

# TACKLING TERROR

## HOW THE ARMS TRADE TREATY (ATT) COULD HELP STOP THE DIVERSION OF ARMS AND AMMUNITION IN WEST AFRICA



CASE STUDY 3

2016

### THE ARMS TRADE TREATY (ATT) CAN BE AN IMPORTANT TOOL IN TACKLING THE FLOW OF ARMS AND AMMUNITION TO ARMED GROUPS IN WEST AFRICA AND ELSEWHERE, IF STATES EFFECTIVELY IMPLEMENT THE TREATY'S OBLIGATIONS.

A series of high-profile terrorist attacks in Burkina Faso, Côte d'Ivoire, Nigeria and Mali in the last twelve months has brought international attention to the severe increase in armed violence in West Africa in the last five years (see Figure 1).<sup>1</sup> Armed groups including Boko Haram and Al Qaeda in the Islamic Maghreb (AQIM) have carried out deadly attacks against civilians that have threatened regional security and stability. This rising violence has been fuelled by the proliferation of arms and ammunition across West Africa.

This case study investigates how armed groups operating in West Africa are accessing arms through three examples:

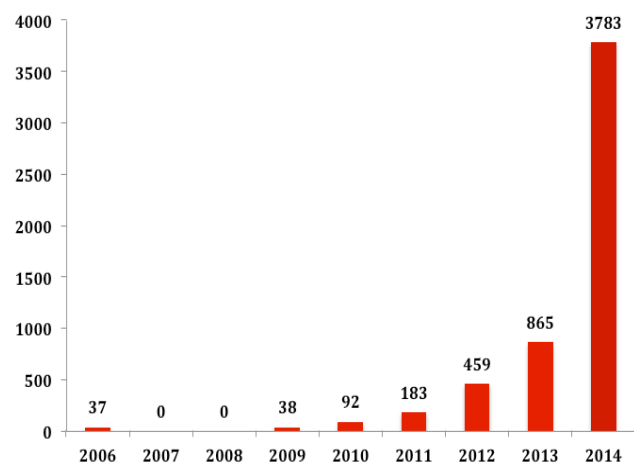
- Boko Haram in Nigeria and neighbouring countries,
- AQIM and other armed actors in Mali,
- Armed groups in Côte d'Ivoire.

The complex network of arms proliferation is explored in each case, followed by an assessment of how the ATT could help States to reduce access to arms for non-state armed groups in West Africa and elsewhere, and thus contribute to reducing human suffering and improving regional stability and security.

### THE ARMS TRADE IN WEST AFRICA

Countries in West Africa have been among the most enthusiastic supporters of the ATT. As of 31 May 2016, 11 of the 15 members of the Economic Community of West African States (ECOWAS) are States Parties and three others are Signatories. In the region, only Gambia is currently outside of the Treaty regime. The high level of

Figure 1: Estimated deaths from intentional attacks on civilians by non-state groups, West Africa, 2006-2014<sup>2</sup>



support for the ATT in West Africa reflects a long history of arms proliferation and armed violence in the region, and an equally long track record of regional action on arms control.<sup>3</sup>

Mapping the extent of the authorized arms trade among African countries in general is difficult primarily due to low levels of transparency and reporting.<sup>4</sup> However, although arms imports by African governments have been increasing in recent years, West African countries have not been major arms importers.<sup>5</sup> Many of the arms and ammunition in West Africa have been in circulation within the region for years, and in some cases, decades. The UN Office of Drugs and Crime (UNODC) claims that 'For daily use, the primary source of arms appears to be official state stocks, legitimately procured but diverted to the illicit market.'<sup>6</sup> Diversion is often the critical link between the authorised or legal trade and the illicit trade.<sup>7</sup> There is no international legal definition of diversion, but the term as reflected in the preamble of the ATT can be generally understood as delivery to the illicit market, either for unauthorised end use or an unauthorised end user.<sup>8</sup>

## BOKO HARAM

Since 2009 the militant group Boko Haram has been carrying out armed attacks against civilians, primarily in rural north-eastern Nigeria.<sup>9</sup> The group has repeatedly violated international human rights law and international humanitarian law,<sup>10</sup> and has carried out acts constituting crimes against humanity.<sup>11</sup> Boko Haram has committed widespread acts of gender-based violence, including the forced use of women and young children to carry out suicide attacks, and the mass abduction of schoolgirls.<sup>12</sup> The violence has helped drive massive forced displacement, with 2.8 million people in the region forced to flee their homes.<sup>13</sup> In response to this campaign of violence against civilians, in May 2014 the UN Security Council imposed an arms embargo against members of Boko Haram.<sup>14</sup>

