EXPERIENCE SHARING ON ARMS CONTROL IN ECOWAS REGION: REPLICATION FOR THE PREVENTION OF ILLICIT USE OF IEDS AND FACILITATION OF VOLUNTARY INFORMATION SHARING

Group of Experts Meeting on CCW Amended Protocol II

Geneva, Switzerland
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Presentation Outline

- Background on ECOWAS Arms Control Interventions
- The ECOWAS Convention on SALW: A Synopsis
- The ECOWAS Exemption Procedure
- Prevention of Illicit Use of IEDs and Information Sharing
- Recommendations and Conclusion
The 15 ECOWAS Member States
### Background

#### Responses (legal/normative frameworks) to the State of the Situation

<table>
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<th>Year</th>
<th>Event</th>
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<td>1998</td>
<td>• Adoption of the world’s first regional Moratorium on the Importation, Exportation and Manufacture of Small Arms in October 1998 - the moratorium was political and voluntary</td>
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| 1999 | • Adoption of a Code of Conduct for the implementation of the Moratorium in December 1999. The Code:  
- calls for institutional arrangements to be put in place specifically National Commissions on SALW consisting of representatives from relevant authorities,  
- Specifies the scopes of weapons to be covered to include ‘components and ammunition’ for those weapons.  
- Specifies structure, staff and procedures within the ECOWAS Secretariat |
| 2003 | • Transformation of the moratorium into legally binding instrument to ensure more effective and comprehensive implementation in 2003 |
| 2006 | • The ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials was adopted on the 14th June 2006 |
| 2009 | • ECOWAS Convention on SALW entered into force in 2009 |
The ECOWAS Convention on SALW (A Synopsis)

- **Background:** antecedents regional efforts on SALW Control; from Moratorium on SALW to Convention on SALW
- **Convention adopted by Heads of States in 2006 and came into force in 2009**
- **7 chapters and 32 articles**
- **Scope:** SALW; Ammunition; Parts and Components; Related Materials
- **Deals with legal and illicit sides as well as demand and supply dynamics of SALW**
- **Convention as a Confidence-building measure and promotion of transparency among ECOWAS Member States**
- **Practical Measure: Exemption Procedure -** SALW transfer is STRICTLY a state to state activity: Cornerstone of The Convention
- **Practical Measures:** (Marking; Tracing; Brokering; Management/Security of Stockpiles; SALW Databases/Registers; Public Awareness; Harmonization of Legal Frameworks; Border Control; Cooperation/Assistance; Arms Collection and Destruction; Manufacture and Possession Control; Sanctions; Monitoring among others)
ECOWAS Convention on SALW: Other Related Materials

- OTHER RELATED MATERIALS: All components, parts or spare parts for small arms or light weapons or ammunition necessary for its functioning; or any chemical substance serving as active material used as propelling or explosive agent
The ECOWAS Exemption Procedure on Arms Transfer

Article 3 de la Convention CEDEAO sur ALPC: établit les principes de base relatifs aux transferts d'ALPC:

1. Les États membres interdisent le transfert d'armes légères et de petit calibre vers et à partir de leur territoire;

2. Les États membres interdisent, sans exception, les transferts d'ALPC à des acteurs non étatiques non autorisés par l'État importateur;
The ECOWAS Exemption Procedure on Arms Transfer

Art.4: *Fixe les conditions d’une exemption*

1. Besoins légitimes de défense et de sécurité;
2. Participation aux opérations de soutien de la paix;
3. Application de la loi;

Art.5: Décrit la procédure pour une demande d'exemption:

1. Des informations minimales devraient figurer dans la demande: les armes à transférer; fournisseur; Processus d'approvisionnement; Utilisateur final; Utilisation finale;

2. Examen technique de la demande par la Commission CEDEAO

3. Examen politique par les Etats membres;
4. Délivrance d'un certificat d'exemption;
5. Publication d'un rapport annuel;
Prevention of Illicit Use of IEDs and Information Sharing: A Regional Approach

- **Background: Argument for a regional approach: Interconnectivity of the challenges in the ECOWAS Region**

- **Goal 1:** Understanding the regional trends and dynamics of the trafficking of components into the IED networks and the diversion of commercial explosives into the same.

- **Goal 2:** Contracting of local researchers to better understand the availability of explosives on the black market in various locations

- **Goal 3:** Mapping of the Spreading use of IEDs in ECOWAS Member States

- **Goal 4:** Sensitization and Advocacy Programs:
  - Community Wide
  - IEDs Risk Education
  - Relevant government, military and explosives industry representatives

- **Goal 6:** Convocation of Regional Stakeholders Roundtable
  - Identification/nomination of national Focal Points
  - Periodic briefing to review progress in the implementation of regional strategy
Prevention of Illicit Use of IEDs and Information Sharing: A Regional Approach

Background: National and Regional Control Implementation Mechanism On the Prohibition of the Transfer of chemical substance serving as active material used as propelling or explosive agents

Goal: To prevent diversion and access of Non-State Actors to explosive agents

- **Member States to request** authorization for the transfer of substance serving as active material used as propelling or explosive agents
- **Technical Evaluation of request by the ECOWAS Commission**
- Sharing of Reason Opinion on explosive agents/materials transfer by the ECOWAS Commission to Member States:
- **Issuance of Exemption Certificate on the transfer of active materials used as propelling or explosive agents**
Recommendations and Conclusion

- Clear and established case of the scourge of IEDs in the region
- Regional and national nature of the challenge: every State is concerned, directly or indirectly; and local specificities;
- Expansion of the mandate of the respective National Commission on Small Arms in Member States
- Fortify collaboration between State actors and civil society organizations
- Exploration of collaboration between technical partners and the ECOWAS Commission