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The AK-47: the world's favourite killing machine

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Introduction

Kalashnikov¹ assault rifles are the most widespread military weapons in the world. It is estimated that there are between 50 and 70 million of them spread across the world's five continents. They are used daily by soldiers, fighters, and gang members to inflict untold suffering in many countries. The spread of these weapons continues largely unchecked by governments, threatening the lives and safety of millions as weapons fall into irresponsible hands. More than ever, the Kalashnikov rifle is the weapon of choice for many armies, militias, armed gangs, law enforcement officials, rebels, and other private actors who abuse fundamental human rights and operate beyond the international humanitarian law parameters laid down by the Geneva Conventions and other relevant international law.

Although the United Nations and its member states have taken concrete action to limit the proliferation of nuclear, biological, and chemical weapons of mass destruction through international treaties and monitoring organisations, the number one tool used for killing and injuring civilians today is small arms, including the assault rifle, which is reaching more countries than ever before. On 26 June 2006, the UN Review Conference on the Illicit Trade in Small Arms and Light Weapons begins in New York. At this conference, governments have an opportunity to agree effective and comprehensive controls to prevent the proliferation and misuse of small arms and light weapons, including assault rifles like the AK-47. In October 2006, at the UN General Assembly, governments should agree to negotiate a new global Arms Trade Treaty (ATT) to regulate international transfers of all conventional arms, including military assault rifles.

The proliferation of Kalashnikovs has resulted in such deadly weapons being used to massacre, maim, rape and abuse, torture, and fuel violent crime in countries as diverse as Afghanistan, Britain, the Democratic Republic of Congo (DRC), Iraq, Mexico, Sierra Leone, the USA, Venezuela, and Yemen. With no global treaty to regulate the sale of such weapons and no international organisation to effectively monitor transfers of small arms and light weapons, Kalashnikov assault rifles are a truly global commodity

now traded, warehoused, and produced in more countries than at any time in their sixty-year history.

The Kalashnikov assault rifle was designed during the Second World War and produced originally as the AK-47, for use against conventional armies by soldiers subject to military law. Since then the AK-47 has been diverted from its intended purpose and is now part of an often unregulated flow of assault weapons which has catastrophic consequences for civilian populations in the developing world.

‘People often ask me whether I feel guilty about human suffering that is caused by the attacks with AK-47. I tell them that I designed the gun to defend the Russian Motherland from its enemies. Of course I feel sad and frustrated when I see armed skirmishes with the use of my weapon also for conduct of predatory wars and for terrorist and criminal purposes. But it is not the designers who must ultimately take responsibility for where guns end up; it is governments who must control their production and export.’²

(General Kalashnikov, inventor of the AK-47 assault rifle)

In late 1998, rebel groups in Sierra Leone holding assault rifles repeatedly raped Fatu Kamara at gunpoint. Her husband was tortured and killed in front of her and her daughter shot in the head. The most widely used assault rifle in the atrocities carried out in Sierra Leone and Liberia was the AK-47.³

‘My mother wanted me to leave her behind but I couldn’t, and I was sitting with her when a rebel grabbed me. I turned round and saw many of them surrounding me, all holding guns. There was an argument. Some said I should be killed, but one soldier was a man I recognised, and he asked them not to kill me...When they had finished raping me they took me out and I was sitting crying, and then suddenly they brought my husband and my daughter. I was so troubled that I even forgot my own pain.’

(Fatu Kamara, 39, from Foredugu in Port Loko District, Sierra Leone)

A short history of the Kalashnikov

The first Kalashnikov assault rifle was invented by Mikhail Timofeyevich Kalashnikov whilst recovering from injuries sustained during fighting in the Second World War. Its first incarnation was the AK-47, named to coincide with the year of its entry into active service (1947)⁴. Whilst production of the original AK-47 largely ceased in the mid 1950s, modern variants continue to be produced in many parts of the world. It is estimated that there are somewhere between 50 and 70 million Kalashnikov assault rifles spread across the world’s five continents.

The Kalashnikov remains the preferred weapon for many armed forces, rebel groups and armed gangs because of its proven reliability and widespread availability. The AK-47 in particular is robust and simple to operate, with only minimal working parts. AK-47 weapons are produced in their tens of millions throughout the world, and were also supplied in their millions to various regimes during the Cold War, making them cheap and obtainable from numerous sources. Production and supply of ammunition (7.62 x 39 mm) is equally prolific, including hundreds of millions of units stored in surplus stockpiles in many parts of the world.

The AK-47 is a semi-automatic military assault rifle and is designed to be operated by highly disciplined and well-trained infantry. However, in untrained and

unaccountable hands it is used dangerously and abusively – when this occurs in populated areas it can often result in civilian carnage. It can be fired in single shot mode or can be set for automatic fire by the simple operation of a lever located near the trigger mechanism. In automatic mode, the AK-47 can be fired at a rate of 600 rounds per minute as long as the trigger remains depressed, although its magazine can only store 30 rounds, which will empty in a little over 3 seconds.

