

CHAPTER 1.3: COOPERATION AND ASSISTANCE IN SUB-SAHARAN AFRICA

This chapter provides an overview of past and ongoing cooperation and assistance activities involving countries in sub-Saharan Africa aimed directly or indirectly at supporting national implementation of the Arms Trade Treaty (ATT).¹ Since its entry into force several such 'ATT-focused' activities have been carried out. However, past and ongoing 'ATT-relevant' activities have also been carried out. These do not reference the Treaty but focus on improving state capacity in areas relevant for its implementation.

Drawing on a database developed by the Stockholm International Peace Research Institute (SIPRI) and the UN Regional Centre for Peace and Disarmament in Africa (UNREC), the chapter provides an overview of these 'ATT-focused' and 'ATT-relevant' cooperation and assistance activities. This is not an exhaustive list of all activities, and the examples included in this chapter are necessarily illustrative.

It argues that a majority are not focused on arms-transfer controls – the main focus of the ATT – but on related areas of controls on small arms and light weapons (SALW) covered by other instruments such as the UN Programme of Action on small arms and light weapons (PoA), but also that this is starting to change owing to the entry into force of the Treaty. It concludes by arguing for greater efforts to build links between the different cooperation and assistance activities, and pointing to the key role that the ATT Secretariat can play in this regard.

OBLIGATIONS WHEN APPLYING THE ATT

The majority of the ATT's provisions focus on developing and maintaining effective arms-transfer controls. These can be divided into nine areas:

- establishing and maintaining an arms-transfer-control system
- carrying out risk assessments for arms transfers and arms exports
- prohibiting certain arms transfers and not authorizing certain arms exports
- regulating arms imports
- regulating arms transit and trans-shipment
- regulating arms brokering
- establishing and maintaining enforcement mechanisms
- sharing information with other States Parties
- maintaining records on arms transfers.

The Treaty also makes reference to the need for States Parties to build and maintain capacities in other areas that are not directly connected to arms-transfer controls but can play a role in preventing the diversion of conventional arms, especially SALW, to the illicit market. In particular, Article 16.1 of the Treaty notes that assistance provided in connection to its implementation may include 'stockpile management, disarmament [and] demobilization and reintegration [DDR] programmes'.² However, the main focus of the Treaty is the development and implementation of effective arms-transfer controls.

AREAS OF OVERLAP WITH EXISTING OBLIGATIONS

There is a significant level of overlap between the commitments outlined in the ATT and those in other instruments in the field of SALW controls, particularly the PoA on SALW. Indeed, although the Treaty is legally binding for States Parties and the PoA is a political commitment, the two can be seen as complementary in terms of their content.

For example, the PoA commits countries to assess arms transfers, while the Treaty establishes detailed criteria for how these assessments should be carried out. In addition, the Treaty obliges them to prevent and address diversion, while the PoA provides detailed guidelines on the steps they need to take in order to combat diversion at all stages of a weapon's lifecycle. These include:

- creating legislation, regulations and administrative procedures to control the production and transfer of SALW
- criminalizing the illegal manufacture, possession, stockpiling and trade of SALW
- marking of SALW
- improving the tracing of SALW
- seizing and collecting illegally possessed SALW
- destroying surplus SALW
- implementing effective disarmament, demobilization and reintegration programmes.

1 This chapter draws on a larger study carried out by SIPRI in 2015. See: Bauer, S. and Bromley, M. (2015). Implementing the Arms Trade Treaty: Building on Available Guidelines and Assistance Activities. Stockholm International Peace Research Institute (SIPRI), May 2015. http://books.sipri.org/product_info?c_product_id=497

2 Arms Trade Treaty, Article 16.1 (adopted 2 April 2013, entered into force 24 December 2014)_UNTS_(ATT) Art 16(1). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

Countries in sub-Saharan Africa have also developed a range of sub-regional instruments aimed at improving their controls on SALW. These include the Southern African Development Community (SADC) Protocol, the Nairobi Protocol, the Economic Community of West African States (ECOWAS) Convention and the Kinshasa Convention.³ These instruments contain provisions on arms-transfer controls and diversion that are similar in scope to equivalent provisions in the Treaty and the PoA. The key difference between them and the ATT is that while they focus only on SALW, the Treaty covers all major conventional weapons defined by the scope of the UN Register of Conventional Arms (UNROCA) as well as related parts and components and ammunition. States Parties are also encouraged to apply the Treaty 'to the broadest range of conventional arms.'⁴

However, in certain areas, the provisions on arms-transfer controls are more ambitious in the sub-regional instruments than they are in the Treaty. For example, the ECOWAS Convention bans member states from importing SALW unless they first demonstrate this is for legitimate defence and security needs, law enforcement or participation in peace-support operations (see Chapter 1.2). States apply for an exemption to the ECOWAS Executive Secretariat, which takes a decision after circulating the request among all member states.

