

PROLIFERATION OF SMALL ARMS IN SOUTH ASIA: AN ARC OF INSTABILITY

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ABSTRACT

There are more than forty wars raging in countries around the world today. These wars are being fought primarily with small arms and light weapons carried by individual soldiers or on light vehicles. This widespread availability of small arms and light weapons compounds the difficulty of alleviating civil crises. This is also increasing the duration of civil conflicts, which have tremendous costs in terms of human suffering, economic development deferred, and political development stunted. South Asia has been perpetually plagued by numerous intractable threats and challenges, particularly those emanating from unresolved territorial and boundary disputes. It is arguably the second most dangerous region in the world after West Asia. Regions in South Asia have significant possibility of experiencing small arms proliferation problems because of ethnic, cultural and political diversity, violence, inadequate policing in the regions, and the emergence of major organized crime. The widespread demand for small weapons has worsened by breakdown of local security and easy access. The discussion of the paper is based mainly on newspaper and magazine articles as well as press releases and books published. The author relies on such information because documentation on proliferation of small arms / illicit arms trade is not readily available.

KEYWORDS: Legislation, Light Weapons, Proliferation, Security, Small Arms, South Asia.

INTRODUCTION

In view of recent developments at the local and global levels, particularly with the arrival and reproduction of globalisation, small arms had a qualitative transformation with respect to its proliferation and use. Never did the world see such an easy availability and at the same time grandeur yet demonic use of weapons that have been conventionally categorised as 'small.' The terms 'small arms' and 'light weapons' - often used co-terminously - have come into common use in recent years. The definition of the light arms and light weapons used by the Small Arms Survey covers both military-styled weapons and commercial firearms (handguns and long guns). Small guns include weapons like revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns. Light weapons are heavy machine guns, hand-held under barrel and mounted grenade launchers, portable and anti aircraft guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missile system and mortars of less than 100-meter calibre.

These weapons have become easier to obtain, easier to conceal and to smuggle across borders, and easier to use and maintain to the point that it has resulted in the phenomenon of the child soldier or child combatant, turning innocent children, many of them as young as seven, into ruthless warriors and killers. These weapons are increasingly lethal, with most recent models capable of firing as many as 700 rounds a minute. However, as history has shown that war is a recurrent feature in mankind. A new threat emerged now. Inter-state conflicts now got replaced by an increasing intensity of intra-state conflicts occurring within states themselves. In these intra-state conflicts generated by religious, ethnic or separatist causes the obvious choice and the compulsions of the nature of conflict i.e. asymmetric warfare, was small arms and light weapons. The normal debate in the strategic community in terms of "Weapons of Mass Destruction" gets focused on nuclear weapons and chemical and biological weapons. Today the real "Weapons of Mass Destruction" are small arms and light weapons (SALWs) which have inflicted thousands of casualties in the present day intra-state conflicts.

In global terms, the proliferation of small arms is more marked in South East Asia and South Asia. In comparative terms between the two, South Asia stands out more starkly in terms of small arms proliferation and also the thousands of casualties inflicted by them. Possibly, the Middle East and specifically Iraq would take over this distinction. There are currently more than 500 million small arms and light weapons in circulation around the globe, approximately one for every 12 people. The proliferation of revolvers, assault rifles, submachine guns, hand grenades, shoulder missile launchers and landmines, whether used in war or during times of peace, poses a direct threat to the human security of individuals to the development of nations in several ways.

Small arms are widely available relatively cheap and durable so that they can be reused in one conflict zone after another. This has made them the weapon of choice for non traditional and non-state combatants who do not have access to larger weapons. In conflicts, the proliferation of weapons in the hands of new and often undisciplined groups has outpaced efforts to ensure compliance with the basic rules of warfare and has led to a deteriorating situation for civilians. The widespread availability of arms not only makes wars more lethal, it also obstructs relief efforts, hinders the reconstruction of society and impedes reconciliation between the parties to the conflict once fighting ends. It also makes it easier to resort to conflict as a means of resolving differences. Even those places that have escaped war are not immune to the devastation that small arms engender, easy access to weapons facilitates violent crime and replaces the rule of law with the law of the jungle. Small Arms are often the currency or tool of trafficking in drugs or other illegal goods, and so increase the proliferation of those commodities as well.

When the international community considers the biggest challenge to peace in South Asia, it immediately thinks of the nuclear rivalry between India and Pakistan. However, the weapons that pose the most immediate threat to people in the region are far simpler and far deadlier. Small Arms and Light weapons have killed and maimed the greatest number of people in this region. In addition, the severe effects on the peace and stability of South Asia are immeasurable. Small arms and light weapons are the means which generate widespread terrorism against India by cross-border state sponsored terrorism and proxy war by Pakistan.