Theft or capture from government-owned materiel has been a key source of weapons and ammunition for Boko Haram. The group has seized weapons during attacks on army bases in Cameroon, Niger and Nigeria.<sup>15</sup> For example, armoured vehicles evidently in Boko Haram's possession appear to match those used by the Nigerian Army.<sup>16</sup> These include:

- Austrian-made Saurer 4k 4FA armoured personnel carriers (APCs)<sup>17</sup>
- A UK-built Vickers Mk III Main Battle Tank<sup>18</sup>
- Turkish-made Otokar Cobra wheeled armoured vehicle.<sup>19</sup>

Other weapons captured or recaptured by the Nigerian and Chadian armies and displayed to journalists show a range of primarily Soviet-pattern small arms and light weapons (SALW): AK-pattern assault rifles; 7.62 x 54R mm and 12.7x 108 mm machine guns; PG-7-pattern grenade launchers; and associated ammunition.<sup>20</sup>

The extent to which Boko Haram's arsenal is made up of battlefield captures as opposed to regional or inter-regional arms trafficking is unclear. Detailed field evidence is limited, and much of the evidence of Boko Haram weapon supplies comes from social media and propaganda, which is inherently difficult to verify and which may also present a false picture of the group's equipment by highlighting newer 'trophy' weapons.<sup>21</sup>

Boko Haram has also been able to access arms and ammunition from allied militant groups and from illicit trafficking across the region.<sup>22</sup> Publicly available information on trafficking sources to Boko Haram is extremely limited, but the UNODC has reported the seizure of weapons crossing the Chad and Niger borders with Nigeria.<sup>23</sup> Neighbouring countries have also reported arrests of arms dealers suspected to be trafficking arms to Boko Haram fighters.<sup>24</sup> The apparent increase in Boko Haram's use of IEDs since mid-2015 might be indicative of reduced supply lines to conventional weapons amid a combined effort by regional military forces.<sup>25</sup>

Although Boko Haram declared allegiance to the Islamic State in Iraq and the Levant (ISIL, also known as Da 'esh) in 2015, material supplies of financing, equipment or personnel from ISIL to Boko Haram have not yet been substantiated beyond Boko Haram's own propaganda.

## AQIM AND OTHER ARMED GROUPS IN MALI

Large-scale trafficking from Libya following the civil war in the country in 2011 has been a prolific source of arms and ammunition for armed groups in Mali, including AQIM-aligned groups (see text box 1).<sup>26</sup> The route from southern Libya through Niger's Salvador Pass has been a particularly significant transit route for Libyan weapons into Mali and Niger. In 2014 and 2015, security forces seized SALW, ammunition, rockets, SA-7b man-portable air-defence systems (MANPADS), anti-tank weapons, and mortars, as well as large numbers of 4x4 vehicles, drugs, and currency.<sup>27</sup>

Armed groups in Mali have also seized weapons from military stockpiles following the collapse of government control during the armed insurgency that began in 2012. Small arms and ammunition have since been captured from non-state armed groups, including AQIM-aligned fighters, which match materiel known to be in pre-2012 Malian state stocks, including 7.62 x 39 mm to 14.5 x 114 mm calibre ammunition, mortar rounds, rocket-propelled grenades and air-to-ground rockets.<sup>28</sup>

In March 2012 the Malian government received an authorized shipment of weapons from Eastern Europe.<sup>29</sup> Some weapon types in this shipment have a high risk of diversion because of their demand among non-state armed groups, both in Mali and more widely. These included assault rifles and other small arms of Soviet-bloc calibre, for which ammunition and spare parts are widely available in the region. In November 2014, AKM 7.62 x 39mm assault rifles that originated in this March shipment were seized by international peacekeeping forces from suspected AQIM assailants near Timbuktu.<sup>30</sup>

Larger-calibre weaponry, including heavy explosive weapons like aerial or artillery rockets, also carry a diversion risk since non-state groups have become adept at modifying such weaponry to launch improvised attacks.<sup>31</sup> In January 2015, international forces seized 57mm S-5 air-to-ground rockets from a suspected AQIM cache to the north-east of Kidal. At least one of these rockets had been part of the same legitimate shipment to Mali in March 2012.<sup>32</sup>

