

# SMALL ARMS, BIG PICTURE

## ARMED VIOLENCE BEYOND FIRST COMMITTEE

September 2014



Reaching Critical Will

**SMALL ARMS, BIG PICTURE:  
ARMED VIOLENCE BEYOND  
FIRST COMMITTEE**  
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Author: Daniel Mack

This briefing paper draws from Instituto Sou da Paz's recent think piece *What Next? Thoughts for Global Civil Society Working on Arms Control and Armed Violence Reduction*.

The full piece is available at [www.soudapaz.org/upload/pdf/whatnext\\_2014.pdf](http://www.soudapaz.org/upload/pdf/whatnext_2014.pdf).

Reaching Critical Will  
Women's International League for Peace and Freedom (WILPF)  
777 UN Plaza, 6th Floor, New York, NY 10017  
ph. +1 212 682 1265  
contact: [info@reachingcriticalwill.org](mailto:info@reachingcriticalwill.org)

Reaching Critical Will is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest women's peace organization in the world. Reaching Critical Will works on issues related to disarmament and arms control of many different weapon systems; militarism and military spending; and gendered aspects of the impact of weapons and of disarmament processes.

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# INTRODUCTION

It is time that civil society efforts related to small arms and armed violence reduction become “part of the bigger picture” or “mainstreamed into broader frameworks”. Regardless of the exact semantics, of course, this idea is neither novel nor easy to implement.

Going forward, even if small arms to date have gained somewhat of an international “mandate,” inclusion into the “greater scheme of things” will be a burdensome ordeal. Indeed, “effective mainstreaming is a challenging and long-term process, as testified by past experience with efforts to mainstream environmen-

tal or gender concerns. In addition to challenges of institutional inertia and awareness-raising, effective analysis and lesson-learning about effective and appropriate integration of SALW and [armed violence reduction] agendas into well-established programming areas need to be established.”<sup>1</sup>

Specifically within the walls of the United Nations, this would suggest that small arms and armed violence should go beyond the confines of the First Committee during the General Assembly. This will be difficult to pursue, but necessary.

# DEVELOPMENT

In this sense, the obstacles to fully integrating efforts on small arms and gun violence reduction into development frameworks are telling. In the recent past, the initial integration “meant really taking ‘human security concerns seriously, so that development programs aimed to address both ‘freedom from want’ and ‘freedom from fear and violence’ agendas in a coherent way. This was far from normal practice, either in affected developing countries or in international development cooperation programs.”<sup>2</sup> Indeed, “by 2010 SALW and armed violence issues remain far from fully mainstreamed or accepted in ‘development studies’ or in ‘core’ development institutions and programs; but a critical knowledge threshold has been crossed as far as international aid policy and programming is concerned.”<sup>3</sup>

Even today, while some development agencies and organizations have dedicated some specific advocacy efforts towards armed violence reduction, one could argue that development offices, international NGOs, or agencies such as UNDP still have space to become more active in issues directly related to firearms and ensuing violence. Some large actors in the arena have dedicated disproportionate efforts in “disarmament” niches that pale in comparison to gun violence when counting affected lives and obstacles to sustainable development. Beyond the international frameworks, it is also relevant that, on a national basis, many countries do not integrate a proper armed violence reduction perspective into their national development plans.

For the immediate future, the clearest avenue to ‘becoming part of the bigger picture’—and one that

global civil society should certainly invest in—is to fully integrate armed violence concerns into the Millenium Development Goals (MDGs) review process and their evolution. Once again, this is nothing revolutionary given long-term “efforts to include indicators relating to [armed violence reduction] to be included in the post-2015 development framework, and this remains an immediate priority for the SALW community.”<sup>4</sup> This work is ongoing and in some ways it may be “late in the game” for organizations to become freshly involved prior to the actual definition of the post-2015 framework.

