

Small Arms: A Field of Action for the OSCE

There is a gross disparity between the designation of these weapons and the havoc they wreak. During the past decade three million people - some estimates even state the total at over five million¹ - have been killed by so-called "light" weapons or "small" arms. About 90 per cent of all war victims² are due to deaths from *small arms*.³ In addition to this there have been numerous violent attacks against civilians, which do not find expression in the international statistics. Allegedly there are up to a billion small arms in circulation worldwide.⁴ However there are no reliable figures available. Up until just recently, small arms and the effects of their huge-scale distribution have been ignored politically and statistically. What is more, this is a category of weapons that is used exclusively for killing people and furthermore it has been the only type utilized in every one of the 160 wars since 1945.⁵

There are three reasons why the problem of small arms has been disregarded for so long: *First*, governments have attributed the victory or defeat in the important wars of the 20th century to the use of large weapons. Later large weapons became the centre of interest of states and alliances in their efforts to limit and control arms. *Secondly*, there has never been a consensus on a practical approach to effective control of small arms. *Third*, states have not been willing to allow international control of the legal stock of small arms within their borders. The political neglect of small arms has led to their unimpeded and uncontrolled plethora all over the world. To undo this harm after the fact seems almost impossible. Although there is the political will in many states now to find a way out of this predicament, the practical problems have been mounting, e.g.:

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- 1 Cf. Jeffrey Boutwell/Michael T. Klare, A Scourge of Small Arms, in: Scientific American, June 2000, here: <http://www.sciam.com/2000/0600issue/0600boutwell.html>.
 - 2 Cf. Swadesh Rana, Small Arms and Intra-State Conflicts, UNIDIR Research Paper No. 34, March 1995, p. 1.
 - 3 There is no generally valid definition. *Small arms* are generally differentiated from *light weapons* in that they are designed to be used by one person. However specific weapons lists are more precise. Nevertheless, non-military goods are not treated uniformly. Most often there are three categories in the lists: (1) *small arms*, e.g. mechanical, half-automatic and automatic pistols and/or rifles; (2) *light weapons*, e.g. heavy-weight machine guns, mobile rocket launchers and small-bore mortars <100mm, as well as (3) accessory *ammunition*, cartridges, grenades, small missiles and landmines. In the following analysis the term small arms represents all three categories.
 - 4 Cf. Michael T. Klare, The Kalashnikov Age, in: Bulletin of the Atomic Scientists 1/1999, p. 19.
 - 5 Cf. Natalie Goldring, Bridging the Gap: Light and Major Conventional Weapons in Recent Conflicts. Paper prepared for the Annual Meeting of the International Studies Association, Toronto, 18-21 March 1997, p. 2.

- The *lack of comprehensive knowledge* on the nature and number of existing stocks of small arms and light weapons. This lack is valid for military arsenals and also those of the police as well as paramilitary stocks and especially for privately owned weapons. There is also no precise information on the extent of small arms and to whom they are distributed. Even the most reliable estimates are just rough approaches to the truth. An important aspect of this is that because of their long life there are now several generations of small arms in circulation and in use. The volume of used weapons in circulation has for some time now exceeded the transfer of new weapons many times over.
- The *insufficient transparency* of policies on the possession of small arms. There is barely any official information on procuring, importing and exporting small arms. If there is any such information, it is usually provided voluntarily, is not verifiable and therefore not reliable. States have up to now not been required to submit information to international organizations on small weapons.
- *Difficulties in detection*. Because they are so small and light, small arms are very difficult to detect and control. They are easy to transport, to smuggle and to hide. The information on legal stocks of small arms is very unreliable in itself and even less reliable for the millionfold illegal possessions of small arms and their distribution.
- *Easy access, low procurement costs, long life, trouble-free maintenance, and comparably straightforward handling*. The sum total of these special characteristics for small arms contributes to the low inhibition level individuals have in using them. This is particularly evident in places where "weapon cults" exist, in dictatorships, weak states and where there is a deficit in the development of civil society.⁶ The humanitarian drama of the so-called "child soldiers" is a particularly ugly symptom associated with this phenomenon.
- *Cross-border organized crime*, members of which make deliberate use of small arms and are primarily responsible for their illegal dissemination. About 50 per cent of all transfers take place illegally.
- The increasing *privatization of security*. In many states, this has led to an increase in the distribution of small arms domestically. In the US and Great Britain the number of employees in private guard patrols now exceeds the number of state-financed policemen.⁷ At the same time this high level of privatized security has proved to be a hindrance for legal limitations on the private possession of weapons.⁸ The situation is par-

6 Cf. Aidan McNamara, Uncontrolled Flows of Light Weapons to Regions of Conflict within the OSCE. A Case Study of the Caucasus (South Ossetia and Abkhazia), BASIC-PLW 1999, pp. 29-32.