ATT/POA-RELEVANT COOPERATION AND ASSISTANCE IN AFRICA, 2011–15

During the process of negotiating the ATT, many countries highlighted the need for it to include provisions aimed at ensuring that States Parties have access to any assistance needed to fulfil their treaty obligations. Recognizing these needs, the final text of the Treaty includes several provisions on international cooperation and assistance, outlining the areas where it might be provided, who might provide it and the mechanisms through which it might be carried out.

The need for such assistance is particularly acute in sub-Saharan Africa, where many countries have been severely affected by the proliferation of SALW and where capacities of States Parties in many areas relevant to treaty implementation are limited. Of the 61 countries that had completed the ATT Baseline Assessment Project survey by July 2015, 39 per cent

indicated that they required assistance with implementation.⁵ However, of the seven states from sub-Saharan Africa that had completed the survey, six indicated that they required assistance, with a majority indicating that they required it in all possible areas.⁶

Several 'ATT-focused' cooperation and assistance activities have been carried out in sub-Saharan Africa, aimed at helping States Parties to ratify and implement the Treaty. These have included activities focused on helping them to establish or improve their arms-transfer controls or to take other steps to prevent SALW diversion. However, a larger number of activities not focused on treaty implementation have been carried out in recent years in sub-Saharan Africa with these same objectives in mind, including many taking place before the Treaty was adopted. They are nevertheless 'ATT relevant' since they address areas covered by the Treaty and can help States Parties to implement it.

Until recently, there has been no attempt to systematically map either 'ATT-focused' or 'ATT-relevant' activities. As a result, both providers and recipients of cooperation and assistance may be unaware of similar activities that have taken place or are taking place. During 2015, SIPRI and UNREC collected information about 'ATT-relevant' and 'ATT-focused' activities in sub-Saharan Africa in 2011–15 and made it available in a searchable online database.⁷ The aim was to highlight potential gaps in the types of cooperation and assistance activities carried out to date and to provide a mechanism through which States Parties, non-governmental organizations (NGOs), and international and regional organisations – as well as the ATT Secretariat – can build on past efforts, avoid duplication and plan joint activities. The database is currently being expanded to cover Latin America and the Caribbean, and the inclusion of other regions is also planned.

The database includes activities focused on the core concerns of the ATT, such as transfer controls, brokering controls, import controls, transit and trans-shipment controls, risk assessments, reporting on arms transfers, and reporting on arms-transfer controls. It also includes areas of wider relevance to preventing the illicit proliferation of SALW and that are covered by the PoA, such as inventory and stockpile management, marking, tracing and destruction.

3 See Chapter 1.2 for more information on these regional instruments.

4 Arms Trade Treaty, Article 5.3 (adopted 2 April 2013, entered into force 24 December 2014)_UNTS_(ATT) Art 5(3). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

5 ATT-Baseline Assessment Project (2015), "The ATT Baseline Assessment Project International Cooperation and Assistance: Capacity, Experience, and Practices", Stimson Center, August 2015, pp. 22–23. <http://armstrade.info/wp-content/uploads/2014/10/ATT-BAP-Cooperation-WEB2.pdf>

6 These states were Botswana, Burkina Faso, the Democratic Republic of the Congo, Liberia, Mali, South Africa and Swaziland.

7 See Mapping ATT-Relevant Cooperation and Assistance Project, "Activity Database", <http://www.att-assistance.org>



LT. COL. JOE KIBET OF AMISOM EXAMINES WEAPONS CAPTURED FROM AL-SHABAAB MILITANTS IN HIRAN REGION, SOMALIA.

