Leone.\textsuperscript{21} Referring to Bout, Peter Hain, a minister at the British Foreign Office, remarked:

\begin{quote}
Bout is the leading merchant of death who is the principal conduit for planes and supply routes that take arms, including heavy military equipment, from east Europe, principally Bulgaria, Moldova, and Ukraine, to Liberia and Angola. The UN has exposed Bout as the centre of a spider's web of shady arms dealers, diamond brokers, and other operatives, sustaining the wars. Without someone like him we would be much, much, closer to ending the conflicts.\textsuperscript{22}
\end{quote}

Now based in Dubai, United Arab Emirates, Bout successfully eluded prosecution for arms trafficking, partly because of the inadequacy of most national laws that regulated arms brokering and arms transporting activities.\textsuperscript{23}

**Leonid Minin**

In the 1990s, the Ukrainian-Israeli Leonid Minin was the major broker of arms to Liberia. Minin was named in various UN reports on Liberia and Sierra Leone for selling arms to Charles Taylor and the RUF in violation of UN embargoes. As documented by the UN Panel of Experts in March 1999, a shipment of 68 tons of Ukrainian weapons, including 715 boxes of weapons and cartridges, 408 boxes of cartridge powder anti-tank weapons, surface-to-air missiles, and rocket propelled grenades and their launchers, were sent to Burkina Faso using false end-user certificates operated by a British company, Air Foyle, under a contract organized by a company registered in Gibraltar. The weapons in question, however, were not retained in Burkina Faso. They were temporarily off-loaded in Ouagadougou, and some were trucked to Bobo Dioulasso. The bulk of them were


\textsuperscript{22} Ibid.

\textsuperscript{23} Control Arms, “UN Arms Embargoes: An Overview of the Last Ten Years,” \textit{Control Arms Briefing Note}, (16 March 2006), 4.
shipped within a matter of days to Liberia in an aircraft owned by Minin.\textsuperscript{24}

In August 2000, Minin was arrested in Italy. In June 2001, he was charged with arms trafficking and the illegal possession of diamonds. He was found with contracts, faxes documenting arms deals, weapons catalogues, and forged end-user certificates. According to Kruger, the documents revealed that Minin facilitated a shipment of arms in June 2000 at the request of General Robert Guei, the then leader of the Ivory Coast. Some of the weapons were meant for Ivory Coast, but the bulk of the shipment was to be passed on to Liberia, which was then under an international arms embargo. Guei had signed an end-user certificate, authenticating the transnational shipments of goods. The following week, Minin arranged a million-dollar purchase AK-47 rifles, rocket-propelled grenades, night-vision goggles and other equipment, as well as five million rounds of ammunition. One hundred and thirteen tons (113) tons of weapons - only a part of the total package - were loaded and ferried to the Ivory Coast. While records showed that Guei kept some of the weapons, the remainder was transported to Liberia by a smaller aircraft, leased through another set of middlemen.\textsuperscript{25}

Minin's arrest halted the transfer of the remaining weapons. He was later released on the grounds that the prosecution lacked jurisdiction on his arms trafficking activities because the arms transfers did not pass through Italy.


Guus Kouwenhoven

Described by the UN Panel of Experts on Sierra Leone as a member of President Taylor's inner circle, Guus Kouwenhoven was "responsible for the logistical aspects of many of the arms deals." In his position as Director of Operations of the Oriental Timber Company (OTC), a Malaysian lumber company, Kouwenhoven managed the biggest timber operations in Liberia; it was said to control up to 40 percent of the country’s valuable hardwood rainforests. Through the OTC, he was alleged to have run a private militia of 2,500 men and boys. Kouwenhoven's company used a fleet of ships to export tons of tropical hardwoods to Greece, France and China. His ships would come late at night into the port of Buchanan, offload Serbian and Chinese arms, bought via a Russian arms dealer and regular at Kouwenhoven’s Hotel Africa, and then reload in the morning with freshly-felled rainforest timber. Then he organized the transfer of weaponry by truck from Monrovia into Sierra Leone.

Based on its investigations, the United Nations issued an order in 2001 banning Kouwenhoven from traveling, designating him as an arms trafficker in breach of Resolution 1343 of the Security Council and a major supporter of ex-President Taylor’s efforts to destabilize Sierra Leone in order to gain illegal access to its diamonds.

Guus Kouwenhoven was arrested in the Netherlands on 18 March 2005 and sentenced by a Dutch court on June 7, 2006, to 8 years for violating the arms embargoes on Liberia and Sierra Leone. As of the time of this research, he was the only covert arms


Sanjivan Ruprah

Sanjivan Ruprah, a Kenyan national of Indian descent, was another of Africa’s notorious arms brokers. He was named in the UN Report on Sierra Leone as illegally supplying weapons to the brutal rebel Revolutionary United Front (RUF) of Sierra Leone in clear breach of international sanctions, especially UN Security Council Resolution 1343 of 2001. In the Sierra Leonean civil war, the RUF gained notoriety for mass killings, hacking of limbs, rape, and torture. According to the UN, Ruprah introduced the private military company, Executive Outcomes, to the Sierra Leonean government then led by Captain Valentine Strasser. From May to December 1995, Executive Outcomes (in reality a mercenary outfit) helped the Sierra Leonean government fight the RUF for a contract fee of $13.5 million. This contract was renewed in April 1996 for twenty more months at a cost of $35.2 million.\(^{29}\) Ruprah was hunting with the hounds and running with the hare, that is, supporting both the rebel RUF and the government at the same time with weapons, thereby making his cut, mostly from diamonds, at both ends.

According to the UN, he worked closely with “Africa’s merchant of death,” Victor Bout, who supplied weapons from Eastern Europe to the rebels in exchange for diamonds. A confidante of Charles Taylor, Ruprah traveled using a Liberian diplomatic passport in the name of Samir M. Nasr that identified him as Liberia’s Deputy Commissioner for Maritime Affairs.\(^{30}\) The passport made it easier for him to avoid the


travel ban imposed by the United Nations.

In February 2002, Ruprah, was arrested and charged in Brussels with criminal association and traveling on a false British passport. He had also attracted the attention of the United States in its global “war on terror.” According to The East African, a Kenyan online news medium, the arrest was untimely for the United States since Ruprah was in frequent contact with US authorities with whom he was trying to negotiate a deal to talk about past weapons deliveries to the Taliban and possibly Al-Qaeda.

Ruprah was later released and jumped bail in Belgium. He was arrested again in northern Italy on August 2, 2002, and investigated on the same charges as in Belgium. Italian authorities deemed him a flight risk and moved him to a high-security prison near Milan. However, the Italian authorities indicated that Ruprah was likely to be released since the charges were not serious enough to keep him incarcerated. In September 2002, Ruprah was released from jail.31

With the exception of Kouwenhoven who was incarcerated, all the other big-time illegal arms dealers and brokers were free and able to ply their deadly merchandise. As long as they remained free, West Africa continued to provide a market for them. Indeed, the Niger Delta was a fertile market for them.