The weapon has a maximum range of 800 to 1,000 metres, but is only really guaranteed to be accurate when used by a trained marksman up to a range of about 400 to 600 metres ⁵. At excessive ranges (over 1,000 meters), an assault rifle can still cause tremendous injuries, due to the severe wounding and maiming effects of slow-moving unstable bullets on the human body. In Afghanistan for example, the severe ‘yawing’ effect of the Kalashnikov bullet when it enters the body can be seen clearly on the streets of Kandahar, Herat, and Kabul, where non-fatal wounds resulting from the turning of the round in human flesh have produced thousands of disabled people and amputees.⁶

In 1959, the AK-47 was upgraded by its original Russian manufacturers to the AKM model, which made it slightly lighter and cheaper to produce. In 1974 a new variant was introduced, the AK-74 which was basically a re-chambered AKM variant to take the newer 5.45 x 39 mm calibre ammunition, the Russian equivalent to the standard 5.56 x 45 mm NATO standard round ⁷. The most modern family of Kalashnikov weapons is the AK-100 series. ⁸

Proliferation of Kalashnikov production capacity

There is widespread and persistent misuse of conventional arms, especially small arms and light weapons, across the globe, resulting largely from the failure of governments to control their proliferation and use. The underlying causes of this are (i) the absence of national, regional and ultimately global standards, laws, and procedures to regulate their transfer and use; (ii) the wide international spread of production capacity of many types of such weapons; and (iii) the easy availability of supplies from the surplus stocks of many types of small arms and light weapons, and their associated ammunition. AK rifles and ammunition typify this problem probably more than any other arms. This is partly a result of the collapse of the Warsaw pact in the late 1980s and early 1990s, and partly due to the spread of production of AK rifles and their variants in China and elsewhere, which made it relatively easy for unscrupulous arms dealers, irresponsible armed forces, and non-state groups to obtain such weapons.

Reports indicate that variants of the Kalashnikov rifle are produced in at least 14 countries, including Albania, Bulgaria, China, Germany, Egypt, Hungary, India, Iraq, North Korea, Poland, Romania, Russia, and Serbia ⁹, and most recently Venezuela (see below). Kalashnikov technology has also been used for the development of other derivative assault rifle types manufactured in Finland, Israel, and South Africa, amongst others. For example, the Finish Sako M60, M62, and M76, the Israeli Galil ARM/AR assault rifles, and the South African R4 are all essentially based on the AK-47's main working parts.¹⁰

Kalashnikov versus other assault rifles

AK assault rifles are in the inventories of nearly half of the world's armies, making them by far the world's most prolific and used assault rifles. It is also the firearm of

choice for virtually every armed group operating from every continent on the globe. Images from criminal organisations or other armed groups nearly always depict them wielding Kalashnikov rifles.

At least 82 countries currently list AK or AK-derived assault rifles within their state arsenals. The next most popular assault rifles are the Heckler and Koch G3, originally from Germany, and FN Fal assault rifles, originally from Belgium. These are listed as in use in approximately 50 and 65 of the world's armies respectively. This is followed by the US-produced M-16, currently listed as in service in up to 42 countries.¹¹ In terms of actual numbers of assault rifles produced, the AK outstrips the US-produced M-16 assault rifle by a factor of ten to one. Global estimates put the production of AK rifles in the region of 50–70 million, although estimates of 100 million are not uncommon. By contrast, world production of G3 assault rifles, the next most prolific assault rifle, is believed to be between 15 and 20 million, and M-16 assault rifle production is estimated to be between 5 and 7 million.¹²

Demand in many parts of the world for Kalashnikov assault rifles remains strong, not least because the price remains relatively low. Unlike the price of other global commodities such as oil and gas, copper and zinc, the price of a Kalashnikov continues to fall in real terms, aiding its proliferation in poverty-stricken regions of the world. The price of an AK-47 derivative varies depending on sale location, quality, and quantity. A brand new Kalashnikov from a Russian factory costs around \$240, depending on the derivative and size of the purchase.¹³ In Africa an AK-47 can be bought for around \$30 in areas where supplies are plentiful.¹⁴ Thousands of Jordanian Kalashnikovs bought by the US for the new Iraqi security forces retailed at approximately \$60 each.¹⁵ Stockpiled Balkan AK-47 variants cost US and European buyers between \$50 and \$100 per rifle.¹⁶

The new Kalashnikov dealers

Kalashnikov purchase and supply dynamics have altered dramatically since the Cold War. Tens of thousands of AKs are now being bought, trafficked, and brokered by a new breed of middlemen. International networks of companies, government agencies, and individuals in Europe, the Middle East, North America and elsewhere are involved, augmenting the millions of assault rifles and other small arms currently in circulation. These Kalashnikov market facilitators are increasingly involved in complex supply chains to deliver AK-47 assault rifles and their variants across the globe using brokering networks, freight-forwarders, transport firms, off-shore bank accounts, and other inter-connected companies. Established arms supply networks in many countries are responsible for delivering vast numbers of these weapons to areas of conflict and repression. These are now increasingly joined by some Western governments and associated private contractors who trade in surplus arms from former Warsaw Pact countries. This challenges the assumption that the worldwide problem of Kalashnikov proliferation and abuse has been caused solely by the failure of Russia and its military allies, and China and its partners, to control and regulate it.

