JULY 2005 REPORT ON THE IMPLEMENTATION OF THE UN PROGRAMME OF ACTION TO PREVENT COMBAT AND ERADICATE THE ILICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS – REPUBLIC OF THE GAMBIA

1. INTRODUCTION

The United Nations Plan of Action to prevent combat and eradicate the illicit trade in Small Arms and Light Weapons (SALW) in all its aspects, adopted in the July 2001 UN Conference, requires member states to commit themselves in the fight against the seemingly ever-increasing scourge of surplus arms proliferated around the world particularly in the African sub-Continent.

The undertakings made by member states in this regard include the submission of National reports so as to assist the UN Secretary General in the compilation of his report to the General Assembly. We are aware of the fact that National reports that reflect what states have accomplished at national level will indeed help identify specific areas for providing necessary assistance. The Gambia National Commission/Coordinating Agency in this regard has endeavored to spell out its activities and constraints covering the period under review.

The Coordinating Agency is committed to putting in place measures to ensure, amongst others; structures to prevent legal small arms and light weapons from entering the illicit trade and to ensure that illicit trade across our borders is controlled.

2. Implementation at National Level:

a) The Gambia National Commission on Small Arms and Light Weapons (SALW), which is equally the National Coordinating Agency responsible for policy implementation of small arms
control, has continued to work tirelessly for the past two years with a view to ensuring the implementation of the United Nations Programme of Action (UNPoA). Its mandate is to put in place mechanism to ensure that the proliferation of SLAW is controlled and eradicated. But like most National Commissions, it also has some serious constraints, notably in the area of capacity building and funding.

Its activities include creation of public awareness centers, ensure regional co-operation, and provide reports in accordance with United Nations Programme of Action to Prevent, Combat and Eradicate Small Arms and Light Weapons in all its Aspects. The Commission also carries out surveys and sensitization campaign using cross-border treaties and agreements with our only border, Sister Republic of Senegal. Fund raise for the maintenance and implementation of the activities of the Commission as well as disseminate information to all stakeholders.

b) **The National Point of Contact** for The Gambia as regards the Implementation of the UNPoA is located at the Department of State for Defense. The Permanent Secretary at this department, Mr. Bai Ousman Secka on Telephone number 4224010 or 9962266 has been appointed as National Point of Contact and is assisted by Commissioner of Police, Baboucarr Sowe who serves as a desk officer in the National Commission/Coordinating Agency and his contact details are: 9961101/4227864, and polcom2@yahoo.com.

The National Points of Contact Liaise with other member-countries to collect and collate information and experiences shared in regional and international conferences regarding SALW and the UNPoA. (See details at the Regional Level)
c) National Laws, Regulations and Administrative Procedures.

The Laws of the Gambia has made provisions for issues relating to Production, Export, Import, Transit and Possession of SALW. These laws, which were reviewed in 1990, are generally seen to be inadequate owing to the present demand in the control of SALW in the sub-region. Henceforth the need to revisit them with a view to harmonized other sub-regional initiatives are being strongly considered by the Gambia Government. Some ECOWAS consultants on SALW initiative, which undertook to assist member states in this regard, have already visited the Gambia in May 2004 to apprise themselves with our existing laws and regulations.

I. The Criminal code of The Gambia contained laws that could prosecute and punish individuals illegally found in possession of any SALW. These powers are vested on the Inspector General of Police. The Police can search, arrest and prosecute anybody deemed to have illegally possessed or inappropriately used any firearms. A state Minister at the time responsible for the administration of these laws could make regulations regarding manufacture, stockpiling and transfer of arms. (This is not available in the Gambia)

ii. The department of State for Defense is responsible for reviewing of Government stocks on quarterly bases and a database administered by the Military (showing all available arms status) is used to track unmarked and surplus stocks if any. In collaboration with the Police, marking and tracing is done using the available database and police records.
d) Collection and Disposal

No National programme exists for Collection and Disposal of SALW. Weapons collected by the Police are generally those used during cross-border crimes like armed robbery and cattle rustling. The markings on these weapons (Not applicable for the so-called locally made guns, generally used for hunting purposes) are crosschecked with database entries.

There exist small-scale enterprises illegally making small arms using branding/illegal copyright methods and selling them to criminals for monetary gains. The Police are out and about hunting for these underground activities.

e) Export Controls

According to Laws of the Gambia, Individuals and or Companies importing firearms should tender their applications (including Information on the Manufacturer, make, type and quantity) to the Inspector General of Police who in turn verifies the information using available records of Arms dealers/brokers. At the entry point, these imported arms are further verified and their serials confirmed before they are escorted to a designated warehouse. Upon request for local buyers to purchase firearms, the Police must interview the local buyer(s) by ascertaining the age, mental status etc before he/she is authorized to possess firearms. In the same vein, the firearm to be bought is verified by the police using previous serial number(s) obtained during importation request. A regulation has now been made to ensure “ONE man ONE firearm” policy.