Nonetheless, greater attention to the process (as well as conceptual offshoots such as the Geneva Declaration) and preparedness for more meaningful engagement are still important objectives. As noted by Batchelor and Muggah, there is already much discussion in this arena as to “reduce violence, and promote freedom from fear and sustainable peace. Possible targets to achieve this goal include ‘eliminating lethal violence from every community by 2030’ or ‘reducing the number of people and groups affected by violence’. In terms of indicators, proposals include: ‘changes in homicide per 100,000 population’, ‘reported violence crime per 100,000 population’ and others, although “there are indications that many UN member states are resisting such language in the future development agenda.”<sup>5</sup>

In our opinion, many of these political resistances stem from a disconnect, at least in the perception of some states as to what is being discussed, between the concepts of “human development” and “national development”. In the specific case of Brazil, a recent

article has unveiled that the obstacles are indeed significant:

Brazil seems to have settled on a conservative and narrow definition of development. Forged during the Rio+20 meeting in 2012, development is confined to social, economic, and environmental dimensions alone. Politics, along with matters of safety, justice, and governance, are glaringly absent... It could be that its diplomats fear they distract from what they see as “core” development priorities. They may also be loathe to “securitize” development, a regular criticism of “western” aid programs. Either way, an uncritical treatment of development may not only result in wasted investments, it could actually do unintentional harm. Brazil seems to be resorting to an ideological—rather than an evidence-based—rationale when it comes to the SDGs”.<sup>6</sup>

Regardless, proper integration of small arms and gun violence into the UN development framework would include going beyond a vague reference to “peace and security,” but also avoid the adoption of targets so divorced from implementable reality that they would become meaningless, such as “eliminating lethal violence”.

Rather, the inclusion of armed violence numerical indicators into text would be essential. As such, relevant and feasible permutations could be: “a 50% decrease in homicides per 100,000 population” and/or “a 50% decrease in armed violence incidents (deaths and injuries) per 100,000 population”. A further specification of these could include a reference to “gun homicides and injuries” or a global commitment for all countries to, at least, reach the aforementioned 10 per 100,000 “WHO homicide threshold,” with those that have committing to assist those that have not, perhaps in a bilateral “buddy system”.

Regardless of the wording, properly including armed violence reduction into the Sustainable Development Goals, particularly with precise indicators or targets, is essential. As noted by the title of a recent panel on the peace, rule of law, and good governance goals in Stockholm, “What gets measured gets done.”<sup>7</sup> As such, the germane proposals from the recently concluded Open Working Group (under proposed goal 16) are, as they stand, too vague to be actionable.<sup>8</sup> These are 16(1), “significantly reduce all forms of violence and related death rates everywhere” and 16(4), “by 2030 significantly reduce illicit financial and arms flows...”.

While a final product is a full year away and actual negotiations are to start only in January 2015, a huge amount of effort by civil society and governments alike will be needed to reach a relevant and impactful target. An actual percentage indicator over the time period (e.g., “a X% decrease in violent deaths per 100,000 population by 2030”) is important in that it gives all countries—even the highly developed—a goal to attain and thus universal buy-in.

Moreover, specific numeric indicators on “violent deaths,” for example, would also have the beneficial by-product of pressing for gains in data collection and statistics from the many countries that fail this basic premise of government. Even in the absence of points on gun homicides or small arms specifically, clear targets for reduction of homicides or violent deaths will compel all governments to renew emphasis on controlling firearms, a main piece of the violence puzzle virtually everywhere.





# HUMAN RIGHTS

In addition to becoming fully embraced by the “development industry,” as well as its international and national frameworks, there are further policy and advocacy connections to be made with broader issues of human security. The world’s “human rights conglomerate,” including major international civil society organizations and UN agencies and processes, has also arguably dedicated less attention than deserved to issues of armed violence and, particularly, small arms as the “tools of human rights violations” *par excellence*. Certainly human rights violations perpetrated or facilitated by arms are not more important because the weapons have been internationally transferred or banned by a UN instrument?

The discussion can go further when it comes to firearms use in civilian contexts. While international humanitarian law in its present form is ill-fitting for armed violence in its most common manifestation (i.e. urban gun violence in “peaceful” countries), what are the future prospects of further applying international human rights law (IHRL) to small arms use by state agents? And, further, can IHRL help reduce firearm violence between civilians?

Seminally, the issue of small arms and human rights was taken up by the UN in 2002, resulting in a report by Barbara Frey in 2006.<sup>9</sup> Yet, “while an important contribution in its own right, this research on human rights has to date had little impact on multilateral fora in terms of concrete policy and practical outcomes.”<sup>10</sup> The only exception, arguably, was the successful negotiation of the ATT, an important step forward in terms of connecting international transfers of conventional arms and risks of IHRL violations.