For example, one significant buyer of Kalashnikov rifles and ammunition in the last two years is the US Department of Defence. The EU-led peace-keeping force (EUFOR) in Bosnia and Herzegovina (BiH) and the Organization for Security and Co-operation in Europe (OSCE) state that more than 350,000 AK-47 rifles and derivatives were transferred out of BiH and Serbia and Montenegro by a chain of private contractors operating on behalf of the US Department of Defence between 2004 and 2005, purportedly destined for Iraq. Both the NATO force (SFOR), and subsequently EUFOR

in BiH, authorised the transfer of such weapons and associated ammunition via intermediaries to Iraq.¹⁷ An unknown number of such weapons and ammunition were also shipped to Afghanistan. Private contractors include a network of brokers and shipping agents operating in the USA, UK, Germany, Croatia, Serbia, Moldova, and Switzerland. This list excludes shipments made from Albania, Bulgaria, Slovakia, Slovenia, and Estonia which have either sold or donated AK-47 derivatives purportedly delivered to the new Iraqi and Afghan security forces.¹⁸

Some of these US Kalashnikov deliveries (allegedly to Iraq) were made using a Moldovan air charter company, Aerocom. This company had previously formed part of an arms trafficking network that delivered tens of thousands of AK-47 derivatives from Serbia to Liberia in 2002, in violation of the UN Arms embargo on Liberia, thus fuelling some of the worst arms atrocities and human suffering of the modern era. Aerocom was contracted by the Yugoslav state weapons company to transfer the Kalashnikovs in a deal involving false Nigerian End User Certificates. The cargo was diverted en route to Liberia, using fake flight plans to hide the true destination of the weapons. These assault rifles were used by forces loyal to Charles Taylor to commit terrible atrocities and acts of unimaginable cruelty,¹⁹ with the result that civilians lived in constant fear of undisciplined armed groups who killed, raped, looted, and recruited up to an estimated 21,000 child soldiers.

'I was working on the farm and heard that soldiers were coming, so my father told me to hide. But I was caught. The soldiers tied me and beat me and took me to a.... There were many small boys in Lofa, more than the adults. Many were killed by bullets and rockets. They gave me an arm and told me how to use it... I used an AK-47; the adults used RPGs (Rocket Propelled Grenades) and other bigger weapons. I fired the gun but am not sure if I killed people. On the road enemy soldiers came and I tried to run away but a rocket hit my leg. Four people were wounded and some others died in the attack. Government soldiers came and took me to Phebe hospital.... they amputated my leg... I want to go to school and start a small business.'²⁰

(J.K., a boy aged 14 years, from Bong Count, Liberia, was captured by former government forces in June 2003)

The UK is also a storage and distribution centre for Kalashnikov weapons from the Balkans. In May 2006, it was reported that over 20,000 Kalashnikovs have been imported into the UK by three UK companies: York Guns, Jago (UK) Ltd, and Procurement Management Services Ltd.²¹ Documentation issued by EUFOR peace-keeping forces in Bosnia shows that these inter-related UK companies have been involved in the procurement of thousands of weapons from Bosnian stockpiles. One of the directors of Jago is the owner of Transarms, a German gun dealership that trades in large quantities of AK-47 ammunition and other items. Since such military specification weaponry cannot be sold on the UK private internal gun market (current UK law forbids the private ownership of an AK-47 rifle), it is assumed that such weapons must be for subsequent re-export. York Guns' manager has denied purchasing the Kalashnikov rifles from Bosnia.

The human cost

Kalashnikov assault rifles have been used for unlawful killing, wounding, and infliction of other types of suffering in very many countries, including countries as diverse as Afghanistan, Britain, the Democratic Republic of Congo (DRC), Iraq, Mexico, Sierra Leone, the USA, Venezuela, and Yemen.

