

Appendix 5F. Transfers of small arms and other weapons to armed conflicts

PIETER D. WEZEMAN, SIEMON°T.°WEZEMAN and
NICHOLAS CHIPPERFIELD

I. Introduction

The context for this appendix is the discussion on small arms and light weapons (hereafter referred to as small arms) which has developed over the past decade within the international debate on armaments and disarmament. One of the core assumptions of the discussion is that it is not major weapons such as combat aircraft, combat ships and tanks but rather small arms such as rifles, machine-guns and grenade launchers that are predominantly used in the fighting in current conflicts. Control of the proliferation and availability of small arms is therefore considered an important instrument of conflict prevention and resolution.¹

Among the issues discussed are the use of small arms in conflicts; the availability, demobilization and collection of small arms in post-conflict situations; and, the subject of this appendix, the supply of small arms through international transfers.² The debate on the last issue has to a large extent been further narrowed down to the *illegal* trade in small arms, as evidenced by the title of the July 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.³ In effect, this limits the discussion to the question of how to curb the transfer of small arms to non-state actors.⁴

In this appendix the assumption is made that, in order to understand the role of arms in most ongoing armed conflicts, a focus on *either* small arms transfers *or* major conventional weapon transfers is too narrow. It therefore bridges the often separated issues of the transfer of small arms and the transfer of major weapons. It also illustrates the relationships between both illegal and legal arms transfers and conflicts as well as the role of arms transfers to both state and rebel actors in conflicts.

¹ Although the definition of small arms and light weapons is still under discussion by researchers and diplomats, the most common definition used in the current debate is that given in the UN Report of Governmental Experts on Small Arms, UN document A/52/298, 27 Aug. 1997, p. 11. In a broad sense, small arms are those weapons designed for personal use, and light weapons are those designed for use by several persons serving as a crew. For an account of many of the initiatives to control transfers of these weapons see Adam, B., *Efforts to control the international trade in light weapons*, *SIPRI Yearbook 1999: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1999), pp. 506—16.

² For an in-depth discussion of the small arms issue see Dhanapala, J., Donowaki, M., Ran, S. and Lumpe, L. (eds), United Nations Institute for Disarmament Research (UNIDIR), *Small Arms Control, Old Weapons, New Issues* (Ashgate: Aldershot, 1999); and Small Arms Survey, Graduate Institute of International Studies, *Small Arms Survey 2001* (Oxford University Press: Oxford, 2001).

³ For information on the UN conference see the UN Department for Disarmament Affairs Internet site at URL <<http://www.un.org/Depts/dda/CAB/smallarms/>>.

⁴ There is no consensus that the term *illicit* arms transfers refers only to arms transfers to non-state actors. Some argue that, when a supplier delivers weapons with the knowledge that the weapons will be or are likely to be used in illegal acts such as aggression or human rights abuses, a case can be made that the transfer is illegal under international law. Gillard, E.-C., *What's legal? What's illegal?*, ed. L. Lumpe, *Running Guns: The Global Black Market in Small Arms* (Zed Books: London, 2000), pp. 27—52.

In order to illustrate the different aspects of arms transfers to current conflicts, where major weapons are not the main category of weapons used, section°II describes arms transfers to Afghanistan, Colombia, the Democratic Republic of the Congo (DRC), Sierra Leone and Sri Lanka.⁵ The issue of arms transfers to parties in conflict is a global one; the cases have been chosen from various regions to allow comparisons on a global scale. Each case identifies the local actors involved in the conflict, their weapon inventories in general terms and the foreign origins of weapons, and illustrates the motives of the suppliers and the unintended consequences of arms supplies. Section III presents the findings.

II. Case studies

Afghanistan

The two main warring parties in the Afghan conflict are the Taliban, the de facto government of Afghanistan, which emerged in 1994 and now controls most of Afghanistan, and the United Islamic Front for the Salvation of Afghanistan (UIFSA, also called the Northern Alliance). The war is characterized by intermittent fierce fighting, involving the use of both major conventional weapons and small arms.

The war is fought primarily with weapons delivered during the 1980s small arms that are still operational, but few major conventional weapons. The Soviet Union supported the regime in Kabul with transfers of large numbers of major conventional weapons and small arms.⁶ The cold war rivalry drew both China and the USA into supporting groups that fought Soviet-backed forces (known as the Mujahideen) with arms ranging from rifles to shoulder-launched surface-to-air missiles (SAMs). Prior to 1985 the USA supplied Soviet-made SA-7 SAMs; after 1985 it supplied FIM-92 Stinger SAMs and large quantities of rifles, and the UK supplied Blowpipe SAMs. China, seeking to limit Soviet influence in the region, supplied the Mujahideen with a range of small arms.⁷

