



Small Arms and International Humanitarian Law

Small arms contribute to violations of international humanitarian law (IHL) because:

- **Small arms are often used to target civilians**
- **Small arms often are easily available to a wide range of undisciplined actors**
- **Supplies of small arms to known abusers facilitate further atrocities**

The use of conventional weapons, including small arms, in armed conflict is subject to the limitations of international humanitarian law (IHL). IHL — as enshrined in the 1907 Hague Conventions, the 1949 Geneva Conventions, the 1977 Protocols Additional to the Geneva Conventions, and the 1980 UN Convention on Conventional Weapons among others — is designed to protect civilians and prevent unnecessary suffering during times of conflict by limiting both the physical means and the methods that belligerent parties can use to wage war. For example, IHL forbids the deliberate targeting of civilians, indiscriminate force that is likely to harm civilians, and the use of weapons—such as antipersonnel landmines—and tactics that are indiscriminate by their nature or excessively injurious to combatants.

Since most small arms are not by their nature prohibited under IHL, the violations of IHL largely come from the misuse of these weapons by the warring parties. Both government and irregular forces, which include government-sponsored militias as well as rebel groups, have been responsible for many IHL violations committed with small arms. To offer only a few examples, small arms have been used to carry out summary executions in Liberia, target civilians in Nepal, fire indiscriminately in Macedonia, rape women in Sierra Leone, forcibly recruit and arm children in Sri Lanka, commit massacres in Colombia, loot civilian property in Afghanistan, execute deserters in Iraq, and carry out forced disappearances in Chechnya. A number of these conflicts have been marked by systematic and widespread IHL violations, often by all sides.

In many conflicts, violations of IHL are occurring more frequently because purposeful targeting of civilians has become an integral part of the strategy of government and irregular forces alike. The unregulated proliferation of guns contributes to violations of IHL by providing abusive actors with the tools used to commit these crimes. Small arms are used by an expanding circle of actors with little or no training, discipline, and accountability, including children and other civilians. The resulting culture of impunity encourages misuse of these weapons and has the potential to prolong armed conflicts and make them more intractable. Uncontrolled government transfers to abusive actors also signal that the conduct of those actors is not subject to serious international scrutiny. The absence of adequate measures to address the irresponsible transfer of weapons and their misuse by combatants also calls into serious question whether governments are fulfilling their obligation under IHL to 'respect and ensure respect' for the basic protections this body of law establishes.

** 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.*