AQIM-allied armed groups have regularly used such rockets diverted from Malian stocks in attacks on peacekeepers and national security forces. The Soviet-made BM-21 'Grad' rocket for example is the most common munition used in projected IED (P-IED) attacks in Mali. Conflict Armament Research, an organisation specialised in tracing weapons in conflict zones, estimates that at least 60 per cent of the rockets used in

attacks in Mali or recovered from armed groups since 2013 match lot numbers of rockets originating from Malian stocks.<sup>33</sup>

### ARMED GROUPS IN CÔTE D'IVOIRE

Armed groups in Côte d'Ivoire were able to access arms and ammunition despite a UN Security Council arms embargo being in force in the country between November 2004 and April 2016.<sup>34</sup> Violations of the embargo included both large-scale deliveries to rebel forces with a degree of state complicity,<sup>35</sup> and smaller-scale cross-border smuggling from neighbouring countries, including Mali and Liberia.<sup>36</sup>

Investigations by the UN Panel of Experts on Côte d'Ivoire found that Burkina Faso, under the leadership of former-President Blaise Compaoré, was a key source of diversion

of weapons into embargoed Côte d'Ivoire. This included weapons that were newly exported to Burkina Faso and which continued in spite of the credible evidence of diversion risks to conflict parties in Côte d'Ivoire.<sup>37</sup>

For instance, in August 2012 Brazil authorized exports of ammunition for weapons that Burkina Faso did not have in its own stocks, and which were subsequently found in the stocks of Forces Nouvelles combatants.<sup>38</sup> Between April and August 2011—just after the height of the political violence in neighbouring Côte d'Ivoire—Albania and Bulgaria exported mortars, mortar rounds, assault rifles, machine guns, grenade launchers and small arms ammunition to Burkina Faso worth some US\$3.5 million, almost all subsequently discovered in the arsenal of a former Forces Nouvelles Zone Commander in northern Côte d'Ivoire.<sup>39</sup>

#### TEXT BOX 1: ARMS TRAFFICKING FROM LIBYA

A near-complete breakdown of state stockpile control, combined with porous borders, has allowed a huge amount of arms and ammunition to be trafficked out of Libya.<sup>40</sup> Arms known to have been in Libyan stockpiles before 2011 have since been documented in the possession of armed groups in all six of Libya's neighbours, and at least four other countries further afield (Algeria, Chad, Egypt, Niger, Sudan, Tunisia, Central African Republic, Occupied Palestinian Territories (OPT), Mali, and Syria.)<sup>41</sup>

The scale and longevity of leakage from Libya partly reflects the lack of restraint by countries exporting to the Gadhafi regime from the 1980s to the 2000s.

Despite the clear risk of diversion with state complicity,<sup>42</sup> the Libyan regime was able to procure weapons whose quantity dramatically exceeded both the size of its armed forces and the scale of military threats for which particular weapons systems were designed. For example, data acquired at various sites in Libya between 2011 and 2013 suggest that the Libyan government procured over 18,000 SA-7a, SA-7b, and Anza MK-II MANPADS, manufactured by Bulgaria, Pakistan, Poland, the former Soviet Union, and Yugoslavia.<sup>43</sup> This is almost ten MANPADS for every aircraft of the combined peak air force strength of Libya's neighbours during this period.<sup>44</sup> Conflict Armament Research has since documented SA-7b MANPADS missile tubes with matching lot numbers in the hands of non-state groups in southern Libya, Lebanon (en-route to Syria), and northern Mali.<sup>45</sup>



**ARMS WERE STOLEN IN LIBYA AND BEING DISSEMINATED ALL OVER THE REGION. SAHARAN COUNTRIES ARE FACING TERRORIST THREATS, ARMS AND CRIMINAL TRAFFICKING. THE LIBYA CRISIS IS AMPLIFYING THESE CRISES.**

PRESIDENT OF NIGER, MAHAMADOU ISSOUFOU, 2011<sup>46</sup>

Had the ATT been in force during this period, many of these exports to Libya would arguably have been in violation of the Treaty's export obligations. The case of Libyan MANPADS highlights the consequences of exporting states' failure to assess either the potential that a weapon transfer 'would contribute to or undermine peace and security' as required by Article 7 (a) or 'the risk of diversion of the export' (Article 11).