Although many of the weapons used in the current conflict date from the cold war period, groups involved in the fighting continue to obtain arms and military support from neighbouring and other states. Fearing the highly conservative Sunni Taliban regime, backed by Pakistan and Saudi Arabia, Shiite Iran backs the opposition UIFSA.⁸ China, Russia, Tajikistan and Uzbekistan not only fear the fundamentalist regime in Afghanistan but also suspect Taliban complicity in supplying arms and providing support for groups seeking greater autonomy or independence within their own states.⁹ The Taliban have welcomed Chinese Muslims, Chechens, and militants from Bangladesh, Kashmir and the Philippines to fight for them.¹⁰ In return, the Taliban allow these groups to set up bases in Afghanistan.¹¹ Other states, principally

⁵ For further background to these conflicts see chapter°1, and for background to the arms embargoes on actors in these conflicts see chapter°5 in this volume.

⁶ Afghanistan reassessed, *Jane's Defence Weekly*, 27 May 1989, p. 999.

⁷ Mathiak, L. and Lumpe, L., Government gun-running to guerillas, ed. Lumpe (note 4), pp. 58—66.

⁸ Lion of Panjshir at bay against Taliban's armies, *Electronic Telegraph*, 3 Oct. 2000, URL <<http://www.telegraph.co.uk:80/et?ac=003721459739185&rtmo=fqoN3ors&atmo=tttttd&pg=/et/00/1/03/wtal03.html>>.

⁹ Farrell, S., Brodie, I. and Hassain, Z., Kabul's rulers threaten Russia over interference, *The Times* (Internet edn), 28 Oct. 2000, URL <<http://www.thetimes.co.uk/article/0,,26439,00..htm>>.

¹⁰ Lion of Panjshir at bay against Taliban's armies (note 8).

¹¹ Heart of darkness, *Far Eastern Economic Review*, 5 Aug. 1999, p. 8.

the USA, suspect the Taliban of providing support for terrorist groups and the drug trade.

Iran and Russia have transferred most of the military equipment supplied to groups fighting the Taliban.¹² Iran has reportedly supplied ammunition for tanks, howitzers, multiple rocket launchers, anti-tank weapons and rifles. It also provides military training for UIFSA fighters.¹³

The UIFSA has reportedly obtained a large number of FROG-7 missiles, howitzers and multiple rocket launchers as well as SA-16 SAMs and logistical support from Russia.¹⁴

Sunni Muslim Pakistan, Saudi Arabia and the United Arab Emirates (UAE) are the only states that have diplomatically recognized the Sunni Taliban regime. Pakistan, seeking to stop its neighbours India, Iran, Russia, Tajikistan and Uzbekistan from gaining greater influence in the region, and despite frequent denials of technical assistance, has provided technical and logistical support to the Taliban and allowed political parties and religious groups in Pakistan to recruit fighters for the Taliban.¹⁵ Saudi Arabia and the UAE both provide the Taliban regime with financial support.¹⁶

In October 1996 the UN Security Council imposed a non-mandatory arms embargo on all the parties fighting in Afghanistan, aimed at forcing a political solution to the conflict.¹⁷ On 19 December 2000 the Security Council adopted a resolution which included a mandatory arms embargo against the Taliban (but not the UIFSA).¹⁸ This resolution was not aimed at ending the conflict but was part of a package of sanctions to force the Taliban to extradite Osama Bin Laden, who is accused of sponsoring acts of terrorism outside Afghanistan.

Colombia

The Colombian Government is fighting two rebel groups Fuerzas Armadas Revolucionarias de Colombia (FARC, Revolutionary Armed Forces of Colombia) and Ejército de Liberación Nacional (ELN, National Liberation Army). Furthermore, right-wing paramilitary groups belonging to the Autodefensas Unidas de Colombia (AUC, United Self-Defence Forces of Colombia) and with links to the Colombian armed forces have been fighting the rebels. The conflict involves armed actions ranging from sabotage, kidnapping and massacres to armed clashes leading to the death of in some cases hundreds of combatants.

The government forces, including the police and military, use both small arms and major weapons, such as armed helicopters and light attack aircraft.

The USA is the most important supplier of weapons to the Colombian Government. US arms supplies will reach a high point in the coming years because of its support to the Colombian Government's counter-narcotics programme, Plan Colombia, approved by the US Government in August 2000. The plan involves \$642.5 million in

¹² *Jane's Defence Weekly*, 1 Dec. 1999, p. 20.

¹³ Human Rights Watch, *Fueling Afghanistan's war*, 15 Dec. 2000, URL <<http://www.hrw.org/hrw/backgrounder/asia/afghanistan/afghbk.htm>>.

¹⁴ Afghan faction seeks ManSAMs, *World Aerospace and Defense Intelligence*, 17 Dec. 1999, p. 13; Federation of American Scientists, URL <http://www.fas.org/irp/world/para/northern_alliance.htm>; and Human Rights Watch (note 13).

