TOWARDS THE GROUP OF GOVERNMENTAL EXPERTS MEETING ON
AMMUNITION

PRIORITIES FOR ECOWAS MEMBER COUNTRIES
WORKING PAPER SUBMITTED BY GHANA

Background

This paper seeks to provide the priorities of ECOWAS Member countries and to inform the work of the upcoming Group of Governmental Experts (GGE) established pursuant to General Assembly Resolution 72/55 titled, “Problems arising from the accumulation of conventional ammunition stockpiles in surplus”, with Germany as the lead sponsor.

The resolution encourages Member States to participate in an open and informal consultations at subregional, regional and international levels in support of the GGE process in 2020. For this reason, Germany, with the support of Ghana organized the ECOWAS Africa Regional Consultation in Abidjan on 29th October, 2018 to discuss, collate and integrate the priorities and perspectives of West African States in the GGE process.

The African Regional Consultation Meeting in Abidjan was attended by government representatives in West Africa, officials of the ECOWAS Commission, Experts from National Small Arms and Ammunition Commissions and civil society organizations.

The objectives of the meeting were to brief ECOWAS Member States GGE process to be established by the UN Secretary-General pursuant to UNGA resolution 72/55, discuss ammunition control and management mechanisms in the Region with respect to the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials, and elicit the views and priorities of ECOWAS for the GGE process.

Conventional Ammunition Management in West Africa

In West Africa, the constant supply, availability and proliferation of ammunition to all potential actors of violence – either through use in criminal activity, use by terrorists, misuse by State forces, interpersonal violence between civilians, or incidents with non-state actors is a major driving force behind armed violence and conflicts in the Region.

Against this backdrop, it was gathered from the experiences of Member States that ammunition control or shortage can enormously influence the outcome of violent conflicts, including sudden cessation of hostilities. For instance in June 2003, anti-government forces attacking Monrovia, the capital of Liberia, were said to have been forced to retreat when they ran out of ammunition.

Participants also noted that conventional ammunition is also in high demand on the illicit market and the easy availability in the sub region has been recognized as the catalyst for the vibrant artisanal arms production within the sub region. Indeed, these artisanal weapons are manufactured in a reverse system to be able to fire a particular type of ammunition available, mostly the easily available conventional ammunition on the illicit market.
It was also noted that quite a number of countries have suffered explosions within their own managed ammunition stockpiles mainly due to lack of effective management systems, including regulations and administrative measures to manage ammunition stocks, frequent encroachment on ammunition storage depots, outmoded ammunition storage depots (Depots and stores sometimes date back to the colonial times and provide inadequate storage capacities for the types and quantities of the stocked ammunition), lack of financial resources and modern technical equipment, poor accounting and record-keeping systems, constraints in the rehabilitation of storage depots and challenges in disposing expired and obsolete ammunition.

It was realized that these explosions have led to the injuries and death of thousands of people, and the loss of livelihoods of entire communities. The most devastating incident took place in Lagos, Nigeria in 2002 with a reported killing of approximately 1,500 people and more than thousand injured.

Similarly, unsecured or poorly managed national ammunition stockpiles were also identified to be recipes for massive diversion into illicit markets and targets for criminal groups, especially terrorist groups and violent extremists. There were also concerns that diverted ammunitions are increasingly accessed by terrorist groups to assemble improvised explosive devices (IEDs) in the Region.

**ECOWAS Regional Framework**

During the consultations, ECOWAS Member States discussed the current framework related to conventional ammunition management in the region, principally the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials.

The legally-binding ECOWAS Convention was adopted in June 2006 and came into force in September 2009, regulating the manufacture, trade, possession and disposal of small arms and light weapons and its ammunition, in order “to prevent and combat the excessive and destabilizing accumulation of small arms and light weapons within ECOWAS”.