### THE ATT AND DIVERSION OF ARMS IN WEST AFRICA

The importance of preventing diversion and eradicating the illicit trade in conventional arms is enshrined in the ATT's Object and Purpose. Many of the ATT's provisions, if rigorously applied, could potentially have a significant impact on the leakage of arms and ammunition into the illicit market, both in West Africa and more broadly.

The ATT regulates international transfers of conventional arms, and taken in isolation would not be able to address the trafficking of weapons that have long been in circulation in West Africa. Other international and regional instruments specifically address the illicit trade in arms, particularly the UN Programme of Action on small arms and light weapons (PoA).<sup>47</sup>

The PoA provides a comprehensive set of diversion measures which States should adopt and implement in order to fulfil their general obligation under the ATT to prevent and address diversion.<sup>48</sup>

**Article 11 (Diversion)** of the ATT requires that 'Each State Party involved in the transfer of conventional arms covered under Article 2 (1) shall take measures to prevent their diversion.'<sup>49</sup> The ATT establishes that all States have a shared responsibility to prevent diversion and contains obligations for countries involved throughout the transfer supply chain.<sup>50</sup>

The key role of exporting States in preventing diversion is made clear in Article 11. Exporting States Parties to the ATT are required to assess the risk of diversion of the export, and consider mitigation measures that can be jointly implemented together with the importing State. In the cases of Nigeria and Mali, where there has been a risk of theft or capture from government military stockpiles, one such measure might be working with the importing State to improve their stockpile management practices prior to authorising an export. During an assessment of diversion risks, exporting State Parties should question if the proposed export is consistent with the types of weapons already in the possession of the intended recipient, as in the case of Brazil's export to Burkina Faso in 2012, or consistent with the size and nature of its security forces, as in the case of MANPADs exported to Gadhafi-era Libya. If there is a significant possibility of diversion, States also have the option to deny or cancel the transfer.<sup>51</sup>

This obligation is linked closely to the requirement for exporting States to assess the potential negative consequences of a proposed export under **Article 6 (Prohibitions)** and **Article 7 (Export and Export Assessment)**. Under Article 7, States must carry out a comprehensive risk assessment to investigate the likelihood that arms might be used to commit or facilitate: a serious violation of international humanitarian law [Article 7.1(b)(i)] or international human rights law [Article 7.1(b)(ii)], an act constituting an offence under international conventions or protocols relating to terrorism [Article 7.1(b)(iii)] or transnational organised crime [Article 7.1 (b)



*Image 1: Looted Forces Armées Maliennes (FAMA) stocks, south of Gao, originally containing 122 mm gM22U multiple-launch rockets, 120 mm OF-843B mortar rounds, 122 mm OF-56 artillery rounds, 76 mm BR anti-tank rounds, 7.62 x 54R mm PS GZh and B32-GS machine gun ammunition, and 14.5 x 114 mm BZT-GS heavy machine gun ammunition, March 2015 ((©Conflict Armament Research (CAR), iTrace database).*

(iv)] to which the exporting State is a Party, or a serious act of gender-based violence or acts of violence against women and children [Article 7.4]. If an exporting State identifies an overriding risk that a proposed export could be diverted to a terrorist group in the course of its shelf life, and authorises the export without attempting to mitigate this risk, it would be in violation of its legal obligations under Articles 7 and 11 of the ATT.<sup>52</sup>

The importance of information sharing between States Parties is stressed throughout the ATT, and particularly in the context of preventing diversion.<sup>53</sup> Article 11.3 for example requires all States Parties involved across the transfer chain, including those with transit and transshipment responsibilities, to 'cooperate and exchange information, pursuant to their national law, where appropriate and feasible, in order to mitigate the risk of diversion'. One of the innovations in the ATT is a recommendation, yet to be developed by States Parties, to report on measures taken that have proven effective in addressing diversion.<sup>54</sup>

Information sharing is clearly crucial to identifying and reducing diversion and eradicating illicit trafficking. It is one area where there are important synergies between the ATT and the PoA. A failure to provide information on diversion could be seen as effectively undermining the Object and Purpose of the ATT.<sup>55</sup> Public reporting standards in West Africa, and Africa more generally, are poor, and States in West Africa should recognise the benefits of open reporting and information sharing.<sup>56</sup> These are vital components of the cooperation, transparency and responsible action envisaged by the ATT, and will help States to collectively reduce the

proliferation of illicit arms and ammunition.

