

The illicit trade of Small Arms and Light Weapons (SALW): Interview with Nils Duquet



Nils Duquet is senior researcher at the Flemish Peace Institute. He has been working at the Flemish Peace Institute for 12 years and has authored more than 40 policy-oriented and academic publications on illicit firearms trafficking and gun violence in Europe, domestic gun policies and European arms export controls. He was also the scientific coordinator of the project SAFTE, an international comparative study on terrorist access to illicit gun markets in Europe.

The Flemish Peace Institute conducts scientific research on peace issues and specifically on topics related to arms trade. What are the main challenges in the field of diversion and illicit trade of weapons? What should the regular life cycle of firearms and small arms and light weapons (SALW) be?

Most of the firearms and SALW in the hands of criminals and terrorists across the globe are originally produced and traded legally. Yet, at some point during their lifecycle these weapons are diverted from the legal into the illicit domain. The diversion can take place at all phases of the lifecycle, which makes combating their illicit proliferation very challenging. This requires a comprehensive policy approach with very different types of measures and the involvement of various types of actors. To further complicate things: due to their physical characteristics these weapons can easily often be concealed and smuggled. Since these weapons are often trafficked across borders, combating their illicit proliferation calls for international cooperation. In addition, these weapons are generally durable goods with a very long life span. Many of the firearms used in recent terrorist attacks in Europe, for example, were several decades old. Some were even much older. The illicit proliferation of these weapons is thus not only very difficult, it also tends to have long-term detrimental consequences.

In November 2018 the EU adopted a new Strategy on illicit firearms, SALW and their ammunition. How is this new Strategy different from the one adopted in 2005? Does it strengthen the pre-existing legislative and policy framework?

The 2005 Strategy was developed by the Council as part of the Common Foreign and Security Policy. It was therefore mainly framed as a policy response to problems and threats outside the EU. It primarily focused on the availability of SALW in Eastern and South-East Europe, and the ways and means through which these weapons are transferred to conflict zones,

especially in sub-Saharan Africa. The 2018 Strategy, however, was the result of a collaboration between different EU agencies and member states. It explicitly takes into account the changing security environment, increasing the EU's focus on the nexus between internal and external security. In addition to strengthening the existing international normative frameworks and continued international assistance, the new Strategy aims to develop a comprehensive approach with various concrete measures to curb the different diversion risks throughout the lifecycle of these weapons. It therefore adds significant value compared to previous EU actions and initiatives.

You have recently published a paper on this topic for the EUNPD Consortium: what are the main conclusions of your research? How do you assess the current normative environment related to SALW and what else can be done to counter the illicit trafficking of weapons?

The new Strategy contains many positive elements and will very likely prove real added value in the combat against illicit proliferation of firearms and SALW. One aspect is, however, underdeveloped in the new Strategy: the development of more effective export controls policies in EU member states. Several member states are major global producers and exporters of firearms and SALW and several studies have demonstrated that some of these exports have fuelled illicit SALW proliferation in different parts of world. The 2018 Strategy explicitly aims to promote accountability and responsibility with regard to the legal trade in SALW and stress the need to strengthen arms export control procedures, but unfortunately it does not contain concrete measures and actions to promote more restrictive national arms export policies to conflict-affected regions and countries. I therefore hope that the ongoing review process of Common Position 2008/944/CFSP on arms export controls will be used to complement the 2018 SALW Strategy and develop a truly comprehensive approach to combating the illicit proliferation of firearms and SALW across the world.

The Role of The European Union In Delivering SALW Control Assistance

Over the years the international community has contributed to the development of a series of instruments aimed at strengthening both arms transfer and SALW controls. These include the [Arms Trade Treaty \(ATT\)](#), the [UN Programme of Action on SALW \(UNPOA\)](#) and the [UN Firearms Protocol](#). These instruments also encourage adherent states to either offer assistance to implement their provisions or request support in this area.

In its 2018 SALW Strategy, the EU reiterated its support for the implementation of these documents and calls for international cooperation and assistance as fundamental instruments to curb SALW proliferation. The EU is one of the major donors in this field. It adopted a total of 29 Joint Actions and Council Decisions in support of SALW-control assistance in 2004-2018. These covered countries from several regions of the world (e.g. Latin America and Caribbean, West Africa, South East Asia and Western Balkans) and supported physical security and stockpiles management, destruction activities and, most recently, 'gender mainstreamed policies' in the fight against SALW trafficking. On top of this, the [EU P2P Programme](#) supports several countries in implementing the ATT or strengthening their arms export control systems more broadly. This range of activities becomes even wider if one considers the efforts implemented through other EU resources, such as [the Instrument contributing to Stability and Peace \(IcSP\)](#).

The 2018 SALW Strategy has been praised for its ambition to promote a truly integrated approach to address SALW and firearms proliferation. As part of this effort, the EU could take steps to improve its coordination with [other donors and assistance implementers such as the UN and the different NGOs and regional organisations that are active in this area](#). The EU could also aim for a better integration of the assistance initiated by its different institutions or funded through its different resources. This would help the EU achieve the goal set by the Strategy, that is carrying out a comprehensive assessment of the impact of its assistance programmes.