In its Article 1(11), the Convention underscores that the inherent inclusion of ammunition in the discourse on SALW stating that “in this Convention this shall be deemed to include ammunition and other related materials”. Indeed, the Convention in its Article 1(3) defines ammunition as “Devices destined to be shot or projected through the means of firearms including among others: cartridges; projectiles and missiles for light weapons; mobile containers with missiles or projectiles for anti-aircraft or antitank single action systems”.

The Convention outlines commitments of ECOWAS States on ammunition controls, covering international transfers (including criteria for risk assessment), measures to prevent diversion, and the development of standards for stockpile management including disposal of surplus.

Participants, however, observed that while the Convention enjoins Member countries to develop standards in ammunition management, this provision has not yet been achieved or implemented.
Most States have not developed comprehensive national control mechanisms for ammunition mainly due to lack of resources, including financial and expertise.

In this connection, participants recognized the completion of the International Ammunition Technical Guidelines (IATG), the Modular Small-arms-control Implementation Compendium (MOSAIC) as vital initiatives to assist Member States in improving their national stockpile management capacity, preventing the accumulation of ammunition in surplus and mitigating the safety and security risks posed by ammunition stockpiles.

It was emphasized that the IATG and MOSAIC could assist ECOWAS States undertake comprehensive ammunition management practices, including: risk management; ammunition accounting, storage, processing, transportation, and security; ammunition demilitarization and destruction; ammunition accidents, reporting and investigation, as well as ammunition operational support.

Although the completion of the IATG was seen as a step in the right direction, participants were skeptical about its success due to its voluntary and non-binding nature of its application. It was stressed that States comply with legal obligations imposed on them by various International Instruments.

Priorities of ECOWAS – the need for a legally-binding instrument on ammunition

ECOWAS States emphasized that there is no comprehensive framework at the global level that holistically addresses the subject of conventional ammunition. Also, there is clearly a great disparity among regional instruments in the degree to which they address ammunition related issues. This often results in gaps and duplication of efforts in the implementation of various initiatives to address ammunition management and controls.

ECOWAS States therefore strongly support the adoption of specific legally-binding global instrument (convention or Treaty) on ammunition which would plug the gaps in the existing global, regional and sub regional initiatives that fail to comprehensively address ammunition controls. A binding global norm would set the basic standard and flaws in ammunition controls, with clearly stated objective, purpose and scope including:

I. Clearly defined scope of ammunition
II. The Regulation of the International transfer of ammunition
III. Developing an adequate international assistance programme
IV. Transparency and International Information Exchange
V. Mandatory adoption of Safe and Secure Ammunition Storage and Disposal
VI. Setting out risk assessment criteria for ammunition transfers
VII. Mandatory measures to preventing diversion of ammunition
VIII. Preventing diversion by SALW brokers
IX. Mandatory marking and tracing of ammunition
X. Record keeping
XI. Reporting
XII. Establishment of a national system, including clear legislation;
XIII. Development and strengthening administrative capacity for processing all aspects of transfers;
XIV. Introduction of mechanisms for monitoring and enforcing compliance.

Conclusion

ECOWAS States welcomed the General Assembly resolution 72/55 on “Problems arising from the accumulation of conventional ammunition stockpiles in surplus” and reiterated their commitment towards the Group of Governmental Experts (GGE) process and global efforts.

However, to ECOWAS States, the problems arising from the accumulation of conventional ammunition stockpile in surplus cannot be dealt with globally without addressing the underlying reasons why States accumulate unsafe and unsecured ammunition surpluses. For this reason, any global effort aimed at addressing the problems arising from the accumulation of conventional ammunition stockpile in surplus without emphasis on the humanitarian consequence of the lack of control of ammunition will not achieve the desired purpose.

The current “global normative framework” governing international trade in ammunition are inadequate, often weak, less accountable and less transparent than the trade in arms. Ammunition flows are difficult to monitor, so the risk of diversion to unauthorized or illicit users is ever present.

This is the reason why ECOWAS States emphasize the need for the global, comprehensive, legally-binding instrument for the control of ammunition to address the gaps in the global efforts to curb the misuse of ammunition.