**Local Craft Industries**

West Africa had a thriving craft blacksmithing industry going back hundreds of years. These blacksmiths were primarily manufacturers of agricultural equipment (hoes, cutlasses, and ploughs) and guns. Guns were used for both hunting and for ceremonial purposes. In more bygone times the blacksmiths also manufactured weapons for their

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kingdoms. Guns were crucial to the creation and consolidation of many centralized West African kingdoms (e.g., the Hausa States, Oyo Benin, Dahomey, Ashanti, Akyem, Yoruba, Gonja, Dagbon, and Mandingo) thanks to blacksmiths and other ironworkers. The fabrication of iron tools and weapons facilitated the development of systematized agriculture, efficient hunting, and successful warfare necessary to sustain large urban centers.32

West African blacksmiths' ability to replicate foreign manufactured weapons goes back at least a century. Their current reputation for replication should therefore be no surprise. According to Gueye, up to 1876 Samory Toure (founder of the Malinke Empire of Ouassoulou, which spread from Guinea to Niger) armed his troops with guns, which the local blacksmiths could repair themselves. However, from 1876 onwards, he began to order more modern European weapons, mainly from Sierra Leone, and carefully studied them to find those that were most suitable for his area. From 1885, he replaced the Chassepot rifles, whose big cartridges soon rotted in the humidity of the area, with the lighter Gras and Kropatscheks rifles. These two types of rifle remained the backbone of his arsenal until the 1880s because he was able to train a group of blacksmiths who could effectively copy those rifles.33

In rural West Africa, blacksmiths were a respected category because of their role in the rural economy. Those blacksmiths recently attracted additional scrutiny because of their ability to manufacture SALW, sometimes with remarkable sophistication, which supplied the arsenals of land guards, criminals and bandits and even law-abiding citizens.


who wanted to protect themselves. Their trade was male-dominated and largely secretive. Ghana, Mali and Nigeria were home to some of these accomplished craftsmen.

According to Aning, Ghana particularly deserved scrutiny because of its “long-standing and socially-embedded tradition” of gun manufacturing. His 2004 study of the craft industry in Ghana revealed the following:

1. All ten regions in Ghana were home to workshops with gun-manufacturing capability.
2. On average, each of these had the capacity to produce approximately 80 guns annually - although production varied greatly depending on demand.
3. Guns were manufactured in conformity with imported ammunition available on the open market.
4. Gunsmiths were also engaged in the production of a variety of other, mainly agricultural products, which provided opportunities for technological reconversion. Gun production, however, clearly constituted their most profitable activity.
5. A thriving group of middlemen exported craft guns to other countries in the region. The destinations included Nigeria, Côte d’Ivoire, and Togo. This trade appeared to be limited to individuals, and there was no evidence that armed groups elsewhere in the region actively sought to obtain Ghanaian craft weapons.
6. Craft guns were used by some of Ghana’s vigilante groups, landguards, and criminals.
7. In Ghana, the prohibition of craft gun production had not prevented the industry from growing. Rather, it had forced gunsmiths to organize into sophisticated and secretive networks.

The availability of locally manufactured guns led to calls by some people that the industry be legalized so that government could monitor their operations. Legalizing the craft industry to manufacture guns was a dangerous proposition, more so as there was no method of marking and tracing currently in place. Legalization would only lead to more crime.

According to the Africa Security Dialogue and Research, even though

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ammunition for craft guns was available locally, most of it was imported. Local gun manufacturers commonly manufactured guns based on the type of ammunition provided by the customer. The most popular and easily available types of ammunition were the 12-bore cartridge and 410 caliber cartridges for shotguns.\(^{35}\)

The Ghana-Togo-Benin-Nigeria border route was a notorious route for SALW trafficking. The Ivory Coast, which was embroiled in civil conflict since 2001, was another destination of locally manufactured guns. To outwit border agents, smugglers chose to smuggle parts of a gun in bits or by different persons. Another strategy was for clients of a noted local manufacturer to invite the gunsmith (or manufacturer) to the client’s town outside Ghana for him to manufacture the guns in situ.\(^{36}\)

**Recycled Weapons**

Recycled weapons from conflict areas remained a major source of supply of SALW. This was a testament to the incompleteness or inadequacies of disarmament programs, the durability of SALW and the mercenary character of some rebels or (more appropriately) career fighters. Liberia again provided a laboratory for demonstrating the veracity of this assertion. Liberian fighters were known to have fought in the Sierra Leonean civil war, and some later moved to Ivory Coast when the civil war broke out there in 2001.

**Refugees**

In September 2004, Ghanaian security officials acting on reports raided the Liberian refugee camp at Buduburam (home to 42,000 refugees) near Accra and conducted a search for weapons and “mercenary rebels bent on upsetting Ghana's


\(^{36}\) Authors field research interviews in Ghana.
December general elections. No weapons were found. Whether this was paranoia or the government acting on questionable intelligence, it underscored the perception that refugees could play a role in supplying weapons, even though they themselves were victims of violence caused by SALW.

Edward Mogire (2004) noted that “refugee militarization” - refugee camps and populations that were characterized by storage and trafficking of arms, the presence of active and ex-combatants, recruitment, military training and the use of camps as military bases - was neither new nor confined to a specific region. Militarization of refugees could occur among others, when the refugee flow was composed of civilians as well as active and ex-combatants.

Refugees were not a significant source of SALW in West Africa. By 1999, Guinea was host to 450,000 refugees from Liberia and Sierra Leone. When Charles Taylor sponsored armed incursions into Guinea, suspicion fell on some refugees as possible collaborators, thus provoking hostility from ordinary Guineans and the government. However, as Milner’s 2005 study showed, refugees were not responsible for the huge SALW proliferation in Guinea. SALW proliferation was attributable to looting from the state armory and the Guinean practice of allowing retiring service personnel to retain their service weapons. Guinea hosted the largest number of Liberian and Sierra Leonean refugees, but the evidence did not show that refugees contributed to SALW.


trafficking in Guinea. 39

It became obvious from the research that the trade and trafficking in SALW was a complicated and shadowy business undertaken by unscrupulous persons. For brokers, the lives of people did not matter, only profits did. Illegal arms brokering involved multiple companies and individuals, and above all was transnational. National and international laws were inadequate to bring the merchants of death to justice. There was the need for a global consensus to curb their activities.

Additionally, as long as there was a demand for SALW, there would always be people to supply them. West African governments needed to ensure through their governance processes that people did not feel too aggrieved to the point that they would take up arms to right a wrong, perceived or real. At the time of the research, Tuareg rebels were battling the governments of Niger and Mali. The government of Niger particularly did not want to negotiate with the rebels and instead referred to them as bandits, even though the rebels claimed that they were taking up arms because they had been excluded from participation in Niger's economic and political life. The lack of political space and exclusion were what encouraged frustrated groups and individuals to want to acquire SALW in order to secure a seat at the dinner table. It was in this light that all states were urged to give concrete expression to their adoption in December 2001 of the Supplementary Protocol on Good Governance and Democracy that addressed the root causes of conflicts.

CHAPTER 7

ECOWAS INITIATIVES IN COMBATING SMALL ARMS AND LIGHT WEAPONS

West Africa had an estimated eight million illicit small arms in circulation. These illicit arms were in the possession of armed groups, ethnic militias, vigilantes, bandits, land guards, private security companies, arms dealers and individuals wishing to protect themselves. This chapter examines how the subregion initially became flooded with SALW and the measures that ECOWAS developed – the 1998 Moratorium banning the import, export and manufacture of SALW, arms embargoes and disarmament - to check their proliferation.

The civil wars in Liberia, Sierra Leone, Guinea-Bissau and Ivory Coast were all launched and sustained by small arms, leading to thousands of deaths, maiming, destruction of critical infrastructure, refugees and internally displaced persons. Indeed, the Liberian civil war launched in December 1989 by Charles Taylor opened the floodgates for SALW into West Africa. West Africa did not have a significant SALW problem before the Liberian civil war. Taylor prosecuted his war with arms consignments donated by Libya and delivered by President Blaise Compaore of Burkina Faso. With his control of timber and access to Sierra Leonean diamonds Taylor bartered those natural resources for more arms.

As if spreading havoc in Liberia was not enough, he sponsored, armed and financed the brutal RUF in Sierra Leone who proceeded to cause mayhem in Sierra
Leone for nearly a decade. The RUF also conducted cross-border raids on refugee settlement camps in Guinea. Such was the gravity of the situation in Liberia and Sierra Leone that the United Nations placed them under arms embargoes in 1992 and 1997, respectively. Guinea also felt Taylor’s wrath as he armed and financed dissidents to invade Guinea in 2000. This provoked counter military responses from Guinea through the provision of military hardware to the anti-Taylor rebel group, the Liberians United for Reconciliation and Democracy (LURD).

