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**A Preliminary
Exploration of the
Linkages between
Refugees and
Small Arms**

A Preliminary Exploration of the Linkages between Refugees and Small Arms

by Edward Mogire

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1. Introduction

The purpose of this study is to explore the complex relationship between refugees and arms diffusion. It examines the nature and extent of refugee involvement in small arms diffusion by analysing refugees' demand for small arms and how their cross-border movements lead to the circulation of arms. The study also examines the sources of small arms available to refugees. This study is embedded in the emerging research focusing on refugees as actors in and not just victims of conflict.

Small arms researchers have shown the causal relationship between small arms and violent conflict. Although there is increasing research on the participation of refugees in violent conflict, there has been no systematic examination of how refugees can participate in small arms proliferation and diffusion. Furthermore, there is a criminal dimension to the link between refugees and arms dealing which needs to be analysed. An examination of the literature on refugee and small arms reveals no systematic framework for analysing the linkages between the two. In addition, there has been no empirical study on the extent to which refugees have led to small arms diffusion. There is therefore a theoretical and practical interest in understanding how refugee involvement in armed conflict can and has led to arms diffusion. This study is an attempt to fill these research gaps. A major focus of small arms research is to analyse the 'why' (demand analysis) and the 'how' (supply analysis) of small arms proliferation and diffusion. According to Klare, proliferation suggests the transfer of major weapons from a handful of producing states to a growing number of recipient states. Diffusion, on the other hand, suggests the dispersal of arms within societies—extending not only to governments and state-owned entities but also to private armies and militias, insurgent groups, criminal organisations and other non-state actors (Klare, 1995, p. 3). The literature on small arms and light weapons diffusion has not dealt with refugees as a distinct category of actors that can foster small arms diffusion. Refugees are rather seen as a consequence of small arms diffusion and (mis)use (Boutwell and Klare, 1999). The contribution of this study to small arms research is to examine the role of refugees in small arms diffusion through analysis of supply and demand.

Similarly, refugee research has not systematically addressed the problem of small arms diffusion, in spite of the recognised link between refugees and armed conflict. For example Lischer's analyses of refugees' impact on civil conflicts (2001) and refugee

militarisation (2000) do not pay adequate attention to how their participation in conflict could lead to the diffusion of small arms. This study contends that refugees can foster diffusion of small arms and have done so in the past. This research hopes to bring refugee issues into the mainstream of small arms research.

This study has three objectives:

1. to systematically examine the circumstances under which refugees demand arms (why refugees need arms)
2. to investigate the role of refugees as agents in arms transfers (trade, trafficking and cross-border movement)
3. to investigate the sources of the small arms in refugees' possession.

The specific issues examined in this study are:

1. Why refugees demand small arms. The discussion will focus on the strategic, political and economic factors explaining the desire for refugees to acquire and use small arms.
2. The nexus between refugee insurgency and arms diffusion. That is, the relationship between refugee participation in armed conflict and arms diffusion is analysed.
3. The use of and diversion of refugee aid for arms procurement by refugees and combatants.
4. Refugee involvement in cross-border movements of weapons.
5. Refugee and Diaspora finance of small arms purchases.
6. The sources of small arms for refugees including covert state transfers, the black-market, the international market and local production.
7. Factors that facilitate or hinder arms acquisition by refugees.

2. The small arms problem

'Small arms' is often used to describe three major subdivisions of weaponry: small arms, light weapons and ammunition and explosives. According to a United Nations report, the term 'small arms' includes revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns. The term 'light weapons' includes heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles (sometimes mounted), portable launchers of anti-aircraft missile systems (sometimes mounted), and mortars of a calibre less than 100 mm. 'Ammunition and explosives' refers to cartridges (rounds) for small arms, shells and missiles for light weapons, mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems, anti-personnel and anti-tank hand grenades,

landmines and explosives (UN Group of Experts Report). Therefore, 'small arms' includes any weapon that can be carried by one or two people, mounted on a vehicle or carried by a pack animal.

Small arms are the weapons of choice in today's conflicts. There are probably more than 500 million military-style small arms in the world. It is estimated that illegal trade in small arms accounts for one-half of all global light weapons transfers. Small arms and light weapons were the dominant weapons used in all of the 95 internal conflicts around the world in the period between 1989 and 1996 (Boutwell and Klare, 1998, p. 8). Small arms are attractive because they are inexpensive, widely available, lethal, simple, durable, portable and concealable. They can be used by the military and police as well as civilians (Boutwell and Klare, 1998).

Small arms account for 90 percent of all combat deaths (more than half of which are civilians) in today's wars. In addition to causing death and injuries, small arms can undermine international peace and stability, can transform political conflicts in individual states into armed conflicts and can result in the militarisation of civilian populations. In addition, small arms are largely responsible for the massive displacement of populations both internally and externally, as well as the destruction of natural resources.

From the early 1990s NGOs, researchers and the United Nations began to produce empirical evidence of a link between increased small arms proliferation and increased violence. In 1995, the then UN Secretary General Boutros Boutros-Ghali, in his supplement to the document "Agenda for Peace", challenged the international community to "find effective solutions" to the problem of small arms proliferation and misuse, particularly in the context of UN peacekeeping operations. In recent years there has been a flurry of activity at national, regional and global levels to address the issue of small arms proliferation. The global concern for the problem of small arms and light weapons gained significant momentum in 2001 with the United Nations Conference on the **Illicit Trade in Small Arms and Light Weapons in All its Aspects**.¹ International efforts are aimed at looking for ways to limit the transfer, availability and (mis)use of small arms.

¹ Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons, United Nations, July 2001.

2.1. Framework for analysing small arms proliferation and diffusion

Two opposing frameworks have informed the analysis of small arms diffusion: analysis of supply and analysis of demand. Each of the two approaches is discussed below.

2.1.1. Supply-side analysis

The UN Programme of Action (UNPoA) conference laid the groundwork for the current small arms and light weapons (SALW) policy that emphasised supply-side analysis and response. As a result, supply-side analysis has been the most dominant framework for analysing small arms diffusion and proliferation. The focus of supply-side analysis is on manufacturers and suppliers as well as legal and illegal transfers. The Secretary-General's *Report on Illicit Traffic in Small Arms (A/55/323)* reveals a general consensus in favour of a comprehensive approach to both licit trade and illicit traffic. Regional and sub-regional groups have called for transparency in SALW production and transfer and by extension for some control over legal trade, with the complete life cycle of SALW to be controlled, from production, trade and transfer to eventual destruction. As Mr. Annan notes:

"Throughout the consultations and in numerous other forums, there have been calls for greater transparency with respect to small arms transfers, holdings and production, as well as weapons confiscation, collection and destruction" (MC.DEL/90/00/Rev.1, 27 November 2000).

Supply-side analysis is usually concerned with measures to control illegal transfers between states; regulate the availability, use and storage of small arms within states; prevent and combat illicit transfers; collect and remove surplus arms from both civil society and regions of conflict; and increase transparency and accountability.

2.1.2 Demand-side analysis

In recent years, researchers and non-governmental organisations working on issues of conflict prevention and development have also taken interest in the demand-side analysis of small arms. The UNPoA made reference to a number of areas where demand reduction can be pursued, including improved security, conflict prevention and resolution, crime prevention, health promotion and development. However, demand issues were not solidified into concrete policies and programmes of action beyond a local, grassroots level.

The December 2000 Organization of African Unity Bamako Declaration,² formulated to represent a common African position on SALW at the UN Conference, indicated a clear need for strategies that include a demand perspective:

“It is vital to address the problem of the illicit proliferation, circulation and trafficking of small arms and light weapons in a comprehensive, integrated, sustainable and efficient manner through...the promotion of comprehensive solutions...that include both control and reduction, as well as supply and demand aspects.”

In 1999, the UN Quaker Offices (QUNO) and 12 groups from major geographic regions held a seminar in Durban, South Africa, to raise awareness of factors that contribute to the demand for small arms. Building on the positive results of this seminar, another session was held in Nairobi, Kenya, in December 2000 and attended by 35 organisations, many of them actively engaged in community programmes (mainly from the East Africa and Horn regions). In both seminars it was recognised that the underlying demand for guns is closely linked to issues of sustainable development and human security (see Gerami, 2001).

Demand-side analysis primarily focuses on the motivations for acquiring small arms, emphasising the range of relevant actors (militaries, paramilitaries, police, insurgent groups, sectarian groups, criminal groups, law-abiding citizens, etc), and the three separate elements of the cycle of the weapons consumer (acquisition, possession, and surrender). Attention to the cycle of consumption is particularly important as demand affects both the proliferation of new weapons and the redistribution of existing ones. Priority is given to analysing the reason why specific individuals and groups acquire and continue to hold weapons.

2.1.3 Towards an integrated framework for refugee/small arms analysis

It is our contention that a comprehensive understanding of the small arms problem requires examination of the supply of and demand for weapons. An ‘integrated approach’ also entails analysing small arms demand by refugees as well as suppliers and sources. As the decisions to possess, use, trade and disarm are ultimately individual, successful measures for curbing proliferation must also address the reasons why individuals see a

² Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, December 2000.

need to arm themselves. Thus, demand-side analysis will capture the 'why' and supply-side analysis will focus on the 'how' of the relationship between refugees and arms diffusion relationship. Focusing on either one will fail to provide a complete picture. Both supply- and demand-side analyses are crucial to a fuller understanding of the problem (Gerami, 2001).

On the one hand, supply-side analysis focuses on the sources of small arms held by refugees—international markets (both licit and illicit), smuggling, local manufacture and exchanges between various rebels. It also examines the actors involved in the supply of small arms to refugee groups—states, intelligence services, illegal traders and corrupt security forces.

Demand-side analysis on the other hand concentrates on both individual motivations and institutional factors that act as preconditions for refugees to possess and use small arms. It also examines the geo-strategic, political, economic, ideological as well as criminal factors that may influence refugees to resort to small arms. In many cases, further analysis will show that refugees have been manipulated into activities such as armed resistance that are conducive to small arms proliferation and diffusion.

3. The refugee problem

The term 'refugee' constitutes one of the most powerful labels currently in the repertoire of humanitarian concern, national and international policy and social differentiation (Kushner and Knox, 1999, p. 1). As holocaust survivor Hugo Gryn stated in 1996, "Future historians will call the twentieth century not only the century of great wars, but also the century of the refugee" (ibid.). At the beginning of 2003, almost 35 million people—13 million refugees and 22 million internally displaced persons—remained uprooted by war and persecution world-wide (*Refugee Report*, 2003). At the height of the refugee crisis in 1992 there were an estimated 17.8 million refugees in the world (UNHCR, 2001, p. 84).

During the period between 1992 and 2001, the global number of refugees fell by 24 percent. More refugees were repatriated than were forced to leave their countries. Less developed countries are both a major source and a major destination for refugees. During this period, 86 percent of the world's refugees came from developing countries, while these countries provided asylum to 72 percent of the global refugee population. The share of refugees from Asia fell from 65 percent in 1992-1996 to 39 percent in 1997-2001, whereas the share of refugees from Africa rose from 20 to 45 percent. It is estimated

that 48.1 percent (9.5 million) of the total **population of concern**³ to the UNHCR are female. An estimated 1.9 million are children under the age of five (11.6%); 5.5 million children are aged between five and 17 (32.9%); almost half of the population (48.7%) are aged between 18 and 59, whereas 1.1 million persons (6.9%) are 60 and over. Demographic profiles differ significantly between regions and across refugee situations. An estimated 40 percent of all persons of concern to UNHCR are living in camps; 13 percent in urban areas; 47 percent are either living dispersed in rural areas or in unspecified settlements. In Africa and Asia, 50 percent of the refugee population was living in camps, while 10 percent was living in urban areas. Women constitute 51 percent of the population in refugee camps (UNHCR, 2001, pp. 12-13).

Alarming as the numbers are, there is nothing new in the phenomenon of forced displacement. Explosions of political and ethnic violence, persecution and pogroms have produced large-scale movements of refugees throughout history. During the nineteenth and early twentieth centuries the intercontinental migrations from the old to the new world involved some 50 million people, many fleeing persecution in Europe. World War II displaced 30 million civilians in Europe alone. The Cold War was also characterised by the movement of people away from communist countries. In the 1960s and 1970s, large movements occurred in the Third World (Loescher, 1992; Zolberg, Surke and Aguayo, 1989).

Refugee flows in the modern world stem from a variety of isolated and interconnected causes. Some causes are deeply rooted in history, while others are of more recent origin. The immediate cause of an exodus may be individual persecution, armed conflict, repression, violent collapse of civil society, human rights violations and/or human-induced famine. In some cases, natural phenomena such as environmental destruction, drought, famine and demographic pressures may cause refugee flows (Bariagaber, 1999; Ferris, 1993). No single category is likely to describe any particular refugee incident completely. In any particular incident, factors that fall into different categories are likely to be involved each with a varying degree of influence, depending on the circumstances (Gordenker, 1987, pp. 62-64). Nevertheless, in all refugee situations the root causes of refugee flows cannot be separated from the historical, social and political context of the region. This puts emphasis on the human factors

³ The term 'person of concern' is used to denote conventional and non-conventional refugees, asylum seekers and internally displaced persons.

in refugee flows. However, in situations of mass flight as in Africa and Asia, it is difficult if not impossible to categorically state which refugee movements are caused by which set of factors.

Traditionally, the problem of refugees has been perceived and studied as a humanitarian concern. Consequently, the humanitarian paradigm was the major tool of analysis (Ferris, 1993; Weiner, 1993; Havinga and Bocker, 1999; Chambers, 1986). A humanitarian perspective focuses on the plight of refugees as individual victims of human-made or natural catastrophe. The major concern for this paradigm is how to provide emergency relief, the legal definition of refugees, their legal protection and the rights and the role of the UNHCR. Little academic research has focused on the impact of refugees on host populations (Callamard, 1994).

Beginning in the 1980s, there was a discernible shift from a refugee-centred to a state-centred paradigm. Instead of focusing on refugees as victims, the new paradigms started to focus on the impact of the refugees on host and inter-state relations (Havinga and Bocker, 1999). Refugee aid and development (RAD) theories called for strategic linking of refugee relief programs with development policies (Betts 1981). The second International Conference on Assistance to Refugees in Africa (ICARA II) in 1984 asserted that refugee assistance should be development oriented and should take into account host populations' needs. RAD theories were concerned with social and economic burdens caused by refugees and did not address the political and or security impact of refugees.

For a long time refugee issues were ignored by political scientists and international relations scholars as marginal or irrelevant to the central process of international relations. As Ferris observed, "In the great debates over the causes of war and the conditions of peace, refugees are usually seen as the tragic, but politically irrelevant by-product" (Ferris, 1993, p. xvii). However, as the impact of refugee flows on national, regional and international peace and security became more apparent, international relations scholars and security analysts began to see refugees in a new light. As Loescher and Manahan argued, "The view that refugee movements pose humanitarian problems marginal to the central issues of peace and war must be superseded by a serious consideration of refugee problems as an integral part of international politics and relations" (Loescher and Manahan, 1989, p. 2).

In analysing refugee issues, political scientists tended to focus on foreign policy strategy. The focus of study shifted away from the refugee as an individual victim to state policies and

responses (Weiner, 1993; Ferris, 1993; Loescher, 1992). The focus was on how the national interest and foreign policies of the receiving states influenced their behaviour and response towards refugees.

Beginning in the 1990s, the approach focusing on foreign policy gave way to a security/stability paradigm that focuses on refugees as a security issue. Under this paradigm, refugees are perceived as capable of affecting national, regional and international security (Poku and Graham, 2000; Dowty and Loescher, 1996; Huysmans, 2000; Papademitriou, 1994; Loescher, 1992; Ferris, 1983 and 1994; Loescher and Monahan, 1989). The focus was on how refugee flows can lead to inter-state conflict, affect political stability and be a source of insecurity. Consequently, this framework makes it possible to investigate links between refugees and small arms.

As these shifts in refugee studies were occurring, a simultaneous shift in security studies propelled refugee issues further into the security realm. The end of the Cold War led to a serious debate among security theorists about the nature of security threats and the assumptions underpinning security policy. In these debates, the 'realist' theory that had privileged national (state) security and military threat as the focus of security policy and analysis was discredited. New theories under the rubric of 'Critical Security' re-conceptualised and expanded the concept to include non-military threats. Security threats were also seen to emanate from the political, economic, social, environmental and population sectors (Baldwin, 1997; Booth, 1991; Buzan, 1993; Poku and Graham, 2000; Waever, 1995; and Ullman, 1983). Refugees were specifically mentioned as a threat to security (Sayigh, 1990; Bearman, 1992; United Nations, 1981 and 1992). This forms the backdrop for examining the refugee-small arms nexus.

3.1 The refugee definition revisited

Discussions concerning refugee rights and realities usually start with the definition of the term 'refugee' (Sztucki, 1999). The question of definition is important because its usage differs from place to place and its meaning has changed over time. The contested nature of the term is reflected in debates within the UNHCR and asylum countries about who should and should not be considered a refugee. There have been questions, for example, about whether militarised refugees, people fleeing from generalised violence, famine, poverty and natural disasters should

be considered bona fide refugees (Zolberg, Surke and Aguayo, 1989). This debate has not been resolved.