Proliferation of Small Arms in South Asia: Major Observation

In India, while many factors contributed to the growing strength and resolve of Sikh fighters during the mid-1980's and through the early 1990's, however increased access to vast quantities of more advanced weapons allowed them to consolidate power through force. At the same time, the acquisition of large numbers of these weapons contributed to the dramatic increase in both the frequency and severity of abuses inflicted on the unarmed civilians. It is clear that there is a co-relation between the number of civilians killed and the use of automatic rifles; as the use of Kalashnikov's increased, so did the number of civilian killings. Thus, India too is the scene of externally scripted armed conflicts and also from Maoist groups in an indigenous insurgency in Andhra, Chattisgarh, Jharkhand and Bihar.

The other disquieting factor is that India's rebel groups also receive weapons originating in Pakistan. In the north-eastern part of India, there are three insurgency groups – the United Liberation Front of Assam (ULFA), the National Socialists Council of Nagaland (NSCN) and the National Democratic Front of Bodoland (NDFB).

Another country which suffers tremendously because of serious proliferation of small arms is **Sri Lanka**. The conflict in Sri Lanka can be viewed as arising from competition between the national perspectives of two cultural groups, the Sinhala and the Tamils. Many of the important watersheds in this conflict are closely associated with contests over the cultural patterns and symbols of independent Sri Lanka. The question of language, for example, has always been regarded as important. It has also been argued that class-based mobilization was important in fuelling the conflict both directly, and through its impact on intra-Sinhala politics. The Tamil militants have purchased explosives and weapons from a wide variety of sources such as North Korea to Myanmar and Ukraine and from middlemen operating from Europe to Asia and the Middle-east. The accumulation of small arms in Sri Lanka is driven by the rebel secessionist movement led by the LTTE which emerged as one of the world's most feared guerrilla groups.

Within **Pakistan**, it stands reflected that Pakistan's Western frontiers are "explosive" with armed conflicts in Balochistan and Waziristan.

Moving to the East, **Bangladesh** is facing armed violence, bombings and sabotage from Islamic Jihadi organisations, intent on Talibanising Bangladesh.

To the North, **Nepal** which had been relatively peaceful is now in the midst of an intensified Maoist insurgency, threatening the very political fabric of Nepal. Nepali Maoists interpret their struggle with the state forces of Nepal as a class conflict in which economic grievances and interests play an important role. While the mainstream political parties support the constitutional monarchy, the Maoists oppose it. For them, the conflict is a class-based struggle against the Nepalese constitutional monarchy.

Complexities of Internal Conflict

In a region as diverse as South Asia, conflict between groups is found at a number of levels—political, economic and socio cultural. Class- and caste-based civil conflict has affected many South Asian states. In India, to name some examples, there are the cases of Bihar, Andhra Pradesh and Gujarat. In Nepal, the Maoist Communist Party of Nepal rebels fight to replace the constitutional monarchy with a communist state. In some rural areas of Pakistan, radical Islamic groups vie for control of the civil administration or to impose their version of the Islamic Shariah by force. In Bangladesh, Human Rights Watch and Amnesty International report that “both the Bangladesh Nationalist Party (BNP) and the opposition parties, led by the Awami [People’s] League, have used crude ‘cocktail’ bombs, knives, and guns against one another and the police, causing scores of casualties”, particularly after the elections of 2001 when members of the Hindu community were targeted because of their alleged support for the opposition. The scale, diversity and complexity of these internal conflicts hinder the ability of institutional mechanisms to effectively manage conflict.

The range of internal conflicts in South Asia suggests diverse motives on the part of protagonists. Even so, many conflicts in the region may be said to originate or become entrenched because of disputes over the distribution of economic resources and opportunities, or about perceptions of identity. In some cases the conflict is fought openly along class lines, often over the distribution of property rights over land. In other cases, identity issues such as ethnicity, nationalism and religion appear to be dominant. Sometimes, both economic interests and struggles to promote one source of identity over another go hand in hand. Many of these identity-based conflicts are fuelled by perceptions of economic inequality and by demands for economic rights for particular groups.

Given that many of the tensions that escalate into violent conflict can be associated with perceptions of victimization and economic imbalance. Violent conflict imposes serious economic costs, not only in the place where it occurs, but also over a much wider area. The most conspicuous direct economic cost is the damage to property and economic infrastructure due to violence.