The 1998 ECOWAS Declaration of a Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa

The pacific moves by former Malian President and current African Union Commission Chairman, Alpha Konare, to deal with a Tuareg insurgency in Mali in 1994 set the chain of events that culminated in the declaration of the Moratorium. Alpha Konare realized that the SALW problem in Mali was compounded by the free flow of SALW across the long porous borders with Algeria, Mauritania and Niger. This indicated that the problem was a transnational one and needed the cooperation of other countries and intergovernmental agencies. He sought the collaboration of the UN, which responded by establishing an advisory mission for SALW in the Sahel region. The mission visited Mali in 1994 and six other countries in 1995 - Burkina Faso, Chad, Cote d'Ivoire, Mauritania, Niger and Senegal. It concluded that “the control of small arms and light weapons was critical to ensuring peace and stability, defined in terms of political progress and economic and social development.”

Chronology of Events Leading to the Moratorium

This section drew from the work of Sverre Lodgaard. Acknowledging that curbing SALW flow in each country and throughout the subregion was integral to development, a high-level meeting of the UN/UNDP and donor countries in New York on October 21, 1996, elaborated and, in principle, endorsed an integrated and proportional approach to security and development. Following on the heels of this meeting, the United Nations Institute for Disarmament Research (UNIDIR) and UNDP convened a conference on conflict prevention, disarmament and development in West Africa in Bamako on November 25-29, 1996. Delegations from 12 West African countries explored options for future regional cooperation on these issues. The proposal for a moratorium on SALW generated particular interest during the conference. ECOWAS was an active participant in the discussions on the moratorium idea. Subsequently, the secretariat of the OAU was briefed on the proposal.

In February 1997, Friends of the Chair of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (hereafter referred to as the Wassenaar Arrangement) - an arms export control forum based in Vienna - were also informed of the moratorium proposal and of ECOWAS’ wish to conduct a dialogue on the matter. Participating states of the Wassenaar Arrangement “commit themselves to carrying out effective controls at the national level on transfers of

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3 The participating states of the 33-member Wassenaar Arrangement founded in 1996 are: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovak Republic, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and the United States.
conventional arms and dual-use technology, to exchange information confidentially within the Arrangement on transfers of controlled items to non-members, and to report on denials of licenses."^4

Another consultation of West African countries held in Bamako in March 1997 was attended by a representative of the Chairman in Office of the Wassenaar Arrangement in an observer capacity. This meeting agreed a three-year trial of the moratorium. In December 1997, plenary representatives of the 33 countries participating in the Wassenaar Arrangement in a consensus welcomed and publicly encouraged the moratorium development.

Meeting in Abidjan on March 12, 1998, ECOWAS foreign ministers in a communique instructed the ECOWAS secretariat to prepare a draft text for the declaration of the moratorium proposal with a view to its adoption and announcement at the ECOWAS summit scheduled for Abuja. At the twenty-first ordinary session of the Authority of Heads of State and Government of ECOWAS, summit in Abuja held on October 30-31, 1998, all 16 Heads of State of ECOWAS adopted the moratorium to last initially for three years. The Executive Secretariat of ECOWAS, in collaboration with the Programme for Coordination and Assistance on Security and Development (PCASED), was requested to convene a meeting of ministers of foreign affairs to assess and evaluate the moratorium at the end of the initial three-year period.

On December 3, 1998, the Participating States of the Wassenaar Arrangement confirmed that they would undertake an appropriate collaborative role with ECOWAS

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^4 Staffan Sohlmans, Chairman, Wassenaar Arrangement, “The Wassenaar Arrangement and the Moratorium for West Africa.”
http://www.nisat.org/west%20africa/wassenaar_arrangement_and_the_mo.htm (accessed October 2, 2007)
member states to respect the provisions of the moratorium and to be open to providing advisory and/or technical assistance in the implementation of the moratorium.

The moratorium has three main instruments:

1. The Moratorium Declaration.

2. The Plan of Action for the Implementation of the Programme for Coordination and Assistance on Security and Development (PCASED) a UNDP-supported program, approved in March 1999.


In the Declaration, the 16 heads of state acknowledged the principles and objectives embodied in the revised ECOWAS Treaty, the Charter of the Organization of African Unity, the United Nations Charter, the repeated encouragement of the United Nations for disarmament in West Africa, and the unqualified approval of the Wassenaar Arrangement and other arms manufacturers for a moratorium on light weapons. The Declaration stated the heads of state:

Hereby solemnly declare a moratorium on the importation, exportation and manufacture of light weapons in ECOWAS member states which shall take effect from the first day of November 1998 for a renewable period of three (3) years.\(^5\)

The moratorium was renewed in 2001 and again in 2004. In June 2006, it was converted into a binding convention.

PCASED was a five-year UNDP-assisted project operating within the framework of the United Nations Regional Center for Peace and Disarmament in Africa, based in Lome, Togo. PCASED aimed at promoting the reduction and ultimate elimination of

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excess weapons through comprehensive and voluntary weapons collection programs. In order to execute its activities, PCASED sought the active collaboration of intergovernmental organizations and civil society organizations, particularly women's organizations. Those and other formal organizations, such as the military, police and other security agencies, were to be engaged through seminars, workshops, roundtable discussions and the media. When PCASED was established in 1999, it had a start-up fund of $6.5 million and a clear mandate to fundraise $13 million. Over the five-year period (1999-2004), PCASED had the following nine priority areas:

1. Establish a culture of peace.
2. Establish training programs for the military, security and police forces.
3. Enhance weapons controls at the border posts.
4. Establish a database and regional arms register.
5. Collect and destroy surplus unauthorized weapons.
6. Facilitate dialogue with producer-suppliers.
7. Review and harmonize national legislation and administrative procedures.
8. Mobilize resources for PECASED objectives and activities.

Resource constraints largely reduced the effectiveness of this program that carried so much potential. In April 2001, a review recommended a reduction of the priority areas from nine to seven by the Tripartite Review. The goals of enlarging membership of the Moratorium and dialogue with producer-suppliers were de-emphasized. This was an

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acknowledgement that PCASED had bitten off more than it could chew.

To smoothen the work of PCASED, ECOWAS Heads of State and Government in a summit meeting on December 10, 1999, in Lome, Togo, adopted the Code of Conduct for The Implementation of the Moratorium (hereafter referred to as Code of Conduct). The Code of Conduct was essentially a how-to guide on the implementation of the Moratorium. The Code of Conduct agreed on the following by member states:

1. Establish National Commissions (NatComs) made up of representatives of the relevant authorities and civil society.

2. Provide the ECOWAS Executive Secretariat with an annual report on the ordering or procurement of weapons, components and ammunition covered by the Moratorium, both from national and international sources.

3. Harmonize and adopt regulatory and administrative measures necessary for exercising control of cross-border transactions with regard to light weapons, components and ammunition relating to them.

4. Develop a regional arms register.

5. Declare weapons and ammunition used for peacekeeping operations.

6. Commit to arms collection and destruction.

Member States could seek an exemption from the Moratorium in order to meet legitimate national security needs or international peace operations requirements.

National Commissions

Members of the NatComs were drawn from the five core ministries of foreign affairs, internal affairs and security, justice and civil society organizations. They were to perform the underlisted functions:
1. Formulate strategies, policies and programs against the proliferation of small arms.