In the nineteenth century, the term 'refugee' mainly referred to exiles—individuals who left their native country for political reasons, usually having engaged in revolutionary activity. After World War I the term tended to refer to specific groups of people such as Jewish, Armenian or Russian refugees. Refugee status was conferred on the basis of belonging to one of these groups (Marrus, 1985).

An international legal definition of a refugee was only developed after the end of World War II. The 1951 UN Convention Relating to the Status of Refugees (hereafter the 1951 UN Convention)⁴ provides the legal definition of a refugee. Article 1 defines a refugee as follows:

"Any person who...owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his (sic) nationality and is unable or, owing to such fear, is unwilling to avail himself (sic) of the protection of that country; or now, not having a nationality and being outside the country of his (sic) former habitual residence...is unable or, owing to such fear, is unwilling to return to it."

This definition has been criticised for being too Euro-centric (Roberts 1998, p. 380; Sztucki 1999, p. 56). It is described as a product of the 20th century European experience, reflecting European realities of the time, shaped by the historical, political and strategic interests of the major states (Zolberg, Surke and Aguayo, 1989; Loescher, 1993). The focus on individual persecution was meant to fit Western European interpretation and interests. Limiting the definition to events occurring in Europe and focusing on political persecution was aimed at stigmatising the fledgling communist regimes as persecutors (Loescher, 1993, p. 57; Loescher and Scanlan, 1986, pp. 207-13; Zolberg, Surke and Aguayo, 1989, pp. 26-27). As Sztucki observed, the 1951 Convention was "certainly a Cold War product" (1999, p. 55).

Recognising the inadequacy of the 1951 UN Convention, African States adopted the 1969 Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (hereafter the 1969 OAU Convention) that recognised

⁴ The 1951 UN Convention initially applied to events taking place in Europe before 1951. The 1967 Protocol removed these limitations rendering it universally applicable.

the unique nature of refugee flows in Africa. Article 1 (2) expands the definition of refugee as follows:

"The term 'refugee' shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his (sic) country of origin or nationality, is compelled to leave his (sic) place of habitual residence in order to seek refuge in another place outside his (sic) country of origin or nationality."

According to this definition refugee determination could no longer be based solely on individual persecution but would also be based on group persecution paving the way for group determination. Group determination is based on the objective conditions existing in the country of origin.

The 1984 Cartagena Declaration adopted by Central American nations goes even further than the 1951 UN Convention and the 1969 OAU conventions. Article III (3) of the Cartagena declaration on Refugees includes the following:

"... in view of the experience gained from the massive flows of refugees in the Central American area, it is necessary to consider enlarging the concept of a refugee, bearing in mind, as far as appropriate and in the light of the situation prevailing in the region, the precedent of the OAU Convention (article 1, paragraph 2) and the doctrine employed in the reports of the Inter-American Commission on Human Rights. Hence the definition or concept of a refugee to be recommended for use in the region is one which, in addition to containing the elements of the 1951 Convention and the 1967 Protocol, includes among refugees persons who have fled their country because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order"

In the three definitions, various aspects are considered important. Where the 1951 Convention emphasised individual persecution, especially of a political nature, the other two brought to the fore other aspects such as generalised violence and human rights abuses that may lead to massive refugee flows, making it possible to confer refugee status on a prima facie basis. Beyond considering subjective elements of personal persecution, the latter looks at the objective conditions prevailing in the country of origin.

Irrespective of the existence of internationally accepted legal definitions in practice, the criteria for granting asylum vary from country to country as well as over time. Refugee determination or recognition depends on the will of the country of asylum. Decisions on whether to offer asylum are in large part based on the host states' own political and strategic considerations and not necessarily humanitarian or legal concerns. "Defining refugees for purposes of policy implementation requires a political choice and an ethical judgement" (Zolberg, Suhrke and Aguayo 1989, p. 4). Even though the trend in refugee policy has been to emphasise the humanitarian element, the implementation of policy is unavoidably influenced by political considerations. Humanitarian goals tend to be exaggerated, as they have a legitimising function. Therefore, important as they are, legal definitions have only limited application in political analysis. Furthermore, the UNHCR and the UN have not been constrained by formal legal definitions when dealing with people in need of protection. In normal everyday usage the label 'refugee' has been employed to refer to a much broader range of displaced people than those defined in the Convention and its 1967 Protocol (Goodwin-Gill, 1996, p. 79). Thus, as Robert observes, "Whatever the rights and wrongs of these definitions, it is now far too late to restrict the word to its narrow legal meaning under the 1951 Convention and 1967 Protocol" (Roberts, 1998, p. 381).

From a sociological perspective three categories of refugees—situational refugees (victims), persecuted refugees (targets) and state-in-exile refugees (activists)—can be identified (Marrus, 1985; Zolberg, Suhrke and Aguayo, 1989; Lischer, 2001). What all three groups have in common is fear of immediate violence and insecurity. The three types of refugees are arranged on a scale based on their level of political engagement. This will be further discussed below.

3.1.1 Victims (situational refugees)

'Victims' are usually what come to mind when talking about refugees—those people randomly caught in the crossfire or exposed to generalised violence (Zolberg, Suhrke and Aguayo, 1989, p. 278). Although not directly targeted for persecution, they flee because their lives or livelihoods have been disrupted. These situational refugees flee their homes in order to escape the intolerable conditions and general destruction wrought by civil war, not due to specific persecution or any premeditated strategy. Such refugees are less likely than other refugee populations to be organised along political or military lines (Lischer, 2001).

Although this group is unlikely to directly contribute to the diffusion of small arms because they do not participate in armed conflict, their mere presence has the potential to create conditions in which arms diffusion could occur. Victims provide pools from which rebel movements recruit fighters, thus transforming an otherwise passive group of civilians into combatants or 'refugee warriors' (Zolberg, Surke and Aguayo, 1989, p. 286).

Although the 1951 UN Convention does not recognise victims as refugees, they have been recognised in Europe as well as by institutions responding to Third World refugees through an expanded mandate of the UNHCR. The UNHCR introduced the notion of 'victims of violence' in the 1980s to plead for asylum seekers in other regions. General practices of first asylum countries in Africa, Asia and Latin America have recognised mere 'victims' as refugees. Legal codes in Africa and Latin America were also adjusted to allow 'victims' to be recognised and accorded refugee status.

3.1.2 Targets (persecuted refugees)

'Targets' are individuals who are singled out for violent action through membership in a particular group (Zolberg, Surke and Aguayo, 1989, p. 278), mostly because of their social, political, religious, linguistic or ethnic affiliation. 'Targets' are recognised by all legal instruments as refugees.

Persecuted refugees have a higher probability of leading to small arms diffusion because of their higher propensity to join or support armed opposition to their home governments. As Lischer, argues, "The coalescing event of group persecution can facilitate political or military organisation among the refugees" (Lischer, 2001 p. 5).

3.1.3 Activists (state-in-exile refugees)

Activist refugees are the classic refugees—dissenters and rebels whose actions contribute to the conflict that eventually forces them to flee (Zolberg, Surke and Aguayo, 1989, p. 278). Exiles are individuals who have chosen their political path, rather than people torn loose from their society massively and driven to seek refuge (Marrus 1985). **Among this group are political and military leaders, rebels and refugee warriors who in some cases were part of the violence that led to the flight.** This is the group that constitutes 'refugee warriors', whose objective is either to seize power by overthrowing their governments or to set apart their own province and establish their own state unit (Loescher,

1993, p. 14). Activist refugees “have the highest propensity for political violence” (Lischer, 2001, p. 5). Their participation in armed resistance often leads to demand for small arms.

The UNHCR has argued that activists do not constitute bona fide refugees. There are, however, legal and practical reasons for including activists in the refugee definition. First, the purpose of the Convention and its refugee definition is to provide shelter for those who are politically opposed—in word or deed—to oppressive regimes in the country of origin (Steinbock, 1999, p. 27). Activists more than victims fall into this category and perhaps have a higher claim to asylum. State practice especially in Western Europe reflects this understanding.

Second, the historical origin of the refugee definition justifies affording refugee status to those who violate the laws of general application of oppressive regimes, particularly where those laws are part of its oppressive apparatus (Grahl-Madsen, 1966, pp. 220-225, 232). The word persecution “for reasons of political opinion” may be read so as to imply that the Convention is designed to meet the needs of persons fleeing from a country where people are persecuted because of beliefs, where opposition is not tolerated. The fact that anyone has taken up resistance or committed other acts for political motives against an oppressive government and thereby become liable for sanctions, shall not disqualify that person from gaining refugee status (*ibid.* p. 253).

Lastly, the 1951 UN Refugee Convention’s definition accepts activists and targets as refugees. Therefore, there are legal and practical justifications for considering activists, who may include refugee warriors and political exiles, as bona fide refugees. **Their actions, for example, armed resistance, political violence and participation in and or support for insurgency could therefore be seen as carried out by refugees, at least a section of the refugee population.** It is this category of refugees who are most likely to engage in activities conducive to small arms proliferation. This will be discussed in later analysis.

For the purpose of this study all three categories (activists, targets and victims) are included in our definition of refugees. Internally displaced persons, that is, people that have not crossed national borders in search of refuge though living in refugee-like situations are not considered in the scope of this study.

4 Refugees and small arms

Two forms of relationships can be identified between refugees and small arms. On the one hand, refugees could be seen as victims of small arms proliferation and misuse, and on the other

hand as perpetrators of small arms traffic. This section examines these two forms of relationships.

4.1 Refugees as victims of small arms misuse

Refugees are victims of conflict caused largely by the proliferation, possession and misuse of small arms. The widespread availability of small arms has increased the duration, incidence and lethality of armed conflict, causing a widespread displacement of people both internally and externally as refugees. Although a number of root causes are responsible for refugee flows, violent conflict is the immediate cause of most refugee flows. Guns do not have to be fired to cause damage—they are the primary tools used to force families and entire villages to flee their homes. The UN High Commissioner for Refugees (UNHCR) has noted that ‘armed conflict is now the driving force behind most refugee flows.’

Small arms facilitate countless human rights abuses and violations of international humanitarian law around the globe. International human rights declarations and humanitarian law establish the responsibility of governments (and also rebel groups) to uphold basic standards in their own behaviour. In violation of such obligations, government agents such as military forces, police and government-sponsored militias all too often use small arms to carry out atrocities. In many cases, governments fail to exercise control over private actors, allowing armed individuals and groups to commit small arms-aided abuses with impunity, thereby causing massive refugee flows (Frey, 2002).

While in exile, refugees continue to be victims of small arms misuse. Small arms appear in refugee camps, subjecting refugees to threats and intimidation, including rape, injury, forced prostitution, slavery, as well as forced recruitment into armed service. Speaking at the **Preparatory Committee for the United Nations Conference on The Illicit Trade in Small Arms and Light Weapons in All its Aspects 29th Meeting**, Salvatore Lombardo, a Senior Liaison Officer of the UNHCR, stated that the proliferation of small arms in camps and cross-border attacks has impeded the process of voluntary repatriation, undermined the reintegration of refugees and led to the regionalisation of conflicts.

The proliferation and misuse of small arms has also made the delivery of humanitarian assistance more difficult and expensive. Aid workers are regarded as legitimate targets for extortion, threat, theft, rape and brutality by armed actors. Small arms limit the access of aid workers to affected populations.

Approximately 50 percent of populations in conflict regions live in areas that are not accessible to relief campaigns due to security threats. In refugee camps where small arms abound, armed combatants steal relief aid for their own use or sell it to help finance further fighting (Inter Agency Standing Committee).

4.2 Refugees as perpetrators of small arms misuse

Refugees have not only been victimised by small arms but have also played a part in their diffusion. Employing demand-side analysis, the focus turns to why refugees need or acquire weapons. The analysis will focus on three factors: refugee militarisation, the role of refugees in armed conflict and illicit trade in arms for profit or economic survival, and insecurity.

4.2.1 Refugee militarisation and small arms diffusion

Militarism, in its classical usage, refers to rushed armament, an increased role of the military in national and international affairs and the use of force as an instrument of supremacy and political power (Skejelsbaek, 1980). Militarisation refers to the accumulation and stockpiling of weapons (Thee, 1980, p. 15). The concept 'refugee militarisation' is used to describe refugee camps and populations that are characterised by storage and trafficking of arms, the presence of active and ex-combatants, recruitment, military training and the use of camps as military bases (Lischer, 2001, p. 4, UNHCR, 2000, p. 248).

Refugee militarisation is neither new nor confined to a specific region (UNHCR, 2000). As the United Nations Higher Commissioner for Refugees Sadako Ogata stated while commenting on the problem of militarisation in the Great Lakes region of Africa, "We are increasingly confronted, not just in this region but world-wide, with the problem of separating refugees from fighters, criminals or even *genocidaires*" (Ogata, 1998).⁵ "In

⁵ Examples abound of refugee militarisation in all regions affected by protracted refugee situations. In the Middle East, Palestinian refugees constituted the first refugee warrior community and continue to be the centre of resistance against Israel. In Africa in the 1970s and early 1980s, refugees played a vanguard role in the anti-colonial liberation wars. In addition, refugees have been involved in armed insurgency and guerrilla warfare. In the Balkans, the Kosovo Liberation Army (KLA) used refugee settlements and camps in Albania as staging posts in its war against Serbia. In Asia, the Khmer Rouge and other armed factions controlled Cambodian refugee camps in Thailand while Afghan refugees in Pakistan were in the

the eighties the militarisation of camps had been the exception and in the nineties it became commonplace" (Shawcross, 2000, p. 378). Lischer's empirical examination of refugee-related political violence between 1987 and 1998 shows that generally the militarisation of refugees is not as widespread as popularly believed. However, the data shows that the number of countries reporting political violence by refugees in Africa has increased (Lischer, 2000, pp. 7-8).

Refugee militarisation can occur under a number of scenarios. First, militarisation occurs when the refugee flow is composed of civilians as well as active and ex-combatants, former soldiers, police and other militia. Second, refugee militarisation can occur when refugees are already in the country of asylum. Civilians become militarised when they arm, undergo military training or get recruited into rebel forces. Refugee camps constitute a captive audience, extremely vulnerable to psychological and physical pressure from anyone in a position of authority, particularly from fellow refugees, who capitalise on refugees' instinct to "stick together" in the face of adversity and alienation (Zolberg et al., 1989; Durieux, 2000⁶).

Third refugees are manipulated into becoming resources for war. Refugee manipulation does not mean that the individual refugees who are part of larger crises lack agency. Clearly there are cases in which refugees grant legitimacy to the warriors by supporting their activities (Stedman and Tanner, 2003, p. 4). Even though some refugees are forcefully recruited into rebel forces, intimidation and manipulation are often not necessary for refugees to cross the line between resignation and rebellion. Individuals in exile may find that the most socially meaningful and economically rewarding activity is to join militants. For many children growing up in camps and knowing nothing but a dependent, degrading and fundamentally insecure existence, joining the battle is the only relevant future. Commenting on the refugee support for the Burundian rebellion in western Tanzania, Durieux observed:

forefront in the anti-soviet resistance. Currently Karen refugees continue to be militarised. Similarly in East Timor, refugee camps provided safe havens for armed militias. In Latin America, Salvadoran guerrillas and Nicaragua Contras operated from refugee settlement areas in Honduras (Zolberg et al., 1989; International Crisis Group, 1999; Ferris, 1993; Loescher, 1993).

⁶ Jean-Francois Durieux was the UNHCR head of sub-office in Kigoma, Tanzania, between October 1997 and September 1999.

"Disquieting as the thought may be, the fact is that 'spontaneous' sympathy for the Hutu militant cause is widespread among the refugees. This should come as no surprise, considering the traumatic experiences which caused their flight. Exile also reinforces feelings of Hutu 'nationalism', by the same token, as it gradually dissolves the cruelty of internal conflict into an almost mythical aura of just war." (Durieux, 2000, p. 2)

It is therefore not uncommon for a previously civilian refugee population to become militarised or radicalised whilst in the countries of asylum.

Where the refugee camps are also close to or part of the front in an armed resistance, as in the case of the Palestinian refugee camps, war is the dominant reality for the entire exiled population. Armed militants appear as protectors of the community, thus forging the links between refugees and warriors (Zolberg, Suhrke and Aguayo, 1989, p. 286).

Further still, refugee militarisation is part of a larger strategy of warring parties to manipulate refugees and the entire refugee regime for war purposes. Camps are used as breeding grounds for refugee warriors who, with assistance from the Diaspora, host governments and interested states, equip themselves for battle. Warring parties use the suffering of refugees for political purposes: to siphon off aid, establish the international legitimacy of their cause, and, by manipulating access to them, ensure that they will not repatriate (Stedman and Tanner, 2003, p. 3).

The notions of "humanitarian sanctuaries" and "refugee warriors" are a contradiction in terms and proscribed (Zolberg, Suhrke and Aguayo, 1989, p. 276). The tone of the law is that whereas the 'activists' are a classic type of refugees, once in exile their political activities must be kept within bounds. Although the 1951 UN Convention does not deal with this issue directly it nevertheless requires refugees to conform to the laws and regulations of the host country (Article 2). This requirement in itself does not prohibit host states from supporting military activities by refugees.