One consequence of internal conflict that has a widespread negative impact for both civilians and conflict management alike, is the proliferation of small arms. Violent internal conflict leads to the arming of societies, which affects social and political systems adversely. “These weapons are increasingly being acquired by criminals, cartels, and irregular forces and in certain cases by influential citizens and politicians as a show of strength and political might. The theft of light weapons from state armories has also become a major problem.” Additionally, “easy access to weapons is a disincentive for relying on other than violent means to those who feel underprivileged and want a change in the existing state structures”. One remarkable feature of South Asia’s many internal conflicts is their longevity. Several of these conflicts have persisted over several decades without any real sign of abatement. Internal conflicts become more easily protracted when the means of violence are readily available. Additionally, the proliferation of small and lightweight weapons makes it possible for traditional non-combatants to become involved in conflict. For instance, it is a leading cause of the increasing use of children as soldiers. Experts point out that “small arms are easy to use and maintain, require little

maintenance or logistical support and remain operational for many years. Such weapons require little training to use effectively, which greatly increases their use in conflicts involving untrained combatants and children". The availability of small arms raises the level of violence, brings in otherwise unrelated segments of society directly into the conflict, and endangers the safety and well-being of all in the community. Furthermore, "the political fallout of small arms use in intra-state conflicts is generally larger than the actual military and operational value of these weapons", as the community must then deal with the reality of an armed society. It becomes, then, not difficult to see that conflicts contain their own dynamic and self-perpetuating forces which help to explain their persistence and steady escalation. In other words, internal conflicts become a vested interest for some and a social, political and economic disaster for others.

Small Arms Proliferation and Security

The issue of small arms can no longer be ignored or given less importance. Proliferation of small arms is a complex and increasingly international issue. The problems caused by small arms are primarily regional, sub-regional and internal (i.e., within states) in nature. One may, therefore, question the impact of the pervasive phenomenon of small arms proliferation on the society as a whole, specifically on the domestic political process in the developing countries. Proliferation of small arms in South Asia is no exception. South Asia has been perpetually plagued by numerous intractable threats and challenges, particularly those emanating from unresolved territorial and boundary disputes. It is arguably the second most dangerous region in the world after West Asia.

Rather, in the light of current developments, it appears that they have become an indispensable menace in the South Asian societies. In the case of India and Pakistan relations, alongside mutual deep-rooted mistrust and bitterness that have paved the way to nuclear arms race, there are many simmering internal conflicts on both sides that have kept the proliferation of small arms very much alive. The same applies to Sri Lanka and Bangladesh. The Tamil separatists in Sri Lanka in their fight for autonomy have always been heavily armed. In Bangladesh, arms were used extensively in the war of independence of 1971. Until recently an insurgent movement in the Chittagong Hill Tracts region, in the name of sub national aspirations and autonomy of a section of the indigenous people has been waging an insurgency campaign against the government. In the case of Bangladesh, the use of arms has spread more widely, to the extent that expressions of any disagreement between political parties in power and in the opposition are found to be violent. The frequency of violence has increased over the decades with such an ease that can be dangerous in the security in any modern state system. What is then the link between small arms proliferation and security? How does it affect the regional stability? Regions in South Asia have significant possibility of experiencing small arms proliferation problems because of ethnic, cultural and political diversity, violence, inadequate policing in the regions, and the emergence of major organized crime.

The idea of small arms being a threat to security in South Asia is a very relevant issue, with countries in the sub-continent. Pakistan, is not only a source of weapons, but has had to deal with the resultant humanitarian fallout, due to the easy availability of weapons. The flow of small arms into Pakistan begun with the Central Intelligence Agency (CIA) as the main supplier. Not only did the CIA pump an estimated \$2 billion into the Mujahideen funds, but there was the interesting and un-debated aspect of procuring weapons from the 'arms pipe line', which led to

China. The flooding of the Pakistani market in weapons, spilled over into society, with cities such as Karachi witnessing a surge in violent sectarian and gang related violence.

Sri Lanka has also had to deal with the problem of small arms, with the LTTE a major purchaser of weapons on the International arms procurement network, or the black market. The easy availability of funds from the Sri Lankan Tamil Diaspora, estimated at \$1 million per month without taking into account collections from the US, allows the organization access to a wide spectrum of weapons.

The Indian market for small arms is interestingly placed between the global black market in Southeast Asia and the surplus of arms in Central Asia. According to a 1994 Human Rights Watch report, the supply of weapons into Jammu and Kashmir is largely controlled by Pakistan's ISI; the militants also dip into the arms bazaar of the NWFP. India's North Eastern region poses an interesting situation with majority of the regions borders being international in nature, accounting for a cross-border flow of arms.