Still, as noted, there are a plethora of human rights violations caused by the misuse of firearms not meaningfully connected to an international transfer, either given domestic production or diversion beyond the possible responsibility of an exporter. Undoubtedly, small arms are the “tools used to violate human rights” on a variety of levels: the right to life; security of person; freedom of assembly, association, movement; free speech; right to education; right to health care, among others. In fact, “because they are portable and highly lethal, small arms have the power to transform a basic violation of human rights into a profound one.”<sup>11</sup>

As such, Frey notes, “under international human rights law, the state can be held responsible for violations committed with small arms by private persons in two situations: when the armed individuals are operat-

ing under color of state authority; and when the state fails to act with due diligence to protect human rights.”<sup>12</sup>

In other words, national governments can be held legally responsible for human rights violations with small arms by private actors—not only for commission but also omission. Certainly, the first case is an area ripe for improvement, particularly in countries like Brazil, given the misuse of firearms by law enforcement agencies. Despite international standards and operating protocols for the use of force by law enforcement,<sup>13</sup> police firearms lethality in many societies is completely unacceptable.

For example, Brazilian (military) police is estimated to kill an average five people every day—in 2012, a total of 1890 people, 351 of those in São Paulo—about 20% of all homicides in the city.<sup>14</sup> Like for many other countries, the most basic aspect of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials has not been thoroughly implemented into national law: “Governments and law enforcement agencies shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials.”<sup>15</sup>

Other aspects of international standards have been inputted into the letter of regulations, often at a state rather than federal level, but have not been implemented systematically enough to affect the operating ethos of police forces. Therefore, in many contexts, civil society could do more to constrain the misuse of firearms by state forces through strategic deployment of IHRL.

What is more, could citizens of countries struggling with high levels of gun violence also have legal recourse to force their countries to do more even if the domestic paths for better legislation and public policies appear blocked?

These are sincere and open questions, ones which international law and human rights experts like Amnesty International, Conectas Direitos Humanos, and Human Rights Watch, for example, can help respond. From our perspective, the following definitely suggests there may be some scope for further efforts in this arena:

States would also be held accountable for patterns of abuses committed by armed individuals or groups if a state failed to act with due diligence to prevent the abuses. Examples of failure to act with

due diligence include the state's refusal to establish reasonable regulations regarding the private possession of small arms that are likely to be used in homicides, suicides and accidents.... Under the due diligence analysis, states must take reasonable steps to prevent, investigate, punish and compensate with regard to human rights violations committed by armed individuals or groups. Due diligence results from more than mere negligence on the part of state officials ... it consists of the reasonable measures of prevention that a well-administered government could be expected to exercise under similar circumstances. Thus, under a due diligence standard, it is the omission on the part of the state, not the injurious act by the private actor, for which the state may be responsible.<sup>16</sup>

To meet the "due diligence standard regarding the regulation of the ownership and use of small arms," according to Frey's UN report, "adequate guidelines must include the following State actions with regard to small arms: licensing to prevent possession of arms by persons who are at risk of misusing them, requiring safe storage of small arms, requiring tracking information by manufacturers, investigating and prosecuting those who misuse small arms, and offering periodic amnesties to remove unwanted small arms from circulation." How many countries in the world currently fail these standards—and can civil society pressure them to decisively address this failure by using this framework?

Moreover, has civil society done all it can vis-à-vis the report's main recommendation regarding small arms "misuse" in 'peace'? The report recommends that "the human rights community could make a very useful contribution to the international discussion on small arms by drafting model human rights principles on State responsibility for preventing and investigating human rights violations caused by armed individuals and groups." Has this been thoroughly achieved and deployed?

Inside the UN, for greater integration into the human rights arena, it would be important to mainstream armed violence into UN General Assembly committees other than the First ("Disarmament and International Security"), particularly the Third Committee ("Social, Humanitarian and Cultural Affairs"), which covers "agenda items relating to a range of social, humanitarian affairs and human rights issues that affect people all over the world."<sup>17</sup> There is certainly space under that body's current items on "protection of human rights" and "criminal justice," which mostly deals with items regarding illicit drugs.<sup>18</sup> Such actions could be worthy initiatives and help to break

down some of the "silos" that issues of grave international concern are often (uncomfortably) placed into.