The ATT also requires specific commitments from importing States, including taking measures to regulate imports under its jurisdiction, like developing an import system (**Article 8: Imports**). All States Parties must have 'an effective and transparent national control system' to enable the safe and responsible management of arms and ammunition.<sup>57</sup> These measures will help tighten domestic controls on arms and ammunition and consequently reduce the risk of theft or loss of control.

Many of the countries covered by this case study, including Burkina Faso, Côte d'Ivoire, Libya, Mali and Nigeria are all either States Parties or Signatories to the ATT. The ATT strongly encourages countries to cooperate in order to tackle diversion **Article 15 (International Cooperation)**, and provides technical and financial assistance to help States Parties to fulfil their Treaty obligations **Article 16 (International Assistance)**. Relevant assistance suggested in the Treaty might include institutional capacity-building, stockpile management, and disarmament, demobilization and reintegration programmes.<sup>58</sup> The ATT cannot address all of the security and territorial threats facing some countries in West Africa, but the international assistance the Treaty provides for will potentially help countries to strengthen their national control systems and legislative frameworks as they work to reduce the risks of future proliferation of arms and ammunition.

## CONCLUSION

Diversion has been a major factor in the availability of weapons and ammunition to terrorist groups and non-state armed actors in West Africa. These have been used to carry out human rights violations and have weakened regional security. While the ATT cannot reasonably prevent all the

flows of arms detailed in this case study, it does provide a framework for States Parties to collectively tackle diversion, particularly through application of Article 11. To be most effective, this should be implemented together with the measures detailed in other instruments like the PoA.

Crucially, the ATT establishes the particular responsibility of exporters to prevent and address diversion. With the ATT now in force, exporting State Parties have a legal obligation to assess the likelihood of diversion of the transfer. If States Parties rigorously apply the risk assessment criteria of Articles 6, 7 and 11 to their export decision-making, many transfers that end up in the illicit market would likely not be authorised, or else robust measures would have been developed to mitigate the risks.

In order for States Parties to realise one of the stated objects of the ATT to eradicate illicit trafficking, they must ensure that preventing and combating diversion is a key priority in their national arms transfer control systems. Countries in West Africa have already demonstrated their commitment to the ATT through their rapid ratification of the Treaty. Now it is critical that these countries fully integrate the ATT into their national control systems, and that States Parties collectively work together to tighten the global regulation of the legal transfers of conventional arms, and thus mitigate the risks of both deliberate and unintended diversion.

This Case Study has been prepared by the ATT Monitor, with extensive support, background research and documentary evidence provided by Conflict Armament Research. Art Direction and Graphic Design by Collected Pros Ltd, Layout by Maria Virginia Olano.