7 Cf. Michael Renner, Small Arms, Big Impact: The Next Challenge of Disarmament, World Watch Paper No. 137, October 1997, p. 17.

8 Cf. Natalie Goldring, The NRA goes global, in: Bulletin of the Atomic Scientists 1/1999, p. 62.

ticularly bad where the privatization of security is accompanied by a tendency towards the erosion of the state monopoly on the use of force. This is especially evident in countries, which are marked by social transformation and conflict simultaneously. In principle: Effective control of military small arms in Europe cannot be achieved without consideration of the general problems of firearms.

The difficulties mentioned reveal the urgency of instituting a practical control mechanism for small arms. On the other hand, these problems demonstrate that there is little chance for rapid and drastic solutions. Some gains have been booked in the past few years through a series of national, regional and global initiatives from governments and non-governmental organizations (NGOs), which have simultaneously directed their energies at solving the problem of small arms and their spread. One of the reasons these initiatives emerged was that after the end of the East-West conflict, there was an indisputably dominant presence of intra-societal violent conflicts as opposed to wars between countries. Moreover, these conflicts were not only fought with small arms, but their massive distribution and the lack of control over them often made an escalation of local and regional violence possible in the first place. The fact that in Europe alone there have been more deaths from war during the nineties than the forty years preceding them, even though for the first time there has been a limitation on conventional arms, has contributed to a sensitization towards the role of small arms. And finally the success of the international landmine campaign is most likely also responsible for the fact that solutions leading towards the limitation and control of small arms no longer seem impossible. The OSCE is also expected to take action in this area.

Why the OSCE?

The wide-spread distribution of small arms is not only due to high demand, but also lies in their extensive availability. Manufacturers in OSCE participating States fulfil the requirements of approximately 80 per cent of the world market for small arms. Moreover, since the end of the Cold War, numerous OSCE States have been making an effort to hand over their surplus weapons on an inexpensive basis to state and private organizations within and outside Europe. In this respect there are manufacturers, suppliers, intermediaries and recipient states all united on OSCE space in a unique manner.⁹ This is a major reason why the OSCE, which is based on the collective norms and principles of democracy, human rights and international security, cannot

9 Cf. Geraldine O'Callaghan, BASIC's recommendations for the OSCE, in: BASIC-PLW 1999, Small Arms and Light Weapons: An Issue for the OSCE? Vienna, 9-10 November 1998, p. 7-12.

be allowed to withdraw from its global responsibility to stem the distribution of small arms. In any case, the problem of small arms is a topic, which is important for peace and security also directly in OSCE space.

First, there are numerous local and also larger regional conflicts in which violence occurs primarily through the use of small arms. In addition to the conflict zone in South-eastern Europe, there are other larger-scale conflicts predominantly in the area of the former Soviet Union and particularly in the Caucasus, Central Asia and Trans-Dniestria. However, even the sporadic local outbreaks of violence, separatist terrorist attacks and cross-border organized crime have been made possible through the use of small arms. At the end of the day, there is not one OSCE participating State protected from the dangers of small arms.

Second, the recognizable course of the conflicts in Europe and the more or less successful efforts to settle them provide proof that for the reconstruction of a democratically controlled monopoly on the use of force and for the protection of the civilian population in the course of direct post-conflict rehabilitation and long-term peace-building, the disposal of illegal weapons arsenals is absolutely necessary. The special OSCE ability to prevent conflicts makes it predestined to include this task in its long-term field missions.

Third, due to its comprehensive approach, the OSCE is better equipped than any other organization to deal with structural causes of violence in conflicts. Especially in reform societies, its instruments of prevention could contribute to drying up the sources of potential escalation in violence and thereby strengthening framework conditions to avoid an erosion of the monopoly on the use of force and encourage the stricter control of weapons. In addition to the strengthening of democratic institutions, the implementation of the principles of the rule of law is the area in which the most influence could be exerted. In this respect the OSCE is simultaneously a platform for a comprehensive European approach *as well as* a capacity in itself to solve these problems.