Another particularly relevant "new frontier" within this framework would be proper deliberation of small arms and armed violence within the purview of the UN Human Rights Council (HRC) in Geneva. The need to reignite the connection between human rights efforts and gun violence could be addressed by mainstreaming small arms and gun violence into the HRC and its Universal Periodic Review (UPR) process.

Strikingly, the 2012 UPR for Brazil, only as an illustration, has barely any mention of gun violence, even under sections regarding the commitments to the "Right to life, liberty and security of the person" or recommendations concerning "Promoting public security and combating violence".<sup>19</sup> Rather, the reports duly cover successes and challenges regarding homicides by police, in prisons, specifically against women and minorities, but not much regarding broader and perhaps the most systematic violations of the human rights of the majority of the population—considering the annual 35,000 gun violence deaths, and unknown levels of injuries and violent robberies undermining any attempt of achieving "freedom from fear". Even the summary from civil society "stakeholders" pays close to no attention to this facet of human rights.

Could UPRs in the future be required to present and disaggregate the incidence and dynamics of armed violence in each reviewed country? If not always by the country government itself, certainly civil society stakeholders and UN "troikas" could become more systematic about including this information. Moreover, roughly a decade later, should the HRC not nominate another "United Nations Special Rapporteur on the Prevention of Human Rights Violations Committed with Small Arms and Light Weapons"?



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# CRIME PREVENTION

Other parts of the UN system are also arguably ripe for enhanced civil society engagement, such as the bodies dealing with crime prevention, for example, the Firearms Protocol (UNODC). While in some ways offering a more practical and focused incision point for civil society monitoring and advocacy, this arena has often been ignored by many NGOs in the field.

A partial explanation has been put forth by Cate Buchanan (Surviving Gun Violence), who notes, "there

has been much rhetoric about expanding fields of vision on this issue, into other parts of the UN system, but the disarmament and arms control stranglehold remains ... one of the distinguishing features of gun violence compared to other weapons types is the necessity of working to transform and strengthen criminal justice and security systems (including police reform). Yet many donors shy away from solid work in this area, and civil society often finds it hard to work in this area."<sup>20</sup> Certainly governments and civil society can devise ways to overcome these obstacles?