## ENDNOTES

- 1 For the purposes of this case study, 'West Africa' refers to the sixteen countries covered by the United Nations Office for West Africa (UNOWA): Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sierra Leone, Senegal and Togo. Within the region there are huge variations in the level of armed violence. Some countries in the sub-region have been relatively untouched, while the threat of armed violence has frequently spilled over into neighbouring countries, including Algeria, Chad and Cameroon.
- 2 Uppsala Department of Peace and Conflict Research (UCDP). One-Sided Violence Dataset, v 1.4-2015, 1989-2014, last update 12 October 2015. [http://www.pcr.uu.se/research/ucdp/datasets/ucdp\\_one-sided\\_violence\\_dataset/](http://www.pcr.uu.se/research/ucdp/datasets/ucdp_one-sided_violence_dataset/). These figures comprise fatalities reportedly resulting from intentional attacks on civilians ('one-sided violence') in: Algeria, Mali and Mauritania claimed by AQIM and allied groups; in Nigeria, Cameroon, Chad and Niger claimed by Jama'atu Ahlis Sunna Lidda'awati wal-Jihad/'Boko Haram'; and in Côte d'Ivoire by both the Forces Armées des Forces Nouvelles and the Alliance des Jeunes Patriotes pour le Sursaut national. This dataset does not yet include data for 2015 and 2016, though attacks by both Boko Haram and AQIM-allied groups have continued during this time. These figures are based on media reporting of specific incidents, and the true number of deaths from armed violence in West Africa is likely far higher.
- 3 The existence of the 2006 ECOWAS Convention on Small Arms and Light Weapons has assisted the rapid rate of ratification of the ATT among West African countries as they required relatively minimal legislative challenges compared to other sub-regions in Africa with a less extensive background in regional arms control. For more information see Control Arms (2016). "ATT Monitor Report 2016." ATT Monitor, 22 August 2016. Chapter 1.2, pp. 30-35.
- 4 Ibid. Chapter 11, pp. 18-29.
- 5 Only Nigeria was ranked among the top 50 importers of major conventional arms in 2015. See SIPRI (2016), 'Top List TIV Tables,' data generated 11 August 2016. <http://armstrade.sipri.org/armstrade/page/toplist.php>. Imports by countries in Africa have increased by 19 per cent from 2006-10 and 2011-15, but their share of the global market in 2011-15 still stood at eight percent. Fleurant, A. et al. (2016), "Trends in International Arms Transfers, 2015." SIPRI Fact Sheet, February 2016. <http://books.sipri.org/files/FS/SIPRIFS1602.pdf>.
- 6 UN Office of Drugs and Crime (UNODC) (2013). "Transnational Organized Crime in West Africa: A Threat Assessment." February 2013. [http://www.unodc.org/documents/data-and-analysis/tocta/West\\_Africa\\_TOCTA\\_2013\\_EN.pdf](http://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf), pp. 33-37.
- 7 Saferworld (2015). "Key issues for ATT implementation: Preventing and combating diversion." February 2015.
- 8 Giacca, G (2016). "Article 1. Object and Purpose," in Clapham, A. Casey-Maslen, S. Giacca, G. and Parker, S (2016). "The Arms Trade Treaty: A Commentary." Oxford: Oxford University Press, §1.33, p. 50.
- 9 The group has also carried out suicide attacks and cross-border raids in neighbouring countries Cameroon, Chad and Niger, although the combined efforts of the armed forces of Nigeria and its neighbours have limited the group's military reach in recent months. International Crisis Group (2016). "Boko Haram on the Back Foot?" 4 May 2016. <https://www.crisisgroup.org/africa/west-africa/nigeria/boko-haram-back-foot>.
- 10 See for example, UN General Assembly (2015). "S-23/1. Atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States." 21 May 2015, A/HRC/RES/S-23/1; Amnesty International (2015). "Our job is to shoot, slaughter and kill: Boko Haram's reign of terror in north-east Nigeria."
- 11 International Criminal Court (2013). "Situation in Nigeria, Article 5 Report." 5 August 2013. §90.
- 12 See for example, United Nations Human Rights Council. "Report of the United Nations High Commissioner for Human Rights on violations and abuses committed by Boko Haram and the impact on human rights in the affected countries." 29 September 2015.
- 13 The Lake Chad Basin, spanning parts of Nigeria, Niger, Chad and Cameroon. UN OCHA, (2015). "Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Stephen O'Brien Statement to the Security Council on the humanitarian situation in the Lake Chad Basin." 27 July 2015. <http://reliefweb.int/report/nigeria/under-secretary-general-humanitarian-affairs-and-emergency-relief-coordinator-stephen>
- 14 United Nations Security Council Committee pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh) and Al-Qaida and Associated Individuals Groups Undertakings and Entities," [https://www.un.org/sc/suborg/en/sanctions/1267/aq\\_sanctions\\_list/summaries/entity/jama'atu-ahlis-sunna-lidda'awati-wal-jihad-\(boko\)](https://www.un.org/sc/suborg/en/sanctions/1267/aq_sanctions_list/summaries/entity/jama'atu-ahlis-sunna-lidda'awati-wal-jihad-(boko)).
- 15 Interviews with and presentations by MNJTF officials, West Africa, March 2016.
- 16 The place and mode of capture or diversion of these armoured vehicles cannot be established without tracing their chassis and serial numbers and so cannot be definitively attributed to Nigerian Army stocks. SIPRI transfer data does show that these armoured vehicles have been transferred to Nigeria in the past. <https://www.sipri.org/databases/armstransfers>.
- 17 [https://www.youtube.com/watch?v=77YwVoM7\\_JA](https://www.youtube.com/watch?v=77YwVoM7_JA), starting at 22:47.
- 18 In February 2015, the Nigerian Army displayed a Vickers Mk III MBT painted with Boko Haram flags, which they had reportedly recaptured during fighting in Maidiguri, northeastern Nigeria. Nairaland Forum, 3 February 2015. <http://www.nairaland.com/2127387/british-built-vickers-mk-3-eagle>.
- 19 [https://www.youtube.com/watch?v=wrfWS\\_vLoD4](https://www.youtube.com/watch?v=wrfWS_vLoD4), starting at 4:00.
- 20 Captured arms and ammunition may not always have originated from government-owned stocks.