Armed activities by refugees are explicitly prohibited by the Executive Committee's (EXCOM) seminal Conclusion No.48, which stated that refugee camps and settlements have an exclusively civilian and humanitarian character. The UN Security Council has also advised that refugee camps should keep a civilian character through the separation of the civilian population from soldiers and militiamen (UN Doc S/1998/318, par. 53). The 1965 OAU Declaration on the Problem of Subversion opposed subversion by refugees against OAU member states and resolved

to strictly observe the principles of international law with regard to political refugees who were nationals of any OAU member state. This was later legislated in Article III of the 1969 OAU Refugee Convention.

The various legislations prohibiting refugee militarisation did not succeed in stopping the problem nor have they dissuaded host states and other interested parties from initiating and or supporting military activities among refugees. During the anti-colonial struggles, independent African states were obliged to support armed struggles conducted by national liberation movements, and clauses of the OAU Convention prohibiting subversive activities were not intended to contradict this commitment (Mtango, 1989, p. 88). The OAU Liberation Committee actively supported refugees and other exiles in waging liberation wars. Furthermore, 'freedom fighters' form one of the three categories of refugees recognised by the OAU. As President Julius Nyerere of Tanzania stated in his inaugural address to a conference on African refugees in 1979, the OAU recognises refugee freedom fighters' right to pursue the struggle for liberation, and the right of the host country to aid them with the full approval and support of OAU if its government so decides. Further still, the absence of enforcement mechanisms has meant that refugees have not only been militarised but the protected space has been manipulated to serve military purposes.

The linkage between refugee militarisation and small arms diffusion is seen in four contexts. First, the movements of former armed elements who still bear arms when they cross national borders result in the crossing of arms into host states. Second, the use of refugee camps for arms storage also leads to small arms diffusion. Third, refugees become militarised because they want to pursue political goals through military means. When this occurs, small arms diffusion is the obvious outcome. And finally criminals take advantage of militarised refugee situations to engage in arms trade.

4.2.2 Refugees, armed conflict and small arms proliferation and diffusion

Some refugee researchers, while acknowledging that refugees can be used as resources for war and by implication can lead to arms diffusion argue that refugees are largely manipulated into participating or supporting armed conflict (Terry, 2002; Stedman and Tanner, 2003). Nonetheless, other researchers have shown that refugee participation in conflict is not necessarily a result of coercion or manipulation. For political, strategic ideological,

ethnic and economic reasons refugees willingly initiate, support or directly participate in armed conflict as combatants (Loescher, 1992; Zolberg, Suhke and Aguayo, 1989). In this study, it is argued that whereas refugees are often manipulated for purposes of warfare, under certain conditions they are willing participants in conflict.

The nexus between armed conflict and small arms diffusion is well established. While in the past conventional weapons formed the bulk of the instruments of warfare, small arms and light weapons are the weapons of choice in contemporary conflict.⁷ The proliferation, accumulation, availability and misuse of light weapons are associated with violent conflicts and humanitarian crises (Small Arms Survey, 2001). Similarly, in a recent report, the UN Secretary General made the link between small arms and conflict:

“While not in themselves causing the conflicts in which they are used, the proliferation of small arms and light weapons affects the intensity and duration of violence and encourages militancy rather than the peaceful resolution of unsettled differences. Perhaps most grievously, we see a vicious circle in which insecurity leads to a higher demand for weapons, which itself breeds still greater insecurity, and so on”
(A/42/298, 27 August 1997, p. 2).

Consequently, the diffusion of arms through refugee channels can also be explained by the participation of refugees in armed conflict. Whether refugee participation in violence is voluntary or involuntary does not affect the actual diffusion of small arms. The fact that they engage in armed conflict in itself results in arms diffusion.

4.2.3 Refugees and armed conflict

Refugees flee in search of protection from armed conflict and other forms of violence. Paradoxically, the resulting refugee crisis leads to an expansion of violence, as the refugees become (willing or unwilling) participants in the conflict. According to Loescher, “Refugees have become instruments of warfare and military strategy” (1992, pp. 4-5 and 1993, p. 8). The use of armed

⁷ Small arms and light weapons were the primary source of violence in all of the 49 wars in progress in 1994. In 46 they were the only means of violence. According to some estimates, more than 80 percent of the people killed in wars since 1990 have been civilians, almost all of whom died from small arms and light weapons (Krause, 1998).

refugees as freedom fighters and guerrillas to wage wars of resistance has served to sustain many armed rebel movements (Loescher, 1992; Weiner, 1993). Brown has noted the impact of waves of refugees and motley gangs of renegade troops that crash across borders on the internationalisation of conflict (1996, p. 25). The spread of civil war due to refugee crises has occurred, or threatened to occur, numerous times throughout history and around the globe (Lischer, 2001, p. 3). A recent United States government analysis predicts that migration to less developed countries will continue to "upset ethnic balances and contribute to conflicts of violent regime change" (National Intelligence Estimate, March 2001, p. 4). Refugees have participated in armed conflict through their support for insurgent movements. There is also a close link between refugees and insurgent movements. "Refugee flows and insurgencies feed into one another" (Byman et al., 2001, p. 61). The refugee support to insurgent movements may be in the form financial contributions, manpower as well as arms (Mogire, 2003).

Refugees may support armed insurgencies for a number of reasons. First, refugees may back insurgents for protection from predatory governments in their host country, rival groups, or bandit forces. Executive Committee Conclusions No. 45 (XXXVII - 1986), No. 48 (XXXVIII - 1987) shed light on the continuing incidence of unlawful attacks on refugees and asylum-seekers including military or armed attacks on refugee camps and settlements. South Africa followed an active policy of attacking refugee camps in its fight against ANC freedom fighters. It is plausible to argue that the militarisation of Palestinian refugees can be partly explained by the Israeli policy of military attacks on refugees. In Kenya, cases of banditry and criminal violence against refugees could as well partly explain why refugees took arms.

Second, refugees have supported and/or directly participated in armed resistance whenever they have viewed force as the only viable or preferred way of bringing about social, economic and political changes in their home countries. The goal of armed resistance is to bring about a change in government or the military defeat of the culprit government. Few political refugees will readily accept their new status as a permanent condition, and as a result many will become involved in resistance movements. In the same vein, refugees have resorted to force where the issuing country pursues a policy of no return as in the case of Rwanda under the Hutu-dominated government of Juvenile Habyarimana (Byman et al., 2001, p. xvi-xvii; Lischer, 2001, pp. 15-22). Furthermore, the discrimination, violence and misery that

accompany civil wars often displace populations that in turn contribute to and sustain the original conflict.

Third, where rebel or insurgent movements control refugee camps, coercion can often explain why refugees proffer their support. The UN Secretary-General has noted as follows:

“Not separating combatants from civilians allows armed groups to take control of a camp and its population, politicising their situation and gradually establishing a military culture within the camp...Entire camp populations can be held hostage by militias that operate freely in the camps, spread terror, press-gang civilians, including children, into serving their forces, sexually assault and exploit women, and deliberately prevent displaced people from returning home. In addition, humanitarian aid and supplies are often diverted to these armed elements, depriving the intended civilian beneficiaries” (S/2001/331 par.30).

The use of refugee camps is identified as the most successful of three organisational arrangements employed by guerrilla movements.⁸ The humanitarian sanctuaries created by international refugee regimes provide three major advantages to guerrilla factions over purely military sanctuaries (Terry, 2002, p. 8). Refugee camps have protected status under international law from which combatants illegally benefit. Thus guerrillas movements are not only safer from their opponents' reprisals by virtue of international condemnation that armed attacks on refugee camps provoke, but are less dependent upon the political backing of the host state. The packed camps, protected by international law, provide excellent cover for guerrillas and serve as bases from which they can launch attacks (Berber, 1997, p. 8).

Furthermore, refugee camps attract humanitarian assistance that provides guerrillas with an economic resource independent of external patrons. In addition to appropriating food and medical supplies for military use, guerrilla groups raise revenue from a variety of sources including taxes on the salaries of refugees employed by international organisations.

Lastly and perhaps most importantly, refugee camp structures provide mechanisms through which a guerrilla movement can control the civilian population and legitimise its leadership.

⁸ The other two are to operate exclusively within the borders of a country (least sustainable) or establishing military bases in a neighbouring country sympathetic to the guerrilla's cause (most successful strategy).

One form that refugee manipulation has taken is the use of refugees as proxies in armed conflict. While discussing this aspect of refugee manipulation it should be borne in mind that refugees are not mere political pawns passively following the instructions of their masters. They are highly conscious political communities with their own interests. Mutuality of interests largely determines the extent to which they will be manipulated. Where interests coincide, refugees need not be manipulated. Nevertheless, the use of carrots rather than sticks is a powerful tool for influencing refugee behaviour.

During the Cold War, both the United States and the Soviet Union made extensive use of 'war by proxy' in pursuit of their global objectives (Loescher, 1992, p. 13). Largely this was due to the constraints placed on conventional warfare as a result of the development and proliferation of weapons of mass destruction. This realisation, enshrined in the strategic dogma of Mutually-Assured Destruction (MAD) forced both states and their respective allies to abandon the use of all out war as a viable or rational tool of statecraft. Hence, the two powers were obliged to find new ways of settling their differences. The result was the introduction of 'war by proxy' whereby both sides attempted to pursue their territorial, economic, and political goals through surrogate actors. Refugees were one of the actors utilised in this way. Loescher describes as follows:

"The strategic and political interests of the West and its allies to maintain pressure against and to destabilise revolutionary states in the Third World, and through them, to raise the costs to their patron, the Soviet Union, were served by the continued military use of refugees" (Loescher, 1992, p. 12).

The usual strategy was to exploit existing conflicts, which were manipulated to serve the Cold War interests. Where conflicts did not exist they created them by instigating the rise of refugee warrior communities. The Cold War (which often turned hot in developing countries) ensured an unrestrained and continuous flow of weapons to refugee groups in various theatres where it was played out. These weapons—either sold cheaply or given away—served as currency in the purchase of ideological allies (O'Grady, 1999). Examples of the use of refugees in proxy wars by the superpowers include Cambodian resistance, Afghan resistance to the Soviet occupation, and the Nicaraguan Contras' insurgency. These are discussed in detail below.

Examples abound where refugees were major players in armed insurrections. The millions of Afghan refugees who

escaped into Pakistan following the Soviet occupation in 1979 became a major impetus behind anti-Soviet resistance. Similarly, the Taliban were created and sustained by the same Afghan refugees living in Pakistan. Karen refugees helped sustain the Karen National Union's resistance to the Burmese government, while Palestinian refugees have supported the PLO for decades and have been a major force behind the armed resistance against Israel. Hutu and Tutsi who fled Rwanda and Burundi contributed to the escalation of armed conflict in these countries and, after the war spread to the Congo. The South West African National Liberation Army (SWANLA), the armed wing of SWAPO maintained bases among the Namibian refugees in Angola. In Central America, the Nicaraguan Contras were in some cases living with their families in camps. In Asia, the Khmer Rouge and other rebels on the Thai-Cambodian border were physically integrated into and controlled refugee camps. Without refugee support, these insurgent movements would have lacked fighters, money and a solid organisational base (Bymann et al., 2001, pp. 61-63; Human Rights Watch, 2001, p. 11).

Host states have also supported armed resistance by refugees to achieve regional strategic, political and sometimes religious goals (Byman et al., 2001, p. 23). Since the logistical requirements to create an insurgency are minimal or modest at best, even poor states can readily facilitate the emergence of a resistance movement.

National interest is a major factor explaining host states' support for refugee subversion. "Neighbouring states can employ or even instigate military activities within refugee communities across their common borders in pursuit of their own national security objectives or regional hegemony" (Loescher, 1992, p. 43).

At the political level, the interests of the host country may be to exert pressure on the source country to change its policies. In other cases the host country may commit regular troops disguised as invading refugees in order to deal a military blow to a politically incompatible regime in the refugee generating country.

From a hypothetical political altruism, it is possible to reason that asylum giving countries may be motivated by strong sympathy for the cause of the victims in their sanctuary. In situations where refugees seek shelter among their kinsmen who happened to be citizens of their country of asylum on the other side of the border, it is not inconceivable that this kinship affinity may be translated into sympathy and ultimate political support for the cause of the uprooted kinsmen. Even when initially the government of the asylum-giving country might have intended to

remain neutral, its emotionally involved border population committed to extending shelter, comfort and other forms of aid to their brethren across the border makes it difficult for the government to remain aloof and indifferent.

Several examples exist where host states have supported refugee subversion against their home countries. The three major countries in the Horn of Africa (Ethiopia, Somalia and Sudan) have used asylum and assistance to refugee warriors as a surrogate form of support for rebel movements in other states (Sayigh, 1990). The Indian government armed Bengali exiles against the Pakistani military. Additionally, Indian regional authorities armed Tamil refugees against the Sinhalese government in Sri Lanka (Weiner, 1993).

We now turn to a detailed examination of three examples—Cambodia, Afghanistan and Bosnia—to show how the convergence of interests between refugees, host states and third parties can lead to refugee involvement in armed conflict as well as their support for insurgency movements.

(a) Cambodian refugees and armed conflict

Perhaps the best instance of refugee manipulation in support of an insurgency occurred among the Cambodian refugees in Thailand. It also presents a vivid case of refugee flows leading to a proliferation of arms. Like the Afghan refugees in Pakistan, Cambodian refugees were utilised for insurgency by militants, host states and third parties.

The influx of Cambodian refugees into Thailand was a culmination of the humanitarian catastrophe arising from the Khmer Rouge repression and the civil war that followed the Vietnamese invasion. By the middle of 1979, there were more than 160,000 Cambodian refugees in the UNHCR holding centres, about 200,000 straddling the Thai-Cambodian border, and more than 300,000 still inside Cambodia who travelled regularly from the interior to the border to pick up food and medical supplies (Loescher, 2001, pp. 212-213). More than 20 refugee camps were established inside Thailand and along its borders with Cambodia to accommodate the refugees. Among the Cambodian refugees were well-educated people such as military men and civil servants, political refugees afraid of imprisonment or the death penalty for actions committed under the previous government and farmers who could not cultivate their land because of internal war. By 1990 there were 18 refugee camps in four sites holding approximately 72,400 UNHCR-

assisted civilians, 72,000 unassisted civilians and approximately 33,000 combatants (Terry, 2002, p. 123).

Most Cambodian refugees in Thailand had to subsist in camps that were firmly under the control of the various Cambodian forces fighting the Vietnamese backed government in Cambodia. According to Norah Nirad in her book *The Politics of Suffering*, a network of military camps traversed both sides of the Thai-Cambodia border, and most housed civilians as well as soldiers since the Khmer ideology did not differentiate between combatants and non-combatants. She categorised the refugee camps as follows: (1) "remote camps", which were militarised but to which aid organisations had limited access; (2) "hidden camps", which contained civilians but to which no international access was permitted; and (3) "satellite camps", which included front line camps, military training camps and rudimentary hospital camps, to which no aid organisation had access (cited in Terry, 2002, p. 119).

Refugees were forcibly transferred to military camps whenever the Khmer Rouge leadership required. All residents were expected to contribute to the war against the Vietnamese forces (Terry, 2002, p. 122). All able-bodied men were forcibly recruited into military service and women and children were engaged as porters, carrying war material to the front lines. The refugee camps provided sanctuary for the Khmer Rouge and non-communist forces; refugees provided pools for new military recruits and helped finance the war economy (Loescher, 2001, p. 218; Unger, 2003, p. 17).

Thus, there was a close link between the refugees and the Cambodian insurgency. Without this link the resistance could not have survived as long as it did. As an article in the *New York Times Magazine* stated, "If the camps in Thailand are closed, the Khmer Rouge will be denied its prime source of sanctuary and supplies" (cited by Terry, 2002, p. 114).

(b) Refugees and the Afghan resistance

The training and arming of the Afghan refugees in Pakistan to resist the Soviet occupation is another instance of the manipulation of refugees for proxy warfare. In December 1979 the Soviet Union invaded Afghanistan and installed a puppet communist regime. It soon had more than 100,000 troops stationed in Afghanistan. The Soviet invasion provoked opposition from the Afghan population which was met with a wave of terror on the civilian population. Hundreds of thousands poured across the border into Pakistan and within two years of

the invasion, some 1.5 million Afghans became refugees, mostly in Pakistan. By 1986 there were nearly five million Afghan refugees in Pakistan and Iran (USCR 1986). Most Afghan refugees who arrived in Pakistan in the late 1970s and 1980s were ethnic Pashtuns. They were housed in refugee camps throughout Pakistan's two western provinces, Northern Frontier Western Province (NFWP) and Baluchistan. A small minority settled in two of the province's largest cities, Peshawar and Quetta.