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Network Call

“European Perspectives on Remote Warfare” Conference

The shape of the EU's foreign, security and defence policies are changing. European defence investments are increasing against the backdrop of instability at Europe's borders and a previously reliable ally that is turning inwards. These broad developments are at the centre of a conference organized by PAX and Chatham House and entitled: “European Perspectives on Remote Warfare”. The panel discussions will cover topics such as the implications of the new EU Defence Fund, legal, ethical, and transparency issues in military research and development and the increasingly ambitious position of the EU as a global actor.

The Conference will be held in *Brussels*, on *15th May 2019* at the Solvay Library.

More information about registration and the full programme can be found [here](#)

EU INSTITUTIONAL NEWS

The EU Reacts to Trump's Announced Withdrawal from the Arms Trade Treaty

On 27 April 2019, the Spokesperson for Foreign Affairs and Security Policy/European Neighbourhood Policy and Enlargement Negotiations, Maja Kocijancic, delivered a statement on behalf of the European Union in response to U.S. President Donald Trump's [announcement](#) that the US will withdraw from the [Arms Trade Treaty](#) (ATT). The Spokesperson noted that the U.S. decision would negatively affect ongoing efforts to encourage transparency in international arms trades, prevent illicit trafficking and combat the diversion of conventional arms.

The U.S. withdrawal, announced by Trump during the National Rifle Association's (NRA) 148th Annual Meeting, came after months of criticism of the ATT by the U.S. administration, which has argued the treaty harms U.S. gun owners' rights under the Second Amendment. Critics of the decision have noted that the move is strictly political considering that, as [noted](#) by former U.S. Assistant Secretary of State for international security and nonproliferation, Thomas Countryman, “the Arms Trade Treaty does not create in any form whatsoever [...] any entity that can dictate to the United States its internal laws and regulations on trade and possession of handguns” and that “the treaty affirms that each state has the obligation to make its own decisions within its borders in accordance with its legal and constitutional system”.

The ATT, in force since December 2014, is the first multilateral and legally binding instrument that regulates international trade of conventional arms and that seeks to prevent and eradicate their illicit trade and diversion by establishing international standards governing arms transfers. According to the EU Spokesperson, the treaty “aims to strengthen responsibility and transparency [...] contributing to international efforts to ensure peace, security and stability”.

The EU statement stresses that the unregulated trade of arms “continues to cause major suffering in many parts of the world, fuelling conflicts, terrorism and organised crime” with “small arms and light weapons killing around 500,000 people every year”. The statement therefore calls all States to join the ATT without delay.

[Statement by the Spokesperson on the intention by the US to withdraw its signature from the Arms Trade Treaty](#)

NETWORK NEWS

The EU Non-Proliferation and Disarmament Papers Series

As part of its mandate, defined in [Council Decision \(CFSP\) 2018/299 of 26 February 2018](#), the EU Non-Proliferation Consortium publishes a new series of Non-Proliferation and Disarmament Policy Papers. The first paper of the new series is authored by Névine Schepers, Research Associate at the International Institute for Strategic Studies (IISS).

Summary:

Over the last decade, Russia has come to dominate the international civil nuclear technology export market. Russia's state-owned nuclear energy corporation, Rosatom, has succeeded in increasing worldwide sales of nuclear reactors, nuclear technology and engineering services and fuel supplies. After signing a \$30 billion contract in December 2017 for the construction of four reactor units at the El Daaba nuclear power plant (NPP) in Egypt, Russia signed a contract for four such units with China; in June 2018, and a contract in September for a two-unit NPP in Uzbekistan. Construction began in Turkey at the Akkuyu NPP in April 2018, and in Bangladesh on the second unit of the Rooppur NPP in July. This commercial success is based on a combination of flexible business models, attractive financial packages and diplomatic tools. The long-term nature of nuclear power plant projects and crucial role in a country's economy as an electricity provider make them strategic assets. The Russian Government provides diplomatic and, in some cases, significant financial support to such projects. As a result, the export of nuclear reactors has raised some eyebrows among Western observers who see an increase in Russian-made nuclear reactors as a geopolitical tool for Russia to expand its influence worldwide. This paper examines Russia's civil nuclear export strategy and discusses its geostrategic implications. While there are some concerns about the nature and reach of certain exports, the prospects for an increase in the number of new nuclear builds, nearly all with Russian support, pose more immediate risks in terms of nuclear governance. This paper therefore also looks at whether Russia's increased role in the nuclear export market has adversely affected global nuclear governance norms. Finally, given the EU's increasing ambition to become a global non-proliferation actor, the paper provides an assessment of the available instruments used by the European Union to address concerns, linked to nuclear governance and energy security, about the rise of Russian nuclear exports.

Read the full paper [here](#)

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