



Preventing Crimes and Violent Deaths Involving Small Arms and Light Weapons

June 2017

Armed violence and gun crime take many forms but one thing is clear – they are mostly committed with weapons: small arms and light weapons (SALW) and their corresponding ammunition, as well as homemade explosives and sharp instruments turned into weapons. Most countries are affected in some way by violence with small arms and light weapons, particularly firearms violence.

This paper outlines the scale and types of crime and violence perpetrated with SALW as presently known, and calls for measures to be developed to improve relevant data and to more fully implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, agreed in 2001 and due to be reviewed at the UN Conference on 18-29 June 2018.

In 2012, at the Second UN Conference to review progress made in implementing the PoA, States emphasized that:

“the illicit trade in small arms and light weapons continued to exacerbate armed violence, undermine respect for international humanitarian law and international human rights law, aid terrorism and illegal armed groups and facilitate transnational organized crime, as well as trafficking in humans, drugs and natural resources...[and]... impedes the provision of humanitarian assistance to victims of armed conflict, contributing to the displacement of civilians and undermining sustainable development and poverty eradication efforts.”¹

But gun violence and crime are not inevitable. They are caused by people, and can be solved by people applying the rule of law. Nevertheless, this is a major challenge. As the UN Secretary General warned the international community in April 2016, “There is a collective sense that our toolbox has not kept

pace with the emerging and increasingly complex challenges we face in peace and security. Conflict is increasingly transnational and difficult to resolve through the traditional tools at our disposal.”²

How big and varied is the problem?

Global analysis of the problem is hampered by insufficient statistical information. However, according to the best estimates:

- Over half a million people are estimated to have died violently in armed conflict situations as well as in other situations outside battlefields between 2010 and 2015.³
- More than 1.5 billion people are estimated to live under the threat of violence.⁴
- Firearms are used in almost half of all homicides globally and in nearly one-third of direct conflict deaths, at an annual average of almost 200,000 firearms deaths per year for the period 2007-2012.⁵
- Three quarters of deaths from armed violence occur in non-conflict settings, and an estimated two million people in non-conflict settings live with firearm-related injuries.⁶

Despite the massive scale of human suffering, data reported by States is often undercounted. This is mainly due to a lack of administrative priority and efficiency but also to political manipulation.⁷

2. UN Secretary General Press Statement on UN Peace Operations Review, UN News Centre, New York 11 April 2016.

3. Geneva Declaration on Armed Violence and Development Secretariat, *Global Burden of Armed Violence 2015: Every Body Counts*, Chapter 2

4. The World Bank, *World Development Report 2011: Conflict, Security and Development*.

5. Small Arms Survey, *Firearms and violent deaths*, Research Note No. 60 (October 2016) p. 1; see also UN Office on Drugs and Crime, *Global Study on Homicide*, 2013, chapter 3, *Homicide Mechanisms*

6. Anna Alvazzi del Frate, “A matter of survival: non-lethal firearm violence”, in *Small Arms Survey 2012: Moving Targets*, pp. 79-105.

7. The points here and below about underreporting and undercounting homicides are powerfully made by Rachel Kleinfeld, “Reducing All Violent Deaths, Everywhere: Why the Data Must Improve”, Carnegie Endowment for International Peace, January 2017.

1. United Nations General Assembly, A/CONF.192/2012/RC/4, annex I, Outcome Document of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, held from 27 August to 7 September 2012, Section I, paragraphs 4 and 5

Homicides

The availability of firearms is a significant factor in the incidence of homicide. Other factors include, for example, a pre-existing culture of violence and absence of ways to resolve ordinary disputes and grievance that boil over and escalate into gun violence once firearms become easily available.⁸ According to an analysis by the Secretariat of the Geneva Declaration on Armed Violence and Development using data mainly from the World Health Organization (WHO) and UN Office on Drugs and Crime (UNODC):⁹

- Roughly 3/4 of violent deaths globally are homicides.¹⁰
- It is estimated that at least 377,000 people died from intentional homicides on average every year between 2007 and 2015.¹¹
- With their high level of lethality, firearms are the most widely used weapons, accounting for 177,000 (41%) of the global total in 2012.¹²

The UN Office on Drugs and Crime has reported that homicides continue to decline globally.¹³ However, inferences on trends and country comparisons from the WHO and UNODC datasets can sometimes be misleading, because they are based on reporting from only about 50% of States.¹⁴ Both datasets have missing or incomplete data for populous countries, including China, Brazil, and Russia, and official responses to UN requests for data are particularly low in Africa, Asia and the Middle East. Far fewer States report health statistics than police statistics, and homicide counts are particularly weak in countries in conflict. In addition, law enforcement agencies in some countries report a homicide only after a successful prosecution or once a case is closed, and some agencies omit thousands of individuals who have been forcibly disappeared.¹⁵