¹⁵ Davis, A., Taliban increases air power, *Jane's Defence Weekly*, 14 July 1999, p. 13.

¹⁶ Human Rights Watch (note 13).

¹⁷ UN Security Council Resolution 1076, 22 Oct. 1996.

¹⁸ UN Security Council Resolution 1333, 19 Dec. 2000.

military assistance, including 60 helicopters and equipment to arm three counter-narcotics battalions, and training.¹⁹ The US aid is intended for use in counter-narcotics operations, not as support for Colombian counter-insurgency efforts. The USA sees a negotiated peace process as the solution to the political conflict.²⁰ However, it is considered unlikely that the Colombian Army wants to or can differentiate between drug producers and rebels, especially as the rebels are active in or control areas where drugs are produced and are involved in drug trafficking.²¹ Colombian rebel forces consider the US aid as intervention that could inflame the conflict even further, and the FARC has said that it will step up its arms procurement in response.²² Critics of the aid, both in the USA and in countries neighbouring Colombia, fear that the counter-narcotics aid may result in the USA becoming directly involved in the political conflict in Colombia and that the aid and the increased military action in Colombia will cause the fighting, refugee flows and drugs trade to spill across the country's borders.²³

An important criticism of the military aid is that the recipients, Colombian Army and police personnel, have regularly been involved in human rights violations either directly or by supporting the paramilitary groups. There is strong evidence that the paramilitary groups have received weapons from members of the government armed forces.²⁴ The US Government wants to prevent its military aid from being passed on to the paramilitaries and has set conditions for the receipt of aid which basically stipulate that allegations of human right violations by Colombian Government personnel should be investigated and the perpetrators punished.²⁵ However, the US Government concluded that aid is urgently needed and decided to start providing the aid package before the conditions were met.²⁶

While a considerable part of its military imports are provided as aid, the Colombian Government also buys weapons. In the three-year period 1998–2000 the weapons ordered by or delivered to Colombia included 14 helicopters from US companies, 6° transport aircraft from Germany, 3 transport aircraft from Spain, rifles from Israel,

¹⁹ For details of the plan see U.S. aid to Colombia, Center for International Policy, URL <<http://www.ciponline.org/colombia/aid/aidsumm.htm>>. For the same reason the UK also has a small number of military in Colombia conducting training for primarily counter-narcotics operations. Frost, E. M., UK supports Colombian drug efforts, *Jane's Intelligence Review*, June 2000, p. 7.

²⁰ White House fact sheet on increased U.S. assistance for Colombia, August 4, 2000, The White House, Office of the Press Secretary, URL <<http://www.ciponline.org/colombia/aid/080401.htm>>. Some doubts have been voiced about the US motives for supplying arms. There are indications that the US companies involved in producing the arms to be supplied have extensively lobbied in favour of military aid to Colombia. It has also been argued that the aid is aimed at ensuring Colombia as a source of oil for the USA. Isikoff and M., Vistica, The other drug war, *Newsweek*, 3 Apr. 2000, pp. 52–53; Robinson, G. and Wilson, J., New Vietnam seen in Colombia drugs war, *Financial Times*, 30 Mar. 2000, p. 5; and Klare, M. T., The real reason for US aid to Colombia, URL <http://www.motherjones.com/news_wire/colombia_oil.html>.

²¹ Colombia says U.S. aid can target rebels, URL <<http://www.cnn.com/2000/WORLD/americas/07/24/colombia.usa.reut/index.html>>, 24 July 2000; Colombia: a new war, *The Economist*, 15 Jan. 2000, p. 58; and Bender, B., Doubts over operational benefits of Colombia aid, *Jane's Defence Weekly*, 6 Sep. 2000, p. 3.

²² Dudley, S., Diplomats parley with Colombian rebels, *Washington Post*, 30 June 2000, p. A25.

²³ The gringos land in Colombia, *The Economist*, 2 Sep. 2000, pp. 51–52.

²⁴ Human Rights Watch, Colombia, the ties that bind: Colombia and military—paramilitary links, Feb. 2000, URL <<http://www.hrw.org/reports/2000/colombia/>>.

²⁵ U.S. aid to Colombia (note 19).