2. Sensitize the public on the need to hand in illegally acquired weapons to the security agencies.

3. Update arms register and transmit to ECOWAS Secretariat.

4. Provide appropriate recommendations to ECOWAS Secretariat on exemptions to be granted to the Moratorium.

5. Mobilize resources for program expenditures.

6. Liaise on permanent basis with ECOWAS and PCASED Secretariats on issues relevant to the Moratorium as well as issues of the proliferation of small arms in general.  

**Exemptions**

The collaboration with the Wassenaar Arrangement was key to giving substance to Article 9 of the Code of Conduct which dealt with exemptions to the Moratorium. This article was the pivot of the Moratorium. According to Article 9 of the Code of Conduct, member states could seek an exemption from the Moratorium in order to meet legitimate national security needs or international peace operations requirements. When a member state of ECOWAS applied for an exemption to the ECOWAS Secretariat, the request was circulated to other member states by the Secretariat. If there were no objections from member states, the Secretariat would then issue a certificate confirming each member’s agreement. If a member state of ECOWAS decided to buy weapons from any of the

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member states of the Wassenaar Arrangement without reference to ECOWAS, the
Wassenaar Arrangement would forward the request back to ECOWAS for their necessary
action.

Before 2000, the record of compliance was poor. However, after 2000 the
compliance rate improved. ECOWAS issued 30 exemptions between 2001 and 2002.
Within this period, nine of the fifteen members of ECOWAS applied for exemptions. The
exceptions were Liberia, Mali, Togo, Guinea, Guinea-Bissau and Cape Verde. Even the
subregional giant, Nigeria, applied for exemptions. A copy of an application by Nigeria is
provided in Appendix 4. Between 2001 and 2002 there was an increase in the number of
applications for exemptions, even from the subregional giant, Nigeria.9

<table>
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<tr>
<th>Country</th>
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<td>19</td>
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<td>3</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>5</td>
<td>2</td>
<td>7</td>
</tr>
</tbody>
</table>

Source: FOSDA, Focus, No. 4, May 2003

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9 Interview with Afi Yakubu, Associate Director of Foundation for Security and Development in
Africa (FOSDA) and Secretary of the West African Action Network on Small Arms (WAANSA) on April
However, not all arms exporting countries were members of the Wassenaar Arrangement. Significant arms exporters or sources such as China, India, Israel, Pakistan, Egypt, Brazil, Jordan, the Ukraine, Belarus, Moldova and Kyrgyzstan were not members and did not have any export control arrangements with ECOWAS.

It was intended as a confidence-building mechanism among states. Article 9 was a subregional attempt at transparency, aiming to remove the cloud of suspicion that attended weapons purchases or defense spending. Through the application and reporting mechanism, other states knew what weapons other states were importing. A state that was nervous about another state’s application could raise an objection, which could stymie the requesting state’s application. It must be remembered, however, that small arms were only one component of a country’s defense requirements.

Arms Collection and Destruction

Article 13 of the Moratorium provided that member states should carry out the systematic collection, registration and destruction of all weapons and ammunition that fell under the following categories:

1. Weapons surplus to national security requirements.
2. Weapons under illegal possession.
3. Weapons collected following the conclusion of peace accords or upon the completion of international peace operations.

According to Muruirui, research conducted by Small Arms Survey revealed that sixty percent (60%) of arms usually remained in the wrong hands after conflicts were over.¹⁰

Beginning from the famous “Flame of Peace” destruction of weapons handed in after the

conclusion of a peace accord between Tuareg rebels and the Malian government in 1994, West African countries collected and destroyed thousands of weapons falling in the aforementioned categories. Complementing the efforts of ECOWAS was the declaration by the UN of every July 9 as International Gun Destruction Day in May 2001. In Ghana after the New Patriotic Party took over the reins of government in 2001 from the PNDC/NDC regime, it undertook to collect all weapons that were in illegal possession. A two-week amnesty was declared for all people in illegal possession of SALW to turn them in. After the end of the amnesty period, swoops were conducted on those suspected to be in illegal possession of weapons.

<table>
<thead>
<tr>
<th>Table 3. Ceremonial arms destruction in West Africa</th>
</tr>
</thead>
<tbody>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>Ghana</td>
</tr>
<tr>
<td>Liberia</td>
</tr>
<tr>
<td>Mali</td>
</tr>
<tr>
<td>Niger</td>
</tr>
<tr>
<td>Nigeria</td>
</tr>
<tr>
<td>Sierra Leone</td>
</tr>
<tr>
<td>Togo</td>
</tr>
</tbody>
</table>

Source: PCASED Annual Programme Report, 2001-2002
Note: Figures refer to number of arms destroyed

Niger had a systematic and modestly successful program. The “arms for development” program began in 2000 with support from the UNDP. Carried out in phases, it began with nearly a year of awareness raising followed by appeals for weapons
to be turned over in exchange for community projects. The table below shows the fruits:

<table>
<thead>
<tr>
<th>Place</th>
<th>Year</th>
<th>Number of arms destroyed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agadez</td>
<td>2000</td>
<td>1,234</td>
</tr>
<tr>
<td>Diffa</td>
<td>2001</td>
<td>100</td>
</tr>
<tr>
<td>Agadez</td>
<td>2001</td>
<td>100</td>
</tr>
<tr>
<td>Agadez</td>
<td>2002</td>
<td>100</td>
</tr>
<tr>
<td>N'guimi</td>
<td>2003</td>
<td>103</td>
</tr>
</tbody>
</table>


Arms Embargoes

The UN imposed the first West African arms embargo on Liberia in 1992 following a request from ECOWAS. In the case of the Sierra Leone arms embargo that was imposed in 1997 after the military coup, the UN gave ECOWAS a monitoring role. A UN embargo was also placed on Ivory Coast in 2004. The only arms embargo ever placed by ECOWAS on a member state was against Togo in February 2005.

<table>
<thead>
<tr>
<th>Country</th>
<th>Year imposed</th>
<th>Imposing authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liberia</td>
<td>1992 and 2001</td>
<td>United Nations</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>1997</td>
<td>United Nations</td>
</tr>
<tr>
<td>Ivory Coast</td>
<td>2004</td>
<td>United Nations</td>
</tr>
<tr>
<td>Togo</td>
<td>2005</td>
<td>ECOWAS</td>
</tr>
</tbody>
</table>

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11 Interview with Napoleon Abdulai, a disarmament expert, 15 April, 2007.
Liberia

As mentioned earlier, following a request from ECOWAS, the UN by Security Council Resolution 788, imposed its first arms embargo (and the first in West Africa) on Liberia in 1992 in response to the deteriorating situation in Liberia. The various factions had failed to abide by all the numerous peace accords they had signed, especially the Yamoussoukro Accord of October 1991. To add insult to injury, some of the factions, particularly the NPFL led by Charles Taylor, had been attacking ECOWAS peacekeeping forces. In the considered view of the Security Council the worsening situation in Liberia was a threat to international peace and security. The Security Council felt that the Yamoussoukro Accord of October 1991 offered the best possible framework for a peaceful resolution of the Liberian conflict by creating the necessary conditions conducive to the holding of free and fair elections. Accordingly, the Council decided under Chapter VII of the United Nations Charter that:

All States shall, for the purposes of establishing peace and stability in Liberia, immediately implement a general and complete embargo on deliveries of weapons and military equipment to Liberia until the Security Council decides otherwise.12

The embargo did not apply to weapons and material meant for ECOWAS peacekeeping forces in Liberia.