Fourth, the comprehensive approach utilized by the OSCE could also be helpful because, in the area of small arms, military and civilian spheres overlap and integrative solutions are required. Distribution on a massive scale, illicit possession and unauthorized reallocation are just some of the challenges facing us. One of the consequences of these problems is that combatants and non-combatants are no longer distinguishable in a violent conflict. In addition to its operational potential in effectively using its own instruments to prevent violence, the OSCE's comprehensive approach also gives it the authority to integrate and co-ordinate the actions of states and different organizations and thus bundle synergies and reduce wasteful redundancies.

Fifth, the OSCE has had years of experience dealing with complicated negotiations. It has been involved in the areas of arms control (CFE, Dayton), military confidence- and security-building (CSBMs, Open Skies), the crea-

tion of military and security policy standards (compilation of principles and a code of conduct). This experience has allowed the OSCE to develop its ability to find compromises for the appropriate integrated solutions, which, after the participants have approved them, can be implemented and monitored through its instruments in the field.

An OSCE Balance Sheet

While setting norms and standards, the OSCE has approved principles and codes, which - although they do not explicitly refer to the issues of small arms - are a foundation for a possible future OSCE approach to the problems of small arms. There are several areas that should be emphasized:

- the 1993 Principles Governing Conventional Arms Transfers,
- the Code of Conduct on Politico-Military Aspects of Security adopted in the 1994 Budapest Document.

There is no explicit differentiation between large and small conventional weapons in those passages of the 1993 *Principles Governing Conventional Arms Transfers* which set norms.¹⁰ They simply refer, in the annexes following the principles, to the United Nations' practice of exchanging information, i.e. specifically the "formats set out in the United Nations Register of Conventional Arms".¹¹ This interpretation allows the unlimited application of at least the OSCE *Principles* to the area of small arms, above all

- the undertaking, in accordance with the Charter of the United Nations, to promote the establishment of international peace and security with the least rerouting of human and economic resources for armament,
- the rejection of the use of weapons when this is in contradiction with the UN Charter,
- restraint in the transfer of conventional weapons and related technology and
- effective control and transparency of arms transfers.

Every OSCE participating State has made a commitment, through the recognition of OSCE principles, that when they make the decisions to supply weapons to other states they take into account the domestic and foreign security situation of these as well as the policies of the recipient. Each participat-

10 CSCE Forum for Security Co-operation, Principles Governing Conventional Arms Transfers, Vienna, 24 November 1993, in: Arie Bloed (Ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1993-1995*, The Hague/London/Boston 1997, pp. 483-486.

11 Cf. OSCE, FSC Journal No. 197, Decision No. 13/97, FSC.DEC/13/97, of 16 July 1997.

ing State must avoid transfers when it is reasonably certain that the transfers would

- "be used for the violation or suppression of human rights and fundamental freedoms;
- threaten the national security of other States and of territories whose external relations are the internationally acknowledged responsibility of another State;
- contravene its international commitments, in particular in relation to sanctions adopted by the Security Council of the United Nations, or to decisions taken by the CSCE Council, or agreements on non-proliferation, or other arms control and disarmament agreements;
- prolong or aggravate an existing armed conflict, taking into account the legitimate requirement for self-defence;
- endanger peace, introduce destabilizing military capabilities into a region, or otherwise contribute to regional instability;
- be diverted within the recipient country or re-exported for purposes contrary to the aims of this document;
- be used for the purpose of repression;
- support or encourage terrorism;
- be used other than for the legitimate defence and security needs of the recipient country."¹²

In the *Code of Conduct on Politico-Military Aspects of Security* adopted in 1994, particularly chapters IV, V and VII are important for security issues related to small arms.¹³ The OSCE participating States have made *inter alia* the commitment to

- maintain only such military capabilities as are commensurate with individual or collective legitimate security needs,
- implement measures in the field of arms control, disarmament, and confidence- and security-building,
- control their military, paramilitary and other security forces democratically and politically through constitutionally established authorities,
- provide for transparency and public access to information related to the armed forces,
- not tolerate or support forces that are not accountable or controlled by their constitutionally established authorities, as well as
- ensuring that the recruitment or call-up of personnel for service in their military, paramilitary and other security forces is consistent with their

12 Principles Governing Conventional Arms Transfers, cited above (Note 10), here: pp. 485-486.

13 CSCE Budapest Document 1994, Budapest, 6 December 1994, Section IV, Code of Conduct on Politico-Military Aspects of Security, in: Bloed (Ed.), cited above (Note 10), pp. 145-189, here: pp. 161-167.

obligations and commitments with respect to human rights and fundamental freedoms.