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Activities are categorized according to their type as well as according to their focus. The four types are sensitization and outreach, legal or legislative assistance, institutional capacity-building, and technical, material or financial assistance. Events categorized under sensitization and outreach are primarily focused on building awareness among governments, parliamentarians and NGOs, usually about a particular international or regional instrument such as the ATT. The other categories cover the three forms of cooperation and assistance identified in the text of the Treaty. No agreed definitions of these terms exist. However, based on existing practices, the following definitions were used:

- Legal or legislative assistance: reviewing and supporting the amendment or drafting of primary and/or secondary legislation and implementing regulations,
- Institutional capacity-building: efforts to improve internal and inter-agency procedures, and to strengthen administrative capacities and cooperation of the entities involved in the implementation of controls,
- Technical, material or financial assistance: providing (a) technical experts for training activities or longer-term secondments, (b) equipment and software for record-keeping, marking, and detection, and (c) institutional funding or direct budgetary support.⁸

At least 225 'ATT-relevant' and 'ATT-focused' cooperation and assistance activities were carried out in sub-Saharan Africa between 2011 and 2015. A significant number of these focused primarily on the broader range of issues relevant to preventing the illicit proliferation of SALW. At least 63 activities were carried out with a focus on inventory and stockpile management and 37 with a focus on marking or tracing. The type of activities for the majority of these fell under institutional capacity-building or technical, material or financial assistance. This included the following examples.

- Between 2010 and 2012 the Institute for Security Studies (South Africa) and the Mines Advisory Group provided marking and tracing equipment to 10 countries and trained police personnel in their correct use.⁹
- In 2013 and 2014 the US Africa Command (AFRICOM) implemented training in the disposal of conventional weapons as well as conventional munitions stockpile assessments and training, and programme assessments in Mozambique.¹⁰

8 Bauer, S. (2015). "Article 16 International Assistance", in Da Silva, C. and Wood, B. (eds). (2015). "Weapons and International Law: The Arms Trade Treaty". Brussels: Larcier.

9 See Mines Advisory Group (MAG). "Firearms management and tracing in Southern Africa". <http://archive.maginternational.org/MAG/en/where-we-work/where-mag-works/southern-african-development-community-firearms-control/>

10 US Department of State (2015). "To Walk the Earth in Safety". <http://www.state.gov/documents/organization/248978.pdf>

- In 2014 Saferworld commissioned a study by Conflict Armament Research on the capacities of weaponry storage facilities in Mogadishu, Somalia, which highlighted several safety and security concerns.¹¹
- In 2015 the Bonn International Center for Conversion held a two-day training course on physical security and stockpile management in Abuja, Nigeria.¹²

At least 41 activities were carried out with a focus on transfer controls. However, 31 of these were of the sensitization and outreach type, and mainly focused on increasing government and parliamentary understanding of the content and obligations of the ATT and pushing forward processes of signature and ratification. This included the following examples.

- In May 2013 Parliamentarians for Global Action organized a workshop for parliamentarians in Dar es Salaam, Tanzania, on ATT ratification.¹³
- During 2015 the Parliamentary Forum on Small Arms and Light Weapons held a series of meetings on ATT ratification and implementation for parliamentarians from Africa and Latin American and the Caribbean.¹⁴
- During 2015 Action on Armed Violence held workshops in Burundi, and the Democratic Republic of the Congo, bringing together parliamentarians, government ministers and representatives, members of civil society and the media to discuss the objectives of the ATT as well as its practical implementation.¹⁵

With regard to the type of activities focused on transfer controls, at least 21 were under institutional capacity-building, technical, material or financial assistance, or legal or legislative assistance. This included the following examples.



AT LEAST 225 'ATT-RELEVANT' AND 'ATT-FOCUSED' COOPERATION AND ASSISTANCE ACTIVITIES WERE CARRIED OUT IN SUB-SAHARAN AFRICA BETWEEN 2011 AND 2015.

- Between 2008 and 2011, UNREC carried out a project aimed at improving controls on arms brokering in East African countries. The final phase took place in 2011 when UNREC handed over a standardized electronic register of brokers to Tanzania and related hardware to Uganda.¹⁶
- In 2013–14 the UN Office for Drugs and Crime worked with several countries in West Africa – including Chad, Ghana, Mauritania and Niger – to help them align their arms transfer controls with the provisions of the UN Firearms Protocol.¹⁷
- In 2015, the US Department of State sponsored a two-day workshop in Kenya on developing comprehensive trade-management legislation for dual-use goods and conventional arms.¹⁸

The number of activities on transfer control has increased with the entry into force of the Treaty. Since 2014, several 'ATT-focused' activities have been carried out to improve capacity in this field, but also in other areas of central concern to the Treaty, such as import controls, transit and trans-shipment controls and brokering controls. This included the following examples.