In the areas of armed conflict and repression in Africa, Kalashnikov rifles have gained a reputation for mass destruction and terror. The gross misuse of these assault rifles by unaccountable and poorly trained combatants and fighters has been responsible for millions of direct and indirect deaths in Angola, Chad, DRC, Liberia, Mozambique, Sierra Leone, Somalia, Sudan, Uganda, and elsewhere. For example, in the DRC, militia leaders have exploited the relative lightness and simplicity of the AK-47 to equip many of the 30,000–35,000 child soldiers, many of whom have been sexually abused by their commanders, and forced to kill or to witness atrocities.²²

‘He ordered us to loot everything they had, to drive them away and to destroy their homes.... our commander gave the order to kill anyone who put up any resistance. He ordered me personally to do that and told two other soldiers to watch over me and kill me if I refused to obey. And so I killed, I fired on these people. They brought me a woman and her children and I had to put them in a hole and bury them alive. They were screaming and pleading with me to spare them and release them. I took pity on them, but then I looked over my shoulder at the two soldiers watching me, and I said to myself: “If I let them go, these soldiers are going to kill me.” And so I went ahead and buried the woman and children alive, to save my own life.’²³

(Olivier began life as a child soldier at the age of 11 in the DRC)

It is estimated that 50–60 per cent of the weapons used in this conflict are AK-47s or derivatives. In November 2005, Control Arms researchers investigated the origin of 1,100 weapons collected by international peace-keepers in eastern DRC. Whilst a significant number were identified as Chinese-type 56 AK-47 derivatives, there were ten more Kalashnikov derivatives, manufactured in Egypt, Romania, Bulgaria, Serbia, and Russia.²⁴

Beyond Africa, the misuse of Kalashnikov rifles is prevalent in many parts of the world, fuelling conflict, crime, and poverty. In Novo Laredo, a Mexican town close to the US border, more than 100 people were killed in suspected drug cartel operations in 2005 alone; the majority killed using the Kalashnikov. ‘For the narco-traffickers, it’s [the AK-47] like their good luck charm’, said one Mexican police official. In northern Mexico, the AK is called the ‘goat’s horn’, on account of its curved magazine, by the drug lords and their soldiers who use it to murder business rivals, police officers, and bystanders.²⁵ In the UK, an AK assault rifle was used to massacre 17 civilians in Hungerford in 1987, as well as in the gangland murder of David King in 2003.²⁶ In the USA, the weapon has been used to murder government employees outside the CIA’s headquarters in Langley Virginia. On January 25, an individual opened fire with an AK-47 assault rifle, killing two people and wounding three others. Between 1998 and 2001, according to FBI data, over one in five law enforcement officers killed in the line of duty were killed with assault rifles and over 800 law enforcement officials have supported the campaign to keep assault rifles out of civilian hands.²⁷

Systematic abuse has been particularly strong in Afghanistan, where the weapons have been supplied over the past thirty years in their hundreds of thousands by the former Soviet Union, the USA, Pakistan, Iran, India, Saudi Arabia, and others to militia groups, warlords, and armies.²⁸ In Yemen, Kalashnikovs have been used to massacre schoolchildren,²⁹ while in Liberia and Sierra Leone children who should have been at school have used Kalashnikovs to massacre adults.

Nowhere is the chaos and carnage caused by the misuse of military assault rifles more clearly demonstrated than in the current situation in Iraq. Violent deaths are increasing dramatically in Baghdad, and conflicts and insurgent attacks have claimed

at least 25,000 civilian lives across Iraq³⁰. Kalashnikov assault rifles and ammunition are readily available. When Saddam Hussein's government was toppled in 2003, it was estimated that there were about 20 million weapons, largely AK-47 and derivatives, in Iraq. Thousands more have entered the country since the US and allied military occupation. Although a high proportion of such violence is carried out with bombs and other weapons, the proliferation of Kalashnikov rifles in Iraq in unaccountable and poorly trained hands is a major contributing factor.

The NGO, Doctors for Iraq, reports that it has seen a massive increase in the number of patients with bullet wounds in Baghdad. It says the victims are usually men between 18 and 45 years old, and that most are killed or injured by automatic weapons fired at close range. It also estimates that up to 150 senior doctors have been assassinated since 2003.³¹ Nearly three years after US and allied forces invaded Iraq, the human rights situation in the country remains dire. Widespread abuses amid the ongoing conflict, including incidents of torture and ill treatment, and attacks by armed groups, have continued unabated. Moreover, several Iraqi families are now being forced to leave their homes out of fear – the Iraqi Ministry of Displacement and Migration recently said that around 10,000 families have been uprooted as a result of the ongoing sectarian killings.³²

The future of the Kalashnikov

With the production of new variants, including the new Russian AK-100 series, the demand for Kalashnikov rifles is likely to remain strong in the future, with many producers also now offering the weapon in NATO calibre for export markets. Evidence suggests that the Kalashnikov 7.62 x 39 mm calibre assault rifle will remain the dominant military assault rifle in many of parts of the world at least for the next two decades and probably longer.