The dilemma of these noble commitments is that it is difficult to implement them. The OSCE has had little success in their implementation and neither has it been able to sanction violations against the Code of Conduct. On the contrary: While those who were party to conflicts repeatedly took the low hurdles necessary to disregard the political aims agreed upon, the OSCE was left with the thankless role of standing by as helpless spectator. The increasing involvement of the civilian population in the Balkan conflicts and the re-alization starting in 1997 - after the cannibalization of the Albanian military arsenal - that further disregard of small arms issues would ruin any chances of finding an enduring peaceful solution to the numerous conflicts in existence, finally caused a few OSCE States to insist on more definitive agreements on the control of stocks and limitation of transfers of small arms. The initiatives were primarily realized by the group of EU member states in the OSCE, who had already during the mid-nineties begun developing more stringent regulations for the transfer of small arms. This had also been done with the expectation that adherence to these regulations would be a future requirement for admission to the EU and that they would be accepted by all OSCE States as well as other countries.

In the *Framework for Arms Control*¹⁴, drafted in the *Lisbon Document* 1996, it was emphasized that tensions in border areas, violent internal conflicts and combating terrorism should be addressed as well as the necessity to control the military, paramilitary and other security forces democratically and politically. For the first time - at least implicitly - this framework had built a conceptual bridge from the OSCE arms control approach to small arms.

At that time however, the political initiative remained in the domain of the European Union whose members first adopted a programme on 26 June 1997 to avoid and combat illicit trafficking in conventional weapons, then on 8 June 1998 approved a politically binding code of conduct for weapon exports and a short time later on 17 December of the same year adopted a decision on a *Joint Action* to combat the destabilizing accumulation and spread of small arms and light weapons. At the same time, events began to move outside the European scenario. In 1997, UN Secretary-General Kofi Annan submitted a comprehensive report to the Security Council on the destabilizing effects of small arms. This report was the initial step in United Nations efforts to adopt an international convention against transnational organized crime including a protocol, which is binding under international law, on the control of firearms. This protocol is to be initialled on the occasion of the UN conference on the

14 Organization for Security and Co-operation in Europe, Lisbon, 1996, Lisbon Document 1996, Section III, A Framework for Arms Control, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (Ed.), OSCE Yearbook 1997, Baden-Baden 1998, pp. 419-446, here: pp. 431-437.

illicit trafficking of small arms and light weapons to be held in June 2001 in New York. Moreover a whole series of regional initiatives have been taken including a moratorium on the importation, exportation and manufacture of light weapons agreed upon by the Economic Community of West African States (ECOWAS); the OAS "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms", which is designed to prevent, combat and eradicate illicit trafficking in firearms, ammunition, and explosives; efforts within the OAS and the ASEAN to create a regional small arms register; agreements on peace-building within the Balkan Stability Pact; as well as NATO Euro-Atlantic Partnership Council (EAPC) projects for co-operation. Moreover there were other bilateral and multilateral projects like those initiated by Norway and the US on stockpile management and the destruction of surplus weapons, and not least, the international amalgamation of NGOs - which picks up on the successful model of the international landmine campaign.

After the UN Security Council felt obliged in September 1999 to dedicate an item of their agenda to the risks for world peace caused by small arms, the OSCE decided, although in view of the above-mentioned initiatives this was comparably late, to follow the recommendations made a year earlier by an OSCE expert meeting. Thus it started to develop its own profile in dealing with the problem of small arms and began co-operation with initiatives already in existence.¹⁵

In November 1999 in Istanbul this topic was reviewed at an OSCE Summit for the first time. The Heads of State or Government welcomed Decision 6/99 of the Forum for Security Co-operation (FSC)¹⁶ which

- launched a broad and comprehensive discussion of the problem and all its aspects,
- tasked its Working Group B with further analysis of the issue and the examination of measures in the OSCE region without duplicating efforts already undertaken or under way in other fora,
- would convene a seminar in the spring of the year 2000 devoted to the examination of concrete measures, and
- would submit a report on the work undertaken and the achievements reached at the next OSCE Ministerial Council.

At the same time FSC Decision No. 6/99 contains six "approaches", which can be interpreted as the basis and the guidelines for further OSCE action:

15 Cf. O'Callaghan, cited above (Note. 9), pp. 8-9.

16 OSCE, FSC-Journal No. 275. Decision No. 6/99, FSC.DEC/6/99, of 16 November 1999, <http://www.osce.org/docs/english/fsc/1999/journals/fscej275.htm>.