11 Gramizzi, C. and Mariani, B. (2014). "Tackling illicit small arms and light weapons and ammunition in the Great Lakes and the Horn of Africa". Saferworld, p. 4. <http://www.saferworld.org.uk/resources/view-resource/838-tackling-illicit-small-arms-and-light-weapons-and-ammunition-in-the-great-lakes-and-the-horn-of-africa>

12 Bonn International Center for Conversion (2015). "PSSM Training in Nigeria". 13 August 2015. <https://www.bicc.de/press/press-releases/press/news/pssm-training-in-nigeria-455/>

13 Parliamentarians for Global Action (2013). "PGA Regional Parliamentary Workshop on the Arms Trade Treaty—the role of parliamentarians". <http://www.pgaction.org/activity/2013/pga-regional-parliamentary-workshop-on-the-att.html>

14 Parliamentary Forum on Small Arms and Light Weapons (2015). "Arms Trade Treaty meeting at National Assembly of Portugal". 17 June 2015. <http://parliamentaryforum.org/news/arms-trade-treaty-meeting-national-assembly-of-portugal>

15 Action on Armed Violence (2016). "AOAV works with civil society and the small arms commissions of Burundi and DRC to advocate for the Arms Trade Treaty (ATT)". 29 January 2016. <https://aoav.org.uk/2016/aoav-works-with-civil-society-and-the-small-arms-commissions-of-burundi-and-drc-to-advocate-for-the-arms-trade-treaty-att/>

16 UN Regional Centre for Peace and Disarmament in Africa (UNREC), (2011). "Project Report, Regulating Small Arms Brokering in Eastern Africa." August 2011. <http://unrec.org/docs/Small%20Arms%20Brokering%20in%20Eastern%20Africa.pdf>

17 UN Office for Drugs and Crime (UNODC), (2016). "UNODC strengthens Firearms Marking Capacity in West Africa". 4–8 January 2016. <https://www.unodc.org/unodc/en/firearms-protocol/news.html>

18 Embassy of the United States, Nairobi, Kenya, (2015). "Workshop on Developing Effective Strategic Trade Controls in Kenya". 27 August 2015. <http://nairobi.usembassy.gov/pro82815.html>

- Since 2014, the ISS has carried out a project on ATT and PoA Implementation and Compliance Support, which provides ATT-related technical and capacity-building assistance to Lesotho, Malawi, Swaziland and Tanzania.¹⁹
- In 2014–15 the ATT Network, led by the Geneva Centre for Security Policy, has carried out training courses in the implementation of the ATT, bringing together officials from different African States.²⁰
- In 2015, Germany's Federal Office for Economic Affairs and Export Control (BAFA) has worked with Burkina Faso, Ghana, Senegal and Togo to strengthen their arms-transfer-control systems under the European Union (EU)-ATT Outreach Project.²¹

KEY PROVIDERS OF COOPERATION AND ASSISTANCE IN AFRICA - 2011–15

Many countries, international and regional organizations, and NGOs have been involved in carrying out 'ATT-focused' and 'ATT-relevant' cooperation and assistance activities in sub-Saharan Africa in recent years. Particularly important are the different regional economic communities, which play a crucial role in assisting countries with the implementation of the different sub-regional instruments on SALW controls.²² For example, the ECOWAS Commission plays an active role in assisting member states with the implementation of the ECOWAS Convention. The Secretariat of the Economic Community of Central African States plays a similar role with regards to the Kinshasa Convention. Both organizations help to coordinate implementation efforts as well as having a mandate to mobilize donor funding and implement cooperation and assistance activities.