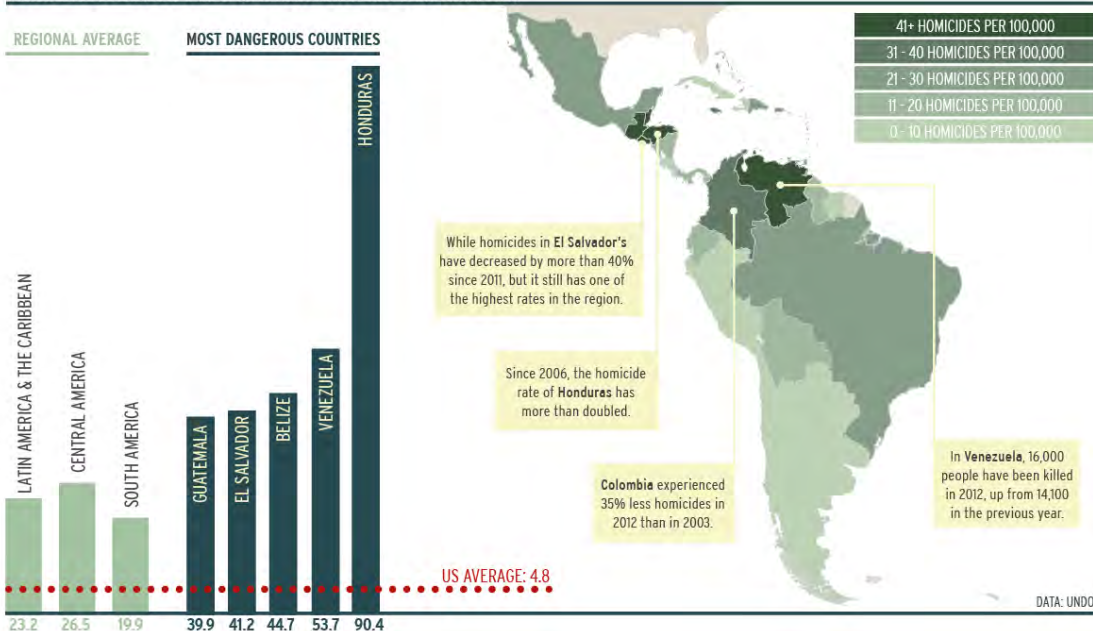
## CRIME & VIOLENCE IN LATIN AMERICA

New data released by the Asociación para Políticas Públicas and AOAVID sheds light on the severe impact of armed violence on countries in Latin America and the Caribbean.

### HOMICIDES



### ANNUAL HOMICIDE RATES PER 100,000 IN 2012 (OR LAST YEAR AVAILABLE)



Action on Armed Violence



# PEACE AND SECURITY

In addition, greater integration with the wider (and more attended to) “peace and security” agenda is warranted. Beyond the welcome but incipient first UN Security Council resolution on SALW, there are broader issues of “war and peace” that could benefit from closer attention to small arms. For example, procurement and holdings of small arms may be, more than a consequence, a facilitating or causal factor to the outbreak of war: “the combination of poorly controlled and widely available SALW with the substantial presence of non-state armed groups that is widely perceived to be particularly potent for state fragility. Together, they may generate malign cycles of decline into state failure and civil war.”<sup>21</sup>

Though further conceptual development and analysis is needed, presumably small arms could reach greater thematic protagonism in attempts to prevent and mitigate the effects of war, as well as within the fields of peacebuilding and conflict prevention. What exactly was, and is, the role of small arms in the deflagration and sustainability of the gruesome conflict in Syria? How can closer attention to small arms become part of the debates on the protection of civilians in war, the “responsibility to protect” doctrine (or Brazil’s proposed “responsibility while protecting”)?

Finally, what is (or will be) the relationship, if any, between armed violence and prospective crises threatening human security on a global level, such as severe water shortages, for example? As noted by Ken Epps (Project Ploughshares), it is important to link SALW and armed violence reduction challenges “to other major global challenges—notably climate change and the growing gap between rich and poor ... civil society groups working on global challenges are potential partners that have not been drawn into previous campaigns to the extent that could be possible.”<sup>22</sup>

In this sense, and though covering a broader phenomenon than “armed violence” strictly, advocates can refer to the Violence Prevention Alliance’s Plan of Action (2012–2020), which establishes as one of its six pillars

to “enhance integration of violence prevention into major global agendas”.<sup>23</sup>

Some international political agendas are receiving high levels of attention. Several are closely linked to violence prevention, notably economic development, urban development and human security, good governance and civil society, education, HIV/AIDS programming, and efforts to address the global drugs trade and the global arms trade. But these links are often overlooked. Identification of the major global 10 agendas with a high relevance for violence prevention and the integration of violence prevention components into them can help to leverage increased political will, human and financial resources.<sup>24</sup>

What would be those ten global agendas for armed violence? In all honesty, we do not know—there may be none for some of the issues mentioned above. But asking bigger, broader, prospective questions could be helpful as we attempt to see the entire forest rather than only the single trees we have become accustomed to zoom in on.



*Instituto Sou da Paz*



# CONCLUSION

Mainstreaming attention on firearms and related violence into broader frameworks, particularly at the United Nations, is essential not only because it would allow more leverage for those working to reduce gun violence, but also because it would help governments and civil society focusing on those “bigger picture” issues to tackle their enormous challenges.

Whether development, human rights, crime prevention, public health, or peace and security, “integration” is a two-way street: in addition to fertilizing another arena, the broader civil society community working to reduce armed violence should also be influenced by the best practices and innovations from other areas.

