

Options for Engagement

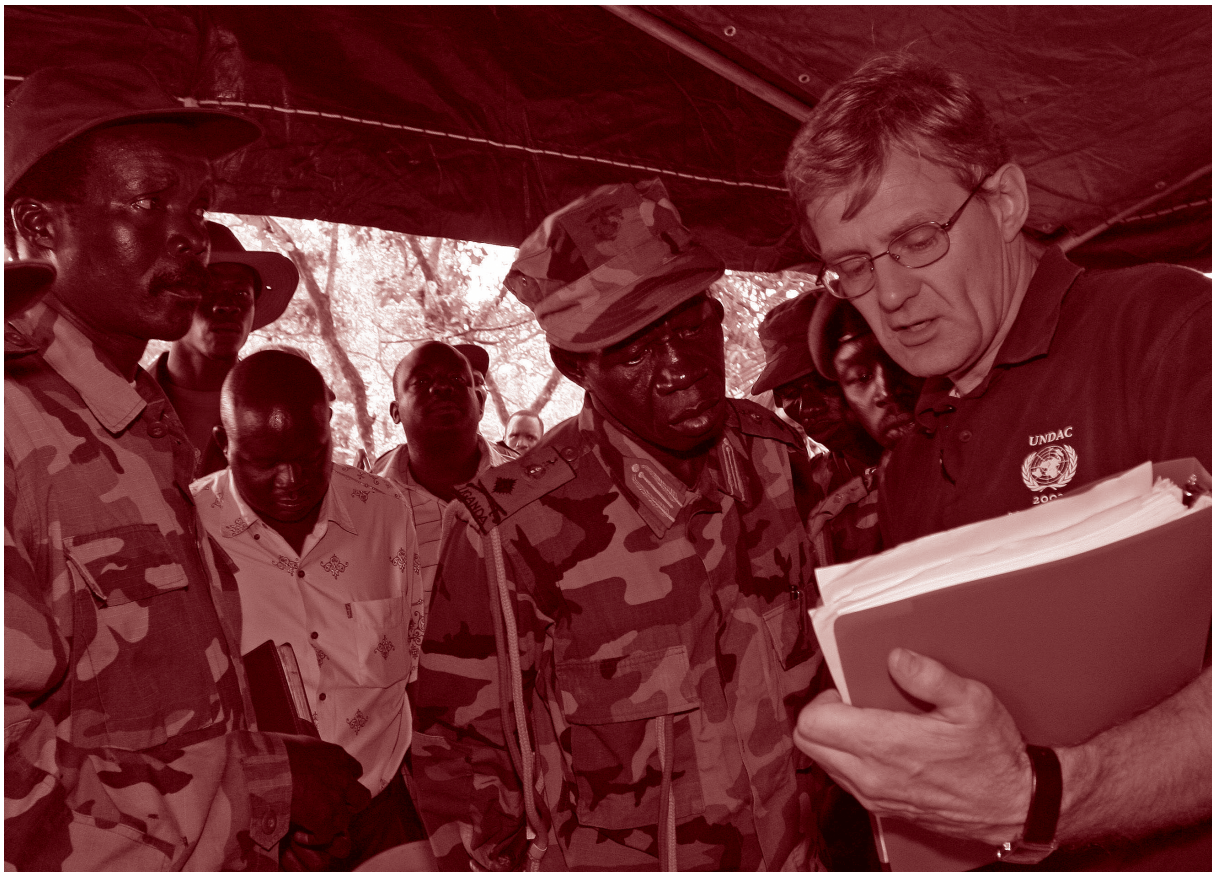
ARMED GROUPS AND HUMANITARIAN NORMS

In recent years, a growing number of humanitarian actors have engaged armed groups towards greater respect for international norms. These efforts have contributed to diverse armed groups taking measures to address humanitarian concerns, including by facilitating the delivery of aid to populations affected by armed conflict, banning anti-personnel mines, and renouncing the recruitment and use of children.