²⁶ White House report on progress toward human rights and other certification requirements, January 19, 2001, URL <<http://www.ciponline.org/colombia/aid/011902.htm>>; and Nakashima, E. and Vita, M., Clinton clears aid package for Colombia, *Washington Post*, 23 Aug. 2000, p. A01.

infantry weapons from South Africa and unidentified military *mat riel* from France.²⁷ These weapons can be used against the rebels without contractual restrictions on their use by the suppliers.²⁸

Both the FARC and the ELN are armed with small arms. The most advanced weapons reported to be in the possession of the FARC are man-portable SAMs, but these reports lack sufficient confirmation.²⁹

An important source of information on the rebels' arms procurement is the Colombian Government, in particular its reports on weapons that were intercepted during delivery.³⁰ As far as is known, all the suppliers provide weapons without government approval. There is no indication of politically motivated supplies by governments or others. The complex and obscure routes and methods by which rebel groups obtain weapons can be illustrated by the case of the smuggling of almost 10 000 rifles to the FARC in 1999. These second-hand rifles were bought from the Jordanian Government by corrupt Peruvian Army officers who claimed that they were for the Peruvian armed forces; they were transported by aircraft flown by Russian pilots who air-dropped them over FARC-controlled territory in Colombia.³¹

Smaller batches of weapons trickle in through Colombia's difficult to control land and sea borders.³²

The Democratic Republic of the Congo

The DRC conflict, which has been fought since 1998 in a large, inaccessible area, is possibly the least transparent of all the conflicts waged today.³³ There have been at least seven DRC actors in shifting coalitions and military intervention by up to nine countries in the region (at least two of these have also been fighting among themselves).

Small arms dominate in the conflict. The DRC Government forces, probably with only lightly armed infantry, and the rebels are fighting mainly with small arms and light weapons. Few of the heavy weapons acquired by the DRC (or before 1997,

²⁷ SIPRI arms transfers database; South African export statistics for conventional arms 1997–1999, Directorate Conventional Arms Control, Department of Defence, South Africa, URL <<http://www.mil.za/SANDEF/DRO/NCACC/ncacc.htm>>; and Ministère de la Défense, Rapport au Parlement sur les exportations d'armement de la France en 1999 [Report to Parliament on French arms exports in 1999], Dec. 2000.

²⁸ Dayani, M., Colombia to order 14 Black Hawks, *Jane's Defence Weekly*, 12 Apr. 2000, p. 5.

²⁹ Farah, D., Colombian rebels tap E. Europe for arms, *Washington Post*, 4 Nov. 1999, p. 1; and Finnegan, P., Pastrana discounts guerrilla missile capabilities, *Defense News*, 7 Feb. 2000, p. 8.

³⁰ E.g., the Colombian authorities reported that they had seized 446 360 weapons, including rifles, machine-guns and grenade launchers, over a period of 2 years. Agence France-Presses (Bogotá), Arms trafficking to Colombia up 50 per cent since 1998 report, 28 Aug. 2000.

³¹ Faiola, A., How Fujimori's grip on power slipped in arms scandal, *International Herald Tribune*, 25 Sep. 2000, p. 5.

³² *El Comercio* (Quito), FARC supply lines, Foreign Broadcast Information Service, *Daily Report—Latin America (FBIS-LAT)*, FBIS-LAT-2000-0714; Arms trafficking to Colombia up 50 per cent since 1998 (note 39); and Reuters (Bogotá), Arms for rebels seized in Panama, 24 June 2000. More examples of weapon smuggling into Colombia can be found in the database on small arms transfers of the Norwegian Initiative on Small Arms Transfers (NISAT), URL <<http://www.nisat.org/>>.

³³ For a description of the conflict and the actors involved see Seybolt, T., *The war in the Democratic Republic of Congo*, SIPRI Yearbook 2000: Armaments, Disarmament and International Security (Oxford University Press: Oxford, 2000), pp. 59–74.

when it was called Zaire) since the 1960s have been used in the recent conflict.³⁴ The delivery of 10 combat aircraft in 1999–2000 is unlikely to make a difference, because there are too few of them and they are unlikely to be operated and maintained effectively. While the foreign military intervention forces, especially those supporting the government, use combat and transport aircraft, helicopters, armoured vehicles and artillery, that use is very limited. None of the intervening countries has a large inventory of major weapons or the means to procure and operate them, nor have they in recent years imported new weapons on a large scale.

There are few barriers to supplying weapons to either the DRC or other states involved in the conflict. As part of the 1999 Lusaka Ceasefire Agreement, a Joint Military Commission was tasked with monitoring the attempts by the fighting forces in the DRC to re-equip.³⁵ The ceasefire has been ineffective, as has the monitoring of re-equipment. Since 1993 a European Union (EU) arms embargo has been in force which has effectively halted exports from the EU to the DRC, but not to the other states involved in the conflict.³⁶

The intervening countries supply the DRC factions they support but, again, there is very little information on the extent of their support or the type of weapons supplied. These countries may very well limit supplies to the DRC actors and instead keep the weapons with their own forces in the DRC.

Arms supplies to the DRC Government come from countries in the region with armed forces in the DRC that support the government. They supply for two different reasons. Angola's intervention in the DRC seems to be mainly an extension of the internal war in Angola, against the bases and supply routes in the DRC of the União Nacional para a Independência Total de Angola (UNITA, National Union for the Total Independence of Angola). Zimbabwe, on the other hand, does not have such political interests but is interested in making a profit and protecting the economic interests of its leaders in the mining industry in the DRC.