Noting that Resolution 788 was not being respected, the UN Security Council unanimously adopted Resolution 985 at its 3517th meeting on 13 April 1995. That resolution urged:

All States, and in particular all neighbouring States, to comply fully with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992), and to that end decides to establish, in accordance with

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rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:
(a) To seek from all States information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 8 of resolution 788 (1992);
(b) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;
(c) To recommend appropriate measures in response to violations of the embargo imposed by paragraph 8 of resolution 788 (1992) and provide information on a regular basis to the Secretary-General for general distribution to Member States.\textsuperscript{13}

The Committee established to monitor the arms embargo imposed in 1992 on the supply of weapons and military equipment to Liberia did not have any specific monitoring mechanism to ensure the effective implementation of the arms embargo. The UN relied on the good faith and voluntary cooperation of states and organizations in a position to provide the UN with pertinent information. Burkina Faso, Ivory Coast and Libya, members of both ECOWAS and the UN, continued to violate the embargo.

The embargo was tightened in March 2001 by Resolution 1334 with a travel ban on senior members of the Government of Liberia and their spouses, the Liberian armed forces, and any other individuals providing financial and military support to armed rebel groups in countries neighboring Liberia, in particular the RUF in Sierra Leone. Imports of diamonds from Liberia were also forbidden. All states in the region were requested to prevent armed groups and individuals from launching attacks on Liberia from their territory. The Resolution further requested all states to:

Take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military...

vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories.14

The Security Council created a committee to monitor the arms embargo three years after imposing sanctions on Liberia in 1992. There was no record of the Liberia sanctions committee carrying out a single investigation of a reported sanctions breach. The embargoes on Liberia were simply not implemented. Burkina Faso and Ivory Coast sustained the weapons pipeline to Charles Taylor. Taylor also continued to rely on his friends, the notorious arms brokers (Minin, Bout and Ruprah), to supply arms in exchange for timber and diamonds.

Sierra Leone

By United Nations Security Council Resolution 1132 adopted on 8 October 1997, the Security Council imposed a regime of mandatory sanctions under Chapter VII of the UN Charter against Sierra Leone. Paragraphs 5 and 6 of this resolution prevented the sale or supply to Sierra Leone of petroleum and petroleum products, arms and related materiel of all types as well as imposed restrictions on the travel of members of the military *junta* of Sierra Leone and adult members of their families. These measures were imposed in view of the Council’s concerns over the continued violence following the military coup of May 25, 1997, which was deemed a threat to international peace and security in the region.

Under paragraph 8 of Resolution 1132 (1997), the Security Council, acting under Chapter VIII of the UN Charter, authorized or formally delegated:

ECOWAS, cooperating with the democratically-elected Government of

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Sierra Leone, to ensure strict implementation of the provisions of this resolution relating to the supply of petroleum and petroleum products, and arms and related materiel of all types, including, where necessary and in conformity with applicable international standards, by halting inward maritime shipping in order to inspect and verify their cargoes and destinations, and calls upon all States to cooperate with ECOWAS in this regard.\textsuperscript{15}

By paragraph 9 of this resolution, ECOWAS was required to report to the Sanctions Committee every 30 days on all activities undertaken in that regard. The Sanctions Committee was mandated by paragraph 10(f) of resolution 1132 to designate members of the military junta of Sierra Leone and adult members of their families whose entry or transit was to be prevented by all States.

Despite the embargo, the RUF continued to import weapons through neighboring states, including Liberia. The RUF also augmented its weapons supplies by seizing them from ECOWAS peacekeepers. According to Human Rights Watch, a February 2000 report from the UN wire service (operated by the UN Foundation) indicated that rebels had stolen at least 500 automatic rifles, six heavy artillery pieces, anti-aircraft guns, three armored vehicles, and five trucks from Kenyan and Guinean troops. The RUF abducted and disarmed UN peacekeepers, reportedly yielding the RUF hundreds of guns and more than a dozen armored personnel carriers.\textsuperscript{16}

ECOWAS had little capacity to play its role in enforcing the sanctions. In an April 1999 press conference in Freetown, Sierra Leone, the commander of ECOMOG in Sierra Leone, Major-General Felix Mujakperuo, accused Liberia and Burkina Faso of shipping arms to the RUF. He alleged that on March 14, 1999, a Ukrainian-registered


cargo plane delivered sixty-eight tons of weapons and ammunition to Ouagadougou, the Burkinabe capital, for onward shipment to the RUF via Liberia. In Ouagadougou, he claimed, the plane parked in the airport's VIP terminal. The cargo was then transferred for shipment by smaller aircraft to Liberia. Once in Liberia, the weapons were transported onward by land to the RUF inside Sierra Leone. The ECOMOG Force Commander reported the incident to the United Nations.\textsuperscript{17}

Togo

On February 19, 2005, ECOWAS for the first time in its history imposed an arms embargo against one of its members, Togo. In addition, a travel ban was placed on its leaders, and Togo was expelled from ECOWAS. ECOWAS imposed a complete arms embargo after Faure Gnassingbe, with the connivance of the Togolese armed forces, violated Togo’s constitution by illegally assuming the presidency after the death of his father, Gnassingbe Eyadema, who had ruled Togo for 38 years.

This attempt to subvert the Togolese constitution quickly crumbled owing to the ECOWAS arms embargo (as part of a regime of sanctions) and severe pressure from the international community. The AU decided to support the ECOWAS sanctions against Togo, including the arms embargo, and ratified the ECOWAS sanctions on February 25. On February 26, 2005, Faure Gnassingbe stepped down, and preparations for presidential elections began. On the same day Faure stepped down, ECOWAS lifted the sanctions, including the embargo. After he was declared the winner of the May 27, 2005, presidential elections, the AU also lifted the sanctions on Togo.

\textsuperscript{17} Ibid.
Ivory Coast

The UN Security Council slapped an arms embargo on Ivory Coast on November 15, 2004, over the violation of the 2003 Linas-Marcoussis Agreement (ceasefire agreement) between the Ivorian government and the New Forces rebels, who controlled the north of the country. The situation was deemed prejudicial to international peace and security, moreso as the warring parties had stepped up the carnage. The Security Council by virtue of Resolution 1572 decided that:

All States shall, for a period of thirteen months from the date of adoption of this resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms or any related materiel, in particular military aircraft and equipment, whether or not originating in their territories, as well as the provision of any assistance, advice or training related to military activities.18

As was the case with Liberia and Sierra Leone, a committee was set up to monitor the sanctions. All states in the region were also required to report to the Council measures they had taken to enforce the sanctions. Mercenaries from the subregion, particularly Liberia, and from outside the region lent their deadly services to the factions. According to the UN, the number of Liberians fighting for the Government of Ivory Coast during the 2002-2003 conflict was estimated at between 1,500 and 2,500, while those fighting for the rebels were close to 1,000. A UN Panel of Experts report in 2005 observed that many states were complying with the provisions of the sanctions, even though some were frustrated by the lack of comprehensive information on the scope of the sanctions.19


Disarmament

After at least a dozen broken peace accords and agreements, the Abuja Agreement of August 19, 1995, got the factions in the Liberian conflict to agree again to disarm in order to create a conducive environment for holding elections. According to this agreement, the parties were to disarm under the supervision of ECOMOG and monitored and verified by a United Nations Observer Mission in Liberia (UNOMIL). The demobilization and disarmament program was implemented between November 22, 1996, and February 9, 1997. The turning-in of weapons was the first step in the demobilization process. Fighters were given food rations and provided transportation to destinations of their choice in exchange for the surrender of a serviceable weapon or a hundred rounds of ammunition. By the end of the official demobilization process, 24,500 of the estimated 33,000 fighters had been disarmed and demobilized. These included 4,306 child soldiers and 250 adult female fighters. 20

According to the Bonn International Center for Conversion, 7,797 serviceable weapons, 1,782 unserviceable weapons and 1.2 million rounds of ammunition were turned in. Another 458 weapons and 25,000 rounds of ammunition were later turned in at some demobilization sites that were still kept open, and approximately 3,759 weapons were surrendered to ECOMOG outside the official sites.21 ECOMOG’s cordon-and-search operations around Liberia yielded another 122, 162 pieces of ammunition and 917 weapons. Most roadblocks were cleared and manned by ECOMOG soldiers. Elections were held on 19 July 1997 with ECOMOG providing security at all the 1,864 polling

20 Adekeye Adebajo, Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau (Boulder, CO: Lynne Rienner Publishers, 2002), 63-64.

stations. The successful holding of elections and the high voter turnout indicated that the immediate goal of the program had been achieved.  