The EU has funded a wide range of activities focused on SALW diversion in sub-Saharan Africa since the 2000s. This has included supporting several projects focused on inventory and stockpile management, marking and tracing, such as the EU-funded work by the Regional Centre on Small Arms on SALW controls in the Great Lakes region.²³ The EU has also supported several programmes aimed at improving arms and dual-use transfer controls. Until recently these mainly focused on assisting countries in the EU neighbourhood. In December 2013 the EU launched the EU-ATT Outreach Project.²⁴ Co-financed by Germany and implemented by its BAFA, this assists non-EU countries in strengthening their arms-transfer-control systems in line with the Treaty. In May 2015, Senegal hosted the first EU-ATT Project event in sub-Saharan Africa, a regional outreach seminar, and since then eight activities involving countries in sub-Saharan Africa have been carried out.²⁵

Under US law, the US government may not 'expend or obligate funds for the purposes of implementing the ATT'.²⁶ However, these decisions do not 'preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards'.²⁷ Since 1993, the US State Department has spent over US\$364 million on inventory and stockpile management, and destruction activities in Africa.²⁸ The US government conducts a wide range of cooperation and activities on transfer controls too, mostly under the auspices of the State Department's Export Control and Related Border Security (EXBS) Programme. The EXBS Programme aims to help countries 'ensure that their trade control systems meet international standards', and is active in over 60 countries and has an annual budget of around US\$55 million.²⁹ However, the only countries in sub-Saharan Africa that have taken part in EXBS Programme activities to date are Kenya, South Africa and Tanzania.³⁰

19 UN Office for Disarmament Affairs (UNODA), (2013). "ATT and UNPOA implementation and compliance support". <https://www.un.org/disarmament/unscar/2013-iss/>

20 Geneva Centre for Security Policy, (2015). "Third Training Course on the Arms Trade Treaty Concludes at GCSP". 17 April 2015. <http://www.gcsp.ch/News-Knowledge/News/Third-Training-Course-on-the-Arms-Trade-Treaty-Concludes-at-GCSP>

21 See various editions of Federal Office for Economic Affairs and Export Control, Germany (2015). "Newsletter 2015". http://www.bafa.de/bafa/en/export_control/eu-outreach/eu_outreach/att_op/index.html

22 Arabia, C. and Bromley, M. (2016). "ATT-related outreach assistance in sub-Saharan Africa: identifying gaps and improving coordination". Swedish International Peace Research Institute (SIPRI), February 2016. http://books.sipri.org/product_info?c_product_id=507

23 European Union (EU), (2013a). "Fourteenth progress report on the implementation of the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition (2012/II)". Official Journal of the European Union, C138, 17 May 2013, pp. 9–11.

24 EU (2013b), "Council Decision 2013/768/CFSP of 16 December 2013 on EU activities in support of the implementation of the Arms Trade Treaty, in the framework of the European Security Strategy", Official Journal of the European Union, L341, 18 December 2013, pp. 56–67.

25 Federal Office for Economic Affairs and Export Control, Germany (2015). "Newsletter 2015". http://www.bafa.de/bafa/en/export_control/eu-outreach/eu_outreach/att_op/index.html

26 US Congress (2016). "Senate Amendment 4098 to Bill S.2943 – National Defence Authorization Act for Fiscal Year 2017". <https://www.congress.gov/amendment/114th-congress/senate-amendment/4098/text>

27 These laws do not prevent the United States from attending or paying an attendance fees to attend the ATT Conference of States Parties meetings, subsidiary meetings, or extraordinary meetings. Ibid.

28 US Department of State (2015). "To Walk the Earth in Safety". <http://www.state.gov/documents/organization/248978.pdf>

29 US Department of State (undated). "The Export Control and Related Border Security (EXBS) Program". www.state.gov/documents/organization/126248.pdf

30 Ibid., p. 4.

Several NGOs also have been or are engaged in carrying out 'ATT-relevant' and 'ATT-focused' cooperation and assistance activities in sub-Saharan Africa. These include members of the Control Arms Coalition, including Parliamentarians for Global Action, Oxfam and Saferworld, the Parliamentary Forum on Small Arms and Light Weapons, and the Small Arms Survey. Many of these have been funded by the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), which was established to support ATT ratification as well as ATT and PoA implementation. UNSCAR is hosted by the UN Office for Disarmament Affairs and has had three rounds of funding to date, which has supported 36 projects. To date, UNSCAR has received funding from Australia, Denmark, Finland, Germany, Ireland, the Netherlands, Spain, Switzerland, Sweden and the United Kingdom.³¹

DIFFERENCES AMONG SUB-REGIONS

There are significant sub-regional differences in terms of the number, type and focus of 'ATT-relevant' and 'ATT-focused' cooperation and assistance activities carried out between 2011 and 2015. At least 100 ATT-relevant activities were carried out involving West African countries; at least 80 involving East African ones, at least 70 involving Central African ones, and at least 30 involving Southern Africa ones.³²

Most of the transfer-control activities carried out in sub-Saharan Africa have been in West Africa. Indeed, West Africa appears to be the sub-region with greater willingness to engage on these issues. The EU has also prioritized assistance to West Africa – all of the countries in sub-Saharan Africa that have received initial country visits and sensitization seminars under the EU-ATT Project have been from West Africa.