Venezuela has recently signed production contracts for large numbers of Kalashnikov weapons. In June 2005, Jane's Defence reported that Venezuela had ordered 100,000 Kalashnikov AK-103 assault rifles in a US\$54 million deal. The deal also involved assembly of the weapons in Venezuela, adding another production centre for the Kalashnikov, its first in the Americas.³³ In June 2006 it was reported that an initial batch of some 30,000 weapons had been delivered. The deal has caused controversy in the USA, as the US government believes that weapons produced in Venezuela may end up in the hands of Colombian rebels.³⁴ Kalashnikovs have been supplied to Colombian rebels before from within the region; in 1999, under a deal involving corrupt officials in Peru, more than 10,000 AK-47 derivatives brokered from Jordan were diverted to FARC (Revolutionary Armed Forces of Colombia) guerrillas in Colombia, who are documented as serious human rights abusers.³⁵

The production of the world's assault rifles has not been effectively controlled, especially the two most prolific and widely misused assault rifles, the AK-47 and its variants and the G3. For both these weapons, there has been widespread international production through largely uncontrolled licensed production agreements and, in the case of the AK-47, also through unlicensed production. The proliferation of such production capacity was allowed originally by the Russian and German governments, where the technology began and such rifles were made, but has become the responsibility of more and more governments. In the case of many producers of AK variants and derivatives, often there is no production agreement at all³⁶. Often, new production capacity has resulted in surplus stocks of older assault rifles, and such

stocks become the source of new cheap and poorly regulated supplies onto the increasingly global market.

Evidence strongly suggests that more effective international regulation of unlicensed arms production and of licensed arms production agreements needs to be a priority, as well as tough and effective international, regional, and national controls over transfers of such weapons themselves, based on states' existing obligations under relevant international law. Such measures are fundamental to help prevent these deadly assault rifles from falling into the wrong hands.

Conclusions and recommendations

The proliferation of, and ease of access to AK-47 and similar assault rifles around the world, more than any other small arm or light weapon, continues to result in mass suffering, with no end in sight. Military assault rifles are intended to be battlefield weapons; they are not designed to be used as normal instruments of law enforcement, nor are they weapons that should be allowed to end up in civilian hands. The danger of unlawful killing and injuries is clearly increased when gangs are wielding automatic and semi-automatic military specification firearms which can fire many rounds in rapid succession. The bullets fired from many types of assault weapons are designed to pass through humans and also through structures, and therefore pose a heightened risk of hitting passers-by. All states must therefore act with due diligence to restrict access to assault rifles and ensure the highest possible standards in the management, transfer and use of such weapons.

All governments have a duty under international humanitarian law such as the Geneva Conventions and Protocols to ensure that their military personnel do not use assault rifles and other weapons to target civilians or for indiscriminate attacks. In addition, the circumstances in which law enforcement officials may use force, and the level of force they may use, should be governed by strict laws, regulations and training procedures consistent with international human rights standards. Currently, all governments have a duty to ensure that such use is consistent with the United Nations Code of Conduct for Law Enforcement Officials and the United Nations Basic Principles for the Use of Force and Firearms. These standards should apply to all officials carrying out law enforcement functions, including police, immigration, customs and other security officials, border guards, and sometimes paramilitary and military personnel, insofar as they are given special powers to use force and firearms where necessary. This is vital as such officials are armed with military assault rifles such as AK-47s, which pose a much greater risk to civilians than normal police firearms.

The mass suffering inflicted with assault rifles and other small arms and light weapons will continue as long as governments fail to uphold such human rights and humanitarian standards, and allow the transfer of such weapons and their ammunition to poorly trained, unaccountable armed forces. It will continue as long as they allow arms traffickers to supply criminals or rebel groups that commit atrocities and abuse in violation of Common Article 3 of the Geneva Conventions. The situation will be even worse if the massive surplus stockpiles of Kalashnikov and other assault rifles, and their ammunition, are not destroyed, and if the global spread of production facilities is allowed to continue unabated with so little effective control.

Evidence suggests that overseas licensed production of conventional weapons systems, including assault rifles, will continue to increase. The multiplication of

supply sources in many parts of the world makes it imperative to effectively control the production facilities and surplus stockpiles if lives are to be saved. Governments will not succeed in this task without establishing international standards and co-operative measures, including the development of effective global standards over the transfer of weapons. Such standards are crucial to ensuring that all manufacturers and exporters are adhering to the same rules.

In particular, four concerted measures by governments to address this issue would be a life-saving step forward. These measures should be taken without delay:

1. Adopt tough global standards on arms transfers. Governments must adopt a new global set of rules for transfers of arms and ammunition at the United Nations Review Conference of the 2001 Programme of Action on small arms and light weapons in New York in June/July 2006. Also, in October 2006, at the UN General Assembly, governments must agree to negotiate a new global Arms Trade Treaty (ATT), covering all conventional weapons. Both agreements must be based on fundamental principles of international law and prohibit the transfers of weapons and ammunition to end users who are likely to use them for gross violations of international human rights law, serious violations of international humanitarian law, crimes against humanity, acts of genocide, or other serious abuses that violate the existing obligations of states, as set out in the Global Principles in Appendix 1 of this report. To be effective, the development of global and regional minimum standards must be complemented with strengthened national controls on the production, transfers, holdings, and use of assault rifles and other small arms and light weapons and their ammunition.

