



Small Arms and Human Rights

Small arms contribute to human rights abuses in many ways:

- **Small arms enhance the power of abusive forces to repress individuals and groups**
- **Small arms are used against civilians in armed conflicts**
- **Small arms transfers to abusive forces lead to further atrocities**

Small arms are employed in a wide variety of human rights abuses, including extrajudicial executions, forced disappearances, and torture. Small arms were used to help carry out the genocides in Bosnia and Rwanda. They also have been widely used to kill, maim, rape, and forcibly displace people in countries such as the Democratic Republic of Congo. Small arms have been used to forcibly recruit and arm children to serve as soldiers in dozens of countries around the world. Abusive armed forces — whether belonging to governments or armed opposition groups — have been implicated in the rampant misuse of small arms in conflicts ranging from Colombia to Sudan. In countries emerging from war, such as Afghanistan and Iraq, the widespread availability of small arms puts security at grave risk, severely undermines the rule of law, and presents a major obstacle to the transition to peace.

Small arms also often threaten human rights in countries nominally at peace. Some government forces misuse their weapons in contravention of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. For example, police in Ethiopia and Myanmar have used excessive force against student protesters. Small arms confer power and do not need to be fired to be misused. For example, soldiers in Thailand reportedly have used rifle butts to beat to death hill tribesmen in custody. Moreover, widespread gun availability and a breakdown in the rule of law has led to the emergence of private armed groups in many countries. In Guatemala, for example, clandestine groups with possible links to security forces and organized crime have carried out armed attacks on human rights workers. Where private armed groups receive support from corrupt or complicit officials, lawlessness may mask politically motivated violence. Abusive actors—whether belonging to governments or private groups—have seldom been held accountable for the role they have played in human rights abuses. The same is true of the arms-supplying governments and private traffickers who furnish them with the weapons they misuse.

Government responsibility for small arms-facilitated human rights abuses can be grouped into three categories: commission, omission, or negligence. Commission means using arms to violate international human rights, including the right to life and security of person. It also is characterised by direct government involvement in the provision of arms to abusive recipients, at times in defiance of international arms embargoes. Abusive recipients of government-supplied weapons may include paramilitary or other proxy groups. Omission pertains to the absence of regulation over the abusive use of weapons by private actors. It also means allowing private traffickers to transfer weapons to further a government's political or commercial interest. Negligence encompasses a failure to implement or enforce arms controls, take steps to prevent abuses by armed individuals or groups and prosecute those responsible, or secure one's borders to prevent illicit gun trafficking.

A United Nations expert on human rights and small arms, appointed in April 2003, has been asked to study how to prevent abuses committed with small arms. The study will consider whether further principles and norms regarding the transfer and misuse of small arms are needed.

** Small arms are weapons that can be carried and used by one or two people, including handguns, assault rifles, machine guns, grenade launchers, anti-tank or anti-aircraft guns and light mortars. Light weapons, ammunition, grenades, landmines, and explosives are also part of this category.*