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WEAPONS CONTROL MEASURES IN SOUTHERN AFRICAN STATES

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Southern Africa has to come to grips with an arms race which has yet to be the subject of international arms control negotiations - small arms proliferation. The proliferation of small arms in Southern African states has been fuelled by various conflicts - the struggle for independence from colonial rule, Cold War superpower proxy wars, internal conflicts, full-scale civil wars and apartheid-state-sponsored regional destabilisation. In the post-independence, - Cold War and - apartheid era, the region must face up to the challenge of placing decades of accumulated and widely distributed weaponry under official and effective control. Failure to do this will allow these weapons to continue to circulate both within and beyond the region's borders, to be used in support of any number of political, socio-economic, racial, ethnic or criminal objectives. Any of which could be decisive obstacles to the consolidation of democracy and sustainable development in the region.

Since the formulation and execution of South Africa's own small arms control policies must take into account regional factors such as institutional capacity, border conditions, government policies and resources, this *Update* seeks to review the prospects for the implementation of effective control measures by South Africa's neighbouring states. It is based upon material gathered in the course of this researcher's recent visits to the region.

In contrast to South Africa, her neighbouring states have far lower capacity and fewer resources with which to carry out weapons control policies. The extent to which any South African government control policy needs to account for these limitations can be demonstrated by an evaluation of small arms

control policies and measures in Mozambique, Angola, Swaziland, Botswana and Namibia.

Mozambique and Angola

(For the limited purposes of this paper and given the similar conditions prevailing in Mozambique and Angola, these two countries will be dealt with jointly).

The Years of War and After

After more than 16 years of extensive and fierce civil war - fuelled by the supply of weapons to the warring parties by the former Soviet bloc, the United States and South Africa - estimates put the number of small arms in Mozambique at 1,5 million and more than 2 million in Angola. It must be emphasised that the exact number of weapons in these countries are not known and very difficult to determine, which in itself presents a problematic point of departure for any possible control policy or programme. The vast majority of weapons were distributed to soldiers, 'people's militia', village chiefs and community leaders. They in turn distributed the arms further afield. Since no register was kept of the weapons issued or of the recipients of these weapons, it is not realistic to expect the Mozambican (Frelimo, Renamo) or Angolan (MPLA, FNLA, UNITA) factions to simply recall or trace the weapons distributed. Most of these weapons remain in the possession of former combatants.

The United Nations Operation in Mozambique (UNOMOZ) provided for the integration, demobilisation, disarmament and vocational training

of the Frelimo and Renamo forces. Combatants were required to hand in their weapons upon registration at Assembly Areas, a process which yielded 163,535 weapons, far short of the estimated 1,5 million. The UN has been criticised for its poor control of the weapons it received as many were stolen or lost from their armouries and warehouses, but regardless of the apportionment of blame, the vast majority of weapons in Mozambique have not been placed under official control.

The United Nations Angola Verification Mission (UNAVEM III) - still in the process of demobilising and disarming combatants at the time of writing - would appear to be enjoying even less success in its weapons collection efforts. According to a UN report in February 1996, a total of 12,571 UNITA soldiers had been registered and disarmed, from which 12,144 weapons had been recovered. Less than one weapon per soldier after 20 years of war! One can expect that the UN disarmament process in Angola, as happened in Mozambique, will leave thousands of weapons in the hands of the population. The effects of this availability of weapons on an impoverished, unskilled and unemployed population could be crucial to the prospects for development and stability.

Domestic Controls

One of the most important social obstacles to the recovery of these weapons is the *change in status* which they have undergone since the peace process: a generation of Mozambicans and Angolans have grown up never knowing peace or what firearm controls are. In their experience firearms are issued without licensing requirements or procedures - registration is the unusual state of affairs rather than the established norm. Now they are told that weapons which were legitimately issued to them by the government, village elders or faction leaders are illegally in their possession. In the minds of many (particularly ex-combatants), these weapons are rightfully theirs and in no way illegal. This, of course, makes it difficult for any programme designed to recover weapons to succeed - whether it be voluntary handovers or amnesties, United Nations disarmament programmes or community reporting on persons in illegal possession.

In Luanda, for example, after renewed fighting broke out (prompted by UNITA's loss of the elections and the subsequent collapse of the 1992 peace process) weapons were distributed from several depots in the city centre. Citizens were actively encouraged by Government radio broadcasts to collect weapons and ammunition for their defence - no register was kept nor was it

made clear to them that the weapons were to be returned to the State at a future date. A process of societal re-education needs to occur to exorcise the old norms of firearm (non)control.