2. Control licensed production. All international arms and ammunition production agreements licensed by companies should first be considered on a case-by-case basis by relevant governments before they are allowed to take place, and no permit for licensed arms production should be issued if there is a risk that transfers from overseas production facilities would be used in violation of states' existing obligations under international law, or contrary to other relevant norms of non proliferation as set out in the Global Principles. (see Appendix 1). Moreover, no licensed production should be authorised without a legally binding agreement, in each case, on production ceilings and permitted export destinations for the product. Any exports to other end users not stated in the original licensed production agreement must require prior authorisation from the licence provider and its home government.

3. Secure existing stockpiles. All states should ensure the highest possible standards for the management and security of stockpiles of arms and ammunition. Governments should without delay develop and agree common minimum standards for such stockpile security, including safe and secure storage of arms and ammunition, as well as accurate record-keeping of inventories, including serial numbers of every weapon held in stockpiles. Surplus stocks of arms should be destroyed. This principle was included by governments in the 2001 UN Small Arms Programme of Action on small arms and light weapons. Since then most governments appear to have chosen merely to prioritise the destruction of unsafe or unusable surplus, whilst continuing to transfer varying quantities of surplus weapons, including assault rifles, from their stockpiles. In some cases, transfers from arms and ammunition stockpiles has been vast. At the 2006 UN Review Conference, governments should re-affirm their commitment to the destruction of surplus stockpiles of small arms and light weapons to prevent the proliferation of such weapons and therefore help reduce the risk of them falling into the wrong hands. International donor funding and technical capacity

will be required to achieve this. Greater efforts by states in these areas are imperative to prevent dealers, traffickers, and brokers from supplying such weapons to areas where they are likely to fuel conflict, undermine sustainable development, and contribute to countless human rights violations.

4. Address the demand for weapons. Governments must also increase their efforts to reduce the demand for assault rifles and other small arms and light weapons. This requires several key integrated measures, starting with the reform of law enforcement agencies and military forces to ensure they meet standards of international human rights and humanitarian law and are representative and responsive to the community as a whole. Such reforms will build public confidence in security and will better enable governments and international agencies to incorporate weapons collection programmes into peace building strategies, both as immediate post-conflict disarmament programmes as well as longer-term projects aiming to remove as many surplus and illegal weapons and ammunition from unauthorised users as possible. Such disarmament programmes should be designed to benefit the whole community, and weapons collection schemes should involve participation of all relevant stakeholders in the affected communities, including political and traditional leaders, business, trade union, religious, media, youth and women's groups, and local authorities and law enforcement agencies. The more inclusive the participation, the more likely the programme will be to benefit from public trust and legitimacy.

Weapons collection, wherever possible, should be designed around non-cash incentives such as 'weapons for development' schemes. Governments and local authorities, in partnership with civil society and police, should develop participatory community safety programmes that promote practical ways of halting the violence arising from the proliferation and misuse of firearms.

It is not possible to halt the proliferation of assault rifles and other firearms amongst civilian populations unless their governments make it compulsory in law and practice for anyone who wants to own a gun to get a licence. In line with the best practice worldwide, gun licences for private individuals should only be issued by government authorities in accordance with strict criteria that exclude the granting of licences to those with a history of violence in the home or community, and which take into account the declared reasons for requesting a licence, the context in which the application is made, and the likelihood of misuse. States should ban private individuals from owning military specification assault weapons, including AK-47s, other than in the most exceptional circumstances consistent with respect for human rights.

Appendix 1: Global principles for arms transfers

Compilation of global principles for arms transfers

The following Principles bring together states' existing obligations under international law and standards in respect of the international transfer of arms and are proposed by a diverse group of non-government organisations.³⁷ The Principles reflect many international instruments of a different nature: universal treaties, regional treaties, declarations of the United Nations, multilateral or regional organisations, and regulations intended to be a model for national legislation, etc.

Some of the Principles reflect customary land treaty law, while others reflect developing law or best practices gaining wide acceptance. The compilation indicates to states the best general rules to adopt in order to establish effective control of international transfers of all conventional arms according to the rule of law and in recognition of states' right to legitimate self-defence and duty of law enforcement according to international standards.

Principle 1: Responsibilities of states

All international transfers of arms shall be authorised by all states with jurisdiction over any part of the transfer (including import, export, transit, transshipment, and brokering) and carried out in accordance with national laws and procedures that reflect, as a minimum, states' obligations under international law. Authorisation of each transfer shall be granted by designated state officials in writing only if the transfer in question first conforms to the Principles set out below in this instrument and shall not be granted if it is likely that the arms will be diverted from their intended legal recipient or re-exported contrary to the aims of these Principles.