In comparison, dialogue with armed groups on the specific issue of small arms is mostly confined to peace talks and disarmament, demobilization, and reintegration programmes. Such focus on the post-conflict phase misses a big part of the picture: armed groups are key actors in most contemporary armed conflicts, many of which are of a protracted nature. As such, the way they regulate—or fail to regulate—the use and management of small arms by their fighters can diminish or exacerbate violence against civilians. Regulation can also affect the incidence of casualties caused by accidental small arms use, and condition the likelihood of ammunition depot explosions. In other words, dialogue with armed groups on the small arms issue during the conflict phase can help save civilian lives.

Armed groups do not always have the means and expertise to safeguard stockpiles according to standards.

Drawing upon lessons learned by humanitarian actors, as well as a review of more than 50 unilateral declarations, bilateral agreements, and internal regulations adopted by historical and active armed groups, the chapter, contributed by Geneva Call, identifies several areas of potential engagement in the small arms domain. Principal conclusions include:



Joseph Kony (left), leader of the Lord's Resistance Army, and his deputy Vincent Otti (centre) meet with UN humanitarian chief Jan Egeland (right), November 2006. © Stuart Price/AFP

- Diverse armed groups have taken measures to address humanitarian concerns, including by facilitating access to populations affected by armed conflict, banning anti-personnel mines, and renouncing the recruitment and use of children.
- Humanitarian actors play an important role in making humanitarian commitments by armed groups effective in practice, notably by providing support for implementation and monitoring compliance.
- Prohibiting indiscriminate use and unsafe handling of small arms are among the measures armed groups can take to reduce the impact of these weapons on civilians.
- Engaging armed groups on their use of weapons of specific concern—such as surface-to-air missiles and indirect fire weapons—is especially important.
- Keeping armed groups' ammunition depots away from civilian dwellings and secure from theft can reduce the safety threats posed by unstable ammunition and limit the risk of further arms proliferation.



Ammunition depot in Puntland, Somalia. Items were destroyed in 2009 with support from Mines Advisory Group. © Geneva Call 2007

Recent progress achieved in the humanitarian engagement of armed groups has prompted analysts and practitioners to call for a greater examination of the feasibility of engaging armed groups on small arms issues. Such dialogue would aim at ensuring that armed groups use, store, and manage small arms in ways that are consistent with international humanitarian law, international human rights law, and other applicable standards.

Among the most promising opportunities for engagement are prohibitions, and other precautionary measures, to curb the indiscriminate use of small arms by group members. Prohibitions and restrictions on the use of specific weapons of concern—such as surface-to-air missiles and indirect fire weapons—also have potential. Equally relevant are basic measures to reduce the threats to civilians caused by armed groups' arms depots. Keeping a minimum distance between depots and civilian dwellings can help reduce both the risks of explosion caused by enemy attack as well as those triggered accidentally by unstable ammunition. Recent experience shows that external monitoring of such measures is possible.

Other engagement opportunities may only be appropriate, and feasible, in exceptional circumstances. Promoting respect for international policing standards by armed groups, although implemented with de facto authorities such as Somaliland, can draw severe objection from concerned states. Providing technical training to armed groups to promote safe firearm handling and secure storage practices, although useful in reducing accidents and further arms proliferation, is likely to be opposed by concerned states on the grounds that it amounts to military training. In addition, armed groups are most often secretive about their arms management procedures, given the potential military utility of such information for the enemy. It appears, therefore, that engagement on these issues will have to be limited to raising awareness of relevant technical and human rights standards, with little opportunity for follow-up.

As experience has shown, humanitarian actors can play an important role in influencing armed groups' behaviour during conflict. These efforts, however, have thus far largely ignored the threats posed by armed groups' small arms and ammunition arsenals. The United Nations Secretary-General's May 2009 report on the protection of civilians in armed conflict created strong international momentum in favour of the humanitarian engagement of armed groups. The time seems ripe, therefore, for the international community to seek greater engagement with armed groups on the small arms issue. ■