Bangladesh on the other hand, has a large supply of weapons with no internal conflict, resulting in arms being used for political and criminal related activities. While Nepal is faced with an insurgency problem, there is very little use for the weapons, with the Maoists relying on their strength in numbers as a tool to counter the state.

The illegal domestic production of fire arms in India, though a serious issue, does not receive due attention. Indigenous weapons come at a cheap price, and while their accuracy cannot be guaranteed, they are highly destructive and impossible to trace using ballistic fingerprinting. In 2002, a total of 9249 deaths occurred due to firearms, of which, 956 happened in Kashmir and 215 in Assam. The highest number (4098) of casualties however came from Uttar Pradesh where country-made weapons killed 3695, which is roughly four times the casualty caused by small arms of military specification in a conflict zone.

Another important issue which is has repeatedly highlighted by India in international is the use of Improvised Explosive Devices (IEDs). IEDs provide terrorists with an illusive, cheap, easy to make and very deadly weapon, capable of causing widespread damage and loss of life. The use of RDX by militants, provides a target and time specific alternative to fire arms, and while it is not being given much attention by the international community as of yet, it is likely to be a weapon of the future.

Small Arms Markets

Most small arms are manufactured licitly but become illicit by virtue of the conditions of their possession or their misuse. The problem with guns is further compounded by the fact that they are not consumed but are durable and are therefore resold and reused. In addition, the small arms market has a dual structure, including substantial licit government and commercial markets as well as illicit markets. There are recognized legitimate purposes for small arms in most countries, which make dealing with the problem of misuse particularly difficult.

As far as markings are concerned only the Indian and Sri Lankan gun laws require every firearm made to bear the name of the manufacturer, a serial number and the place of production. Detailed marking allows for weapons to be traced back to the individual manufacturer and serial number, and serves to check illicit possession and to prevent illegal transfers.

All the South Asian countries except India make it mandatory for gun-dealers to maintain proper records of the numbers of firearms in its possession or control. These national laws allow government officers, at least in theory, to ask weapons-dealers to account for the firearms in their inventory at any time. All five South Asian countries' legislation contains penalties for contraventions of restrictions on manufacture, possession and transfer. Punishment ranges from six months imprisonment to death, and the imposition of a fine, alone or concurrently.

Current Situation of Small Arms Proliferation in South Asia

- Although there is no precise figure as to the number or proportion of Small Arms users in the South Asian, statistics available from country to country present a grim picture. Apart from the major theatres of conflict, which are a large, but not the only source of proliferation, there are numerous areas of armed activity. For example, Bihar state in India, there are 40000 illegal arms in circulation and in neighbouring Madhya Pradesh, Rajasthan and Uttar Pradesh, private ownership of Small Arms is widespread.
- The transfer of Small Arms from governments to non-state actors is equally problematic. Sri Lanka for example, 90% of illegal arms come from the government. Furthermore, most of the conflicts in South Asia could be classified as a consequence of governments exporting weapons to non-state actors. Re-export among these non-state actors is also spreading weapons throughout the region. For example People's War Group in the Indian State of Andhra Pradesh is alleged to be a supplier of arms to Maoist rebels in Nepal.
- Possession of Small Arms by Politicians is growing problem across the subcontinent. Politicians and their supporters are acquiring Small Arms to intimate opponents and voters or to protect themselves. This poses a serious threat to the democratic process itself. Voters, particularly women or people from marginalized groups are increasingly afraid to exercise their right to vote or express their opinions.
- The mushrooming of private society is also a source of proliferation while the increasing number of affluent households and multinational companies are plentiful source of employment for private security guards, there are numerous reports of guards renting their weapons to members of the underworld at the end of the each work day.

Country Observation

Bangladesh

There was no collection of arms after the 1971 independence war. Thus most of these weapons entered into circulation by means of organized crime, political complicity and corrupt or inadequate law enforcement. As Bangladesh is a major transit route for drugs from South-East Asia, traffickers have amassed extensive arsenals to protect their goods. As a result, a transit route for Small Arms trafficking has become an end user politician too, are using guns to protect themselves as well as to intimidate opponents. Lawmakers are also turning a blind eye both to border patrol agents who are poorly resourced or to police officers who rent their arms to criminals and terrorists. Clandestine manufacturers operate small operations that can be set up, dismantled and relocated overnight.

India

It seems that all possible associated with the proliferation of Small Arms are found in India: illegal manufacturer, theft of state arsenals, licensing loopholes, cross-border smuggling, political violence, unregulated private security and even a movie culture that often glorifies fire power and revenge. The result is that there is ready availability of firearms to the largest population in the region.