America's response to the Soviet invasion was underpinned by the Cold War. Starting with the Eisenhower administration, Washington had regarded Pakistan, together with Iran, as an essential obstacle to Soviet expansion. As a result, the United States developed a policy hinged on a close security relationship with Pakistan. Following the Iranian revolution and the Soviet invasion of Afghanistan this policy was threatened (Carpenter, 1987).

The Afghan refugees provided an opportunity for the United States, its Western allies, Pakistan and Arab nations to recruit, train and arm *mujahedin* refugee warriors against the Soviet occupation (Cordovez, 1995). US support for the Afghan resistance should therefore be seen in the context of the overall policy of containment of the Soviet Union as well as the Cold War.

Although the superpower rivalry is over, the arms generated by the conflict continue to circulate. For example, Pakistan and Afghanistan are the major sources of small arms in the south Asian region, most of which can be traced to surpluses from the *mujahedin* resistance.

(c) Refugees and the Bosnian conflict

The war in Bosnia also presents a vivid example not only of the link between refugees and arms flows but also of the role of external support for refugees to successfully militarise. Some observers of the war in the former Yugoslavia have remarked that "all refugees were militarised due to forced conscription into one or another state army" (HRW, 1995).

During the war in Bosnia, under the leadership of the charismatic businessman Fikret Abdić, a group of about 25,000 refugees fled their town—Velika Kladuša in the Bihać pocket—twice. The first exodus occurred in late 1994 when the Bosnian government army defeated Abdić's forces. That exile ended when in early 1995 the refugees formed an army to retake their hometown from the Bosnian 5th corps, which was deployed by the Muslim-led government. The second exile came in August

1995 when the refugee warriors were defeated militarily. After the second defeat the exiles were unable to mobilise militarily. They either returned peacefully or resettled in third countries (Lischer, 1999, pp. 4-5).

During the first exodus, the 25,000 people fled Velika Kladuša in front of the advancing Bosnian army, creating a 30-mile long stream of people. Individual motives for leaving varied, but observers agreed that political leaders orchestrated the refugee movement (UNHCR, 1994). The refugees ended in two locations, both in Serb-held Krajina. To the west, about 16,000 people stopped at Batgona, a disused chicken farm owned by Abdić, only a few kilometres from his home. To the east, 7,000 refugees went to Staro Selo. Some 2,500 refugees travelled directly to Turanj.

The refugees' utter reliance on Abdić's propaganda encouraged hard-line attitudes against return. Since Abdić was wanted for war crimes in Bosnia, a peaceful return which included him was not a feasible option. Throughout the period of his exile, refugee leaders refused a UN-planned repatriation and instead organised a military return to their hometown. Refugees had little alternative than to go along with Abdić's plan. Despite UN protests, between 5,000 and 10,000 refugee men were mobilised (UNHCR Office of Special envoy, Update No.11/94). Abdić and the Serb police organised the army and drafted anyone unwilling to serve. It was estimated that about 75 percent of those fighting did so willingly. People 'had a feeling they were fighting for something good'. The idea of return was especially potent because they had previously enjoyed one of the wealthiest lifestyles in Bosnia. Forcibly conscripted refugees reported that they fought because they had no choice. Escapees were caught and returned to the camp by the Serb police (Lischer, 1999 p. 15).

During the time that the refugees prepared for military return, it was difficult to determine the extent of their access to weapons. The militants obviously wanted to hide any weapons from the UN personnel. Observers agreed that "a sizeable portion of the Abdić exiles...fled in uniform with arms" (Williams, 1994). The refugees entered the camp with small arms but stored heavy weapons, including six fifty-year old Soviet built tanks (donated by the Serbs), outside the camp in Serb-held territory. "Serb soldiers were seen standing over a huge pile of assault rifles and other military detritus turned over by Abdić's fleeing troops" (Lischer, 1999, p. 13). The refugees were able to buy more weapons from the Serbs to facilitate the return to Velika Kladuša. Additionally, the Krajina Serbs began arming Abdić's men soon after their arrival (Judah, 245-6). The UNHCR was unable to

disarm the refugees or control their movements between the camp and Serb-held Krajina (Lischer, 1999, p. 14).

The Abdić/Serb offensive began in December 1994. The refugees attacked Bihać using the camps as a base. By early 1995 the refugee army, with the help of Serb logistics, regained control of Velika Kladuša. Over a period of five days, Batnoga and Turanj emptied of refugees as they returned to Velika Kladuša in the same buses that had carried them out (Lischer, 1999, p. 14-15).

In August 1995 the Abdić followers found themselves fleeing Velika Kladuša for a second time. This time the Krajina Serbs were totally defeated, which changed the refugee equation in favour of returning peacefully. The loss of their patron, combined with Croatian reliance on American support left the Velika Kladuša refugees no opportunity of rearming again. The political shifts weakened Abdić's influence in the region, although his people remained fiercely loyal to him. Additionally, the refugees had more options than they did in 1994, decreasing their enthusiasm for militancy (Lischer, 1999, p. 15).

After Abdić's surrender to the Sarajevo government his followers fled north out of their hometown. The refugees crossed the border with Croatia soon after the Serbs fled. Croatian special police stopped the 25,000 refugees on the road near the village of Kuplensko, only 18 kilometres from the Bihać border. The refugees set up camp on a four-kilometre stretch of road (Lischer, 1999, p. 16). Although most observers agreed that weapons did not pose a great problem in Kuplensko, the Croatian police did not completely disarm the refugees. Instead, they effectively prevented the group from entering any further into Croatia. As in Turanj and Batnoga, the UNHCR lacked any means to disarm or control the refugees. Any disarmament procedures relied on voluntary compliance and brought in few weapons (Lischer, 1999, p. 16). After losing Serb support, Abdić's leadership was not strong enough to mobilise an army to retake Velika Kladuša.

Thus, as this example indicates, the ability for refugees to arm or engage in military activities is largely a function of external support. Although strong leadership is a necessary condition, it is not the deciding factor as the case of the Velika Kladuša refugees has shown (Lischer, 1999).

4.3 Refugee violence and local arms races

Apart from the arms acquired by refugees to pursue armed resistance, refugee rebellion forces the target state to increase its armed and paramilitary forces and in some cases to arm loyal

civilians to counter the rebellion. This leads to further diffusion of small arms. This occurs because the targeted state is forced to increase its army as well as demand for small arms to counter the threat from refugees. Both strategies—increasing the army and arming the civilian population—result in the diffusion of small arms.

This scenario is best illustrated by the case of Rwanda. Following the RPA invasion Rwanda's army increased six-fold from 5,000 in 1990 to 30,000 troops by 1992. This increase was accompanied by a corresponding increase in military hardware including a variety of small arms. France transferred over US \$6 million worth of arms to the Rwandan government between 1991 and 1992. France's nationalised bank Credit Lyonnais was allegedly the financial guarantor of a 1992 arms deal in which Egypt furnished the Rwandan government with US \$6 million worth of light weapons and ammunition. France justified its support for the Habyarimana regime on the grounds that the government was facing overthrow by a minority army, the RPF, which was supported by the government of Uganda. As violence increased, Rwanda sought new sources of weapons such as South Africa, China and several states from the former Soviet Union (Human Rights Watch, 1995).

In addition, the Hutu government armed militias and civilians through the so-called 'civil defence programme'. Following the RPF invasion, Habyarimana's regime distributed at least 500 Kalashnikov assault rifles to municipal authorities, working in collaboration with militias from his ruling party (Smith, 1994). According to Alison Des Forges,⁹ the civil defence program was not a response to the RPF attacks but was in fact a clandestine plan hatched in 1993 by senior government officials to arm civilians. "The civil defence was meant to assassinate Tutsi and was implemented in October 1993 with no official act formalising it." According to Des Forges, Bagosora distributed an unknown number of guns in Gisenyi Prefecture and another 300 arms were distributed in other communes and prefectures. Another defendant in the 'Military Trial', Nsengiyumva, wrote a

⁹ Alison Des Forges, an American historian, is a senior advisor for the Africa division of Human Rights Watch, and author of "Leave None to Tell the Story," on the 1994 Rwandan genocide. She was an expert witness in the so-called 'Military Trial' which included four former military officers: Théoneste Bagosora, a former advisor at the Rwandan defense ministry (chef de cabinet), Lieutenant Colonel Anatole Nsengiyumva, Major Aloys Ntabakuze and General Gratien Kabiligi.

letter asking for weapons to be supplied to four communes at Gisenyi. She said 900 guns and 54, 000 bullets were supplied following an attack by RPF in the four communes in late 1993 ("Alison Des Forges's Cross Examination" *Hirondelle News Agency*, 27 November 2002). Although the exact number of weapons supplied to civilians and militias by the Rwandan government is not known, there is no doubt about the link between these transfers and the diffusion of small arms. Some of these small arms diffused into neighbouring countries through the flow of refugees.

5. Refugees and the financing of arms purchases

Refugees have also led to the diffusion of small arms by helping insurgent movements to purchase weapons. In cases where an insurgent movement has no external sponsor or where external assistance ceases, arms and other military materiel have to be entirely purchased from the international market or black market dealers. Consequently, the ability to pursue armed conflicts is predicated on the combatants' capacity to secure resources for arms purchases. Sources of finance for insurgent groups include taxes imposed on civilian populations they control, smuggling, illicit trade in drugs, minerals and other natural resources as well as support from patron states. Increasingly refugee and other Diaspora communities have been co-opted into the war economies through direct contributions and taxation to support the war economy. It is partly through such financing of arms purchases that refugees partly contribute to small arms diffusion.

5.1 Direct contributions by refugees and the Diaspora

With the end of superpower rivalry also came the end of the superpowers' support for insurgencies in the Third World (Byman et al., 2001, p. 17). Arms transfers from the major powers to rebels were significantly reduced and in some cases came to a complete stop as in the case of US support for UNITA in Angola. In the absence of such support, existing and new insurgent groups are forced to look elsewhere for resources. In some cases, financial contributions from refugees and the Diaspora have replaced cutbacks from donors. Even where insurgent groups enjoyed the support of powerful patrons, contributions from the refugee and Diaspora communities have always been sought (Weiner, 1993).

Diaspora communities may become even more important to insurgents in the future, because unlike states they are more

reliable for funding and do not seek to exert control over a movement. Diasporas are largely motivated by ethnic affinity. Indeed almost inherent to the idea of a Diaspora is the concept of the homeland. Communities abroad often feel genuine sympathy for the struggles of their brethren elsewhere and at times felt a sense of guilt that they are safe while those left behind are enmeshed in brutal and bloody conflict. Insurgent groups often play on this sympathy and guilt to secure critical financial and political support. When such support is not forthcoming, insurgents sometimes resort to coercion (Byman et al., 2001, p. xiv-xv).

Direct financial support has entailed direct contributions (voluntary and or involuntary) as well as taxation. In western Tanzania refugees were required to make financial and food contributions to combatants. Testimonies from refugees in Kigoma linked a sudden surge in child malnutrition to the payment of food taxes to rebel groups (Dureux, 2000). Similarly, the Rwandan Patriotic Army depended partly on the Tutsi Diaspora to finance its armed invasion. Like the Jewish Zionist and Eritrean exiles, the Tutsi Diaspora from Kampala to Brussels gave what they could to 'the cause'. The main contributions came from Canada and the United States because they were the richest, but many small contributions came from larger, poorer exile communities in Africa (Prunier, 1995, p. 117). Other examples where contributions from refugees and the Diaspora have had a significant impact on insurgency include the Palestinian movements, the Kurdish resistance movement in Turkey and the Tamils in Sri Lanka. Below, a detailed discussion of the contributions made by the Sri Lankan Diaspora in support of the Tamil insurgency is used to show the significance of the refugee Diaspora for insurgent movements.

5.1.1 Funding for arms procurement by the Tamil Diaspora

The armed conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan government has left tens of thousands dead and millions displaced both internally and externally. The Tamil Diaspora is represented in 54 countries as far flung as Burma and Botswana. However the LTTE's political activity concentrates on Western states that have large Tamil expatriate communities, including most notably the United Kingdom, Canada, Australia, France and Switzerland (Byman, et al., 2001, p. 44). Between 1982 and 1991 a total of 176,792 Sri Lankans applied for asylum in industrialised countries. Between 1992 and 2001 the figure stood at 168,870 applicants of whom

97,411 were allowed to stay (UNHCR, 2001, p. 115-6, 127). In 2002, an estimated 10,158 Sri Lankans applied for asylum in industrialised countries out of which 8,235 or 81 percent sought asylum in Europe (UNHCR, 2003, pp.115-127, Table 7 & 8).

In December 2002, the Sri Lankan government and the Tamil Tigers signed the Oslo peace deal, agreeing to share power under a federal system of government that paved the way for an end to almost two decades of civil war. According to the peace plan, the Tamils would also have autonomy in areas of the country dominated by the Tamil minority.

Before the peace agreement that brought about a cease-fire between the LTTE and the Sri Lankan government, the LTTE was recognised as one of the most sophisticated and deadly insurgencies in the world. One of the major factors for LTTE's success was the international support infrastructure it developed to exploit its Diaspora. This support included propaganda, finance and arms procurement. The income obtained from the Diaspora was used for the smuggling of arms for its own war effort and for supply to several other insurgents groups in the Indian sub-continent (Peiris, 2001, p. 1).

The LTTE network straddled the globe and effectively integrated the Tamil Diaspora into an overarching external system that constituted the lifeline for the LTTE guerrillas on the ground (Byman et al., 2001, p. 43). With the loss of the Jaffna peninsula in 1996, the LTTE increasingly depended on its Diaspora for financing. The essential objective of this global structure was to harness political and economic support for the LTTE and its stated aim of creating a separate state of Tamil Eelam in north-eastern Sri Lanka. It is believed that eighty to ninety percent of the LTTE war budget comes from overseas. Funds generated overseas also form an integral component of the group's National Defence Fund and general weapons procurement efforts. It is also through these global financial operations that the LTTE manage to acquire most of its weaponry and munitions (Chalk, 2000). It could be argued that without such support, the amount of weapons that the LTTE could afford to procure would be limited. Therefore, since funding is critical to arms acquisition, it can be said that refugees can be linked to arms diffusion in as far as they have provided these funds.

The majority of financial support comes from six areas, all of which contain a large Tamil Diaspora: Switzerland, the United Kingdom, Canada, Australia, the United States and Scandinavia countries (Chalk, 2000). Combined, refugees in the United Kingdom, Canada and Australia are conservatively estimated to provide up to US \$1.5 million a month to the LTTE cause

(Byman et al., 2001, p. 50). From Switzerland, the LTTE banks US \$660,000 monthly. In an estimate attributed to a source at the Sri Lankan embassy in Canada, the total amount of 'refugee funding' of the LTTE world-wide is about US \$2 million a month, of which an estimated US \$730,000 appears to be derived from the Tamils living in Canada.¹⁰ The Tamil Diaspora in Britain donates an estimated US \$390,000. As Rohan Gunaratna, a Sri Lankan scholar, notes, "It's fair to say the LTTE is making at least US \$2 million per month. And this year (1999) over 60% of their income is probably from abroad" (Davies, 1996). The average monthly collection from Germany is estimated at US \$200,000. Estimates made in 1997 placed the LTTE collection from the Tamil Diaspora world-wide at just above US \$2 million per month (Peiris, 2001, pp. 2-3).

The Tigers prefer to procure this money as voluntary donation. However when this fails they resort to intimidation and coercion. Since it is not uncommon for varying degrees of coercion including the use of force to be employed in the procedures for collecting donations, there is, in practice, only a hazy distinction between donation and extortion. There have been many reports of the LTTE extortion from Tamils living both within and outside Sri Lanka. According to a report in *Asia Week*, "LTTE hard-knuckle extortion seems to have played a part in the LTTE fundraising in Switzerland. Tamil donors are coaxed to part with US \$40-80 each month."¹¹

The experiences of Tamil refugees in Germany, France, the UK and Canada support allegations of extortion. In Germany, ten LTTE members were caught extorting 50 Deutschmarks per month from Tamil families. They threatened to harm relatives who were still living in Sri Lanka if the money was not forthcoming. In this way, the ring grossed 200,000 Deutschmarks a month. The British Refugee Council also reported ongoing extortion by the Tamil community (Jayewardene and Jayawardane, 1987, pp. 209, 212). In a different incident, five Tamil refugee claimants were arrested in Canada for beating another young Tamil man for failing to pay an assessment of US \$2,500 (Mackenzie Report, 1995).

There are some suggestions that the LTTE and other Sri Lankan militant groups used refugees in drug running to raise funds for arms purchases. Davies has made the connection

¹⁰ Byman (2001, pp. 49-50) estimates that the LTTE receives at least US \$50 million a year in operating revenue from Canada.

¹¹ Available at <http://www.realityofsrilanka.com/Asia-week7.htm>, accessed on 3/7/03

between refugees, drugs and arms acquisition by the LTTE. He writes as follows:

“Undisputed is the fact that in the mid-late 1980s Sri Lankan Tamils—often asylum seekers—did emerge as important movers of Afghan and Pakistani heroin via North Africa and the Middle East to the main Western European distribution centres of Berne, Paris and Rome. From 1984 many involved in the so-called ‘Tamil Connection’ were arrested and imprisoned in Italy; some revealed to have contacts with a range of militant organisations, including the LTTE. Beyond that, there is little doubt that the LTTE is well placed to profit from heroin trade should it wish to. The nexus between international arms and narcotics trafficking is well established; the party runs a clandestine shipping network, and it may well have contacts with senior players in the Golden Triangle heroin trade. None of that, however, constitutes hard evidence indicating that the LTTE as a player in today’s Asian heroin trade” (Davies, 1996, pp. 30-38).