There were reports in mid-1999 that the DRC Government had a £70 million (\$110 million) debt with arms firms in Zimbabwe, indicating that weapons were delivered from Zimbabwe. More importantly, Zimbabwe reportedly assured the International Monetary Fund that the DRC Government pays part of the costs for the approximately 10,000 Zimbabwean soldiers in the DRC. Zimbabwe has also bought combat helicopters from Russia, partly financed by the DRC.³⁷ An order for small arms from China reportedly did not come through when the DRC failed to pay its share of the cost.³⁸

Other countries supply arms for economic reasons. Even if the demand from the DRC is limited and therefore not very profitable for most countries, some countries,

³⁴ Wezeman, S. T. and Wezeman, P. D., *Transfers of major conventional weapons*, *SIPRI Yearbook 1998: Armaments, Disarmament and International Security* (Oxford University Press, Oxford, 1998), p. 303.

³⁵ The Lusaka Ceasefire Agreement is contained in UN, Letter dated 23 July 1999 from the permanent representative of Zambia to the United Nations addressed to the President of the Security Council, UN document S/1999/815, 23 July 1999.

³⁶ The EU embargo was a reaction to the conflict between the then Government of Zaire under President Mobutu Sese Seko and the rebels under Laurent-Désiré Kabila. For the international arms embargo in force in 1996–2000, see table 5.2, chapter 5 in this volume. In 2000 a UN embargo was discussed but not agreed.

³⁷ SIPRI arms transfers database.

³⁸ Zimbabwe: Cabinet pay rises as war destroys economy, *Africa Research Bulletin*, 16 Aug.—15 Sep. 1999, pp. 1–2.

mainly former Soviet republics (Georgia, supplying combat aircraft, and Ukraine, supplying unidentified weapons), supply for economic reasons.

Many allegations were made in 1999 and 2000 concerning the transfer of arms to either the DRC Government or the rebels. China, France and Libya have been mentioned in media reports (China as even supplying to both the government and the rebels), but little or no evidence has surfaced.³⁹ Many of these reports mention supplies of small arms to the DRC Government, but they have not been confirmed by other sources. Most of the sources report more about the private individuals who sell weapons or act as brokers for arms sales.⁴⁰ For these individual dealers, brokers, mercenaries and smugglers, the profits are sufficient. Some of the reports, however, point out that many of these free agents are suspected of operating on behalf of, or at least with the blessing of, foreign governments.⁴¹

Most of the supplies to the rebels probably come through Burundi, Rwanda and Uganda, all of which support at least one of the rebel groups. Their motivations are generally the same: to prevent Burundian, Rwandan and Ugandan groups that are hostile to their governments from using the DRC as a base.

For arms transfers to most of the intervening countries it is often unclear whether these transfers are linked to the conflict in the DRC. Recent transfers of tanks and combat aircraft to Uganda, for example, seem not to be linked to intervention in the DRC conflict.⁴² There have been no reports at all about the use of tanks in the DRC. Most transfers to Angola seem to be linked to the conflict in Angola, not to the conflict in the DRC. On the other hand, acquisitions of combat helicopters and aircraft by Rwanda and Zimbabwe are clearly related to their intervention in the DRC.⁴³ Reported deliveries of anti-aircraft missiles to Uganda may also be directly linked to the conflict; the supporters of the DRC Government have local air superiority.

Sierra Leone

In Sierra Leone there has been fighting between the government and its local and international allies, on the one side, and the Revolutionary United Front (RUF), on the other, since 1991.⁴⁴ British and Nigerian forces have several times intervened directly in support of the government with major weapons such as combat aircraft.

³⁹ Agence France-Presse (Hong Kong), (in English), PRC denies selling arms to Kinshasa, Foreign Broadcast Information Service, *Daily Report—China (FBIS-CHI)*, FBIS-CHI-99-013, 13 Jan. 1999. An extreme example of doubtful reporting was a report in late 1999 attributed to US intelligence sources which alleged that Iran had supplied Scud surface-to-surface missiles (SSMs). Iran has denied the report and nothing has been reported on this since then, nor does it seem that such SSMs could be effective weapons in this war. Iran denies selling Scud missiles to DR Congo, URL <<http://www.defense-easpace.com/afp/defense/991124112500.ism02qgy.html>>, 24 Nov. 1999.

⁴⁰ Most of these reports are not substantiated, however. Probably the best substantiated report is one about a Belgian broker arrested in Mar. 1998 in South Africa for selling 8000 M-16 rifles to the then rebel forces of President Laurent-Désiré Kabila in the DRC. The weapons were reported as originally left behind by the US forces in Viet Nam. Venter, A., Arms pour into Africa, *New African*, Jan. 1999, p. 13.