8. UN General Assembly, Report of the Panel of Governmental Experts on Small Arms, A/52/298, 27 August 1997.

9. See the Geneva Declaration on Armed Violence and Development Secretariat, *op cit*; UNODC, *Global Study on Homicide 2013*; the World Health Organization Global Health Observatory Data Repository, "Homicide Estimates by Country"; 10. Geneva Declaration, *op cit*.

11. The average total per year for intentional homicides excluded 42,000 deaths from unintentional homicides, and 19,000 deaths due to legal interventions.

12. UNODC, 2013, *op cit*, chapter 3

13. UNODC, *ibid*

14. Again these points are made by Kleinfeld, 2017, *op cit*

15. *Ibid*

Conflict deaths: battle-related or resulting from one-sided armed violence

Uppsala University's Conflict Data program defines "conflict deaths" as (a) 'battle-related deaths': those combatants and others killed 'directly' in battle; as well as (b) 'one-sided armed violence': the killing of unarmed civilians perpetrated by a State's armed forces or by organized armed groups. Although statistics on these deaths are also difficult to obtain,¹⁶ there are some general trends:

- The annual number of direct battle deaths has risen from about 70,000 annually from 2007 to 2012, to 90,000/year from 2010 to 2015, with 80% of those deaths occurring in just three countries: Afghanistan, Iraq, and Syria.¹⁷
- The number of internal armed conflicts in 2014 was back to where it was in the mid-1990s and although wars between States are at an all-time low compared to civil wars over this period, when they do occur, they can be the most deadly category of all.¹⁸
- Small, organized groups, such as guerrillas and paramilitaries, are responsible for an increasing number of violent deaths.¹⁹
- Compounding the deaths from small arms and light weapons, explosive weapons were used in 566 incidents during 2011-2015 resulting in 188,325 deaths and injuries of which 3/4 were civilians, 59% of whom were killed or injured with improvised explosive devices.²⁰

However, the totals should be treated with caution. No separate data sets exist for lawful and unlawful battle-related deaths and in any case this would be very difficult to achieve. Uppsala's definition of 'one-sided violence' only includes results where there are at least 25 deaths in a year, and excludes

16. *Ibid*

17. "Monitoring Trends in Violent Deaths," Research Notes 59, Small Arms Survey, September, 16 May 2016; and "Every Body Counts," Research Notes 49, Small Arms Survey 2015