1. to combat and thereby contribute to the reduction and the ending of the excessive and destabilizing accumulation and uncontrolled spread of small arms;
2. to exercise due restraint and ensure that small arms are transferred and held only in accordance with legitimate defence and security needs as well as in accordance with appropriate international and regional arms export criteria as they were laid out in the 1993 OSCE Principles;
3. to build confidence, security and transparency through appropriate measures on small arms;
4. to ensure that, in line with its comprehensive concept of security, the OSCE addresses concerns related to the issue of small arms and takes the appropriate practical measures to solve these issues;
5. to combat illicit trafficking through the adoption and implementation of national controls, such as effective border and customs mechanisms, enhanced co-operation and information exchange among law enforcement and customs agencies at international, regional and national levels; and
6. to develop appropriate measures on small arms such as their collection, safe storage and destruction linked to the disarmament, demobilization and reintegration of combatants at the end of armed conflicts.¹⁷

A Stronger Role for the OSCE?

In April 2000, the above-mentioned OSCE seminar took place in Vienna. Four working sessions dealt with the issues of norms and principles, combating illicit weapons trafficking, the reduction of small arms surpluses and post-conflict stabilization. In addition to sounding out ideas and suggestions, in the words of the conference chairman, Gabor Brodi, the seminar served primarily to put the OSCE in a position to "play a role (...) in line with its international significance and its traditional features".¹⁸ In addition to the numerous representatives from various States and experts, several international organizations also took part including the United Nations, the ASEAN, NATO's Euro-Atlantic Partnership Council, the International Committee of the Red Cross, the European Commission and several NGOs. These organizations have rendered outstanding services in their own capacity to implement political approaches against the proliferation of small arms. BASIC, a British-American NGO, was even very influential in preparing this OSCE seminar. There was almost complete consensus among the participants of the

17 The formulation of the text is weaker than the original proposal put forward by the EU and Canada in June 1999 and is also unfortunately ambiguous. Cf. Kate Joseph, OSCE and NATO take aim at small arms, BASIC Reports No. 73 of 17 January 2000.

18 Quote in: Kate Joseph, Rapid spread of small arms and light weapons threatens security in many countries. Seminar provides basis for OSCE to play constructive role, in: OSCE Newsletter 5/2000, p. 6.

seminar that the OSCE develop an effective profile on these issues. The main thing they disagreed on was the concrete manner in which the OSCE should contribute to a solution and there was also discussion on avoiding duplication of efforts among different organizations at all costs. The OSCE is in an uncomfortable position on this issue, as its late perception of the problem will force it - if it is serious about developing its own profile - to track down specific niches, which have not already been taken.

The balance sheet of the seminar showed five potential areas for action, which are specifically dedicated to the advantages of the OSCE over other organizations.

First of all it should endeavour to develop norms and standards for a code of conduct based on already existing principles. Not only must it determine whether these principles should be further developed, but the norms and standards valid in other organizations must be examined to determine whether these can be transferred to the OSCE geographical area. The EU Code of Conduct on Arms Exports with its very refined and partially very strict criteria¹⁹ would be a good model for this purpose.

Second the OSCE approach should remain comprehensive, that is questions on military and civilian use, legal possession and illicit trafficking, transparency and reducing circulation, and the political and legal control of stocks and transfers should all be dealt with jointly. Even the OSCE contribution to the strengthening of democracy and civil society could be useful in stemming the proliferation of small weapons.²⁰ A comprehensive approach excludes one-dimensional action. It implies that the instruments and mechanisms available consistently take into account the problem of small arms and consider it part of the OSCE toolbox for conflict prevention.

Third the OSCE could come to special agreements for the OSCE space in which existing measures for confidence and security building are made more precise or supplemented e.g. within the framework of the *Vienna Document*. The establishment of a regional transfer register or agreements on better transparency for small arms stocks and the procurement plans of armies and security forces is worth consideration.

Fourth the OSCE is predestined through its function as an umbrella organization to co-ordinate the various activities of states and organizations, to promote the information exchange on government and NGO initiatives as well as act as a "clearing house" for sounding out proposals, making them popular and should the occasion arise implementing them.

Fifth the OSCE should use its long-term presence in (potential) conflict regions specifically to monitor the maintenance of the codes of conduct and if

19 Cf. Peter Newall, The Significance of the EU Code of Conduct on Arms Exports. Developing Similar Criteria in the Wassenaar Arrangement and the OSCE, in: BASIC-PLW 1999, p. 75.