⁴¹ Countries may also have been involved in arms transfers directly to the DRC more to gain popularity with the regime than for immediate profit, but with the prospect of access to the mineral wealth of the DRC after the war.

⁴² An Israeli company, Air Defence Consultants, is reported to have offered similar combat aircraft (MiG-21s) to Rwanda and to rebel forces in the DRC. Trafic d'armes [The arms traffic], *Air & Cosmos*, 22 Oct. 1999, p. 9.

⁴³ The helicopters and aircraft have been seen many times in the DRC. The Zimbabwean helicopters were partly financed by the DRC. For the Zimbabwean helicopters see *Air Forces Monthly*, Oct. 1999, p. 19; for the Rwandan helicopters see Battle fatigue, *Newsweek*, 19 June 2000, p. 3.

⁴⁴ See appendix 2B in this volume on the Sierra Leone war and peace process.

The Sierra Leone government forces use mainly small arms; a few armed helicopters are the main major weapons. Arms transfers to Sierra Leone before October 1997 and after June 1998 are legal in so far as they are authorized by the responsible authorities in the supplier countries. In the period between these dates, a mandatory UN embargo on arms transfers to all of Sierra Leone was in place.

Arms supplies to the Sierra Leone Government are small. Typical examples are the supply of rifles by the UK in 1999–2000 and of two combat helicopters by Belarus in 1997 and possibly more later.

Sierra Leone has signed the Economic Community of West African States (ECOWAS) moratorium on small arms production and transfers, in principle committing itself not to export or import small arms for a period of three years from 1° November 1998.⁴⁵ However, the moratorium provides for exemptions, and in 1999–2000 the Sierra Leone Government received 17°500 rifles and a number of other small arms as aid from the UK.⁴⁶ The British Government supplies arms to the Sierra Leone Government as part of a strategy to repel the RUF, to restore the peace process and to rebuild Sierra Leone.⁴⁷ However, although the weapons are provided under the condition that they are given to British-trained regular soldiers, the military aid was criticized because it was feared that the weapons would end up in the hands of poorly disciplined soldiers or militia troops, including child soldiers, who have little respect for human rights, and some of whom have been reported to have abandoned or sold their weapons to the RUF.⁴⁸ Similarly, combat helicopters sold by Belarus to the Sierra Leone Government helped the government to stay in power, but this transfer was also criticized since the use of these weapons has caused civilian casualties.⁴⁹

The October 1997 UN embargo on arms transfers to Sierra Leone has not been lifted for transfers to non-government actors, making all arms supplies to the RUF illegal under international law.⁵⁰

Rebels forces are armed with small arms and a few armoured vehicles captured from UN contingents. In late 2000 the United Nations prepared a study on arms smuggling to the RUF and the related diamond smuggling that finances it. The report lists weapons surrendered by RUF members as part of the peace agreement in Sierra Leone. The weapons that were handed in were of types originally produced in Eastern

⁴⁵ For a description of the moratorium see the UN Regional Centre for Peace and Disarmament in Africa, in cooperation with the Norwegian Institute of International Affairs (NUPI) and the Norwegian Initiative on Small Arms Transfers, *The Making of a Moratorium on Light Weapons* (NUPI: Oslo, 2000).

⁴⁶ Britain sending more bullets to Sierra Leone, *The Guardian* (Internet edn), URL <www.guardianunlimited.co.uk>, 14 July 2000.

⁴⁷ Statement by the Foreign Secretary Robin Cook, House of Commons, London, Tuesday 6 June 2000, UKonline, URL <<http://www.fco.gov.uk/news/newstext.asp?3753>>.

⁴⁸ Norton-Taylor, R. and McGreal, C., Sierra Leone children carry British guns, *The Guardian*, 25° May 2000, p.°5; U.K. arms may go to abusive forces in Sierra Leone, Letter to Hon. Robin Cook, Secretary for Foreign and Commonwealth Affairs, and Hon. Geoff Hoon, Secretary of State for Defense, United Kingdom, Human Rights Watch, 25 May 2000, New York, URL <<http://www.hrw.org/press/2000/05/sleone0525.htm>>; and United Nations, Report of the panel of experts appointed pursuant to UN Security Council Resolution 1306 (2000), paragraph 19 in relation to Sierra Leone, Dec. 2000, URL <<http://www.sierra-leone.org/panelreport.html>>, p. 35.

⁴⁹ Sierra Leone Government bombing causes civilian deaths, Human Rights Watch, New York, 12° July 2000, URL <<http://www.hrw.org/press/2000/07/sl0711.htm>>.

⁵⁰ The specific embargo on arms transfers to the RUF indicates that UN deliveries to non-state actors are not by definition illegal.

Europe, Belgium, Germany, the UK and the USA.⁵¹ It remains unclear when and how these weapons ended up in Sierra Leone.