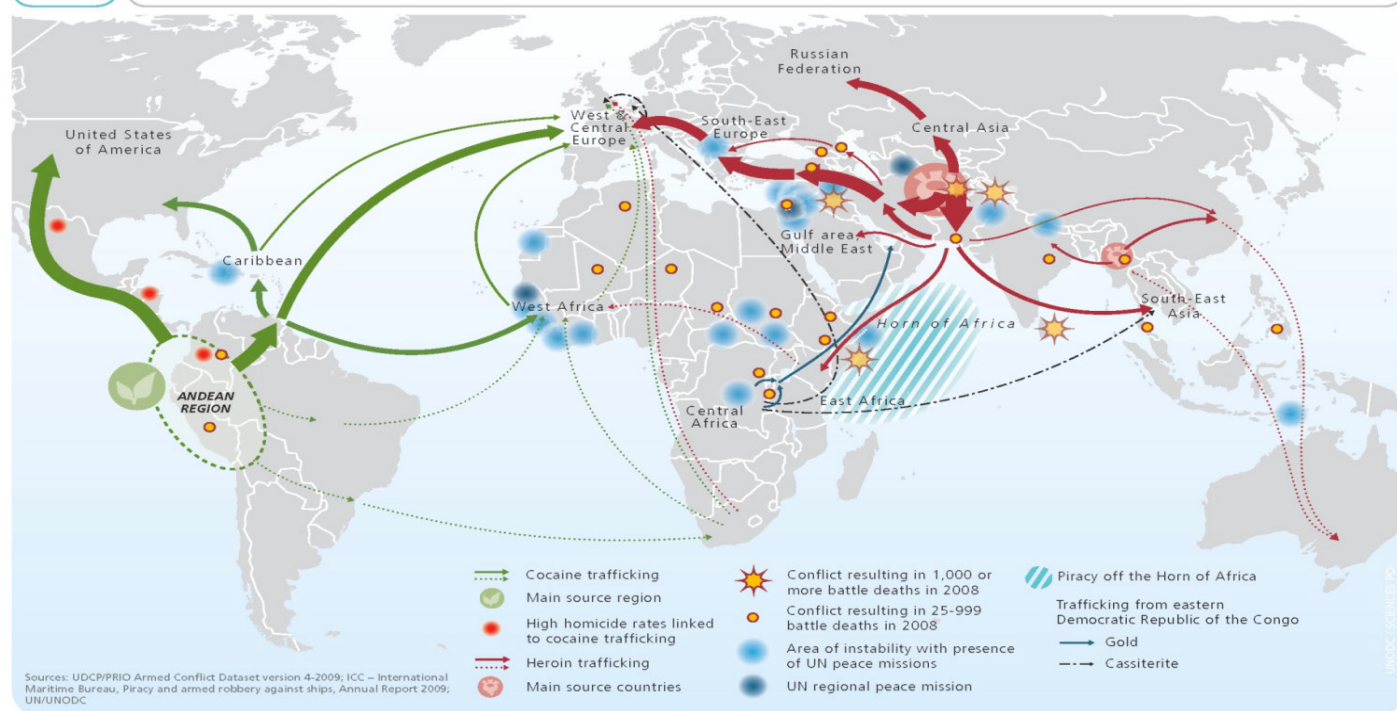
18. Report of UN Secretary General, The illicit trade in small arms and light weapons in all its aspects, 27 May 2016, A/CONF.192/BMS/2016/1; for detailed data see Civil War Datasets kept by Uppsala University at "UCDP Datasets," Department of Peace and Conflict Research, Uppsala University and by the Centre for the Study of Civil War at the Peace Research Institute Oslo. See also the Armed Conflict Location and Event Data Project (ACLED), originally based at the University of Sussex and now registered in the USA. <http://www.pcr.uu.se/research/ucdp/datasets/>

19. Uppsala dataset, *op cit*

20. Action On Armed Violence, Patterns of Harm: Five Years of AOAV Explosive Violence Data (2011-2015), 2 August 2016

FIG. 170:

THE INTERSECTION OF TRANSNATIONAL ORGANIZED CRIME AND INSTABILITY



extrajudicial killings in government facilities.²¹ In some countries such as Mexico and Iraq deaths in ‘one-sided violence’ have only been reported if the perpetrator is recorded as known.²² An over-reliance on English language sources has also led to undercounting. For example a Colombian think tank using many local non-English sources found that Uppsala had counted less than half the Colombian battle-related deaths in most years.²³

‘Legal intervention deaths’ by law enforcers

This category includes deaths from legitimate law enforcement actions that are apparently “in the line of duty”, but according to the UNODC it excludes deaths from actions that are not in accordance with the UN Basic Principles on the Use of Force and Firearms for Law Enforcement Officials, therefore from actions involving human rights violations.²⁴ The totals are so subject to distortion in many countries that Rachel Kleinfeld recently wrote: “the global thinking on violence might fundamentally alter if legal intervention killings were counted.”²⁵ She drew attention to the following:

- As with the homicide data, data for Africa are largely absent, country data are not comparable, and perhaps most crucially, undercounting is endemic and politicized. For example, if Nigeria counted legal intervention deaths, its homicide rate would probably rise by more than 40%.
- For many years, the Soviet Union refused to report statistics to the United Nations, claiming that there was no crime to report; today, researchers believe Russia’s real homicide rate may be a third higher than it is reporting.²⁶
- China, home to 1/7 of the world’s population, has very patchy homicide statistics; deaths caused by forced labour camps or extrajudicial executions are unknown, though it is evident that State execution rates are high.²⁷
- In the United States, one study found that there were nearly 1,000 legal intervention killings in 2015.²⁸ But it is hard to know for certain, because reporting from each of the hundreds of US police precincts has been voluntary.

21. Appsal University, Department of Peace and Conflict Research, op cit, ‘Definitions’

22. Kleinfeld 2017, Op cit

23. Jorge Restrepo, Michael Spagat, and Juan F. Vargas, “Special Data Feature: The Severity of the Colombian Conflict: Cross-Country Datasets Versus New Micro-Data,” *Journal of Peace Research* 43, no. 1 (January 2006): 99–115.