Responsibility for the control of weapons within Mozambique and Angola lies with the Police. Their efficacy is limited by human and financial resources. Policemen receive minimal training and are subject to weak management, supervision and control. As any casual observer to Maputo or Luanda will confirm, the Police tend to spend their time engaged in group conversations on street corners rather than actively conducting police work. Corruption is also widespread and can be found at most levels of the force. This is probably a partial consequence of the poor salaries which most earn - in Angola police officers earn the equivalent of US\$1 a month. The lack of discipline and the concomitant abuse of power for personal gain could arguably be called a societal norm in both Angola and Mozambique. The weakness of management skills within the Mozambican Police is reflected by a World Bank estimate that there are only 3,000 professionally trained or qualified Mozambicans out of a population of 16 million. It is not surprising then that the institutional capacity of the Police is too low to expect them to exercise control over and police weapons in Mozambique. The situation in Angola is almost a mirror image of managerial incapacity and a failure of policing.

Legislative controls on firearm ownership are problematic too. In Angola, licences are issued in terms of strict conditions and include provisions which limit diplomats seeking to bring personal weapons into the country to a calibre no larger than 9mm, annual renewal for all licence holders and all licences are issued subject to final Police approval. Import permits and customs licences must be obtained before weapons can be imported by private companies. Despite Police assurances that these controls are strictly applied, the controls seem to be designed more for the international visitor than the average Angolan.

In Mozambique, the legislative criteria for the issuing of a licence are not publicly known. Not even a senior Frelimo party official could say whether any statutory guidelines were in existence or what they might look like. An applicant for a licensed weapon must apply to the Police, who have sole discretion over the process. With no recourse to the criteria, no challenges can be made to a Police decision, which in itself increases the opportunities for corrupt practices. If an application has been approved then a licence to import a firearm must be obtained as no gunshops or gunsmiths are permitted in Mozambique. Having

obtained an import permit, the firearm must be bought in foreign currency at a poor exchange rate, import costs and then duties must be paid. This becomes a very expensive proposition for most Mozambicans whose average annual per capita income is US\$80. The effect of this is that the legal acquisition of a firearm is financially prohibitive for ordinary Mozambicans. In contrast, illegal weapons are freely available, cheap and given the poor policing capacity unlikely to be detected. Legal firearm control practices in Mozambique in effect sustain the weapons blackmarket as potential firearm owners can only afford to purchase one from this illegal source.

The Angolan Police are either unable or unwilling to provide statistics on legal firearm ownership, despite assurances that they do exist if only as estimates. Similarly, in Mozambique, statistics are not maintained, reflecting again the limited institutional capacities of the state institutions entrusted with weapons control.

Border Controls

Given the large numbers of weapons available in both Angola and Mozambique, the opportunities for the illegal export of weaponry is largely determined by border control measures. In Mozambique, the military was required to halt all border patrols under the terms of the Rome Peace Accord. By the end of 1995, these patrols had yet to be resumed as there was insufficient political direction or force levels to deploy. Mozambique had planned to voluntarily demobilise or integrate Frelimo and Renamo soldiers (estimates vary from 90,000 - 150,000) into a new military force of 30,000. Most, however, chose to accept demobilisation rather than continue with a career in the military. The Mozambican Defence Force currently consists of 10,500 soldiers - far short of its planned minimum operational capacity - and given the scale of the problem is too small to effectively police its borders.

In Angola, a specialised border police force (*Policia Fronteirica*) is responsible for both border security and customs control of the country's 4,000km long borders. The impact of this force is limited by the fact that the MPLA Government only has access to or control of 20% of its borders, most of the 20% being made up by the coastline. The land borders through which most illegal arms trade passes to the region are either under the control of UNITA, bandits (such as ex-combatants who have joined forces to protect their interests in diamonds or oil lands), or is inaccessible to the military due to the nature of the terrain. To provide

effective border security, the *Policia Fronteirica* estimate that they require some 15,000 border guards. At present they have less than 4,000.

The institutional capacity of those entrusted with border security and weapons control within Angola and Mozambique is currently too limited to significantly prevent the internal distribution or regional flow of illegal weapons or even to recover weapons from potentially destabilising elements.

Swaziland

Unlike Angola and Mozambique, Swaziland is not a source of weapons to the region. The kingdom does, however, have an important role to play in curbing the flow of weapons moving from Mozambique to South Africa.