- 21 Social media and propaganda videos rarely allow the accurate identification, and therefore tracing, of standard Soviet-calibre small arms and their ammunition since the precise models and manufacturers of such weapons are much less distinguishable at a distance than more sophisticated weapons systems, like APCs and large-calibre weapons.
- 22 IRIN (2014). "Arms smuggling to Boko Haram threatens Cameroon." 21 February 2014. <http://www.irinnews.org/news/2014/02/21>.
- 23 Open Briefing (2015). "Reducing the supply of weapons to Boko Haram." 12 March 2015 <http://www.openbriefing.org/docs/Reducing-the-supply-of-weapons-to-Boko-Haram.pdf>; UNODC (2015). "UNODC Study on Firearms 2015," Vienna, Map 5, p. 35; and UNODC (2009). "Transnational Trafficking and the Rule of Law in West Africa: A Threat Assessment." July 2009, p. 49.
- 24 Kindzeka M. (2014). "Cameroon's Military Seizes War Weapons." Voice of America, 18 June 2014. <http://www.voanews.com/content/camerouns-military-seizes-war-weapons/1939612.html>.
- 25 Interviews with and presentations by MNJTF officials, West Africa, March 2016.
- 26 For a background on the conflict in Mali see International Crisis Group. "CrisisWatch Mali." <https://www.crisisgroup.org/africa/west-africa/mali>.  
Conflict Armament Research/Small Arms Survey (2013). "Rebel Forces in Northern Mali." April 2013. [http://www.conflictarm.com/wp-content/uploads/2014/09/Rebel\\_Forces\\_in\\_Northern\\_Mali.pdf](http://www.conflictarm.com/wp-content/uploads/2014/09/Rebel_Forces_in_Northern_Mali.pdf).
- 27 The route now appears to pass slightly further south than in 2011, entering Mali around the Niger–Mali–Burkina Faso tri-border area, with weekly interdictions continuing in early 2016. Interviews with security force representatives, Niamey, Niger, 2015 and 2016.
- 28 Conflict Armament Research, iTrace database.
- 29 Ibid.
- 30 Ibid. There are currently several international stabilization and peacekeeping missions in Mali; UN peacekeeping force MINUSMA, and a French support mission. The EU is also running a training mission to Mali (EUTM-Mali).
- 31 Shroeder, M. (2014). "Rogue Rocketeers: Artillery Rockets and Armed Groups." July 2014. <http://www.smallarmssurvey.org/fileadmin/docs/F-Working-papers/SAS-WP19-Rogue-Rocketeers.pdf>.
- 32 Conflict Armament Research, iTrace database.
- 33 Ibid.
- 34 SIPRI. "UN arms embargo on Cote d'Ivoire." [https://www.sipri.org/databases/embargoes/un\\_arms\\_embargoes/cote/cote\\_default](https://www.sipri.org/databases/embargoes/un_arms_embargoes/cote/cote_default).
- 35 The UN Panel has claimed that Sudan exported a substantial quantity of Sudanese and foreign-produced weapons and ammunition to multiple parties to the conflict in Côte d'Ivoire in violation of UN Security Council sanctions. See for example, UN Security Council, S/2013/228, § 45-48; See also final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 27 of Security Council resolution 2219 (2015) (S/2016/254, 17 March 2016), § 30-37.
- 36 Final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 11 of Security Council resolution 1842 (2008) (S/2009/521), §102-110.
- 37 See for example, Report of the Group of Experts submitted pursuant to paragraph 9 of Security Council resolution 1643 (2005) concerning Côte d'Ivoire (S/2006/735, 16 August 2006), §30-34; Final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 11 of Security Council resolution 1842 (2008) (S/2009/521, 9 October 2009), §145-151; Final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 19 of Security Council resolution 2101 (2013) (S/2014/266, 14 April 2014), Table 2 and §44, Annex XII.
- 38 Final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 19 of Security Council resolution 2101 (2013) (S/2014/266, 14 April 2014), § 44, Annex XII.
- 39 Final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 27 of Security Council resolution 2219 (2015) (S/2016/254, 17 March 2016), §30-36.
- 40 See, for example, the reports of the UN Panel of Experts on Libya since 2011.
- 41 Ibid., and Conflict Armament Research, iTrace database.
- 42 For a summary of arms diversion to unauthorized end users in Darfur for example see Lewis, M. and Small Arms Survey (2009). "Skirting the Law: Post-CPA Arms Flows in Sudan." October 2009. <http://www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP-18-Sudan-Post-CPA-Arms-Flows.pdf>, pp. 47-49.
- 43 Report by UN Support Mission in Libya (UNSMIL), cited in Small Arms Survey (2015). "Missing Missiles: The Proliferation of Man-portable Air Defence Systems in North Africa." June 2015. <http://www.smallarmssurvey.org/fileadmin/docs/G-Issue-briefs/SAS-SANA-IB2-Missing-Missiles.pdf>; Conflict Armament Research, iTrace database. MANPADS are not to be confused with numerous other types of air defense systems also delivered to the Libyan armed forces.
- 44 Flight Global Insight, World Air Forces, various years. This includes combat, transport and trainer aircraft of the air forces of Algeria, Chad, Egypt, Niger, Tunisia and Sudan, totalling 1921 aircraft.
- 45 Conflict Armament Research, iTrace database. SA-7bs discovered in Mali were not accompanied by the battery pack necessary for use, and were therefore not operational.
- 46 President Issoufou, cited in Maylie, D. and Hinshaw, D. (2011). "Alarm Over Smuggled Libyan Arms." Wall Street Journal, 12 November 2011. <http://www.wsj.com/articles/SB10001424052970203537304577031892657376080>.
- 47 Also applicable to countries in West Africa is the legally binding ECOWAS Convention. ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials, (adopted 14 June 2006, entered into force 29 September 2009).