Between 1997 and 2003, disarmament was carried out mainly by the United Nations outfits – UNOMIL and the United Nations Mission in Liberia. These activities were outside the scope of this research.

Disarmament in Liberia was a very tortuous and frustrating project for ECOWAS and UNOMIL. The various factions had little confidence in the fairness of the enforceability of the provisions. For some, “loss of weapons meant loss of power to protect their economic and ethnic survival, and possibly future legal retribution.”

The disarmament process in Sierra Leone is summarized below. It was not pertinent to this research because it was not undertaken by ECOWAS. The same was true for the Ivory Coast.

On July 7, 1999, following the signing of the Lome Peace Agreement between the government of Ahmed Tejan Kabbah and the RUF-AFRC rebels, Sierra Leone began the difficult journey to peace via disarmament. Nigeria, which was the pivot of ECOMOG operations in Sierra Leone, declared its intentions to withdraw by writing formally to the UN Secretary-General on August 19, 1999. The UN then established the United Nations Mission in Sierra Leone (UNAMSIL) on October 22, 1999 to oversee the peace process and disarmament. UNAMSIL’s core contingents were drawn from Nigeria, Ghana, Guinea, Zambia, Kenya, India, Bangladesh and Jordan. In Sierra Leone, disarmament of

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22 Adekeye Adebajo, Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau (Boulder, CO: Lynne Rienner Publishers, 2002), 63-64

combatants was undertaken by UNAMSIL and a government agency, the National Committee for Disarmament, Demobilization and Reintegration. Sierra Leone was declared “disarmed” and the war officially declared over in January 2002.

Given the enormous challenges faced by ECOWAS in trying to pacify Liberia and Sierra Leone, its achievements in these countries were commendable. ECOWAS faced very serious resource (financial and logistical) challenges, an unconcerned international community and well-armed warlords whose primary occupation was looting and personal aggrandizement. As Christopher Tuck puts it, “Financial and material constraints left ECOMOG consistently short of the means necessary either to inflict a ‘defeat’ decisive enough to deliver lasting political gains or to implement the ambitious peace-making programmes.”24 As of the time of this research, Liberia and Sierra Leone were on the paths to recovery, and the sounds of gunfire no more punctuated the night.

Civil society organizations were largely responsible for holding states accountable for what they had agreed to do in the various agreements and protocols they signed. Without civil society, the Moratorium would have remained a mere paper agreement. In this regard, the Foundation for Security and Development in Africa and WAANSA stood out as shining examples. The advocacy role of civil society organizations prodded the ECOWAS Secretariat to set up a small arms unit in the secretariat to advance the agenda of eliminating illicit SALW.

Civil society organizations were aided greatly by the expanded role they were given to participate in the work of ECOWAS under the tenure of the ECOWAS

Commission President at the time of this research, Dr. Mohammed Ibn Chambas, an advocate of civil society participation in governance in West Africa.
CHAPTER 8

SUMMARY AND CONCLUSIONS

The purpose of this research was to analyze the progress and gains ECOWAS made in containing SALW between 1998 and 2005. Previous studies had looked at ECOWAS’ initiatives separately, with the most attention being paid to the Moratorium. The significance of this study was that it was the first in-depth study of ECOWAS as a regional organization that looked at all of its initiatives (the 1998 Moratorium, arms embargoes and disarmament) in an integrated way. The research covered a seven-year period: 1998-2005.

The uncontrolled proliferation of small arms and light weapons that fuelled conflicts in West Africa galvanized member states of ECOWAS to adopt measures to bring sanity to bear on the security situation in West Africa. This research delved into the sources of conflict in West Africa and the role SALW played in those conflicts. The research analyzed some of the factors that motivated people to acquire SALW and some of the sources of supply of weapons to West Africa.

This research also traced the history, structure and evolution of ECOWAS. Originally formed to integrate West African economies, it broadened its mandate to include conflict resolution. This research also examined all the initiatives that ECOWAS deployed to combat SALW in West Africa – the Moratorium Declaration, arms embargoes, and arms collection and destruction.
The anti-proliferation efforts of ECOWAS may be said to have effectively begun in 1998 when the AHSG signed the Moratorium Declaration in Abuja, Nigeria. A Code of Conduct was later signed to guide the implementation of the Moratorium. The unprecedented subregional move was endorsed by the United Nations and the Wassenaar Arrangement and hailed worldwide as a pragmatic move to bring stability into West Africa.

The initiative of ECOWAS inspired the African Union to push for the adoption of an anti-SALW proliferation agenda. It also inspired members of IGAD and the Great Lakes Region to address the illicit proliferation of small arms by signing in March 2000 The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.

**General Assessment**

This research was done using largely qualitative data. The results therefore are largely suggestive and tentative. A more objective yardstick for measuring progress or lack thereof would have been the use of quantitative data, for example, tonnage of arms flows. This proved difficult for three reasons. First the arms trade and trafficking business is a clandestine, highly secretive and shady business. It thrives on this basis. Secondly, the porous nature of West Africa’s borders, the virtually unpatrolled coastline and the lack of effective radar coverage of the airspace ensure that people tracking arms supply are unable to perform their duties effectively. Thirdly, government officials are very reluctant to share information on arms. One highly placed security official informed me during my research that even among the security agencies themselves, they are reluctant to share specific information on quantities of arms.
The conflicts that plagued West Africa in the 1990s and well into 2005 validated the observations of Michael Klare; firstly, that the abundance of arms contributed to the severity, duration and geographic scope of recent wars, making small arms proliferation a very significant factor in the dynamics of contemporary conflict. Secondly, the outbreak of ethnic and internal conflict in weak and divided societies often produced an "internal arms race" that further drove the acquisition of small arms and light weapons. This without any doubt validated the initiatives of ECOWAS in curbing SALW proliferation.

The sources of conflict would have to be addressed to prevent grievances breaking out into violence. Once violence broke out there would be demand for SALW, and there would be suppliers. To prevent this, the quality of governance would have to be improved.

The greatest challenge for ECOWAS in ridding the subregion of SALW between 1998-2005 was securing the cooperation of states in shutting down the pipeline of weapons flow to factions involved in the various conflicts in the subregion. Burkina Faso, Ivory Coast and Guinea violated the ECOWAS Moratorium and even the UN arms embargoes. Arms brokers and greedy warlords joined them in this illicit trade.

A no less significant challenge was to effectively engage the West African public in the anti-SALW proliferation project. The public in the various states was largely unaware of what the subregion was doing officially to curb the scourge.

The ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related materials (signed on 14 June 2006), which occurred after the period of this research, replaced the Moratorium as the major instrument to fight illicit weapons trafficking and proliferation. ECOWAS again had taken an unprecedented step, but it needed to incorporate the lessons learned from the working of the Moratorium
and its other initiatives if the convention were to succeed. To enable the Convention to succeed, civil society would have to be encouraged to continue to play its advocacy and watchdog role.

Conclusions

Evaluation of the progress and gains ECOWAS made in containing the spread of SALW between 1998 and 2005 was placed in the context of what ECOWAS member states set out to do, as outlined in the Code of Conduct, and the practical things they did or did not do in that period.

A successful anti-proliferation drive depended on the realization of the following objectives outlined in the Code of Conduct: establishment of National Commissions (Article 4), development of an arms register (Article 6), harmonization of legislation and administrative measures (Article 7), seeking exemptions from the Moratorium (Article 9), and collection and destruction of surplus weapons (Article 13). In the absence of quantitative data on arms flows, the progress of ECOWAS’s anti-illicit SALW proliferation efforts was evaluated against these agreed yardsticks.