Nepal

A History of stringent control of citizens and their activities by both the government and the Monarchy had resulted in a lesser degree of proliferation in this country compared to its other neighbours on the subcontinent. The main sources of Small Arms use are the Maoist insurgency, criminality and the political elite. The rebels have stolen their weapons from police cantposts, while the criminal gangs smuggle drugs for guns along the Indian border. The restoration of democracy in 1993 meant that access to power was no longer available through royal patronage. While this is a step forward, in the last decade, politicians have restored to all available means to win elections, including armed intimidation.

Pakistan

Pakistan has the highest degree of Small Arms proliferation in South Asia. The Soviet invasion of Afghanistan and the United States, covert arming of the Mujahedeen insurgents brought millions of firearms into the entire region. Pakistan also has a small indigenous arms manufacturing cottage industry in the north-west tribal areas of Pakistan which is not under the jurisdiction of the Government and therefore cannot be licensed or taxed. The government has taken steps to address the Small Arms problems through a seven-stage “de-weaponization” program which includes: banning the showing of weapons in public, buying back arms, recovering illicit arms and regulating production in tribal areas while this ambitious plan has been praised nationally and internationally, Pakistan civil society is calling for a broader policy to address the underlying development challenges which lead to proliferation.

Sri Lanka

The primary source of Small Arms Proliferation on the island has been the civil conflict. Although a cease-fire is now in its second year, the circulation of weapons will continue to be a security threat to ordinary Sri Lankans. The use of firearms by political entities threatens to inherit the monopoly of proliferation: it has now become common practice for politicians to raise private armies to literally fight elections for them. The generous funding these mercenary armies receive are drawing government soldiers to join their ranks. Furthermore, politicians offer protection to members of criminal gangs who became allies thus impeding the efforts of police to combat the growing problem of organized crime in the country. While all arms smuggling from outside Sri Lanka comes by sea routes, coastal patrols are lacking.

Areas Where National Legislation is lacking

The purpose of the legislation in each country is to prevent illicit trafficking and use. However, as the comparative analysis had indicated, the existence of laws is not enough, proper implementation of existing regulations and closing loopholes are key to reducing the devastation caused by Small Arms:

- Since proliferation of Small Arms is a problem common to all the countries in South Asian, effective control requires consistency and coordination among the nation in monitoring legal trade and in setting penalties for illicit exchanges.
- Such consistency could start with basic definitions. For example the Sri Lankan legislation, although the most comprehensive and strictest, does not clearly define what is a firearm.
- Export and Import licenses and documentation should be standardized and contain information such as the date of issue, name of country of export and import, description and quantity of firearms etc. Furthermore, none of the national laws clearly specify what law applies if a problem occurs at a transit point in the transfer of arms.
- None of the national legislations address the issue of brokering, which is a lucrative part of the illegal trade in the region. Legislation should stipulate registration of broker's authorization for brokering transactions and penalties for illicit brokering activities within the states jurisdiction and control.
- All five countries should require proper marking for both locally manufactured and imported firearms.
- It would be useful for all countries of the region to extend mandatory record-keeping rules on small manufacturers of government agencies and their own stockpiles, as well as to individuals holding licenses to possess guns for private use.

Conclusion

The proliferation of small arms and light weapons has increased conflict and violence in the region especially during the last two decades. The resultant situation, in turn, has exacerbated poverty, economic and human development and added to the general misery of the people. Weapons transferred illegally or legally are used to victimize innocent people resulting in a huge cost for peace and stability in the region.

The widespread demand for small weapons has worsened by breakdown of local security and easy access. Relatively simple technology also means that manufacture and assembly does not require advanced industrial techniques. Their major challenge, however, will be to ensure that this is done in a consistent manner across the region.

While civil society actors dedicated to humanitarian relief and development will continue to work to minimize the impact of Small Arms and light weapons on South Asian society, the lack of political will to deal with the problem as a matter of full-fledged, regional arms control will no doubt hinder these efforts. The five governments of the region would do well to realize that the greater threat, to their own power as well as to the human security of their people, comes not from whichever neighbor has the most hi-tech arsenal, but from the real weapons of mass destruction wielded by their own citizens and the reasons why they have them in the first place.

There should be - transparency of arms trade in the respective countries; no arms transfers that will be used to breach international humanitarian law; no arms transfer that will facilitate human rights abuses, genocide or crimes against humanity; and no arms transfer that will violate the UN Charter.

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