- 48 For more on the synergies between the ATT and PoA see, Goldring, N (2016). "The Programme of Action, the Arms Trade Treaty, and the UN Register of Conventional Arms: Seeking Synergy and Overcoming Challenges." IANSA, June 2016. <http://www.iansa.org/system/files/IANSA%20POA%20ATT%20Synergies%20ENG.pdf>.
- 49 Arms Trade Treaty, Article 11.1 (adopted 2 April 2013, entered into force 24 December 2014)\_UNTS (ATT) Art 11.1.
- 50 Although the provisions across Article 11 explicitly refer just to conventional arms laid out in Article 2.1 States Parties and Signatories should take a broader interpretation and apply these obligations to items covered by Article 3 (Ammunition) and Article 4 (Parts and Components), particularly as these Articles cover items commonly at high risk of diversion.
- 51 Arms Trade Treaty, Article 11.2 (adopted 2 April 2013, entered into force 24 December 2014)\_UNTS (ATT) Art 11.2.
- 52 The lack of a universally accepted definition of the terms 'terrorism' or 'terrorist' means that the ATT applies to those areas where there is international agreement, namely relevant conventions or protocols. For a list of relevant sources of international law concerning terrorism see Control Arms (2015). "ATT Monitor Report 2015." ATT Monitor, 25 August 2016. Chapter 1.1 pp. 38-39.
- 53 Vranckx, A. (2016). "Containing Diversion: Arms end-use and post-delivery controls." GRIP, April 2016. pp. 34-36.
- 54 Arms Trade Treaty, Articles 11.6 and 13.2 (adopted 2 April 2013, entered into force 24 December 2014)\_UNTS (ATT) Art 11.6&13.2.
- 55 Saferworld (2015). "Key issues for ATT implementation: Preventing and combating diversion." February 2015.
- 56 Control Arms (2016). "ATT Monitor Report 2016." ATT Monitor, 22 August 2016.
- 57 Arms Trade Treaty, Article 5.5 (adopted 2 April 2013, entered into force 24 December 2014)\_UNTS (ATT) Art 5.5.
- 58 More than 225 'ATT-relevant' and 'ATT-focused' cooperation and assistance activities in sub-Saharan were carried out between 2011 and 2015, at least 100 of which involved West African countries. See Control Arms (2016). "ATT Monitor Report 2016." ATT Monitor, 22 August 2016. Chapter 1.3, pp. 36-45.