24. UNODC, op cit, p. 102

25. Kleinfeld, 2017, Op cit

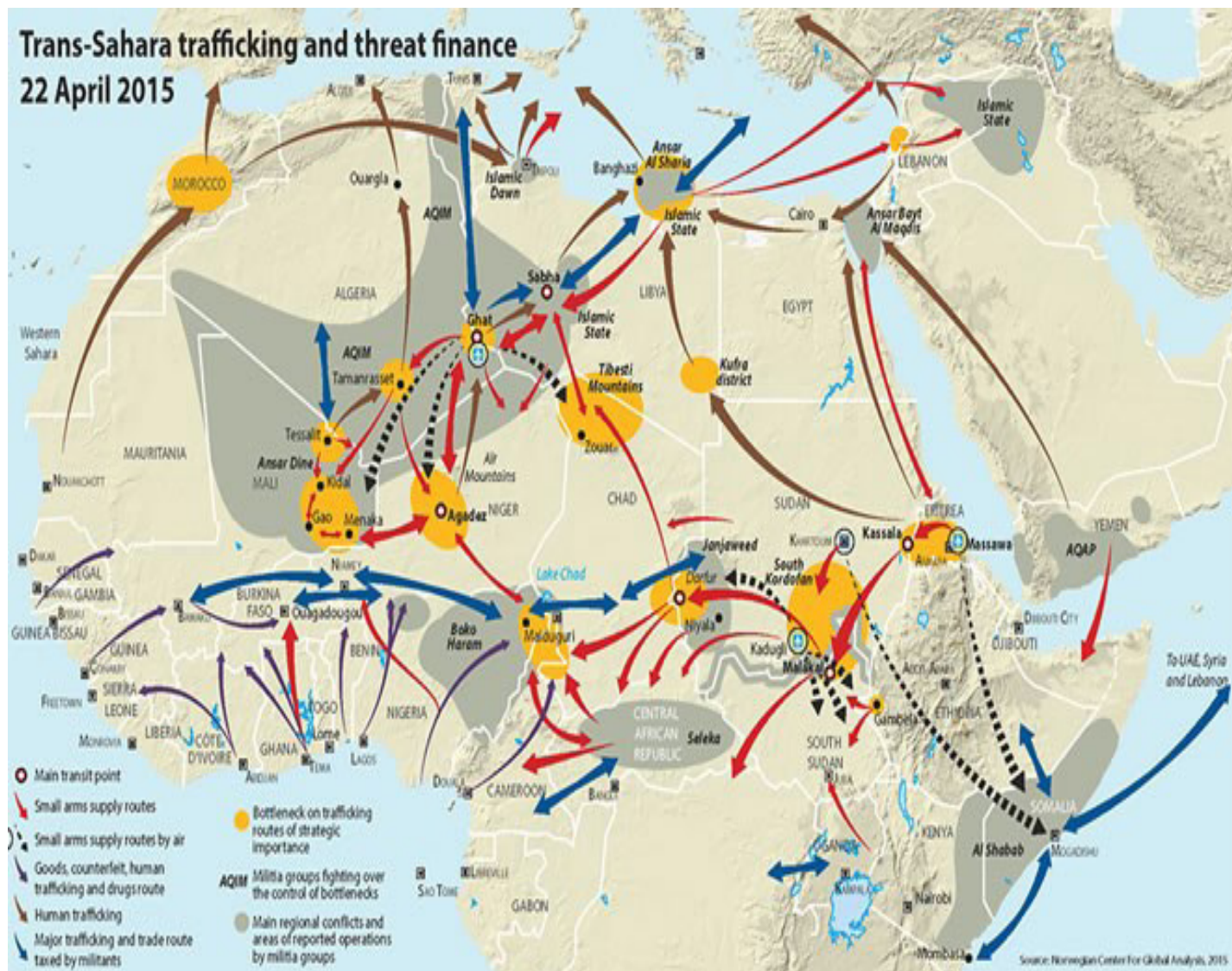
26. Lysova and Shchitov, “What Is Russia’s Real Homicide Rate?” *Statistical Reconstruction and the ‘Decivilizing Process,’* *Theoretical Criminology* 19, no. 2 (2015): 257–77.