Principle 2: Express limitations

States shall not authorise international transfers of arms that violate their expressed obligations under international law. These obligations include:

- A. Obligations under the Charter of the United Nations – including:
 - a. binding resolutions of the Security Council, such as those imposing arms embargoes;
 - b. the prohibition on the use or threat of force;
 - c. the prohibition on intervention in the internal affairs of another state.

- B. Any other treaty or decision by which that state is bound, including:
 - a. binding decisions, including embargoes, adopted by relevant international, multilateral, regional, and sub-regional organisations to which a state is party;
 - b. prohibitions on arms transfers that arise in particular treaties which a state is party to, such as the 1980 UN Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be

Excessively Injurious or to Have Indiscriminate Effects, and its Protocols, and the 1997 Anti-personnel Mine Ban Convention.

- C. Universally accepted principles of international humanitarian law – including:
- a. the prohibition on the use of arms that are of a nature to cause superfluous injury or unnecessary suffering;
 - b. the prohibition on weapons that are incapable of distinguishing between combatants and civilians.

Principle 3: Limitations based on use or likely use

States shall not authorise international transfers of arms where they will be used or are likely to be used for violations of international law, including:

- A. breaches of the UN Charter and customary law rules relating to the use of force;
- B. gross violations of international human rights law;
- C. serious violations of international humanitarian law;
- D. acts of genocide or crimes against humanity.

Principle 4: Factors to be taken into account

States shall take into account other factors, including the likely use of the arms, before authorising an arms transfer, including the recipient's record of compliance with commitments and transparency in the field of non-proliferation, arms control, and disarmament. States should not authorise the transfer if it is likely to:

- A. be used for or to facilitate terrorist attacks;
- B. be used for or to facilitate the commission of violent or organised crime;
- C. adversely affect regional security or stability;
- D. adversely affect sustainable development;
- E. involve corrupt practices;
- F. contravene other international, regional, or sub-regional commitments or decisions made, or agreements on non-proliferation, arms control, and disarmament to which the exporting, importing, or transit states are party.

Principle 5: Transparency

States shall submit comprehensive national annual reports on international arms transfers to an international registry, which shall publish a compiled, comprehensive, international annual report. Such reports should cover the international transfer of all conventional arms including small arms and light weapons.

Principle 6: Comprehensive controls

States shall establish common standards for specific mechanisms to control:

1. all import and export of arms;
2. arms brokering activities;
3. transfers of arms production capacity; and
4. the transit and trans-shipment of arms.

States shall establish operative provisions to monitor enforcement and review procedures to strengthen the full implementation of the Principles.

Notes

¹ The AK-47 is the model number given to the original assault rifle. It has been upgraded in Russia and produced as variants in many other countries in the world. Rifles in the AK family are often referred to as Kalashnikovs after the inventor of the AK-47, Lieutenant General Mikhail Kalashnikov.

² Interview given to the Control Arms Campaign, June 2006.

³ See 'The call for tough arms controls: voices from Sierra Leone', Control Arms Campaign, January 2006.

⁴ See Jane's Infantry Weapons 2006–2007, edited by Richard D. Jones and Leland Ness, p.203.

⁵ *Op cit.*, Jane's Infantry Weapons 2006–2007.

⁶ 'An Experience of War Surgery and Wounds Presenting After 3 Days on the Border of Afghanistan', by R. M. Coupland and P.R. Howell, 1998, *Injury* 19:259–62.

⁷ See <http://world.guns.ru/assault/as02-e.htm>.

⁸ As a battlefield infantry weapon, the Kalashnikov falls well within accuracy specifications for assault rifles. Its reputation for poor accuracy can be attributed to its widespread misuse rather than any production or design fault with the weapon itself. Many armed groups that use AK weapons are inadequately trained. Also at fault is the usually poor quality ammunition which is often very old and procured from vast surplus stockpiles in Eastern Europe and elsewhere.

⁹ Key Kalashnikov variants include: Albanian Type A, B, and C; Bulgarian AR-M1 and AR-SF; Chinese Type 65; Hungarian AKM-63 and AMD-65; Iraqi Tabuk; North Korean Type 58 and 68; Poland's AKM Kainek and Tantal; Romania's AKM 63 and 65, and the Serbian Zastava M70. For more information see Jane's Infantry Weapons 2006–2007; <http://world.guns.ru/>; <http://kalashnikov.guns.ru/>; and <http://www.ak-47.us/>.

¹⁰ *Ibid.*; see also <http://world.guns.ru/> and kalashnikov.guns.ru/ and <http://www.ak-47.us/>

¹¹ *Ibid.*, see National Inventories section, pages 871 to 885.