The Mackenzie Report of 1995 states that heroin trafficking is the most profitable LTTE activity. The LTTE is involved in dealing (operating distribution networks) and “muling” (providing courier services) in Western Europe. Involvement in drug running occurred after a mass influx of Tamil refugees in 1983. During this mass influx of asylum seekers into Europe and North America, there occurred a parallel large-scale infiltration. Anecdotal evidence supports these claims. Sri Lanka Tamils have figured among those groups associated with the drug trade in Canada. In 1991, the Royal Canadian Mounted Police reported that “part of the one billion dollar drug market of Montreal is controlled by Sri Lankans who send some of the profits to the LTTE” (Mackenzie Report, 1995). Italian police arrested 20 Tamils who were believed to constitute a Rome-based narcotics distribution network spread over cities such as Milan, Naples, Acilia, Cetania and Syracuse and extending into Sicily. The Swiss police also broke up a drug ring with links to the Peoples Liberation Organisation of Tamil Eelam (PLOTE) that was engaged in cross-border heroin transactions in Switzerland and France. Many arrests were also reported in Germany and France. Between 1981 and 1990, 1,642 Sri Lankans were arrested on drug charges in Western countries (Perera cited in Peiris, 2001, p. 6).

Western governments have begun to take a hard-line stance against the LTTE in recent years, thus stifling their ability to raise

funds from the Diaspora. In 1997, the group was included on the newly promulgated U.S. list of foreign terrorist organisations (FTOs), a designation that makes it illegal to belong to the LTTE, raise funds for it or openly support its aims in the United States. The State Department has declared the Federation of Associations of Canadian Tamils (FACT) as well as the World Tamil Movement (WTM) and World Tamil Association (WTA) fronts therefore subject to the same provisions (Ranetunge, 2000, p. 3). In 1999 Canada also declared the LTTE a terrorist organisation. Several Tamil organisations in Canada were terminated¹² (Bryman et al., 2001, p. 48). In 2001, the United Kingdom introduced statutory provisions aimed at preventing extremists from using Britain as a base from which to plan and commit terrorist acts in third countries. The LTTE was among the outlawed groups (*The Economist*, 2001, p. 38).

5.2 Refugee aid and war economies

In addition to direct contributions by refugees, refugee assistance has been co-opted into the war economy. Humanitarian aid has in the past contributed to procurement of weapons by refugee fighters and to sustain armed conflicts (Terry, 2002; Prunier, 1995). "Humanitarian aid is used widely both by small and big powers and even by refugee warrior groups to serve strategic and military goals" (Loescher, 1992, p. 53, note 30). And according to Berber, "The aid that flows to the camps where the refugees are gathered can be skimmed by militants based in camps" (1997, p. 8). Hence, when international assistance is given in the context of violent conflict, it becomes a part of that context. Aid is distorted by local politics and is misappropriated by warriors to support the war.

"Although aid agencies often seek to be neutral or non-partisan towards the winners and losers of a war, the impact of their aid is not neutral regarding whether conflict worsens or abates. When given in a conflict setting, aid can reinforce, exacerbate and prolong the conflict; it can also help to reduce tensions and strengthen people's capacities to disengage from fighting and find peaceful options for solving problems" (Anderson, 1999, p. 1).

¹² These were WTM (Toronto and Montreal), FACT, the Tamil Coordinating Committee, the Eelam Tamil Associations of Canada, Quebec and British Columbia and the Tamil Rehabilitation Organisation.

In some cases, host countries and other third parties use "humanitarian assistance" as cover to transfer arms into refugee camps to support refugee insurgency (*Small Arms Survey*, 2001, p. 227). The United States, for example, liked to cloak at least some of its military aid to anti-Communist insurgents as assistance to refugees (Berber, 1997, p. 9). Therefore, apart from the humanitarian imperative of offering relief, humanitarian aid is used instrumentally to support insurgent movements.

The fact that states are the major donors explains why it is easier to divert refugee aid to military use whenever it serves their purposes. Although much relief money is raised through private sources, the biggest blocks of aid come from governments. For example, in 1994 the UNHCR alone, with a budget based on government contributions, spent US \$1.3 billion. Donor state expenditure amounted to around US \$2 billion in the first two weeks of the Rwandan refugee crisis in mid 1994 (UNHCR, 1995, p. 36). Thus, where state interests can be pursued through the armed activities of refugee warriors, there is a higher likelihood that humanitarian aid will be 'diverted' into the war economy.

The history of the Rwandan refugee camps in the Congo, Cambodian refugees in Thailand and Nicaraguan refugees in Honduras graphically illustrates the paradox of humanitarian action. The perpetrators of the Rwanda genocide who had entrenched themselves in refugee camps used the humanitarian largesse of the international community to rearm, recruit and continue the war in Rwanda (Stedman and Tanner, 2003, p. 2). The former leaders manipulated the aid system to entrench their control over the refugees and diverted resources to finance their own activities (Terry, 2002, p. 2). A great deal of the US \$1 million spent every day by the international community to run the camps was squandered by militants who hoarded food, sold it cheaply in local markets and bought arms with the profits (Prunier, 1995).

The camps also enabled China, Thailand, the United States and Cambodian rebels to hijack humanitarian impulses in support of their goals (Unger, 2003, p. 17). By sustaining the Khmer rebel forces, relief for Cambodian refugees served Western political and military objectives.

The unholy alliance between refugee aid and the resistance fighting the Vietnamese occupation army was apparent. Relief agencies delivered food, medicine and other services to the Cambodian refugees by day. But at night, fighters return to the camps to rest, eat the food and use the medical supplies the agencies had provided, sleep with their wives, visit with their children and recruit well-fed young refugees. Aid workers would

arrive the next day to find more young men vanished to the front lines and refugees who had dared to speak out beaten or intimidated (Berber, 1997, p. 9).

Food aid was diverted by camp leaders and sold on the black market or channelled to nearby military camps for resistance groups. The revenue gained from the diversion of aid was supplemented by the taxation and extortion levied on refugees (Loescher, 2001, p. 218). As one report explained:

"The camp economy conducted around the sale and trading of relief items was supplemented by remittances that some of the refugees received from relatives in Thailand, Cambodia or abroad; some 2 million baht (US \$150,000) were alleged to enter Site 2¹³ every month. Refugees were taxed one tin of fish and one tin measure of rice per week from their general ration. Traders and Cambodian aid agency staff were also taxed" (Lawyers Committee for Human Rights, 1989, p. 36).

The World Food Programme (WFP) discreetly agreed to deliver food to Thai army warehouses for onward delivery to "various factions of Khmer refugees and displaced Thai villagers" (Mason and Brown, 1983, p. 165). Under US pressure, the WFP handed over food worth US \$12 million to the Thai army, who were to hand it over to the Khmer Rouge. According to a former assistant secretary of state, 20,000-40,000 Pol Pot guerrillas benefited (Showcross, 1984 p. 289, 345, 395). Between 1980 and 1986 US funding to Pol Pot's exiled forces on the Thai border amounted to US \$85 million (Pilger, 1997, p. 5). Internal WFP documents show that officials were aware that this food went to feed the Khmer Rouge and other resistance groups (Showcross, 1984, p. 229; also Mason and Brown, 1983, pp. 140-142).

As a cover for its secret war against Cambodia, Washington set up the Kampuchean Emergency Group (KEG)¹⁴ in the embassy in Bangkok and on the Thai-Cambodia border. KEG's work was to "monitor" the distribution of western humanitarian supplies sent to the refugee camps in Thailand and to ensure that the Khmer Rouge bases were fed. Working through "Task Force

¹³ Site 2 was one of the Cambodian refugee camps in Thailand which was controlled by the Khmer Rouge guerrillas.

¹⁴ Although ostensibly under a State Department operation, KEG's principals were intelligence officers with long experience in Indochina. In the early 1980s it was run by Michael Alland, who in 1969-70 was operations officer of a clandestine Special Forces group code named 'Daniel Boone' responsible for reconnaissance for the US bombing of Cambodia (Showcross, 1979).

80" of the Thai army, which had liaison officers with the Khmer Rouge, the Americans ensured a constant flow of UN supplies (Mason and Brown, 1983 p. 159). By 1987 KEG had reincarnated as the Kampuchea Working Group. The Working Group's brief was to provide battle plans, war materiel and satellite intelligence to the so-called 'non-communist' members of the resistance. Congress approved both overt and covert aid estimated at US \$24 million to the resistance (Pilger, 1997, p. 7). Thus, the humanitarian relief programmes made a substantive contribution to the war economy for the various Khmer factions along the border directly and releasing resources to be used for military purposes (Terry, 2002, pp. 128-129).

In Pakistan, the extension of relief and other support measures to the Afghan refugees by the United States and its Western allies were literally aimed at raising a fighting force and not entirely based on humanitarian principles. The operations in refugee camps were inextricably linked to political and military operations against the Soviets in Afghanistan. Although aid agencies attempted to redress the situation, the motives of the major donor (the United States) was so deeply oriented to the strategic and military use of refugees that humanitarian considerations were relegated to the background (Loescher, 1992). It is for this reason that while Afghan refugees in Pakistan received billions in humanitarian aid, those who fled to Iran received none.

In Honduras, humanitarian aid was diverted into military use with the connivance of the donors who supported the refugee warriors in their insurgency. The June following President Daniel Ortega's visit to the Soviet Union and Soviet allied states in 1985, the United States Congress reversed its ban on aid to the Contras, approving US \$27 million of so-called humanitarian assistance. In June 1986 Congress approved President Reagan's request for an additional US \$100 million. In theory, the humanitarian proviso in the aid specifically excluded "the provision of weapons, weapons systems, ammunition or other equipment, vehicles or materials which can be used to inflict serious bodily harm or death" (Terry, 2002, p. 89). In practice, however, the Nicaraguan Humanitarian Aid Office established to disperse the US \$27 million aid became a vehicle for supplies to the Contras. A General Office Audit conducted in 1986 found that payments had been made from the aid for arms flights to the Contras. By the time the Contra camps began to be dismantled in February 1989, the guerrilla force had received an estimated US \$400 million (Terry, 2002, pp. 89-90). The border relief programmes were therefore designed as conduits for supporting the Contras (Terry, 2002, p. 103-104).

A number of private organisations and individuals also sent aid to the Contras. Some of the groups were openly supplying arms, equipment and financial support. It was estimated that these groups shipped over US \$5 million in “humanitarian” aid to the Contras between April 1984 and March 1995 alone, a significant contribution to the war economy (Terry, 2002, pp. 104-105). As a 1985 report of the Congressional Control and Foreign Policy Caucus noted:

“Close to 20 privately incorporated groups have reportedly sent (or plan to send) aid, supplies or cash contributions to Nicaragua refugees in Honduras and the Contras themselves... [The] driving forces behind the major groups are a small group of about a dozen men. Most of whom have military or paramilitary backgrounds or mercenary experience... While many of the groups work closely together, they have different stated purposes... Most groups call their aid ‘humanitarian’ but either privately or publicly acknowledge that some of it (e.g. medical supplies and food) ends up at Contra camps. These groups have also conceded that their humanitarian aid to refugees (including Contras’ families) may directly aid the Contras by freeing up Contra accounts to purchase weapons and pay combatants” (cited in Terry, 2002, p. 105).

There is therefore a critical, yet unacknowledged (and sometimes unintended) complicity of humanitarian aid and arms proliferation. Whether through the connivance of donors or the inability of humanitarian relief providers and donors to control refugee camps, the available evidence points to the conclusion that humanitarian relief for refugees has been used to finance weapons purchases leading to proliferation and diffusion of weapons.

6. Refugees and cross-border movement of small arms

On the supply side, refugees have played a significant part in the cross-border movement of small arms into host states. According to Gamba and Chachua (1999) the massive flow of refugees from one country to another during conflict situations is one of the factors responsible for the cross-border movement of illegal weapons. The Nairobi Declaration (2000)¹⁵ also identifies the

¹⁵ The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes region and Horn of Africa (March 2000) was adopted by the foreign ministers of ten countries in the two regions: Burundi, Democratic Republic

movement of “armed refugees” across national boundaries as greatly contributing to the proliferation of illicit arms and light weapons in the region. Similarly in its final report, the Addis Ababa Conference of Experts¹⁶ stressed that in some instances, “refugees are becoming the second supply line of small arms and light weapons” (*Final Meeting Report, Addis Ababa Conference, 2000*). In a number of cases, the lack of legitimate economic opportunities and alternative means of livelihoods, the huge profits reaped from the illicit arms trade, the easy availability of arms, porous borders and a ready market for weapons have facilitated cross-border movement of small arms by refugees. Kenya, Tanzania, DRC and Pakistan are among host countries where refugees have played a part in small arms diffusion.

In cases where there is a total state collapse like Somalia, or where the ruling government is defeated as in the case of Rwanda in 1994 or Ethiopia after the fall of Mengistu Haile Mariam, defeated combatants (both rebel and government soldiers) cross national borders with their arms. There are three major reasons for this. First, in situations of mass influx it is difficult if not impossible to separate combatants from civilians. In such circumstances those formerly engaged in armed conflict flee with their weapons into the camps. The porous and poorly-policed borders with many unofficial crossing points facilitate the cross-border movement of weapons. Once refugees have brought weapons into camps, it is almost impossible to get the arms back without their co-operation.

Second, in situations where the combatants and former political officials make only a tactical retreat to re-organise and bide their time before resuming hostilities, they are unlikely to give up their arms either at the border or leave them behind to the advancing enemy. The logic at play here is that they will live to fight another day. This was the conventional philosophy prevailing among the Hutu refugees who had settled in Zaire and Tanzania. Though they did not make a triumphant entry into Kigali as envisaged in their early plans, as far as arms diffusion is concerned, the damage had been done.

Thirdly, among refugee populations are ‘entrepreneurs’ who see in the chaos the chance to start or continue their trade in illegal arms. For these arms entrepreneurs, the camps provide a

of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Sudan, Uganda and Tanzania.

¹⁶ This refers to the meeting of African experts on illicit proliferation, circulation and trafficking of small arms held on 17-19 May 2000 in Addis Ababa, Ethiopia.

safe operating base for illegal arms trade. Some of these weapons find their way into the black market or illicit arms trade networks. This phenomenon has occurred in many refugee situations with varying degrees of success. Arms diffusion by refugees into the host state usually occurs through these channels.

Small arms diffusion and misuse are a major problem facing Kenya. According to Stephen Ole Mpesha, Chief Firearm Licencing Officer, "Seventy-five percent of the country is awash with illicit arms" (Mpesha, 2000, p. 17). A report by the US State Department states that the problem of illegal arms in Kenya has reached "crisis proportions" (US State Department, 2001). Government officials, politicians and academics have linked the spread of illicit arms to the influx of refugees into the country.¹⁷ Former President Daniel Arap Moi, while addressing a public rally in Wajir (a region faced with a small arms problem), told the gathering that "refugees had abused the generosity of Kenyans by bringing firearms into the country."¹⁸ On another occasion he stated that "some of the refugees come here with arms and are involved in criminal activities" (*Daily Nation*, April 13, 2001). Eliphas Barine, a small arms co-ordinator in Kenya's Ministry of Foreign Affairs concurs.

"The millions of refugees fleeing into Kenya from their war-torn countries to the north and east have lost their homes, their animals and their crops. But many carry the most portable, valuable item that they still possess—a firearm. Every coup in the region brings in a fresh flood of guns. They include Beretta 10-millimeter submachine guns, German-made G3 sniper rifles (sic), American M-16 rifles and the current most popular firearm, the Chinese-made AK-47 Kalashnikovs. When American peacekeeping forces scrambled out of Somalia during a few chaotic days in 1993, they took only their luggage. They left the stores behind. From those stores, thousands of U.S. made Colt pistols began filtering westward. Until 1997 nearly 70 percent of weapons we found in crimes in Nairobi were Colts" (cited in Walt, 2001).

¹⁷ Apart from refugees, other factors that can explain the small arms problem in Kenya include arms traffickers and traders, local production, loss and theft of legal held firearms, pastoralists, armed militias as well as politicians and corrupt government officials are major sources of small arms in Kenya (Human Rights Watch 2002).

¹⁸ BBC News, East Africa: the Week in Review available at http://www.news.bbc.co.uk/hi/English/world/africa/newsid_336000/336141.stm

Contributing to a parliamentary debate on the breakdown of law and order in Kenya, Professor George Saitoti, then vice president and leader of government business, told the House:

"Since 1993, we have had almost half a million Somali people coming as refugees. We accepted these people in total fulfilment of our international obligations and for humanitarian reasons. There is no doubt that a number of those people who have come here worked in the armed forces, in the police force or in other arms of security-enforcing agencies and a number of these people have smuggled guns and very sophisticated weapons... Some of these guns are the ones which have been used by the criminals to terrorise Kenyans" (Daily Hansard, 24 October 1996).