The nature of the Moratorium Declaration itself ensured that any gains that would be made would be contingent on the voluntary cooperation of states. The moratorium was not legally binding; it was only voluntary. However, even though voluntary, the conflicts and their unparalleled brutality dictated that the promises ought to be kept. Some states – Guinea, Ivory Coast, Burkina Faso, and Liberia - were not willing to bring to fruition the document that they had signed. The absence of enforceable sanctions, not even naming and shaming, encouraged these states to further imperil the security situation in West Africa.
National Commissions

In spite of the enormous responsibility placed on NatComs and their centrality to implementing anti-SALW initiatives, they did not function properly due to several reasons. Members of the NatComs were drawn from five core sectors: representatives from the ministries of foreign affairs, internal affairs and security, justice and civil society organizations. Usually the officials from the government ministries serving on the NatComs were there on secondment from their mother organizations. Membership of NatComs was not their full-time job, and they could not give it their undivided attention. Besides, the NatComs were poorly resourced and did not have independent budgets.

More importantly, security in West Africa was still synonymous with the security of the government and not seen in the wider context of human security. Representatives of the security sector tended to dominate those commissions, and turf battles were not uncommon. In nearly all the French-speaking states, as well as in Ghana, Nigeria and Sierra Leone, the NatComs were headed by military or police officers or located within the ministry of defense or interior. In Ghana’s case, the deputy minister for the interior headed the NatCom.

Frequent reshuffle of ministers/deputy ministers and transfers or reallocations of personnel in the security sector undermined the smooth functioning of the NatComs and created instability and discontinuity of programs. For these reasons, the request by civil society organizations that political appointees should not head the NatComs\(^1\) appeared reasonable.

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\(^1\) Interview with Afi Yakubu, Associate Director, Foundation for Security and Development in Africa, 11 April 2007.
The inability of some NatComs to function effectively undercut the intent of the Moratorium. They functioned more like government bureaucracies and became desk-bound. Across the subregion, most NatComs timed their activities to coincide with the UN Small Arms Destruction Day that usually fell on July 9. It is not surprising, therefore, that the Moratorium and its related instruments were not well known by the general public. Those who were familiar with the Moratorium were the NatCom members and other civil society activists and organizations.

Some NatComs, such as the one in Ghana, tried their best under the severe constraints. It had drawn up an action plan for the year 2007 and toured the ten regions of Ghana to sensitize the general public about the scourge of SALW and the need to turn over illegally acquired small arms to the security agencies.

**Arms Register**

There was no evidence of the compilation of an arms register. This was not surprising because the NatComs that should have provided the inputs were not functioning properly. At the national level some countries, for example Ghana stored information on paper and filed in cabinets. Referencing and compiling data in such cases was difficult. At the time of the research the process of computerizing the records was starting, but it was easy to surmise that there would eventually be information gaps. Until recently, the ECOWAS Secretariat did not have a small arms department to that would have collated the data provided by the NatComs.

**Harmonization of Legislation and Administrative Measures**

This provision was not complied with. It would have been a miracle if it had been complied with simply because even within the member states the laws on SALW were
outdated and inadequate. Any attempt to harmonize the laws should have begun from within states.

In Sierra Leone, the operative legal statute for the control of SALW was outdated and did not meet contemporary security challenges. The firearm legislations of Senegal and Ghana were similarly outdated. Nigeria’s legislation was more recent; it was reviewed in 1995. Even then, it had a number of defects worth rectifying, as indicated in Chapter 5.

For the better part of the period under review, Liberia and Sierra Leone were in a state of civil war and not in a position to update their laws. Guinea-Bissau went through the period unstable and on the brink of joining the list of failed states.

Collection and Destruction of Surplus Weapons

Article 13 of the Code of Conduct stipulated that member states of ECOWAS, in collaboration with the Executive Secretariat, PCASED and other relevant international organizations, would carry out systematic collection, registration and destruction of all weapons, ammunition and components that were “surplus” to national security requirements. Also included were weapons under illegal possession or those collected upon the conclusion of peace accords.

The definition of surplus added to the difficulty of implementing the provision of the article. Who determined what was surplus relative to national security requirements? Obviously, it was the state concerned. With the exception of Nigeria, no other state in West Africa had a legal small arms manufacturing company. All states imported weapons with hard-earned cash from primary commodity exports. Every state wanted to keep whatever weapons it had until they were no longer useful. As demonstrated in the
Liberian civil war, weapons not immediately needed by the state could be useful later to a faction engaging in conflict in a neighboring state.

The experience of arms collection and destruction also showed that it was largely ceremonial in character. Sometimes it was the unserviceable and less sophisticated weapons that were usually turned in voluntarily.

**Exemptions**

Article 9 of the Code of Conduct requested member states to apply for exemptions from the provisions of the Moratorium. The article requested member states to apply for exemptions from the Moratorium in order to meet legitimate national security needs. This emerged as the most complied with and the most successful provision. It had the potential to reduce nervousness among member states.

**Arms embargoes**

The arms embargoes placed on Liberia and Sierra Leone were not enforced or were unenforceable because of the lack of sanctions on embargo-busting states and individuals. ECOWAS did not have the logistical and intelligence capacity to enforce the sanctions. It was given a monitoring role in enforcing the sanctions against Sierra Leone. The RUF continued to import arms from Liberia and even seized weapons from ECOMOG forces. In the case of Liberia, both Burkina Faso and Ivory Coast ignored the legally binding sanctions and continued to sustain the arms pipelines to Charles Taylor. The arms brokers, Bout and Minin, continued through their elaborate and clandestine network to supply weapons to Taylor.

According to the UN, the arms embargo on Ivory Coast in 2005 was largely complied with. The arms embargo on Togo was lifted after six days because the Togolese regime complied with the demands of ECOWAS to respect the constitution. The embargo
was not in operation for long, and therefore ECOWAS’ ability to enforce or police its own sanctions was not tested.

ECOWAS made commendable efforts to control the proliferation of illicit SALW between 1998 and 2005. However, the intent to achieve the goals was not matched by political will even from the heads of state who voluntarily appended their signatures to the Moratorium and other protocols. The infrastructure to effectively deal with the issues like fully functioning NatComs, an arms register, and harmonization of laws was not constructed. However, progress was made in the application for exemptions by member states; increasingly states begun to apply for exemptions to import arms for legitimate security needs. This was an effort at transparency and to calm nervous neighbors. ECOWAS’ effort also encouraged civil society to intensify the beam on illicit SALW. Finally, the modest efforts of ECOWAS encouraged other regional organizations like the SADC and those of the Great Lakes Region and IGAD to coordinate efforts in fighting SALW through regional agreements.
## APPENDIX 1

### Human Development Index ranking for West African States

The human development index (HDI) is a composite index that measures the average achievements in a country in three basic dimensions of human development: a long and healthy life, as measured by life expectancy at birth; knowledge, as measured by the adult literacy rate and the combined gross enrolment ratio for primary, secondary and tertiary schools; and a decent standard of living, as measured by GDP per capita in purchasing power parity (PPP) US dollars. Countries are classified into three categories: high, medium and low human development index.