Domestic Controls

Swaziland's firearm licensing procedure is founded on traditional authority (as is its government). An individual seeking to possess a licensed firearm must obtain an application for a licence from a police station. If the applicant is able to, he must seek the approval of his village elders and inform them of his reasons for wanting the firearm. If they approve and believe him to be competent and responsible he may obtain a licence from the police. Should the applicant not have a traditional authority to refer to, a panel appointed by the King will review his application. Every year a gun-owner must report to a police station and present the licensed firearm to be verified and his address and details updated. If this is not done the police can impose a small fine and attempt to trace the individual. As of November 1995, there were 8,549 registered firearm owners in Swaziland who possess 10,135 licensed firearms.

Type of Firearm	Number Registered
Rifles	2,217
Single Barrel Shotguns	4,176
Double Barrel Shotguns	880
Revolvers	667
Pistols	2,101
Combinations	41
Miscellaneous	53

Regulations which require owners to renew their licences every year assist in the counting of firearms and can detect any unreported losses or thefts. But given that the Police have no computer systems to record this information, the manual filing and record-keeping system undermines the

need for effective and timely action to be taken against gun-owners who do not renew their licences. In terms of the '1964 Act' possession of unlicensed firearms is prohibited. This does not apply to registered firearms which do not have a valid (annually renewed) licence. With only 10,135 weapons in the community, policing of firearms is not yet a priority in Swaziland.

Weapons Seized

The Royal Swaziland Police have seized the following weapons:

YEAR	AK-47s	HANDGUNS	RIFLES	SHOTGUNS
1991	61	40	8	17
1992	65	30	15	17
1993	50	38	3	15
1994	21	52	15	12
1995	10	46	5	11

In addition, two rocket launchers, seven surface-to-air missiles, two landmines and 18 sub-machine guns were recovered in 1993; four handgrenades in 1994; and two rocket launchers and three landmines in 1995. The small number of weapons recovered or seized by the Swazi Police is an indictment of their abilities to effectively police the problem. A total lack of border inspection facilities and even sniffer dogs makes it easy to traffic illicit goods through the Swazi borders. Despite the trafficking route from Mozambique through Swaziland into Kwazulu-Natal being one of the largest, the Swazi Police have only seized a total of 207 AK-47s and 206 pistols/revolvers since 1991. This alone is an indication of the limited capacity of Swaziland to effectively prevent illegal weapons from moving into South Africa.

Botswana

Botswana has long prided itself on its strict weapons control policies which, in stark contrast to its regional neighbours, has ensured a very low level of armaments within its society. In order to preserve this situation, Botswana will have to enhance its border capacity to prevent the cross border flow of weapons from Angola and South Africa.

Firearm Licences

Botswana has by far the most stringent legislation limiting firearm ownership and is one of the most unarmed societies in Southern Africa. Firearm

licences are not issued for personal handguns, although temporary permits for foreign diplomats can be obtained. They must, however, take their handguns with them on departure and may not sell them in Botswana - in order to maintain a handguns free society. An Arms Quota Board, under the responsibility of the Commissioner of Police, governs the issuing of firearm licences in accordance with government policy. Only 400 licences are issued every year, 200 for rifles and 200 for shotguns. There are approximately 5-6,000 applications for firearm licences submitted annually. If applicants meet the standard criteria (mental health condition, no criminal record, etc.) then their names are put into a raffle which is drawn once a year, normally in March. Application cannot be made for more than one heavy calibre rifle, one light calibre rifle and one shotgun. If unsuccessful, all applications must be resubmitted for consideration in the next draw. By the end of 1994, there were 28,223 registered firearms in the hands of an estimated 10-15,000 people. Botswana, much like Swaziland has limited institutional capacity when it comes to the maintenance of firearm statistics, also relying on a manual filing system.

Despite the fact that policing of weapons should be made easier by the total ban on handguns, the Botswana police only recover approximately 50 illegal weapons a year. The number of weapons which have been forfeited or surrendered (such as a legal South African firearm owner entering Botswana without declaring the weapon) is very high in comparison. In 1992, a total of 1,632 firearms were forfeited or surrendered, in 1993, the number was 1,955 and in 1994, 352. The law provides for a mandatory sentence, a minimum of five years imprisonment, for illegal possession of 'arms of war' such as AK-47's.

Botswana is used as a transit point for the movement of arms from Angola into South Africa. Botswana's largely peaceful relations with the region has not required it to concentrate its resources on bolstering its defence or border protection capabilities. As a result, opportunities for the transshipment of arms are good.

Namibia

Namibia is a vital link in the effort to prevent weapons flooding out of Angola and into the region, particularly to the weapons market in South Africa. The prospect of Namibia fulfilling this role is limited by political and resource considerations.