Challenged by another member to substantiate claims that Somali refugees are involved in activities that cause insecurity in the country when no single refugee had either been killed or arrested by the police, Saitoti replied:

"There is no doubt that a number of those people who came did so with arms. This is a fact. It is nothing against the Somalis as a people, but it is a fact. Some of these people came here with no money, no means of livelihood and the only thing they could peddle were guns. Those guns have gone into the hands of these criminals" (ibid.).

Kathy Austin's study of Kenya's Dadaab¹⁹ refugee camps of Ifo, Dagahaley and Hagadera concluded that the Dadaab had become a nerve centre for arms trafficking in and out of the region. Weapons smuggled into and out of the camps "are making their way to the four corners of Kenya", contributing to the growth of violent crime. Armed groups, including arms-trafficking networks, were based in the camp (Austin, 2000). As Mr Farah Maalim, a Member of Parliament from the Garissa district stated in Parliament, "As it is now, I have no doubt in my mind that a lot of arms do cross the borders, come through the refugee camps and end up in other parts of the country" (*Daily Hansard*, Vol. 9 No. 20 April 1996, p. 485).

A Kenyan police spokesperson concurred that illegal weapons traffickers are operating a sophisticated network linking Somalia, the camps and Nairobi. Illegal weapons from Somalia are moved across the border on foot into the refugee camps

¹⁹ Dadaab refugee camps located in the Garissa district in Kenya's North Eastern Province are home to a majority of the Somali refugees in the country. As of July 2000 the total refugee population in Dadaab was 124,790 (Dadaab Sub Office, Briefing Notes)

before they are redistributed to other parts of the country or other countries in the region ("Kenya-Somalia: Somali refugees struck by insecurity" *IRIN*, 24 November 2000). Somali refugee women are also used as couriers to transport weapons across the border or from the refugee camps to Nairobi. As a refugee arms dealer in Nairobi states, "Most effective in transporting weapons are Somali women, who strap guns to their upper thighs under their ankle-length robes. They are also hardly searched by the police once they are perceived as religious" (as quoted by Walt, 2001). The Dadaab-based gangs also smuggle arms to Rwanda, Burundi, Uganda and the Sudan (*Daily Nation* 18 November 2000).

Illegal arms networks also exist between Sudanese refugees and Turkana tribesmen, who not only buy the weapons but also have become middlemen in the arms trade (Gamba and Chachiua, 1999). An arms network operates between Southern Sudan, Uganda and Kakuma²⁰, which follows the refugee routes. From Kakuma the illegal weapons are sold in western Kenya and some find their way into Nairobi. This pipeline also feeds the trafficking along Lake Victoria.

Although no data exists on the exact number of weapons seized from refugee camps, there have been reports of police seizing weapons from refugees. For example in 1993, a refugee at Liboi refugee camp in the Mandera district was arrested with an AK-47 rifle and eight rounds of ammunition. Another refugee was arrested in the Hagadera refugee camp with a rifle and ammunition (*Daily Nation*, 23 October 1993). The use of firearms during violent conflicts among refugees is indicative of the presence of small arms. Gun battles have been reported among the Sudanese and Somalia refugees. For example, in June 1996, a gun battle between rival Sudanese factions left 26 refugees dead and 18 others wounded at Kakuma refugee camp (UNHCR Internal Report, Kakuma, June 1996). In January 1999 five Sudanese were murdered and more than 200 others seriously wounded in gun battles between Dinka and Didinga (*Daily Mail and Guardian* (Johannesburg) 4 February 1999).

Tanzania is also faced with a rising problem of illegal weapons which has led the Government to devise a "National Plan of Action" to combat and eradicate the proliferation of small

²⁰ The Kakuma refugee camp located in Turkana district, north west Kenya is home to mainly Sudanese refugees, although there are refugees from other nationalities, such as Ethiopians, Eritreans and Somalis.

arms and light weapons.²¹ By 1999, there were 69,840 licensed firearms in civilian hands in Tanzania including 4,370 handguns, 18,050 rifles and 47,420 shotguns (UN Arms Survey, 1999). A country survey by the Institute for Security Studies (ISS) concluded that the prevalence of firearm possession is increasing but at a rate that does not as yet constitute a crisis (ISS, 2002). No reliable estimates on illicit firearms are available, though the problem is thought to be rising. For example, between 1997 and 1999, some 1,716 people were arrested for firearm related offences and 1,313 guns and 7,113 pieces of ammunition seized (UNAFRI, 2000, p. 217). Between 1998 and 2001 the police impounded more than 3,500 small arms and about 228,000 rounds of ammunition (*The East African Weekly* 10-17 June 2002). In western Tanzania, a major refugee hosting area, an AK-47 rifle can be purchased for as little as US \$15-23. According to more recent research conducted by IANSA, a submachine gun or an AK-47 rifle with a full magazine of ammunition sold for US \$150-400 (*The East African, Weekly* 10-17 June 2002).

Refugees are said to be partly responsible for the small arms influx from neighbouring countries into Tanzania.²² According to J. P. Brahim, the director of refugees in the Ministry of Home Affairs, refugees were largely responsible for the influx of illegal arms into the country. Similarly, the regional refugee co-ordinator based in Kigoma states:

"The influx of illegal weapons started in 1994 when we had a big caseload of Rwandans. The Interahamwe and defeated government forces crossed over the border with weapons such as guns, ammunitions and explosives. Since the repatriation of Rwandan refugees, the Burundian refugees are the major source of illegal firearms in the region. Since the number of illegal weapons has increased with the influx of refugees, we can only conclude that refugees are the ones who are responsible. Otherwise how can you explain

²¹ Under this plan, the government undertook a systematic evaluation of the small arms problem in Tanzania, analysed the numerous impacts of the illicit trade in firearms upon local communities, and inaugurated new policies and institutions to deal with the problem.

²² The other major sources of illicit weapons are the war-torn neighbouring countries, surpluses left behind by liberation movements from Mozambique, Rhodesia (Zimbabwe) and South Africa who were based in the country, the 1978/79 war with Uganda, and illicit arms traffickers and traders who use Tanzania as a major transit point of illegal weapons in the region (ICG, 1999, p. 21, Mahita, 2000, pp. 11-2).

the increased presence of illegal weapons, which was not the case before?" (Mogire, 2003, p. 270).

Speaking on the soaring crime rate in the country, Mohammed Seif Khatib, the Minister of Home Affairs, said the government had embarked on various measures, including seizure of firearms that had been smuggled in by refugees from Rwanda, Burundi, Somalia and the Democratic Republic of Congo.²³ As one newspaper reported:

"The Rukwa region²⁴ is facing a security uncertainty, as a wave of 345 "armed refugees" from DRC who arrived in the region last week are unaccounted for. The regional commissioner said the "armed refugees" are threats to regional security. The refugees are said to be carrying loaded machine guns, grenades and other unknown dangerous weapons. The region already harbours 890 refugees from the DRC including members of the DRC army who fled to Tanzania... due to the ongoing internal conflict".²⁵

There is some evidence to link the refugee influx with illicit small arms diffusion in Tanzania. Between January 1998 and September 1999 police seized a total of 1,016 guns and 5,650 rounds of ammunition in the refugee hosting regions of Kigoma, Kagera, Rukwa and Tabora regions of western Tanzania (*IRIN*, 28 December 1999). According to the Director of Criminal Investigation, refugees brought most of these weapons into the country ("Police Detail Refugee Arms Problem", *IRIN*, 28 December 1999; *ISS*, 2002). During the first eight months of 1997, 294 firearms were seized during police operations in refugee camps in Tanzania (Mahita, 2000, p. 12). Within one month in 1999, police in the Kasulu district in western Tanzania impounded 55 firearms and 1,212 rounds of ammunition from refugees (*The Guardian*, Tanzania, 14 May 1999). And between 25 August and 11 September 2000 police in Kigoma seized seven firearms and 184 rounds of live ammunition suspected of belonging to several Burundian refugees. Two of those suspects arrested in connection to the arms were staying at the Kanembwa refugee camp, while another was staying at the Karago camp (*The Guardian*, Tanzania, 25 September 2000).

²³ 'Tanzania: Building a new prison is not a solution to crime' available at http://www.mrc-news.com/sp_sep_19_02.htm. Accessed 6 September 2002

²⁴ The Rukwa region lies in southwestern Tanzania.

²⁵ "Armed refugees still at large in Rukwa since the weekend", *Daily Mail*, 3 March 1999.

Furthermore, refugees used firearms arms during the factional clashes between CNDD and the *Parti de libération du peuple du hutu* (PALIPEHUTU) at Kitalo Hills camp in 1997. At Lukole refugee camp in June 2000, a grenade was used to assassinate Dr. Jean Batungwanayo, a brother to Leonard Nyangoma, and his entire family at Moyovosi camp in the Kasulu district (Mogire, 2003, p. 282).

An International Crisis Group (ICG) study in western Tanzania found that illegal arms networks were operating between the camps, the refugee camps and the Kigoma region of western Tanzania. "Burundian arms dealers were operating in the camps and the arms from this network were being sold to the rebel groups and local criminals in the area" (ICG, 1999; see also Mogire, 2003, p. 282).

In both Kenya and Tanzania, a number of factors explain why refugees are generally believed to be responsible for small arms diffusion. First, refugees flee from war torn countries where small arms are readily available. Since most of the illicit weapons circulating in these countries originate from these countries, it is generally held that refugees could be playing a role in the influx of illicit weapons.

Second, a number of refugee camps in Kenya and Tanzania are militarised. The presence of refugee warriors and armed former combatants has led to a diffusion of weapons into countries offering asylum. In Kenya, the Sudanese Peoples Liberation Army (SPLA) soldiers can be found in Kakuma refugee camp, while a number of Somali militias also operated from the Somali refugee camps in Dadaab (Mogire, 2003, p. 187-188; Crisp, 1999, p. 4). In western Tanzania a number of rebel groups including PALIPEHUTU, *Front pour la libération nationale* (FROLINA), *Conseil National pour la Défense de la Démocratie* (CNDD) and its armed wing *Forces pour la Défense de la Démocratie* (FDD) and a refugee warrior group called *Ubumwe Bw' Abarundi* (Unity of the Burundian People) were operating in the Burundian refugee camps (Mogire, 2003, pp. 171-77; ICG, 1999).

Third, the long porous borders have enabled refugee arms dealers and traffickers to move arms across borders without detection. Border security posts, where they exist, are underfunded and often understaffed. Those bearing arms do not usually enter through the official entry points where they will be searched and their arms confiscated. Instead they use the many unofficial entry points which are not policed. In some cases, refugees bearing arms cross the border undetected at night, hide their weapons, and then go back to re-enter through the official crossing points after which they collect their weapons and take

them into the camps. Yet others hide the weapons in their country close to the border and go back to collect them after striking a deal long after they have been registered as refugees in the camps. As Mr. Peter Kimanathi, Kenya's police spokesman states:

"Movement of armed Somalis into Kenya is very frequent over a border which is over 800 km long and with many crossing points. Kenyan police lack resources to cope with the porous border and movement of arms" ("Somali Refugees Struck by Insecurity", IRIN, 2000).

Tanzania's long porous borders have also been blamed for making it easier for refugees to engage in the cross-border movement of illegal weapons. According to Omar Iddi Mahita, Inspector General of the Tanzanian police, "The long porous borders which are poorly controlled enable some refugees to cross through unofficial entry points with weapons. Refugees sooner or later rent or sell these firearms to criminals who use them for criminal activities (Mahita, 2000, p. 10).

Refugees were also partly responsible for the small arms problem in Zaire. The Former Rwandan Army (FAR) members received arms shipments in refugee camps, conducted military training exercises, recruited combatants and planned a final victory over the newly installed Tutsi dominated government of the Rwanda Patriotic Front. There were several sources and means of transfers. First, refugees moved across borders with their weapons. When remnants of FAR poured into Zaire, they brought machine guns, grenades, mortars and other light weapons. Though some of the troops retreating into North Kivu were disarmed, many weapons were either stocked for later use or replaced by new ones (Human Rights Watch, 1995; Amnesty International, 1995). Prior to the genocide, the Hutu-dominated governments distributed small arms to government-linked *Interahamwe* militias. It is therefore possible that some civilians also possessed arms when they fled. In a report entitled "Proliferation and Illicit Traffic of Small Arms and Light Weapons in the Northeast of the DRC", Shamba, Elela and Kasongo state that the influx of refugees was one of the factors that 'strongly caused the proliferation of light weapons (*IRIN Web Special on Civilian Protection in Armed Conflict*²⁶).

In Zambia, the cross-border movement of refugees is also blamed for the influx of illicit weapons. Refugees from Zaire

²⁶ Available at <http://www.irinnews.org/webspecials/civilprotect/sec3cp2.asp>.

crossing into Zambia were also reported to be responsible for the proliferation of small arms in the country. According to Zambian authorities, among the refugees are Zairian soldiers who have found a market for the trade of arms and other merchandise. A district official from the ruling Movement for Multiparty Democracy (MMD) appeared on national state television recently brandishing two guns he had bought from the refugees to highlight the lax security in screening the Zairians crossing the border between the two countries. The district official, Robertson Nthala, said he bought the guns for US \$200 ("Zairian Refugees Engaging in Arms Sales", SAPA, Johannesburg, 10 Mar 1997).

In Pakistan, a major effect of the refugee presence is the large-scale proliferation and open access to sophisticated weapons that continues even today. Some of these small arms and light weapons circulating in the country today are traced to those left behind by the refugee warriors. The arms smuggling networks established at the time are still intact and continue to feed into the local market. The Northwest Frontier region around Peshawar, Adam Khel and Sakahot, which hosted the largest Afghan refugee population constitutes the 'retail' hub of the bulk of these weapons, where vendors are known to sell anything from assault rifles, fragment grenades, anti tank mines, machine guns and mortars to entire anti-aircraft systems (Chalk, 2001).

Throughout the 1980s tens of thousands of tons of weaponry and ammunition flowed through this conduit, with estimates of US \$6-8 billion being allocated by Washington for the supply of light weapons. The CIA supply to Afghan refugee warriors was seen as the CIA's biggest undercover operation since the Vietnam War. Pakistan's Inter Services Intelligence (ISI) department that controlled the pipeline diverted many of these weapons into the local market. The extent of this leakage is not known, though a former head of ISI has claimed that the organisation has access to three million AK-47s, all packed and greased. Some commentators have suggested that up to 70 percent of the weapons introduced into this pipeline never reached their intended destination (Chalk, 2001). As a result Pakistan has become infested with open arms bazaars. Major Sahibzada Mohammed Khalid, Joint Secretary for Refugees at the Ministry of States and Frontier Regions (SAFRON) has commented as follows:

"Kalashnikovs and automatic weapons were introduced into Pakistan because of refugees. Drugs were introduced because of them. And indeed, I am extremely sorry to say it, but a great deal of prostitution began. Refugees work for less, so they create unemployment for local people. I grew up in

Peshawar. Conditions in the city are much worse than before" (quoted in USCR, 2001, p. 20).

According to Saba Gul Khattak, a Pakistani scholar of refugee studies, every registered refugee household needed a political affiliation with a *tanzim* (political party) for food, shelter and security (gun, shoes and training to fight in Afghanistan). Similarly, Loescher has noted that the proliferation of arms following the influx of three million Afghans not only contributed to a resurgence of Pashtun unrest in Pakistan but also generated active trade in arms, drugs and contraband goods (Loescher, 1992, p. 15).

Media reports have alluded to the refugee-arms nexus in Pakistan. Afghan refugee camps in the suburbs of Peshawar have been turned into a criminal's paradise. Illicit small arms still circulate in the surviving four refugee camps at Shamshtoo, Nasir Bagh, Katcha Garhi and Khurasan, all located in the suburbs of the provincial capital. Gun running, drug addiction and other illegal activities like smuggling and arms trade take place here in broad daylight (*The Frontier Post*, 7 Dec 1998). These claims are supported by weapons seizures from the camps or voluntarily surrendered by the refugees. In June 2001, 95 illegal weapons were voluntarily surrendered by refugees in Islamabad ("ISLAMABAD: 95 Illegal Weapons Deposited in Capital" *Defence News/DAWN* 12, June 2001). During the same month, Afghan refugees surrendered arms worth about 60 million rupees in NWFP. At the old Jallozai camp, Afghan refugee elders surrendered weapons including one 107 mm multi-barrel rocket launcher, one 122 mm multi-barrel rocket launcher, seven 82 mm mortars, 116 Kalashnikov rifles, 126 pistols of 7.62 mm, 14 pistols of 9 mm, 125 other pistols, 18 Pashpasha (mortar gun of 7.62 mm bore), 14 anti-aircraft guns of 14.5 mm, 13 anti-aircraft guns of 12.7 mm, 17 bombs, 12 LMG of 7.62 mm, 12 LMG of 12-bore, 11 LMG of 12.7 mm barrel, and 12 RPG-7 rocket launchers (*Independent Daily*, 1 June 2001). An undisclosed number of weapons were handed in at Shamshatoo Refugee Camp while 100 weapons of different bores were surrendered at Nasir Bagh Refugee Camp (*Daily Report*, Islamabad, 20 June 2001).