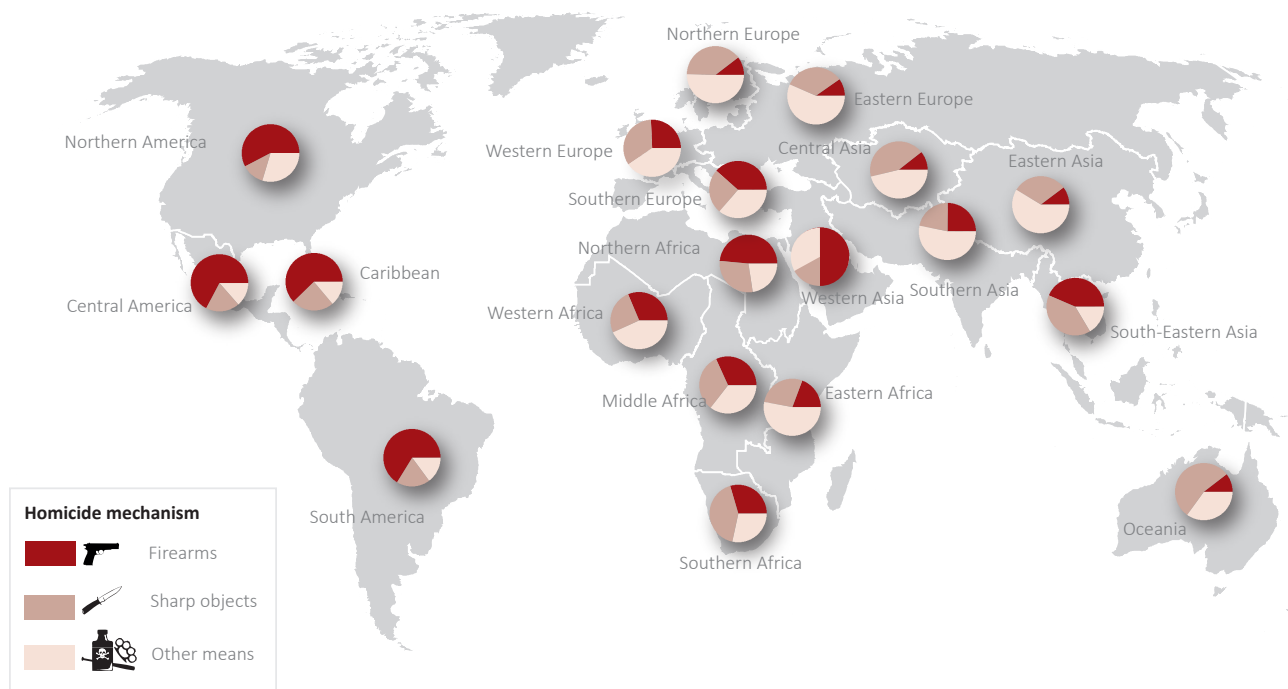
Learning from civil society colleagues who have tackled some of these big issues can be highly instructive for “our” efforts, even when there is no clear thematic connection. As suggested by Nicholas Marsh (PRIO), “look at advocacy strategies that worked in many states in the long run—e.g. tobacco, gay marriage, drunk driving, environmental issues—not in the details but to understand the balance between research and advocacy, and the relationship between local, national and international action.”<sup>25</sup>

Finally, as noted by Robert Zuber (Global Action to Prevent War), “in order to respond to policy challenges we need more boats rowing in the same direction. Attention devoted by disarmament advocates to complementary security concerns provides a context for reciprocal assistance from other agencies and diplomatic offices, not to mention from many talented educators and advocates away from New York. It is this spirit of reciprocity that has been and remains elusive in this context.”<sup>26</sup>

The breadth and scope of the problems we are collectively attempting to tackle are too momentous to let any set of tools unused. Those of us attempting to reduce gun violence worldwide must both learn from, and offer advice to, our colleagues involved in some of the world’s other great crises.

Civil society and concerned governments focusing on all of the General Assembly’s standing committees, as well as those spread around the world, have too much to say and learn from one another to continue to only speak to the choir—or work in the solitary confines of conceptual and political silos that do not do justice to the real complexities of the world.

**Map 3.1: Percentage distribution of homicide mechanisms, by sub-region (2012 or latest year)**



Note: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.  
Source: UNODC Homicide Statistics (2013).