Domestic Controls

In February 1996, Namibia finally produced its own draft legislation for the control of firearms. The most notable provisions of the draft include the following: a one-off requirement of all firearm owners to re-apply for new licences within a period of 18 months, all automatic weapons to be declared illegal unless a permit to possess such a weapon has been issued by the Inspector-General of Police, and no person may licence more than four weapons of various calibre.

In 1995, 2,957 firearms were licensed and registered in Namibia. This total consisted of 856 pistols, 483 revolvers, 567 shotguns, 25 combination shotguns, 129 air rifles, one dart gun, two carbines, 893 rifles and one muzzle-loader. The question of policing in Namibia is a politically sensitive issue given that South Africa still lends considerable assistance in areas such as training, forensics work, processing of licence applications and maintenance of all statistical data relating to policing in the former territory. This reliance on South Africa reflects the institutional incapacity of the Namibian Police to perform the tasks which policing and arms control measures require of them. This is also evident in the low number of seizures of illegal weapons in Namibia despite the volume entering South Africa via Namibia. From August 1993 to December 1995, only 62 arrests were made for illegal possession of a weapon, 122 weapons seized and 896 rounds of ammunition seized. The unit entrusted with policing firearms and smuggling activities consists of only 5-7 people.

Border Control

The Namibian Police (NAMPOL) are planning to create a separate border patrol force consisting of at least 2,000 men. This would appear to be optimistic given that the current police force only totals 2,700 men and is beset with internal problems. Experienced and skilled policemen are opting for early retirement or resigning due to political changes and poor pay - salaries are said to be 40-60% of what the South African Police Services was earning prior to the recently announced SAPS salary increases.

Currently the Namibian Defence Force (NDF) is tasked with border security responsibilities in support of NAMPOL. The South Africa-Namibia border is neglected because there is no infrastructure on the ground. The NDF has not expanded its bases beyond those which it took over from the former South African Defence Force and

South West African Territorial Force which were located in the north. The NDF is stretched beyond its capacity just to secure the 1,500km long border with Angola. The border in the Kavango and Caprivi areas has been temporarily closed - UNITA controls the Angolan side of this border - to prevent illegal cross-border activities and to cut off supplies reaching UNITA (a sign of political solidarity with the MPLA government). Given the impoverished state of most people living in UNITA areas, when this border eventually re-opened, the NDF expect a flood of weapons to be put up for sale by desperate Angolans.

Controls do not exist along the border from Ruacana westwards to the coast as large parts do not even have the simplest of border fences. The prospects for tightening controls along this Owamboland border are slim as they would be resisted by the main political support base of SWAPO who live in the area. Border controls would be unpopular for two reasons: *firstly*, 50% of the Owambo tribe live in Angola, which means that border controls will prevent divided families and relatives from visiting each other as they have been accustomed to doing. Consider the family that used to take the most direct route to Angola by crossing the river - they would now have to walk 10, 20, 50km or more to the nearest border crossing control point and then doubleback to their relatives on the other side. *Secondly*, some of Namibia's wealthiest businessmen are found in Owamboland and they also happen to be among SWAPO's biggest financial supporters. If access across the border was restricted they would lose a significant part of the Angolan market which relies on them for supplies. The impact on their business could be as much as a 50% loss. Neither of these two effects of border control would endear SWAPO to the majority of their supporters in Owamboland, which means that SWAPO is unlikely to consider such measures. The Nujoma government has already turned down an NDF request for an electric fence on the grounds that it would be too expensive. Politically or financially prohibitive? Either way Namibia does not have the resources or capacity to meet the challenge of preventing arms flowing out of Angola.

South African Policy - Where To?

Border Control

Given either the absence of or limited effectiveness of current weapons control measures in the region, South Africa must assume a larger share of the regional burden for control and increase its domestic control and border security measures.

South African policy makers and law enforcement officials cannot strengthen or devise any weapons control measures or strategies which fail to include the neighbouring states. Nor can they neglect their first responsibility to South Africans who demand protection from the effects of small arms proliferation. A small arms policy which depends too much on the capacity, resources or political

will of the neighbouring states is likely to produce failure in meeting the security needs of South Africans.

This article is a follow up to International Update, 1/96, 'Small Arms Proliferation in South Africa: The Role of Border Security'.

STATEMENT OF PURPOSE

The South African Institute of International Affairs is an independent organisation which aims to promote a wider and more informed understanding of international issues among South Africans.

It seeks also to educate, inform and facilitate contact between people concerned with South Africa's place in an interdependent world, and to contribute to the public debate on foreign policy.