Available evidence also indicates that Karen Burmese refugees in Thailand store arms in their camps. This has been the major justification for Burmese military and government-supported militia incursions into the refugee camps. Burma has accused Thailand of harbouring Burmese guerrillas. The Democratic Karen Buddhist Army (DKBA), a Karen splinter group also accused Thailand of sheltering guerrillas from the Christian-led anti-Rangoon Karen National Union (KNU). In an

interview in 1995, U Yanika, a Buddhist monk who is deputy to the DKBA's religious leader, told Reuters that "tons of the weapons belonging to the KNU are hidden inside the refugee camps inside Thailand. We wanted those weapons and if the Thai army cannot give them to us we will go and get them ourselves" ("Thai Forces Seize Weapons from Karen Refugee Camps" *Reuters*, 10 May 1995). Thai military raids of the Karen refugee camps have recovered a number of weapons. During one such raid seven rocket-propelled grenades, 16 M-16 rifles, 13 Kalashnikov rifles, four M-79 rocket launchers, three M-79 bomb launchers and 3,729 rounds of ammunition were seized (*ibid.*).

There is no doubt that refugees have played a dual role in arms diffusion. First as consumers of small arms, refugees have led to higher demand for small arms. On the other hand, they have played a role, albeit a small one, as traffickers and traders of small arms. The next section discusses how refugees acquire small arms.

7. Sources of refugees' small arms

How and where do refugees get the small arms they possess?

According to Boutwell and Klare (1998) arms can be acquired, transferred and exchanged through legal means, grey market transfers and illicit means. Legal trade-transfers involve a government-to-government transfer, an industry-to-government transfer or a government or industry transfer to sanctioned arms dealers, legitimate militias or paramilitary organisations. The following constitute legal transfers:

- Grants or gifts by governments to allied governments;
- Sales by governments to client governments;
- Commercial sales by private firms to governments and private dealers in other countries;
- Technology transfers associated with domestic arms production in the developing nations;
- Covert transfers by governments to friendly insurgent and separatist groups in other countries;
- Gifts by governments to armed militias and paramilitary organisations linked to the ruling party or the dominant ethnic group.

Covert and 'grey market' transfers refers to those channels that operate with government support or where a government turns a blind eye to transfers, even though such transfers are in violation of official government policy. Grey market transfers are often by government intelligence agencies and /or private companies

linked to such agencies. It also entails the delivery of weapons from government stockpiles to political entities and ethnic militias associated with the ruling clan or party.

Illicit or illegal transfers are the other major source of small arms. Experts believe that up to one-third of the small arms trade takes place through illicit channels. The UN defines the illicit arms trade as “contrary to the laws of states and/or international law”. However, such a definition can be misleading, as the distinction between legal and illegal arms transfers can be incredibly blurred. Although often considered to work independently of one another, one of the most important traits of the illicit arms trade is the extent to which the licit and illicit world are complicit in their actions. As the *Small Arms Report* states, the UN definition “fails to capture the full dimensions of the problem, which includes two components: the illegal black market, where law is clearly violated; and the illicit but technically legal grey market, which includes government-sanctioned covert transfers” (*Small Arms Survey*, 2001, p. 1). Thus, illicit arms transfers may not always be illegal, but outside the control, or against the wishes of exporting states (Hartung, 1999). Klare and Boutwell identify three types of illicit small arms trade:

- Black-market sales to governments of ‘pariah’ countries and to insurgent and separatist forces;
- Theft of government and privately-owned arms by insurgent, criminal and separatist forces;
- Exchanges between insurgent and criminal organisations, whether for profit or in pursuit of common political objectives.

Illicit and grey market (covert) transfers constitute the major sources of small arms for refugees. In particular this has entailed:

- Covert government transfers;
- Black market sales on international markets;
- Theft and seizures from government forces during conflict or after state failure;
- Local production in refugee camps.

Using several examples, each of these sources or methods of acquiring arms by refugees will be discussed below.

7.1 Government transfers

Covert government transfers have been a major source of small arms for refugee warriors. In many instances where refugee insurgencies have occurred they have been supplied with arms by

foreign countries that are either sympathetic to their cause or interested in using them in their proxy wars. Though more frequent during the Cold War, this form of arms transfer still takes place, though the suppliers are not Cold War patrons but regional states. Government transfers of arms to refugees have been direct— government-to-insurgent or covert transfers mostly through the government's secret agencies. During the Cold War, the CIA and KGB were used by their respective governments in covert arms transfers to refugee insurgents.

The logic underpinning these transactions is the instrumental use of refugees as proxies in armed conflict in pursuit of ideological, political and/or geo-strategic advantage over their rivals (Loescher, 1993, p. 34). During the Cold War, ideology was a major factor affecting state response to refugees. With the end of the superpower rivalry, regional powers have taken over as the major sponsors of refugee insurgency. In this case regional strategic, political, ethnic affinity or religious sentiment primarily motivates states. Indeed when ethnic kin or religious brethren do not receive support, it is often done to further realpolitik ambitions as opposed to being an end itself (Byman et al., 2001, p. 23). It can therefore be supposed that where refugees are used as armed proxies, direct government transfers constitute the major source of arms. Further, refugees will seek to acquire weapons when their interests to seek a political or economic change in their home country coincides with those seeking to use them as proxies.

During the Cold War the United States government and its Western allies as well as the Soviet Union supplied the bulk of the arms to refugee warriors. The major recipients of US arms transfers were the Afghan refugees in Pakistan, Cambodian refugees in Thailand and Nicaraguan refugees in Honduras. The United States provided billions of dollars to the Afghan *mujahedin* and hundreds of millions of dollars to the Nicaraguan Contras (ibid, p. 17) who operated or recruited from refugees. Similarly the Soviet KGB supplied arms to rebel groups in Central America and elsewhere (Boutwell and Klare 1999, p. 10).

The CIA played a crucial role in supplying the refugee-supported *mujahedin* based in Pakistan. With memories of their humiliating debacle in Vietnam, the United States resorted to covert action in which the CIA planned operations of huge indirect support to Afghan refugees. The CIA operations in Pakistan became "one of the most extensive and sophisticated covert operations in history". The modus operandi was to purchase arms from various sources and hand them over to Pakistan's Inter Services Intelligence (ISS) which in turn would

co-ordinate their distribution to Afghan rebels. In addition, Arab nations and China also transferred armaments to the *mujahedin* refugee warriors. Although these countries had different motivations, for arming the *mujahedin* refugee warriors, they were united in their opposition to the Soviet Union.

Authors do not agree on the exact amount of arms transferred to the *mujahedin* warriors, but they agree that it ran into billions. According to Karta, "weaponry worth over US \$8 billion poured into the region up to 1992" (1995, p. 279). A report in the *Economist* estimated that by 1987 some 65,000 tons of weapons were being transferred each year to the Afghan rebels via Pakistan ("The Covert Arms Trade", 12 February 1999, pp. 19-21; Smith, 1995, pp. 62-65). According to a Human Rights Watch report, the United States channelled some US \$2.3 billion worth of covert assistance to the *mujahedin* through the Central Intelligence Agency (CIA) in addition to training over 80,000 of the refugee warriors (HRW, 2001, p. 23-4). According to Chalk (2000, p. 131) Washington alone spent in excess of US \$3 billion in military aid, reaching a peak of US \$600 million a year just before the USSR withdrew in 1989.

From the US-supported pipeline, the following weapons were transferred to Afghanistan and Pakistan: Chinese type 56 weapons, Kalashnikovs from East Germany and Romania, German G-3 and MP-5 submachine guns, stinger surface-to-air missiles (SAMs), Milan anti-tank missiles (ATMs), Chinese type 83 mine clearing rockets, Egyptian and Chinese 122mm heavy artillery rockets. Of Soviet origin were the more advanced AK-74 assault rifles, rocket-propelled grenades (RPGs), sniper weapons and sophisticated SAMs. Of regional or unknown origin are AK-47s of inferior quality, American 16A2 rifles, 9 mm Calico carbines, Winchester compaction shotguns, Uzis, .38 Webly pistols and other revolvers (Smith, 1995, p. 61-80). From 1986 the CIA started to supply more sophisticated weapons into the region including the American General Dynamics Stinger, the Franco-German anti-tank rocket Milan, and Spanish 120 Mar mortars. It is believed that by 1989 enough weapons had been transferred to the country (by either the USA or the Soviet Union) that every able-bodied male could be armed in one way or another (Dikshit, 1994, p. 195-6). Furthermore, the West also poured money into the Afghan refugee camps in Pakistan which served as bases for the *mujahedin*. More than US \$1 billion was given in assistance to Afghan refugees in Pakistan between 1979 and 1997 (UNHCR, 2000). With the Soviet withdrawal, most of these weapons were used in the internal conflict in Afghanistan while thousands

others turned up in Southeast Asia and the Middle East including Tajikistan (Singh, 1995, p. 54).

Pakistan was actively and directly involved in arms transfers to the *mujahedin*. Apart from acting as a CIA conduit, it also supplied arms to the refugee warriors. For Pakistan, refugee management involved a balancing act between economic, national security and humanitarian interests. Pakistan hosted and supported the *mujahedin* in order to advance its own goals of exerting influence over Afghanistan and preventing the emergence of a pan-Pashtun movement that would threaten Pakistan's unity. It was also the major conduit through which arms transfers were made to the refugee warriors.

Western powers were also major suppliers for the Cambodian refugee warriors. While Washington paid the bills and the Thai army provided logistics, Singapore was the main conduit for Western arms. Weapons from West Germany, the United States and Sweden were passed directly by Singapore or made under licence by Chartered Industries, owned by the government of Singapore. The Singapore connection allowed the Bush administration to continue its secret aid to the 'resistance', breaking a law passed banning even indirect "lethal aid" to Pol Pot.²⁷ In 1990, a former member of the US Special Forces disclosed that he had been ordered to destroy records that showed US munitions in Thailand were going to the Khmer Rouge (Pilger, 1997, p. 7).

Although the United States denied supplying the communist forces, a report by a British newspaper claimed that Cambodian communist forces had received a shipment of weapons from the US including M-16s, grenade launchers and recoilless rifles (*Sunday Correspondent*, 15 October 1989). A document produced by the US Congress Research Service in 1986 showed the transfer of US \$85 million from the US government to the Khmer Rouge between 1980 and 1986, US \$73 million of which was granted in 1980 and 1981 (Terry, 2002, p. 121).

The United States backed Chinese arms supplies to the Thai-based Cambodian coalition. As President Jimmy Carter's national security advisor Zbigniew Brzezinski commented, "The US

²⁷ When Congress approved the US \$5 million aid package to the Armée Nationale Sihanoukiste (ANS) and the Khmer People's National Liberation Front (KPNLF) in 1985, it prohibited the use of the aid, "for the purpose or with the effect of promoting, sustaining or augmenting, directly or indirectly, the capacity of the Khmer Rouge...to conduct military or paramilitary operations in Cambodia or elsewhere" (cited in Colhoun, 1990, p. 37).

encouraged the Chinese support of Pol Pot." The United States, he added, "winked publicly as China sent arms to the Khmer Rouge through Thailand" (Becker, 1986, p. 440). Two thirds of the arms aid to the non-communist forces came from Beijing, along with more extensive aid to the communist fighters (Don Oberdorfer, "Shultz Opposes Military Aid for Guerrillas in Cambodia" *The Washington Post*, 11 July 1985). China is estimated to have spent US \$60-100 million yearly in aid to all factions of the anti-Vietnamese resistance" (Colhoun, 1990, p. 38). Karl D. Jackson, a deputy assistant secretary of defence, remarked that the Khmer Rouge were "amply armed by China with basic infantry weapons, rocket propelled grenades and mortars in excess of [their] needs" (cited in Terry, 2002, p. 121). By 1988 an estimated 300-500 tonnes of Chinese military supplies were sent to the border through Thailand each month (ibid.). The United Nations Transitional Authority in Cambodia seized more than 300,000 arms and an excess of 80 million rounds of ammunition between 1991 and 1993. This is believed to be only a fraction of the total amount of weaponry disseminated to the country during the 1980s (Berdal, 1996:18-20).

Thailand channelled Chinese-supplied weapons to armed refugee groups as a means of keeping alive the Khmer resistance coalition, which was aimed at providing a buffer between it and the Vietnamese army (Shawcross, 1984).

In the case of Cambodian refugees, Thailand played a crucial role not only as a source but also as a conduit through which arms were channelled to the refugee warriors. Thailand provided territory on which the Cambodian factions built military bases, facilitated the flows of arms and finances to the armed groups, and provided international legitimacy for the resistance by hosting the Coalition Government of Democratic Kampuchea (CGDK), the Cambodian government in exile. The Thai military provided the logistical support for the transfer of arms and supplies and even transported soldiers to and from the civilian refugee camps for family visits (Terry, 2002, p. 114-5, Reynell 1989, p. 57).

In December 1983, a KR weapons depot was discovered in Thailand's Chanthaburi province. The *Far Eastern Economic Review* reported at the time that while most of the weapons were Chinese "Some of the artillery pieces and other weapons displayed in press photographs have been identified by Western experts as being US-designed arms". A US State Department Report confirmed that the Thai military supplied some of these weapons. According to the Federation of American Scientists, elements of the Thai military supported the Khmer Rouge to the tune of US \$7-13

million in 1996, which directly sustained the KR operations (Federation of American Scientists, Arms Monitoring Project²⁸).

In Latin America, the United States was a major source of weapons for the Nicaraguan Contras who were based in refugee camps in Honduras. US support to the Contras began toward the end of President Jimmy Carter's term in office in response to suspicions that the Sandinistas (members of a left-wing Nicaraguan political party) were supplying arms to the Farabundo Martí National Liberation Front (FMLN) in El Salvador (Dixon quoted in Terry, 2002, p. 86). This support expanded when Reagan assumed the US presidency in 1981. According to William Leo-Grande (1987), by December 1984, US \$19.5 billion had been allocated to assemble, train, arm and direct a commando force of 500 mostly Cuba exiles to conduct paramilitary operations against Nicaragua from Honduras (cited in Terry, 2002, p. 86).

The CIA was active in covert arms supply to the Nicaraguan Contra guerrillas operating from refugee camps in Honduras. Under legislation passed in October 1984, President Reagan could ask Congress to release US \$14 million in covert military assistance anytime after 28 February of the following year. Earlier in 1984 President Reagan authorised the National Security Council (NSC) to create a surrogate supply network to continue aiding the Contras, which operated from the basement of the White House (Kornbluh, 1993, p. 1121). Oliver North, an aide to the NSC chief Robert McFarlane, worked with retired senior US military officials to establish a covert network consisting of three key components.

First, the governments of Saudi Arabia, Israel, South Korea and South Africa and Singapore became surrogate suppliers of weapons and funds to the guerrillas. From July 1984 to May 1986, the Saudi government alone contributed US \$32 million to the Contras (ibid., pp. 1121-1122). Funds from allied members were augmented by profits from a secret US arms sale to Iran (Terry, 2002, p. 88). Second, former US military officials established a covert supply system purchasing arms in Portugal and Poland with false documents provided by the Guatemalan military, through real and fictitious companies in Canada, the United States and Switzerland. Over 800 tonnes of weapons were allegedly supplied to El Salvador and Honduras in 1985 and 1986 for the covert war through these sources (Kornbluh, 1993, pp. 1121-1123). The third component of the covert network consisted of private American organisations whose activities ranged from

²⁸ Available at <http://www.fas.org/asmp/profiles/thailand.htm>

fundraising and charity drives to paramilitary activities, often under the guise of 'humanitarian' support (Terry, 2002, p. 88).

The FMLN rebels, who had been formed in and operated from El Salvadorian refugee camps, received arms from Europe and Nicaragua. Honduras was a staging ground for arms supplies to the guerrillas, which were bought in Europe and landed on Honduras' Atlantic coast. In the early days, shipments of arms may have crossed Honduras from Nicaragua, but no evidence exists of transfers after 1981, probably as a result of the failure of the FMLN offensive (Terry, 2002 p. 91). "The Cuban orchestration of the supply of armaments from Soviet allied countries has been significant," and the "Soviet-backed involvement of Cuba has significantly strengthened the guerrillas in El Salvador" (Terry, 2002, p. 92). According to the US under-secretary of defense, Fred Ikle, official estimates suggested that half the guerrilla's arms were captured from the Salvadorian armed forces (ibid.).