27. Amnesty International, Annual Reports 2016-2017.

28. The study found that another 54,300 people required hospital treatment for injuries. See Ted R Miller, Bruce A Lawrence, Nancy N Carlson, Delia Hendrie, Sean Randall, Ian R H Rockett, Rebecca S Spicer. *Perils of police action: a cautionary tale from US data sets.* *Injury Prevention*, 2016; injuryprev-2016-042023 DOI: 10.1136/injuryprev-2016-042023

Trans-Sahara trafficking and threat finance

22 April 2015



Links to terrorism, organised crime and corruption

SALW are easy to conceal and transport, inexpensive, and easy to handle, and offer lucrative profits to criminal organisations involved in trafficking goods and people with them. In the UN Program of Action on small arms and light weapons (PoA), Member States expressed their concern about “the close link between terrorism, organized crime, trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons, and stressing the urgency of international efforts and cooperation aimed at combating this trade simultaneously from both a supply and demand perspective.”²⁹ The Security Council has also noted with growing concern the threat transnational organised crime poses to international security.³⁰ This is illustrated in the maps.³¹

29. PoA, Preamble paragraph 7.

30. UN Security Council, S/PRST/2010/4.

31. The global illustrative map is from UN Office on Drugs and Crime (UNODC), ‘The benefits and uses of the Convention

Corruption often helps facilitate illicit arms trafficking. In 2011, the World Bank’s landmark World Development Report on Conflict, Security, and Development noted: “Corruption [...] has doubly pernicious impacts on the risk of violence, by fuelling grievances and by undermining the effectiveness of national institutions and social norms.”³² For example, according to interviews conducted by Transparency International, pro-ISIL (Da’esh) groups, using middlemen, pay bribes to low-ranking officers on both sides of the Egyptian-Libyan border to facilitate the exchange of commodities including weapons.³³ The sources interviewed stated that ISIS had bought weapons using either cash or drugs, including Tramadol (common, sourced from Egypt), hashish

against Transnational Organised Crime’, presentation by Karen Kramer to the Conference on Fraudulent Medicines, 14-16 February 2012, and the map of Africa is from the Norwegian Centre for Global Analysis, 2015.

32. World Development Report, 2011, pp. 7-8;

33. Transparency International UK Defence and Security Programme, ‘The Big Spin: corruption and the growth of violent extremism’, February 2017

(common, sourced from Morocco), opium (rare) and cocaine (moderately common).

Examining the top 20 countries with very high levels of corruption³⁴, they are disproportionately more likely to have experienced violent conflict: 11 of the 20 most corrupt countries have been affected by violent conflict, often lasting many years.³⁵ Corruption enables extremist movements to draw on deep public anger at the abuse of power as a means to radicalize and recruit, and to deepen sectarian divisions, as in Afghanistan, Nigeria and Syria.³⁶ Moreover, links between organized crime and corrupt officials facilitate illicit flows of finance and arms as found in eastern DRC, Libya and Iraq.³⁷

State repression and the rule of law

Many States agree that death and injury resulting from firearm-related violence is a major human rights issue.³⁸ A brutal pattern of State repression can often trigger the start or an increase in violent armed opposition. In her analysis of the 103 countries that experienced some form of civil war between 1945 and 2009, Barbara Walter concluded that “Governments that are beholden to a formal constitution, that follow the rule of law, and that do not torture and repress their citizens are much less likely to face renewed violence in any form.” She also found that significant reductions in the number of political prisoners and extrajudicial killings made the renewal of civil war between two and three times less likely than in countries with higher levels of human rights abuses.³⁹

Preventing the illicit SALW trade from fuelling violence

These observations should be taken into account in June 2018 at the global conference to review the UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons in All its Aspects (PoA). The PoA and subsequent instruments relating

to its implementation provide a framework for much-needed national, regional and global action. However, this framework needs to be strengthened, for example by including ammunition and improvised explosives, and by making explicit the connections to patterns of pervasive armed violence, corruption and human rights abuse. Governments must be honest in their appraisals of where they have succeeded and failed in their efforts to prevent and combat the illicit trade. They also must commit to taking more robust measures at the national level and to increasing international cooperation.

States and the UN must provide reliable data on armed crime and violence

The international community needs accurate data to know which programs and policies actually reduce violence. In 2013, the UN Statistical Commission and the UN Commission on Crime Prevention and Criminal Justice developed a two-part program to improve statistics through a new protocol known as the International Classification of Crime for Statistical Purposes (ICCS).⁴⁰ This would standardize how homicide data are collected and would include terrorist murders, killings by police officers using excessive armed force, and extrajudicial killings. Member States need to demonstrate the political will to support accurate and reliable statistics on conflict deaths, harnessing the good work of existing data-collecting organisations.⁴¹ They also need to provide the financial resources for these efforts.