As discussed in Chapter 1.2, in many countries in sub-Saharan Africa, arms-transfer controls – where they exist – are often shrouded in government secrecy and subject to national-security sensitivities, and the authorities may be unwilling to open them up to scrutiny.³³ However, in West Africa, there has been a long-standing engagement with and implementation of the ECOWAS Convention, which has more developed provisions on arms-transfer controls than other sub-regional SALW control instruments (see above).



31 UN Office for Disarmament Affairs (UNODA) (undated). "UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation". <http://www.un.org/disarmament/UNSCAR/>

32 Arabia, C. and Bromley, M. (2016). "ATT-related outreach assistance in sub-Saharan Africa: identifying gaps and improving coordination". Swedish International Peace Research Institute (SIPRI), February 2016. http://books.sipri.org/product_info?c_product_id=507

33 Poitevin C. (2015). "Arms Transfer Controls in Sub-Saharan Africa: Lessons for the implementation of the Arms Trade Treaty". Group for Research and Information on Peace and Security (GRIP), 24 August 2015. <http://www.grip.org/en/node/1811>

WAYS FORWARD

Overall, the survey carried out by SIPRI and UNREC in 2015 indicates that the majority of 'ATT-focused' and 'ATT-relevant' cooperation and assistance activities in sub-Saharan Africa between 2011 and 2015 dealt with the broader issues of SALW controls rather than the issues of arms-transfer controls that are the key focus of the Treaty. While other factors are clearly at play, patterns in the focus of cooperation and assistance activities to date reflect the sense that arms-transfer controls are not necessarily the main priority for many countries in sub-Saharan Africa. Inventory and stockpile management, marking and tracing – as well as effective controls on civilian ownership – are seen by many of them as more effective mechanisms of preventing the illicit spread of SALW.

Nonetheless, there are clear signs that the process of ratifying or acceding to the ATT is generating greater willingness among countries to engage in activities that focus on transfer controls. This is particularly the case in West Africa, where a number of countries are actively engaging with the EU-ATT Outreach Project and are taking part in discussions about how to improve their arms-transfer controls in order to meet the requirements of the Treaty.³⁴ The best means of building support for the ATT process potentially lies in emphasizing the aspects of the Treaty that are most squarely focused on the key priorities of the region and building links between the Treaty and other existing mechanisms in the field of SALW controls, such as the PoA and the various sub-regional SALW-control instruments. This approach is already gaining traction in the region, with several activities aimed at highlighting the synergies between the ATT, the PoA and other SALW-control instruments as well as at developing focused national implementation strategies.³⁵

If these various efforts are to prove successful, they will need to apply established good practices in cooperation and assistance. These place a strong emphasis on the need for local ownership; common objectives, goals and understandings; and joint assessments and planning. They also underline the need to avoid one-size-fits all solutions, particularly when it comes to the development of effective arms-transfer-control systems. At the end of the day, every

country has to find its own approach in this area, depending on its size, geography, industrial structure, trading patterns, legal system, institutional set-up, security perceptions and policy priorities.³⁶ This is particularly true in sub-Saharan Africa where the specific needs of countries vary significantly. For example, South Africa already has a well-developed arms-transfer-control system in place, while others have very limited legal systems and capacities.

Experience also shows that national ownership and high-level political commitment within countries is essential for success, as well as ensuring that they are able to effectively absorb any training or equipment provided.³⁷ The value of South-South cooperation has also been repeatedly underlined. In recent years, this approach has been adopted within sub-Saharan Africa. For example, Côte d'Ivoire has helped to provide training for activities focused on inventory and stockpile management in Mali and Nigeria, while Ghana has provided training to Liberia's immigration and border officers on the detection and seizure of SALW.³⁸ Nonetheless, this is clearly an aspect of cooperation and assistance that could be developed further within sub-Saharan Africa.