State transfers to refugee warriors were not limited to the major powers or the Cold War. In the Great Lakes region and the Horn of Africa, where refugees have played and continue to play a significant role in armed hostilities, they have been supplied by host and other regional states. Rwandan Hutu refugees in Zaire (now the Democratic Republic of Congo) received arms from the governments of President Mobutu Sese Seko and later the Kabilas. Virtually all levels of Zairian authority were involved in channelling arms to the ousted Rwandan government troops, including national and provincial authorities, the armed forces (FAR) and semi-private cargo companies (Human Rights Watch, 1995). During the civil war in Rwanda, President Mobutu sent Zairian forces to fight alongside the Rwandan forces against the Rwandan Patriotic Army (RPA). This military support continued after the Hutu-dominated government was deposed by the RPA, the RPF military wing, and took refuge in Zaire. Mobutu, who was facing a rebellion of his own, supported by Rwanda and Uganda, armed the refugees as allies in an effort to retain power. Weapons were not only transferred to Hutu exiles from Rwanda but also to Hutu exiles from Burundi (Amnesty International, 1995, p. 3).

After the fall of President Mobutu Sese Seko, the new leader Laurent Kabila, who had come to power with the help of Rwanda and Uganda, turned against his former backers and started to arm the Hutu refugees. "In an act of astounding treachery, he allied himself with the same Hutu militias that were formerly supported by Mobutu and against whom he had been fighting" (Byman et al., 2001, p. 18). The Sudanese government supplied arms and

related material to the ex-FAR and *Interahamwe* in the DRC (ICRIR, Final Report, 1998, para. 20).

The Ugandan government was the major supplier of weapons to the Tutsi-led Rwandan Patriotic Front (RPF) (Human Rights Watch Arms Project, 1994). Journalists, diplomats and international military observers reported a steady flow of light arms, ammunition and supplies from Uganda to the RPA since October 1990. President Yoweri Museveni in an article to a Ugandan newspaper admitted that Uganda supported the RPF. He wrote that "Uganda decided on a two-course action: (1) to help the Rwandan Patriotic Front materially so that they are not defeated and (2) to encourage the dialogue between president Habyarimana and the Rwandan Diaspora" (*The Monitor*, 30 May 1999). Although an increasing proportion of its military supplies were bought on the international arms market, the RPF continued to rely on its Ugandan connection. According to Prunier, National Resistance Army (NRA) target practice consumed disproportionately high quantities of ammunition, supplies vanished from military stores and later, when the World Bank was pressing for drastic reductions in NRA troop numbers, the surplus weapons left idle by demobilisation found their way south (HRW, 1995, p. 118-9). Uganda served as a rear base for the RPF invasion, enabling it to regroup, recruit and mobilise among the refugee community and evidently to funnel weapons and supplies to the RPF-controlled area inside Rwanda (Surhke and Adelman, 1999).

7.2 International markets

In addition to government transfers, refugee warriors obtained some of their weapons from the international market. Resources obtained from refugee contributions and taxation as well as the diversion of humanitarian relief aid are partly used to purchase small arms from the international markets. A number of examples attest to this.

The Rwandan Hutu refugee warriors also purchased arms from the international markets. In October 1994, Habyarimana's widow, Agathe Kazinga, and her brother Seraphin Rwabukumba accompanied President Mobutu of Zaire on a trip to China where she allegedly used the opportunity to purchase arms including Kalashnikov rifles, grenades and rocket-propelled grenade launchers to a total value of US \$5 million (*Africa Confidential*, 1995). When the Hutu refugee camps were overrun by a combined force of Rwandan, Ugandan and rebels of the Allied Democratic Forces for the Liberation of Congo-Zaire (ADFL),

documents were found detailing how a UK company called Mil-Tec was involved in the arms transfers. This company supplied more than US \$5.5 million worth of machine guns, mortar grenades, ammunition and other military equipment to the former Rwandan governments and its supporters based in refugee camps in Zaire. According to Oxfam, other UK-based companies were connected with the Mil-Tec transshipments including Orchid Aviation based in Gatwick airport, Peak Aviation based in Sussex, and Overnight Cargo Airlines registered in Nigeria but with offices in Newmarket (O'Grady, 1999).

The ex-FAR and militia auxiliaries had access to sufficient funds to buy weapons on the open market. The former government officials and soldiers looted most of Rwanda's hard currency and financial assets before fleeing the country.²⁹ Additional money and assets in foreign countries (including Kenya, Tanzania, Zaire and the Netherlands) controlled by the ousted Rwandan government continued to be available to its leadership in exile. A racket in selling looted goods, including government vehicles, provided profit for the civilian and military authorities. Cash income generation schemes run by former Rwandan civil and military authorities both in civilian refugees camps and local Zairian communities provided for the maintenance and salaries of officers and troops (Human Rights Watch, 1995, p. 3). A report by Danida stated the following:

"The large sums of money in the hands of the former government outside the country, an estimated 24 billion Rwandan francs, constituted a double threat to the new government. First, they represented vast resources for the defunct government with which to procure weapons and ammunition and to feed its army and militia. Second, they provided a monetary lever by which the old government could destabilise the macro-economic balance within Rwanda" (Danida, 1997).³⁰

Based on exaggerated figures of the refugee population, the international community was supplying the refugees with surpluses that could be sold on the black market. In addition, the

²⁹ When the *genocidaires* fled, they took with them most of Rwanda's hard currency, vehicles and other public assets. They shipped 20,000 tons of coffee estimated at US \$50 million, which they stocked in the store belonging to Mobutu's family. In addition they carried 17 billion Rwandan francs which were kept by Mobutu (Prunier 1995, p. 321).

³⁰ Available at http://www.um.dk/danida/evalueringsrapporter/1997_rwanda/b4/c3.asp

refugees were taxed a portion of their rations and other earnings. The 'rulers' of the camps not only implemented a tax structure but also operated various income generating activities, including an extensive bus service within the UN refugee camps and elsewhere (Human Rights Watch, 1995, pp. 15-16). Dozens of ex-FAR officers who had taken refuge in Kenya continued to conduct operations including recruitment and fundraising activities, in order to purchase arms intended for use against the Government of Rwanda. Furthermore, members of the ex-FAR and *Interahamwe* were directly involved in the narcotics trade to raise funds for arms purchases (ICI-Rwanda, *Final Report*, par. 16, 25). The RPA also obtained some of its arms from the international market (Prunier, 1995). "A considerable amount of weapons was purchased with funds from Rwandan exiles. It was rumoured that Libya and Iraq sold weapons to the RPF, but this has not been possible to verify" (Surhke and Adelman, 1999).

7.3 Thefts and seizures from governments

During flight, former soldiers steal or seize arms and ammunition from national storehouses which they take with them to their countries of exile. This constitutes another significant source of weapons held by and circulating in refugee camps. Where the state has completely broken down even civilians and criminals can easily have access to state armouries from which they pilfer before fleeing.

When the RPA (the RPF military wing) was created, some 3,000 Rwandans of the guerilla army known as the NRA defected, taking their uniforms and personal weapons as well as ammunition with them. RPA forces also took other weaponry, including landmines, heavy machine guns, mortars, BM-21 multiple rocket-launchers, recoilless rifles and Russian ZUG light automatic cannons. Some of President Museveni's own bodyguards stole the president's staff radio communication vehicles. The RPA also claimed to have captured most of its weapons from the Rwandan army. Reporters invited to RPA camps inside Rwanda verified the availability of such weapons. The quantity of these captured arms is, of course, difficult to assess (Smyth, 1994).

Similarly most of the weapons held by the *Interahamwe* and ex-FAR and circulating in the refugee camps had been stolen from government stores after the fall of the Hutu-led government. The same scenario also occurred in Somalia, where former government soldiers and civilians smuggled weapons into Kenya after the fall of the Siad Barre regime.

7.4 Arms production in refugee camps

Finally refugee warriors have also employed local production and fabrication of arms as another source of weapons. Local production occurs especially where procurement is difficult or as a means of ensuring supply and cutting costs.

Palestinian refugees have been known to produce bombs and other explosives which are used by suicide bombers. Reports by Israeli Defence Forces speak of weapons workshops uncovered and destroyed in the heart of the densely populated Palestinian camps in the West Bank. During Operations *Defensive Shield* (April 2002) and *Determined Path* (June 2002), Israel security forces exposed an abundance of sabotage material, explosives, detonating devices and bombs, all of which it said were manufactured in Palestinian refugee camps in Judea, Samaria and the Gaza Strip. Factories manufacturing bombs were also established in the Dehaishe refugee camp near Bethlehem, the Balata and Ein Beit Ilma refugee camps near Nablus and the Jenin refugee camp (Israeli Ministry of Foreign Affairs, 2003).

8. Factors affecting refugee armaments and policy interventions

A number of factors can influence the extent to which refugees are involved in small arms diffusion. Where refugees are engaged in armed resistance, there will be an inevitable demand for small arms. When the country of origin rejects or prevents peaceful return or where refugees have genuine economic, social or political grievances, small arms are also more likely to appear. As Zolberg, Suhke and Aguayo note, refugee warriors are a symptom of political and economic crises stemming from globalisation, wherein the root causes of economic inequality and political repression have radicalised political opponents prompting them to flee and organise to retake their homeland, change the regime or secure a separate state (1989, p. 275).

In the above scenario, dealing with small arms possession will involve conflict resolution strategies that address the root causes of flight. The emergence of refugee warriors is partly explained by how regional states and the international system treated these refugee warriors; in other words, refugee warriors are not so much a product of 'root causes' but of failures—sometimes deliberate—of the management of conflicts and more specifically the management of refugees themselves, whatever the original causes (Adelman, 1998).

Second, external support is crucial in determining the extent to which refugees can arm. According to Lischer, external political conditions especially the support from the refugee-receiving state determined the ability of refugees to mobilise. The presence of non-civilian elements among refugees and the influence of powerful refugee leaders acted as necessary, but not sufficient conditions that led to violence (1999, p. 1). To exist, refugee warrior communities “require sanctuary in a neighbouring country permitting military operations from its territory (...) Without a friendly basis, the community in exile can only be refugees” (Zolberg, Suhrke and Aguayo, 1989, p. 276). In spite of the importance of external factors, as the Salvadorian refugee camps in Honduras demonstrated, “even in hostile territory, refugee camps can provide sanctuary to combatants” (Terry, 2002, p. 9).

Third, how successful refugees will be in arming is also affected by the capacity and willingness of the host state to disarm or prevent the flow of arms through refugee channels. Weak receiving states may be unable, even though willing to prevent refugee participation in armed conflict or armament. If the state is too weak to impose its will, displaced communities can often act with impunity (Byman et al., 2001, p. xvii). Host governments often do not have sufficient or adequately trained and equipped forces, either police or military, to provide adequate and appropriate physical protection in camps. Lack of capacity is especially problematic in less developed host countries, particularly in border regions, which are less accessible and often beyond the reach of central governments (Jacobsen, 2000). This factor is crucial in understanding refugee participation in armed conflict even without the support of the host state. For example, the ability of the Hutu refugees, militia and ex-FAR to rearm and their continued participation in the insurgency in the DRC is largely explained by the inability of the DRC government to contain their activities. A similar situation was witnessed among Palestinian refugees in Lebanon.

Where the host state is willing but unable to stop refugee participation in armed conflict, external parties can discourage the spread of arms by buttressing the receiving state's capacity to police its borders, disarm refugees, separate armed elements from civilian refugees and stop any insurrection by the refugees. It is in this context that the UNHCR signed a security package with the governments of Tanzania and Kenya to enhance the capacity of the security forces of the two states to provide security. At the same time the UNHCR and the UN secretary general

unsuccessfully asked for a peacekeeping force to prevent the militarisation of Hutu refugees in eastern Zaire (DRC).

Where the host state is unwilling to stop refugee militarisation, international diplomatic pressure including sanctions and withdrawal of aid can be used to persuade the offending state to desist from arming refugee warrior communities. Humanitarian workers can also put pressure on donor governments that arm refugees. Disclosure could be a powerful weapon, as this information could be used by others to apply pressure on the offending state.

Fourth, the very nature of refugee camps (size, location and composition) can influence the extent of refugee militarisation including arms flows into and through camps. Large camps with little or inadequate policing, where law and order are not secured, are conducive to illegal arms trade and trafficking. Small arms flows are more likely to occur through camps located in remote areas where government control is at best minimal, and insecurity is high. Camps are usually located very close to the national border of the country of origin, allowing refugee arms dealers to move back to purchase weapons. The establishment of illegal small arms networks in the Somali refugee camps in Dadaab and the presence of illicit arms in Sudanese refugee camps at Kakuma are partly explained by these three factors. In Zaire the location of Rwandan refugee camps far from central government control also contributed to the high incidence of arms influxes into and through the camps.

The policy intervention in this case lies with the host state in locating refugee camps in secure areas far from the national borders, as well as providing adequate security for refugees. Provision of security is the primary responsibility of host states. The UNHCR and donor countries can also lobby and put diplomatic and economic pressure on host states unwilling to do so. As already discussed, host states intent on using refugee warriors as proxy or willing to support refugees' armed opposition, would prefer locating camps closer to the borders of the issuing states.

The composition of the refugee flow can also influence whether refugees are or will be armed. Arms diffusion by refugees usually occurs where the refugee population includes active and ex-combatants, former soldiers, police and other armed militias. The problem is compounded in situations of mass influx where it is difficult to separate armed elements from civilians. In Zaire, among the Rwandans who sought refuge were former political leaders who formed a government in exile, an estimated 16,000 military personnel of the ex-FAR and their families numbering

80,000 and an estimated 50,000 militants (UN General Assembly, A/AC.96/SR.516, 17 October 1997). This scenario was repeated among the Liberian refugees in Sierra Leone and East Timor.

Unless those bearing arms are willing to yield them, it is often difficult for unarmed border officials or UNHCR Protection Officers to disarm combatants. Dealing with armed elements and separating armed elements from ordinary refugees requires a military or police action which can only be done with the co-operation of host states. Where the host state is incapable, an international police force or the UN Security Council can play a leading role in disarming refugees or those seeking asylum. Where the armed elements among refugees are unwilling to disarm a case for forced disarmament can be made. This is possible with the co-operation of the host and donor countries. Withdrawing of relief aid can also be considered in certain circumstances as a policy option. However the latter policy has to be weighed against the suffering of the civilian population and the humanitarian imperative to assist.

Anderson argues that where the armament of refugees occurs in total disregard of protests from host states and donors when camps have fallen under the control of militants or refugee warriors, the idea of total withdrawal may not be inconceivable (Anderson, 1999). It should also be recognised that aid can be turned against the people it is supposed to assist (Terry, 2002). Roy Brauman, former president of the French section of Médecins Sans Frontières, makes a compelling argument in favour of the positive ethical implications of refusing to act. He argues that "any plan of action must incorporate the idea that abstention is not necessarily an abdication but may on the contrary be a decision" (Brauman, 1998, p. 192).

Effective prevention of refugee militarisation will therefore largely depend on the willingness of international and host states to stop their support for refugee warriors, especially the provision of weapons and diversion of aid to military purposes. Host states must actively prevent the use of their territory for military activities by refugee warriors. The role of public opinion will affect this effort, depending on the justness of the refugee-warrior cause, the popularity of the victims and the international standing of the perpetrating regime (Terry, 2002, p. 34).

9. Conclusions

This study set out to examine the role of refugees in arms diffusion. From the examination, the following conclusions can be made.

1. Contemporary refugee populations are characterised by the presence of civilian victims, active and ex-combatants as well as former armed elements—soldiers, rebels, paramilitary forces, police and private individuals. Some of the former armed elements carry their arms into countries of asylum which they later sell to criminals or use to continue armed resistance.
2. Refugee demand for weapons is partly explained by their participation in armed conflict. The participation of refugees in armed resistance directly as combatants or indirectly by supporting the insurgency partly explains the diffusion of small arms in refugee communities. This phenomenon is neither new nor limited to a particular region. Examples from Africa, Asia and Latin America show that refugees have been involved in armed violence for strategic, political, ideological, ethnic and religious reasons. During the Cold War, refugees were used in proxy warfare by the superpowers. Regional powers have also used refugees in pursuit of strategic, political or ethnic goals. Therefore, where refugees have been seen to initiate and pursue armed resistance on their own volition, in some cases they are manipulated by host states or other parties. Whatever the circumstances under which refugees engage in conflict, their involvement nevertheless results in arms diffusion.
3. The role of refugees in small arms flows could also be seen in the financial contributions made toward the procurement of arms by insurgent groups. Direct financial contributions made by refugees, taxation and diversion of refugee aid have all contributed to arms diffusion by providing resources required for weapons purchase. Contributions are made either voluntarily, coerced or both. As support from external patrons is dwindling, refugees and Diaspora communities have become even more significant in supporting insurgent movements.
4. On the supply side, the cross border movement of refugees bearing arms, the establishment of arms trafficking networks in refugee camps, the involvement of refugees in arms trade and trafficking also resulted in small arms diffusion. Host states such as Kenya, Tanzania, DRC, Zambia and Pakistan have witnessed the diffusion of illegal small arms in part through refugee populations.
5. This study has shown that like in any other insurgency, refugees utilise a number of sources to obtain small arms. These include (i) covert government transfers, which have been and continue to be a major source of small arms for

refugees; (ii) international black markets, when there is inadequate external support; (iii) seizure of enemy weapons during conflict, thefts from government armouries, especially where there is total or partial collapse of the state; and (iv), though rarely, local production, as was found to have occurred among Palestinian refugees in Gaza and the West Bank.

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