States must improve their PoA implementation and reporting

Analysis of Member States’ national reports shows that they have not fully implemented the PoA. A total of 604 national reports were submitted between 2002 and 2011 and 158 States submitted at least one report, but 35 States did not submit any report.⁴² Of the 73 States that submitted reports up to 2 June 2016, 15 still did not have a National Coordinating Agency for SALW, 23 did not mark SALW when transferred to private owners or dealers from

34. As reflected in low scores in the Transparency International Corruption Perception Index or in the World Bank’s Control of Corruption scores

35. Transparency International Deutschland, ‘Corruption as a Threat to Stability and Peace’, February 2014.

36. ‘The Big Spin’, op cit

37. ‘The Big Spin’, op cit

38. Reports of the Office of the United Nations High Commissioner for Human Rights, Impact of arms transfers on the enjoyment of human rights, A/HRC/35/8, 3 May 2017, and Human rights and the regulation of civilian acquisition, possession and use of firearms, A/HRC/32/21, 15 April 2016

39. Barbara F. Walter, “Conflict Relapse and the Sustainability of Post-Conflict Peace”, background paper for the World Development Report, 2011.

40. UNODC, <https://www.unodc.org/unodc/en/data-and-analysis/statistics/iccs.html>

41. UN Office on Drugs and Crime, the World Health Organization Global Health Observatory Data Repository, the Department of Peace and Conflict Research, Uppsala University, the Secretariat of the Geneva Declaration on Armed Violence and Development and the Small Arms Survey, Geneva.

42. Sarah Parker and Katherine Green, A Decade of Implementing the United Nations Programme of Action on Small Arms and Light Weapons: Analysis of National Reports, United Nations Institute for Disarmament Research and Small Arms Survey, 2012.

government stocks, 17 had no law to regulate arms brokering as such, 15 did not verify End Use/User Certificates, and only 26 use Delivery Verification Certificates.⁴³

Most reporting States said that they assess exports according to certain criteria, but the export criteria are sometimes vague. Few states gave details of the procedures followed in initiating and responding to tracing requests (as outlined in the International Tracing Instrument). Overworked national and international officials and their underfunded departments often complain about the 'administrative burden' of compiling such reports, yet given the worldwide human suffering and socio-economic devastation being caused by the illicit trade the onus should be on governments to provide better administrative resources.⁴⁴

States must fully uphold the Rule of Law

National and international frameworks to realistically tackle 'the illicit trade in all its aspects' must more fully reflect the rule of law at the national and international levels, putting into practice the General Assembly's November 2012 'Rule of Law Declaration' that "human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations."⁴⁵ The framework provided by this UN Declaration compliments that agreed in the UN under Agenda 2030 for the Sustainable Development Goals (SDGs) where Goal 16 on peace, justice and strong institutions addresses issues of violence, and where target 16.4 requires a significant reduction of illicit financial and arms flows.⁴⁶

Trafficking and the abuse of small arms and light weapons contrary to national and/or international

43. UN Office of Disarmament Affairs, Implementation Support System, analysis of National Reports for 2016 up to 2 June, accessed 20 February 2017.

44. Discussions by the author with State officials in Geneva and New York, June and October 2016.

45. UN General Assembly, Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, Resolution A/RES/67/1, 30 November 2012.

46. United Nations General Assembly, Sustainable Development Goals: 17 Goals to Transform our World, Resolution 70/1; see Goal 16 in particular.

laws fuel corruption and organized crime. Such weapons provide the main means for those who commit atrocities, as UN numerous reports show.⁴⁷ States can prevent, detect and prosecute such violent crimes by fully implementing the UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials⁴⁸ as well as their obligations under international humanitarian and human rights law, the Convention against Transnational Organised Crime and its Firearms Protocol,⁴⁹ the Convention against Corruption and other relevant treaties to which they are a party, in particular the Arms Trade Treaty.

The paper was prepared by Brian Wood. Peter Danssaert collected data and Natalie Goldring commented on the draft. Brian is a UK-based consultant on arms control and the security trade, including for various UN bodies. For many years Brian headed Amnesty International's work on the Arms Trade Treaty. He helped found IANSA, later serving on its International Advisory Committee.

47. See reports of the UN Sanctions Committees and their monitoring teams and panels, <https://www.un.org/sc/suborg/en/> and the reports of UNODC, op cit and Interpol,

48. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990; see also the Code of Conduct for Law Enforcement Officials, Adopted by General Assembly resolution 34/169 of 17 December 1979.

49. Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, 2001; this Protocol establishes standards and procedures that complement and reinforce the PoA.