¹² Telephone interview with assault rifle specialist, 26 May 2006. The Control Arms campaign would like to thank the National Firearms Resource Centre, UK, for its assistance in compiling the report.

¹³ 'Rip-off Kalashnikov Clash', *New Scientist*, 31 July 2004.

¹⁴ 'From the Factory to the Firing Line: the story of one bullet', by David Pratt, *Sunday Herald*, 9 October 2005. See also 'The Little Weapons of Mass Destruction', by Pamela Bone, *The Age*, 22 February 2003.

¹⁵ 'Who's a Pirate? Russia points back at the US', by C.J. Chivers, *New York Times*, 26 July 2004.

¹⁶ Estimates provided by EUFOR and sources close to the Serbian & Montenegrin Ministry of Defence.

¹⁷ EUFOR arms export authorisations for Bosnian arms transfers to Burundi, Guinea, and Uganda, unpublished, as seen by Amnesty International.

¹⁸ See 'Dead on Time – arms transportation, brokering and the threat to human rights', Amnesty International report, 10 May 2006, Chapter 8.

¹⁹ See Letter to the UN Secretary General, report on the arms embargo on Liberia, 24 April 2003, s/2003/498.

²⁰ 'Liberia: the promises of peace for 21,000 child soldiers', Amnesty International Report, 17 May 2004, AFR 34/006/2004.

²¹ See http://news.bbc.co.uk/2/hi/programmes/file_on_4/5006196.stm, company documents and email correspondence also made available to Control Arms campaign.

²² See Amnesty International, 'Democratic Republic of Congo: Alarming resurgence in recruitment of children in North-Kivu' [AFR 62/009/2006], 31 March 2006; Amnesty International, 'Democratic Republic of Congo: North-Kivu: Civilians pay the price for political and military rivalry' [AFR 62/013/2005], 28 September 2005; Amnesty International, 'Democratic Republic of Congo: arming the east' [AFR 62/006/2005], 5 July 2005; and Amnesty International, 'Democratic Republic of Congo: Public appeal: Still under the gun: More child soldiers recruited' [AFR 62/009/2004], 1 June 2004.

²³ 'DR Congo: Child soldiers tell their stories', Amnesty International testimonies, 9 September 2003, AFR 62/038/2003.

²⁴ *Ibid.* From serial numbers and other evidence, the origin of AK weapons was determined by the UK's National Firearms Centre in December 2005.

²⁵ 'Guns flow easily into Mexico from the US', by Hector Tobar, *The Los Angeles Times*, 8 January 2006.

²⁶ See <http://www.timesonline.co.uk/article/0,,2-1752747,00.html>.

²⁷ See <http://www.bradycampaign.org/facts/faqs/?page=awb>.

²⁸ *Ghost Wars – The Secret History of the CIA, Afghanistan and Bin Laden, from the Soviet Invasion to September 10, 2001*, Steve Coll, Penguin 2005; *Charlie Wilson's War: The Extraordinary Story of the Largest Covert Operation in History*, George Crile, Blackstone 2004.

²⁹ "Gunman attacks school in Southern Yemen, kill eight." AP Press, 7/30/2003

³⁰ '25,000 civilians killed in Iraq', BBC World Service, July 19 2005.

³¹ Information provided by Doctors for Iraq to Oxfam, June 2006.

³² 'Ten thousand Iraqi families displaced by violence: official', Agence France-Presse, 13 April 2006.

³³ *Jane's Defence Weekly*, 15 June 2006.

³⁴ See 'Chávez in Russia Deal to Build Gun Factory', *Financial Times*, 6 June 2006.

³⁵ 'US Shrugged off Corruption, Abuse in Service of Drug War', The Centre for Public Integrity, available at <http://www.publicintegrity.org/report.aspx?aid=257>.

³⁶ 'Russia wants control over Kalashnikov brand', BBC Monitoring Former Soviet Union, April 28 2006.

³⁷ This group of non-government organisations includes: Africa Peace Forum, Amnesty International, Arias Foundation, Caritas International, Friends Committee on National Legislation, Non-Violence International, IANSA, Oxfam International, Project Ploughshares, Saferworld, Schweitzer Institute, Sou da Paz, Viva Rio, and WINAD. Advisors to SC are the Federation of American Scientists and the Lauterpacht Centre, Cambridge University. The group has agreed the Global Principles as a collective proposal.

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This paper was written by Oliver Sprague (Oxfam GB) and Hugh Griffiths (independent research consultant), with special thanks to Brian Wood (Amnesty International). The text may be used free of charge for the purposes of advocacy, campaigning, education, and research, provided that the source is acknowledged in full. The copyright holders request that all such use be registered with them for impact assessment purposes. For copying in any other circumstances, or for re-use in other publications, or for translation or adaptation, permission must be secured and a fee may be charged.

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