The report also showed that some arms-producing countries were willing to sell weapons with disregard as to the final users, that some countries were willing to provide end-user certificates and/or facilitate the passage of weapons through their territory, and that the activities of certain arms brokers were unregulated.⁵² In the report Liberia is mentioned as the major link in the smuggling of diamonds and the delivery of weapons to the RUF. The report documents recent cases of arms transfers to the RUF such as that in March 1999, when a shipment of small arms from Ukraine was sold based on an end-user declaration stemming from Burkina Faso through a Gibraltar-based firm; the weapons were transported by a British air freight company from Kiev to Burkina Faso by an aircraft owned by a Monacese company but with Cayman registration on to Liberia, from where they were delivered to the RUF. The Ukrainian Government denies that it knew that the weapons were destined for the RUF and even temporarily blocked the release of the UN report on the illegal diamond trade and arms trade with the RUF since it mentioned Ukraine as a supplier to the RUF.⁵³ The Burkina Faso Government reacted to the allegations by denying any involvement in arms supplies to the RUF and announced stricter controls on its arms imports.⁵⁴

Sri Lanka

The Liberation Tigers of Tamil Eelam (LTTE) have fought a full-scale civil war with the Sri Lankan Government since 1983. The fighting has involved actions ranging from terrorist bombings to pitched battles between both parties.

The Sri Lankan Government's military assets include mainly small numbers of old types of combat aircraft, small ships, artillery, tanks and armoured vehicles as well as considerable numbers of soldiers armed with small arms. The weapons are acquired from a wide range of suppliers. Major weapons received or ordered by Sri Lanka in the period 1998–2000 include 8 used combat aircraft and 2 used large patrol craft bought from Israel; 6 combat helicopters and 30 armoured personnel carriers bought from Russian companies; 7 used combat aircraft and about 3 combat helicopters bought from Ukraine; 6 light combat aircraft, 5 patrol craft and 36 artillery pieces bought from China; about 41 tanks and about 16 multiple rocket launchers bought from the Czech Republic; about 10 multiple rocket launchers given as aid by Pakistan; 1 patrol ship bought from India; unidentified military equipment worth FFR^o 109 million (\$17 million) from France; 2 transport aircraft bought from the UK; and about 3 artillery radars bought from a US company.⁵⁵ Little is known about small arms supplies to Sri Lanka except that in this period China supplied small arms.⁵⁶

⁵¹ United Nations, Report of the panel of experts appointed pursuant to UN Security Council Resolution 1306 (2000), paragraph 19 in relation to Sierra Leone, Dec. 2000, URL <<http://www.sierra-leone.org/panelreport.html>>.

⁵² United Nations (note 51).

⁵³ Diamond report is blocked at UN, *International Herald Tribune*, 21 Dec. 2000, p. 4.

⁵⁴ Agence France-Presse (Ouagadougou), Burkina Faso: Government sets up arms control mechanism, condemns UNITA, RUF, Foreign Broadcast Information Service, *Daily Report—Sub-Saharan Africa (FBIS-AFR)* FBIS-AFR-20001201, 1 Dec. 2000.

⁵⁵ SIPRI arms transfers database.

⁵⁶ Athas, I., New chief will head anti-LTTE programme, *Jane's Defence Weekly*, 13 Jan. 1999, p. 18.

China, Israel, Russia and Ukraine seem to have mainly commercial motivations for their supplies.⁵⁷ In some other countries commercial deals may be hindered by export control regulations restricting arms transfers to conflict areas. In the case of two ex-British Air Force transport aircraft delivered to Sri Lanka in 2000, the deal stipulated that no offensive or defensive equipment would be fitted on board so that the UK could not be accused of supporting the Sri Lankan Government in the war.⁵⁸ However, even without such systems, these transport aircraft are still essential for the war effort especially since the Sri Lankan Air Force had only one flyable transport aircraft in early 2000, after others had been used extensively and then crashed or were shot down.⁵⁹

The USA has urged negotiations to end the conflict but has taken a pro-government stance, denouncing the LTTE as a terrorist organization.⁶⁰ It has supplied Sri Lanka with few but advanced weapons, including artillery radar that provide the Sri Lankan armed forces with the possibility to trace LTTE forces firing artillery and respond quickly and accurately. Further important support is given by the USA in the form of military training.⁶¹

In April 2000, when large government forces were threatened to be overrun by the LTTE, Sri Lanka requested weapons and military aid from India, which had been involved in the conflict in the late 1980s, first supporting the LTTE and later shifting its support to the Sri Lankan Government. India refused to again become directly militarily involved in the conflict but did supply a combat ship in 2000.⁶²

The LTTE is armed mainly with small arms but also uses armed small boats, man-portable SAMs and long-range artillery. It can be argued that the LTTE has recently been transformed from a guerrilla force into a conventional army.⁶³