Re-exportation and or retransferring previously imported SALW is a very rare case in the Gambia but provisions are made to ensure that original importing state(s) are notified.
f) Disarmament, Demobilization and Reintegration (DDR)

This is also a rare phenomenon in The Gambia as a non-post-conflict state. However, the absence of surplus weapons and or illicit proliferated SALW cannot be ruled out as The Gambia has been used as a safe heaven for refugees and internally displaced persons, thus enhancing cross-border arms trafficking. Our security services have been working with the UNHCR to help displaced persons and refugees especially women and children affected by armed conflict to reunite with their families across our borders.

The Gambia is among four member countries identified by a Canadian International Development Agency (CIDA) in collaboration with the Canadian Department of Foreign Affairs and International Trade (DFAIT) and OXFAM (GB) based in Dakar, Senegal to benefit from a pilot project on small arms collection and control. This project, funded with two Million Canadian Dollars is meant to help control the scourge of surplus arms across these borders.

The project goal and purpose is to contribute to greater individual and community security and to strengthen the capacity of select communities and government agencies in Senegal, The Gambia, Guinea Bissau, and Guinea Conakry in order to address the proliferation of SALW. Capacity building for CSO/NGO and government agencies, Community level awareness, weapons collection and destruction, and practical research are the main components of the pilot project.

The implementation of this pilot project is being carried out by a civil society organization (WANEP-GAMBIA) in collaboration with our National Commission/Coordination Agency. The targeted area covers an administrative area called Upper River Division – some 300 km from the capital, Banjul. This area, known for its vulnerability to cattle rustling and armed robbery across our borders, is a major trade center accommodating weekly trade fairs attended by traders from the neighboring countries. The
effectiveness of our awareness campaign came into play in December 2004 when a massive joint operation (including Senegalese Security Personnel) unravel a syndicate of armed bandits operating in the area for the past couple of years. This could not have been possible without the cooperation of our neighbors, the sister services in the Republic of Senegal.

In addition, there exist a Divisional Security Sensitization Task Force, (a branch of the coordination Agency) uses a local community radio to sensitize the general public on the dangers posed by the illicit arms and the dare need to share information.

It is hoped that this pilot project, which has just started in this area will assist in helping to prevent and eradicate the illicit circulation of small arms with a view to make it a weapons-free zone in collaboration with our neighboring Senegal.

Major constraint in this area covers the following:

a) Logistic Support
b) Training of Law enforcement
c) Funding for micro Projects

It is therefore recommended that our National Commissions be assisted for the provision 5 vehicles type 4x4 Runners, and a dedicated Communication network to cover our vulnerable zones.

9) Awareness-raising

The National Commission over the past two years has been actively involved in civic education and public awareness campaign using radio and the mass media. There exist divisional security sensitization taskforces that conducts radio programmes to raise awareness among the general public. This compliments a National Security Council mandate to look into security matters. Monthly television programmes by the security services in general security
matters and National Development issues had been the bases to sensitize the mass media on illicit arms trafficking.

In January 2005, the National Commission/Coordinating Agency hosted a major National training Workshop drawing participant from different stakeholders including International resource persons from UNDP, ECOWAS and PCASED. Observers from the National Commissions of Senegal and Guinea Bissau also participated. This workshop, which seek to provide assistance in the area of capacity building, human resource development, information sharing and adoption of best practices particularly in the implementation of the UNPoA, had immensely prepared our National Commission/Coordinating Agency to tackle National, Regional and International issues in preventing, combating and eradicating the small arms menace in all its aspects. The funding of this training workshop amounting to $17,500=00 was on the courtesy of a UNDP programme, PCASED, which had now been converted into an ECOWAS programme, ECOSAP with a Small Arms Unit located at the ECOWAS secretariat in Abuja, Nigeria.

3) Regional Level

The Gambia is a signatory to a regional initiative, which declared a moratorium against the importation, exportation and manufacture of Small Arms and Light Weapons in 1999. This political commitment (not binding) compliments the UNPoA.

The Gambia had participated in several negotiations held in ECOWAS Countries to make the moratorium a legally binding regional instrument by the end of 2005, which arrangements are now imminent.

There exist military cooperation and memorandum of understanding between sister services in The Gambia and Republic of Senegal. Frequent Joint-border patrols had been conducted in the recent past and we shared information and experiences on matters relating to cross-border crime.
4) **Global Level**

The following instruments and protocols had been signed and ratified by the Gambia,

- a) The Ottawa treaty on anti-personnel Mines (date and time to be provided)
- b) Anti-Terrorism legislation relating to UN Resolution 1373 (date and time required)
- c) Money Laundering Bill and its related offences (date and time)

The Gambia, in collaboration with Senegal had undertaken to enhance Mutual Legal Assistance with a view to assist in investigation and prosecution of offenders relating to cross-border crimes.

On UN arms embargo and cooperation with UN systems, The Gambia had undertaken to ensure that information relating to UN Security Council recommendations is adhered to. Legal steps had already been taken on Gambians affected on the Liberia/Sierra Leone UN Arms embargo.

5) **Conclusion and Recommendations**