20 Cf. Susan Willet, How Could the Emerging Donor Agenda for Security Sector Reform Help the OSCE Curb Small Arms Proliferation? in: BASIC-PLW 1999, pp. 91-97.

applicable of special agreements restricting the possession of small arms and their distribution on the spot.

Difficulties and Obstacles

The possible problems the OSCE may have in developing a stronger profile in combating the circulation of small arms are mainly attributable to its weaknesses. Consensus as a condition for decision-making, the fact that these decisions are not legally binding, not enough authority to enforce decisions and limited resources have often been named in this connection. However a combination of strengths and weaknesses is not just typical of an organization like the OSCE. The practical problems of controlling small arms and particularly stemming illegal transfers are a difficult challenge to master for all international organizations. In this respect, it is certain that any attempt to solve the problem alone or trying to solve it by competing with other political actors would be detrimental to the goal of imminent progress. In view of the complexity of the problem, perfect and quick solutions cannot be expected. Not only the conduct of governments and states, but the internal and transnational relations between politics and the private sector are being tested here - the transparency and control of legal markets as well as the ability of the legal authorities to expose and stop the illegal possession and illicit transfer of arms. For the OSCE this Herculean task contains an almost inevitable risk, namely, the absence of success will weaken the legitimacy of its commitment.

Approaches Promising Success

First one can only recommend a step-by-step approach emphasizing OSCE advantages so as not to make too many demands on its performance or on the willingness of the participating States to come to a consensus. This idea already developed in 1998 has been realized in two preparatory steps - the development of a political framework and the creation of institutional prerequisites for future OSCE proceedings. Now it is a matter of getting down to brass tacks, *inter alia*:

- the integration of initiatives to control and reduce small arms transfers into new but especially into already existing OSCE peace support operations,
- the development of a persuasive programme to combat the illicit transfer of small arms including inter-institutional co-operation with security and customs officials as well as the judicial authorities, the control of

- weapons dealers and agents, the registration and marking of transferred small arms and/or the ammunition for these,
- the strengthening of the information exchange and more transparency through a regional arms register and a yearly report on transfers, stocks, procurement, confiscation, and demolition of weapons.²¹

Second the OSCE should show its colours clearly in the areas where it has already taken action and urge the consistent implementation of existing measures. This is particularly evident for peace-building measures taken in the Balkans where the OSCE - as well as the EAPC - has been expressly asked by the 27 members of the Balkan Stability Pact to take part in the monitoring of the destruction of surplus and confiscated small arms, controlling the depots and the ceilings on holdings agreed upon. The OSCE workshop in Slovenia in January 2000 and the Bulgarian-Canadian seminar on demolition techniques in autumn 2000 in Sofia have contributed to these endeavours.

Third a consensus between political actors should be easier to reach if one picks up on the positive experience they have already gained and so-called best practices should be used as the starting point in considerations on OSCE standards.

Fourth - because it is important to avoid duplication - it is absolutely necessary to carefully weigh which concrete tasks should be left as the responsibility of other institutions or should be assumed by them so that they do not risk being weakened inadvertently. For example, small arms have already been included in the list compiled by the Wassenaar Arrangement, but have not been dealt with on an operational basis. The OSCE, for example, could use this specific case to remedy the Arrangement's failings rather than simply claiming the whole area for itself. In other cases one would have to ask whether the OSCE is not better equipped than other organizations to co-ordinate institutional and procedural competence, e.g. to be able to control small arms stocks and ceilings under the authority of state-controlled bodies (stockpile management).

Fifth individual participating States should not in the final analysis feel impeded in passing more restrictive resolutions or making sub-regional arrangements, which would extend beyond what is possible through the consensus of all the participants at present. One must recall that the *Vienna Document 1999*²² expressly states all OSCE participating States may conclude regional agreements with one another voluntarily (X.139, 140, 142.3). In this manner new best practices could emerge, which might awaken the interest of other participating States. The US Undersecretary of State for Arms Control, John Holum, recently emphasized that a successful approach to stemming the proliferation of small arms must be oriented to their supply and demand as well

21 Cf. O'Callaghan, cited above (Note 9), pp. 10-11.

22 FSC.DOC/1/99.

being multi-dimensional and coherent.²³ This estimation can be confirmed without reservation, however only if one infers that in Europe, especially the OSCE is in a position to meet the requirements this implies.

23 Cf. BASIC, Press Release of 4 February 2000, p. 1.