# NOTES

1. Owen Greene, in Batchelor, Peter; Kenkel, Kai (eds.), *Controlling Small Arms: Consolidation, innovation and relevance in research and policy*, London: Routledge, 2013, p. 278.
2. Owen Greene and Nicholas Marsh, *Small Arms, Crime and Conflict: Global Governance and the Threat of Armed Violence*, London: Routledge Studies in Peace and Conflict, 2011, p. 96.
3. Ibid, p. 99.
4. Greene, in Batchelor and Kenkel 2013, p. 280.
5. Peter Batchelor and Robert Muggah, in Batchelor and Kenkel 2013, p. 137.
6. Eduarda Hamann and Robert Muggah, "Dispatch to Brazil: Give Peace a Chance in the Post-2015 Development Agenda," *The Global Observatory*, March, 2014, <http://theglobalobservatory.org/analysis/692-dispatch-to-brazil-give-peace-a-chance-in-the-post-2015-agenda.html>. A further worrisome development noted was that Ambassador Patriota "set up a false dichotomy between 'conflict' on the one hand, and 'violence' on the other. Conflicts, he argued, are predominantly 'international' issues and thus best dealt with through multilateral mechanisms, not least the UN Security Council. By contrast, violence was described as a purely 'domestic' issue subject exclusively to national jurisdiction. This kind of statement is at odds with virtually all scientific research on conflict and violence over the past decade. In fact, the vast majority of today's armed conflicts are 'internal,' even if they are fuelled in part by complex global drivers. Likewise, collective and interpersonal violence, including in Brazil, is sustained by both local and international stressors, not least drug trafficking, arms dealing, and price shocks. There are always risks when speaking of preventing conflict and violence of giving space to interventionist agendas. But to ignore them altogether is equally irresponsible."
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11. Barbara Frey, "Preliminary report on the prevention of human rights violations committed with small arms and light weapons," E/CN.4/Sub.2/2003/29, 25 June 2003, <http://www1.umn.edu/humanrts/demo/smallarms2003.html>.
12. Barbara Frey, "Small arms and light weapons: the tools used to violate human rights," *Disarmament Forum*, Number 3, 2004, United Nations Institute for Disarmament Research, [http://www.peacepalacelibrary.nl/ebooks/files/UNI-DIR\\_pdf-art2140.pdf](http://www.peacepalacelibrary.nl/ebooks/files/UNI-DIR_pdf-art2140.pdf)
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15. UN Basic Principles on the Use of Force and Firearms, 1990
16. Frey, 2004, op. cit.
17. For further details: <http://www.un.org/en/ga/third/index.shtml>
18. For a list of items in the 2013 cycle: <http://www.un.org/en/ga/third/68/documentslist.shtml>
19. For full documentation: UN Office of the High Commissioner for Human Rights, Universal Periodic Review Second Cycle – Brazil, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BRSession13.aspx>
20. In Daniel Mack, *What Next? Thoughts for global civil society working on arms control and armed violence reduction*, Instituto Sou da Paz, April 2014, p. 91, [http://www.soudapaz.org/upload/pdf/what-next\\_2014.pdf](http://www.soudapaz.org/upload/pdf/what-next_2014.pdf)
21. Greene, in Batchelor and Kenkel 2013, p. 270.
22. Mack, op. cit., p. 92.
23. *Global Campaign for Violence Prevention—Plan of Action 2012-2020*, World Health Organization, 2012, [http://www.who.int/violence\\_injury\\_prevention/violence/global\\_campaign/gcwp\\_plan\\_of\\_action.pdf](http://www.who.int/violence_injury_prevention/violence/global_campaign/gcwp_plan_of_action.pdf)
24. Specifically: "Goal: Violence prevention is increasingly reflected in major international agendas, by strengthening existing and developing new strategic partnerships with multilateral agencies, governments and civil society organizations. Action steps: Identify those agendas with high visibility and funding that intersect with violence prevention and establish entry points and potential champions in each agenda. Strengthen ties to and define shared violence prevention objectives with the UN agencies mandated to address these global agendas."
25. In Mack, op. cit., p. 92.
26. Ibid., p. 93.





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Written by Daniel Mack  
Senior Advisor, Instituto Sou da Paz  
[danielm@soudapaz.org](mailto:danielm@soudapaz.org)  
[www.soudapaz.org](http://www.soudapaz.org)

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[www.reachingcriticalwill.org](http://www.reachingcriticalwill.org) | [info@reachingcriticalwill.org](mailto:info@reachingcriticalwill.org)



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