Finally, it is crucial to effectively coordinate and sequence cooperation and assistance activities, particularly when engaging with smaller countries or those with limited resources. Without this coordination there is a risk that countries will receive large number of competing offers for help, and that officials will be asked to spend all of their time attending seminars and workshops, which deprive them of time to implement their national control systems. While responsibility for avoiding these difficulties lies primarily with governments receiving assistance, it is also often the case that the different parts of a government may not be aware of the different strands of assistance that are being provided. As such, it is crucial that providers of cooperation and assistance effectively coordinate their efforts in order to target their resources effectively.

In this sense, the volume and range of ATT-relevant and ATT-focused cooperation and assistance activities poses both an opportunity and a challenge. There is a clear opportunity since there already exists a solid foundation to build on and experience to draw from. However, there is also a risk

34 Bauer, S. (2015). "Article 16 International Assistance," eds. C. da Silva, T. Haeck and B. Wood. "Weapons and International Law: The Arms Trade Treaty". Larcier Law Annotated.

35 Paul, C. et al. (2013). "What Works Best When Building Partner Capacity and Under What Circumstances?". Santa Monica: RAND Corporation, p. 4. http://www.rand.org/content/dam/rand/pubs/research_reports/RR900/RR937/RAND_RR937.pdf

36 Bromley, M. and Holtom, P. (2014). "Arms Trade Treaty Assistance: Identifying a Role for the European Union". EU Non-Proliferation Consortium, February 2014. https://www.sipri.org/sites/default/files/EUNPC_DP1402.pdf

37 Arms Trade Treaty, Article 18.3(c) (adopted 2 April 2013, entered into force 24 December 2014)_UNTS_(ATT) Art 18(c). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

38 Bromley, M. and Holtom, P. (2014). "Arms Trade Treaty Assistance: Identifying a Role for the European Union". EU Non-Proliferation Consortium, February 2014. https://www.sipri.org/sites/default/files/EUNPC_DP1402.pdf

of duplication, particularly if there is limited awareness of what has been done or is being done. The ATT Secretariat is charged with facilitating 'the matching of offers of and requests for assistance for Treaty implementation' and – as such – will play a crucial role in ensuring that available resources are channelled effectively.³⁹ However, the challenges involved in performing such a coordinating task effectively are significant. Transfer controls touch on, and overlap with, many different areas of government activity, making it hard to create a single location for channelling all relevant cooperation and assistance activities. Moreover, many donor countries have traditionally been unwilling to abandon their own bilateral mechanisms for channelling assistance.

In order to operate effectively in sub-Saharan Africa, it will therefore be essential that the ATT Secretariat establishes quickly working relationships with the different countries, NGOs, and international and regional organizations that are already carrying out ATT-relevant and ATT-focused cooperation and assistance activities. Within sub-Saharan Africa, it will be particularly important that the ATT Secretariat works with regional economic communities that are already active in this area to assist countries within each sub-region in developing new arms regulations that are in line with the ATT, the PoA and regional agreements on SALW controls. They will not only build the capacity of the regional economic communities but also ensure the sustainability of any cooperation and assistance activities.

It is also crucial the ATT Secretariat's efforts to match offers and requests for assistance are coordinated effectively with other existing efforts in this area, such as those carried out by the PoA Implementation Support System and the 1540 Committee.⁴⁰ Adding a new mechanism for coordinating offers and requests for assistance without connecting with existing systems risks creating confusion and wasting limited resources. The range of activities carried out in sub-Saharan Africa represents a solid basis to build upon as new ATT-focused cooperation and assistance activities are planned and implemented. However, ensuring that this opportunity is seized effectively will require careful planning and strategic thinking as well as a full understanding of the range of activities already carried out to date.



**U.S. ARMY AFRICA SOLDIERS
MENTOR OFFICERS FROM
THE ETHIOPIA NATIONAL
DEFENCE FORCE.**

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³⁹ Arms Trade Treaty, Article 18.3(c) (adopted 2 April 2013, entered into force 24 December 2014)_UNTS_(ATT) Art 18(c). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

⁴⁰ Resolution 1540 (2004) 'obliges States, inter alia, to refrain from supporting by any means non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems. It] imposes binding obligations on all States to adopt legislation to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, and establish appropriate domestic controls over related materials to prevent their illicit trafficking' UN Security Council, 1540 Committee, <http://www.un.org/en/sc/1540/>