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</tr>
</thead>
<tbody>
<tr>
<td>Benin</td>
<td>162</td>
<td>54.0</td>
<td>33.6</td>
<td>1,115</td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>175</td>
<td>47.5</td>
<td>12.8</td>
<td>1,174</td>
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<tr>
<td>Cape Verde</td>
<td>105</td>
<td>70.4</td>
<td>75.7</td>
<td>5,214</td>
</tr>
<tr>
<td>Gambia</td>
<td>155</td>
<td>55.7</td>
<td>37.8</td>
<td>1,859</td>
</tr>
<tr>
<td>Ghana</td>
<td>138</td>
<td>56.8</td>
<td>54.1</td>
<td>2,238</td>
</tr>
<tr>
<td>Guinea</td>
<td>156</td>
<td>53.7</td>
<td>41.0</td>
<td>2,097</td>
</tr>
<tr>
<td>Guinea-Bissau</td>
<td>172</td>
<td>44.7</td>
<td>39.6</td>
<td>711</td>
</tr>
<tr>
<td>Ivory Coast</td>
<td>163</td>
<td>45.9</td>
<td>48.1</td>
<td>1,476</td>
</tr>
<tr>
<td>Mali</td>
<td>174</td>
<td>47.9</td>
<td>19.0</td>
<td>994</td>
</tr>
<tr>
<td>Niger</td>
<td>177</td>
<td>44.4</td>
<td>14.4</td>
<td>835</td>
</tr>
<tr>
<td>Nigeria</td>
<td>158</td>
<td>43.4</td>
<td>66.8</td>
<td>1,050</td>
</tr>
<tr>
<td>Senegal</td>
<td>157</td>
<td>55.7</td>
<td>39.3</td>
<td>1,648</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>176</td>
<td>40.8</td>
<td>29.6</td>
<td>548</td>
</tr>
<tr>
<td>Togo</td>
<td>143</td>
<td>54.3</td>
<td>53.0</td>
<td>1,696</td>
</tr>
</tbody>
</table>


*Notes:* There is no data for Liberia in the HDI ranking.

The 2005 HDI rankings begin at 1 (first) and end at 177 (bottom).
**APPENDIX 2**

*Arms Deliveries to Developing Nations, 1999-2006*

Leading Suppliers Compared (in millions of current US dollars)

<table>
<thead>
<tr>
<th>Rank</th>
<th>Supplier</th>
<th>Deliveries Value 1999-2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>United States</td>
<td>61,072</td>
</tr>
<tr>
<td>2</td>
<td>Russia</td>
<td>32,300</td>
</tr>
<tr>
<td>3</td>
<td>United Kingdom</td>
<td>27,900</td>
</tr>
<tr>
<td>4</td>
<td>France</td>
<td>16,600</td>
</tr>
<tr>
<td>5</td>
<td>China</td>
<td>5,800</td>
</tr>
<tr>
<td>6</td>
<td>Germany</td>
<td>4,200</td>
</tr>
<tr>
<td>7</td>
<td>Sweden</td>
<td>3,600</td>
</tr>
<tr>
<td>8</td>
<td>Israel</td>
<td>3,000</td>
</tr>
<tr>
<td>9</td>
<td>Ukraine</td>
<td>2,300</td>
</tr>
<tr>
<td>10</td>
<td>Italy</td>
<td>1,300</td>
</tr>
<tr>
<td>11</td>
<td>Belarus</td>
<td>1,100</td>
</tr>
</tbody>
</table>

*Source: United States Congressional Research Service, 2007*
# APPENDIX 3

## Production of major modern military automatic rifles

<table>
<thead>
<tr>
<th>Type and variants</th>
<th>Country of origin</th>
<th>Other producers</th>
<th>Quantity produced</th>
</tr>
</thead>
<tbody>
<tr>
<td>AK-47</td>
<td>USSR</td>
<td>Albania, Bulgaria, China, Germany, Egypt, Hungary, India, Iraq, North Korea, Pakistan, Poland, Romania, Russia, Serbia, and Venezuela</td>
<td>70 million-100 million</td>
</tr>
<tr>
<td>SKS</td>
<td>USSR</td>
<td>China</td>
<td>15 million</td>
</tr>
<tr>
<td>MI6</td>
<td>United States</td>
<td>S. Korea</td>
<td>12 million</td>
</tr>
<tr>
<td>G3</td>
<td>Germany</td>
<td>Iran, Pakistan, Turkey</td>
<td>7 million</td>
</tr>
<tr>
<td>Type 63</td>
<td>China</td>
<td></td>
<td>6 million</td>
</tr>
<tr>
<td>FAL</td>
<td>Belgium</td>
<td>Austria, Mexico, UK.</td>
<td>5 million-7 million</td>
</tr>
<tr>
<td>M14</td>
<td>United States</td>
<td></td>
<td>1,380,346</td>
</tr>
<tr>
<td>Stgw</td>
<td>Switzerland</td>
<td></td>
<td>600,000</td>
</tr>
<tr>
<td>INSAS</td>
<td>India</td>
<td></td>
<td>528,000</td>
</tr>
<tr>
<td>F1</td>
<td>France</td>
<td></td>
<td>400,000</td>
</tr>
<tr>
<td>L85</td>
<td>United Kingdom</td>
<td></td>
<td>400,000</td>
</tr>
<tr>
<td>AK5</td>
<td>Sweden</td>
<td></td>
<td>250,000</td>
</tr>
<tr>
<td>Others</td>
<td></td>
<td></td>
<td>5 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>124 million -156 million</td>
</tr>
</tbody>
</table>

*Source: Small Arms Survey, Graduate Institute of International Studies: Geneva, 55.*
APPENDIX 4

Request by Nigeria for exemption

MINISTRY OF CO-OPERATION & INTEGRATION IN AFRICA

THE PRESIDENCY
Plot 496, IPCR Building,
Abuja Largema Street,
Off Constitution Avenue,
Airport Road, Central District,
Abuja.

OFFICE OF THE DIRECTOR-GENERAL

Ref: MCA/CDS/025/Vol.1/75

The Executive Secretary
Economic Community of West Africa States (ECOWAS)
60 Abubu Gowan Way,
Asokoro,
Abuja.

REQUEST FOR WAIVERS TO IMPORT AMMUNITION BY MESSRS
BARBADOS VENTURES LIMITED

This is to notify the Executive Secretary that the Federal Government of
Nigeria has awarded a contract to Barbados Venture Limited Kaduna -
Nigeria to import 320,000 rounds of .9mm Parabellum Ammunition for
the purpose of anticrime operations with a view to enhancing Internal
Security of the Country.

2. The Nigeria National Committee on the ECOWAS Moratorium on Small
Arms and Light Weapons has received an application for Waivers in order to
enable the Nigeria Police purchase these items for the purposes mentioned
herein (copy of the request by the Inspector-General of Police
No.C82323/B Dept/PHQ/ABJ/Vol.1/119 dated March 13, 2003 is
hereby attached for ease of reference).

3. Please, accept your Excellency, the assurances of my highest
consideration.

AMBASSADOR BROWNSON DEDE
DIRECTOR-GENERAL
APPENDIX 5

CONSENT FORM


Principal Investigator: Mba Atinga Phone: (404) 753-8844
Principle Advisor: Dr. Art Hansen Phone: (404) 880 6666
Meeting Date: _______________________

You are invited to participate in this Ph.D. dissertation research, which seeks to examine the initiatives that ECOWAS used between 1998 and 2005 to curb the proliferation of illicit small arms and light weapons in the subregion.

Small arms and light weapons have been the scourge of the subregion with devastating consequences. The main objectives of the research are to assess the progress or gains ECOWAS made in curbing the proliferation of illicit small arms and light weapons in West Africa between 1998 and 2005.

You were selected to participate in this study and provide your opinion on the subject because of your profile.

Your participation in this study is entirely voluntary. If you decide to participate, you are free to withdraw your consent and to discontinue participation at any time without any consequences to you. Your signature indicates that you have read and understood the above information, that you have discussed this study with the person obtaining the consent, and that you have decided to participate based on the information provided.

______________________________   _______________________
Signature of participant                   Date

______________________________   _______________________
Signature of Authorized Representative       Date
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