An important source of weapons, and the sole source of major weapons, for the LTTE has been the capturing of weapons from the government, but small arms are also procured abroad. Most information on LTTE arms imports seems to have its origin in the Sri Lankan intelligence service. This casts some doubt on its reliability since this source may want to legitimate its own actions by strengthening a negative picture of the LTTE as a drug-dealing, arms-smuggling terrorist organization. However, there is sufficient information to state that money is collected from Tamils through an international network in order to acquire and smuggle weapons for the LTTE, which are delivered by the LTTE's own shipping fleet.⁶⁴ No government

⁵⁷ Israel also gained politically. It has supplied weapons since at least the 1980s but, strangely, Sri Lanka did not establish full diplomatic ties with Israel until 2000, when further considerable amounts of weapons were ordered from Israel. Sri Lanka, the growing cost of war, *The Economist*, 15 July 2000, p. 60.

⁵⁸ Herks for Sri Lanka, *Air Forces Monthly*, June 2000, p. 58.

⁵⁹ Athas, I., LTTE threat grows with A-9 success, *Jane's Intelligence Review*, May 2000, p. 5.

⁶⁰ *Sri Lanka Terrorist Bombing* (US Department of State, Office of the Spokesman: Washington, DC, 7 June 2000); and *Background Information on Foreign Terrorist Organizations* (US Department of State, Office of Counterterrorism: Washington, DC, 8 Oct. 1999).

⁶¹ Iqbal Athas, USA steps up aid for Sri Lanka in Tamil Tiger war, *Jane's Defence Weekly*, 2 Feb. 2000, p. 18.

⁶² Gardner, D., India wary as rebels close in on Sri Lankan Army, *Financial Times*, 26 May 2000, p. 4.

⁶³ Gardner (note 62).

⁶⁴ Gunaratna, R., Sources of arms supplies to the LTTE: success and failure of the Sri Lankan state in meeting the threat, Paper presented at the Conference on Small Arms and Light Weapons Proliferation in South Asia, Regional Centre for Strategic Studies, Colombo, Sri Lanka, 20–23 June 2000, p. 1.; and Chalk, P., The Tamil Tiger insurgency in Sri Lanka, eds A. F. Musah and N. Thompson, Commonwealth Human Rights Advisory Commission, *Over a Barrel: Light Weapons and Human Rights in the Commonwealth* (Commonwealth Human Rights Initiative: London, 1999), pp. 65–92.

appears to have been involved in supplying the LTTE since 1985—87, when India provided military support to the LTTE.⁶⁵

III.°Conclusions

For all of the cases presented in section°II there is a lack of reliable information about arms transfers to the actors in the conflicts. Data on transfers of small arms are particularly scarce. There is a need for more research in general and for more transparency in arms exports by governments.⁶⁶ Still, some general conclusions and questions for further research and policy development can be drawn from the cases described.

The available data show that most governments involved in these armed conflicts, except for the Afghan Taliban Government, have access to a wide range of arms suppliers and a wide range of weapons, including both small arms and major weapons. The arms transfers are usually legal in so far as they are authorized by the responsible authorities in the supplier country.

Many suppliers export weapons to governments for economic reasons. While the ceiling for commercial arms procurement by governments is set mainly by economic factors, arms procurement by rebel forces is also restricted by the fact that fewer suppliers are willing to provide them with weapons.

In all of these conflicts, military aid was provided to both the governments and rebels by third parties with political interests in the conflict region. A major danger of intervention through military aid is that the instruments of intervention are difficult to control. In all the conflicts, weapons were actually used or there was a strong fear that the weapons provided as aid would, shortly after delivery or in the longer term, be used by the recipients in acts of human rights abuse or would end up in another conflict than that intended by the original supplier. The latter potential long-term effect of arms transfers is especially valid for small arms, which have a long operational lifetime, even without the support of the original supplier.

The current emphasis in the small arms debate on illicit transfers addresses the problem at the minimum level. This approach may be preferred because it is politically convenient or because it limits the scope of the debate to a manageable level. The central feature of an alternative approach is to determine when supplies of weapons are legitimate and responsible, and when the motives of suppliers whether of an economic, foreign policy or humanitarian interventionist nature are so strong that they are willing to run the risk that weapon supplies will aggravate the conflicts. Although the more inclusive approach may not be politically or practically feasible at the UN level, it can be pursued for policy development at the national level or between smaller groups of countries in the development of new norms and regulations.

⁶⁵ Joshi, M., Why India wants to stay out of Sri Lanka s bloody conflict , *Indiatimes News* (Internet edn), 10 May 2000, URL <<http://www.indiatimes.com/toit/10lank4.htm>>; and Gunaratna (note 64).

⁶⁶ Government transparency in exports and imports of small arms and current major efforts to monitor small arms transfers are described in *Small Arms Survey 2001* (note 2).