

The Role of Parliaments in
Preventing Armed Violence
in West Africa:

Prospects and Challenges

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Executive Summary

The socio-economic cost of armed violence especially in developing countries, is extremely high and takes much away from available resources which otherwise could have been used for development. The myriad of sources and causes of armed violence necessitate that responses should be specific, pervasive, must involve various actors and stakeholders and undertaken within a rule of law framework. Consequently, it is imperative to provide a legal regime able to address the inherent nuances, which can easily be exploited. Again, this legal regime should equip implementation agencies with adequate resources and provide monitoring mechanisms to ensure that efforts to counter armed violence are in line with prescribed rule of law norms. These requirements place Parliaments at the forefront of the fight against armed violence.

Using thematic and interpretive analysis, this study examines the role West African Parliamentarians have played in addressing armed violence in their respective countries and the challenges encountered. Based on their experiences, policy responses have been formulated to guide action. The study catalogues activities and programs undertaken by Parliaments and confirms that they function best within their designated roles; a number of challenges however, negatively affect their efforts. Some of these are the lack of effective support facilities including predictable funding for field visits and monitoring activities, excessive partisanship and over politicisation of issues, which undermine consensus building as well as strong executives, many of whom covertly interfere with parliamentary work.

To become more effective, it suggests that the capacities of Parliamentarians be developed to enhance their abilities to enact conflict sensitive legislation and provide platforms, which allow for the engagement of Parliamentary Administrators, Political Party representatives and the Executive. The study also proffers the need to popularise e-platforms for learning such as Agora and provide relevant literature in hard copies to Parliamentarians to inform them of lessons learnt and good practices in the area of crisis prevention. Early response goes a long way to mediate crises. Yet, this has not been possible in all cases due to a lack of funding. It is therefore suggested that predictable sources of funds be identified to enable Parliamentarians access these funds in crises as this will enable them act expeditiously to avert armed violence. Again, it is recommended that alliances and coalitions be built among the various actors working with Parliaments on issues of armed violence to create synergies, avoid duplication and maximise available resources. Considering structural challenges like porous borders in the sub region, the paper submits that it is imperative to have harmonized laws to prevent exploitation by criminal networks. It is therefore recommended that the ECOWAS Parliament, national parliaments and parliamentary development practitioners, be engaged to assist in hastening the processes of harmonizing crisis prevention laws.

1.0 Introduction

According to the Secretary General of the United Nations, armed violence is “the intentional, threatened or actual use of arms to inflict death or injury”¹ In its Report “The Global Burden of Armed Violence”, The Geneva Declaration (GD) defines armed violence as

*The intentional use of illegitimate force (actual or threatened) with arms or explosives, against a person, group, community, or state that undermines people-centred security and/or sustainable development.*²

What is clear from the two definitions above is that armed violence kills, maims, destroys property and creates fear that can lead to the closure of public facilities such as schools, hospitals and banks and as such has the propensity of retarding and reversing development gains. In Sierra Leone, the May 1997 coup

*“contributed to real GDP plunging 20 per cent in 1997. Retarded GDP damaged the government’s capacity to deliver social services. In periods of relative peace GDP rose. GDP has yet to fully recover. Furthermore, key industries on which Sierra Leone depended were damaged by armed violence.”*³

Armed Violence occurs in both armed conflict and non-armed conflict situations and its consequences as evinced in available statistics, is no less devastating, costing up to “163 billion USD annually worldwide, which is more than the total annual spending on official development assistance.”⁴ Armed violence is occasioned, facilitated and sustained by the militarization of societies, the increase in criminal activity, transnational organized crime and fragilities within countries.⁵ However, perhaps most importantly, armed violence is induced and facilitated by the availability of small arms.⁶ Cheap, easy to transport and use, the availability of small arms increases the propensity to resort to armed violence in situations of conflict. Whilst the post Cold War era has witnessed enhanced cooperation in the international arena, it has also been plagued with an increase in both the scope and the number of occurrences of armed violence in armed and non-armed conflict settings.

The nature, causes and impact of armed violence are complex. Addressing the challenge therefore requires a multiplicity of actors working in collaboration and in concert to identify workable interventions for the various contexts in which armed violence occurs – fragile, non-armed conflict and post conflict settings. It calls for robust laws, strong and well equipped institutions with effective programs and activities as well as meaningful political will. These requirements place parliaments at the forefront of the armed violence prevention efforts. In their

¹ Report of the Secretary General to the United Nations General Assembly on ‘Promoting development through the reduction of armed violence’ A/64/228, 5th August 2009

² The Geneva Declaration Secretariat “The Global Burden of Armed Violence”, Geneva, 2008, p.2

³ Full report of the Armed Violence and Poverty Initiative, “The impact of armed violence on poverty and development” Centre for International Cooperation and Security, March 2005 p.56

⁴ The Geneva Declaration Secretariat, “The Global Burden of Armed Violence” op.cit.

⁵ For more on this, see the Report of the Secretary-General to the United Nations General Assembly, Op.Cit 1

⁶ Whilst small arms do not by themselves cause armed violence, their availability may heavily influence the conflict resolution options available to people in conflict. In his 2008 report to the Security Council on small Arms, the Secretary General mentioned that “Small arms facilitate a vast spectrum of human rights violations . . . More human rights abuses are committed with them than any other weapon.” S/2008/258

capacities as elected representatives of the people, parliamentarians have three core roles – representation, legislation (including the approval of budgets) and the exercise of oversight over the executive’s programs - which are critical to addressing armed violence. However, beyond these three roles, the social legitimacy enjoyed by most if not all Parliamentarians, place them in a good stead to be advocates of armed violence prevention. This social legitimacy is predicated on the assumption that Parliamentarians are not themselves beneficiaries of armed violence and have the moral authority to be a binding force especially in multi party democracies where the “winner takes all”.

Armed Violence Prevention (AVP) calls for three main things: understanding the sources and causes of armed violence; the design of appropriate interventions and the effective implementation of the designed interventions. In the first place, it is imperative to have empirical awareness of the various contexts within which armed violence occurs. Secondly, there must be sufficient background knowledge and credible datasets as well as the tools to design appropriate interventions. In democratic society, this could mean having the right legal frameworks within which preventive and proactive interventions can be designed. Thirdly, it means the existence of structured channels and processes for the implementation of designed interventions. It is noteworthy that the success of these is partly dependent on effective collaboration between law makers who must provide the legal context, allocate the money and oversee the implementation of proposed actions on the one hand, the executive who are charged with the enforcement of the law and operational implementation of programs on the other as well as other stakeholders (such as civil society) who usually have resources to support the various processes and also provide additional monitoring.

1.1 Understanding the West African Context

A number of countries in West Africa, per certain indicators such as economic and security are classified as weak and are thus considered possible sources of a host of transnational security threats, such as weapons proliferation, terrorism, organized crime, and civil conflicts that cut across borders.⁷ A profile of the sixteen countries in West Africa⁸ reveals both similar and varied characteristics : with the exception of Liberia, all were colonized; all but Cape Verde have porous borders and most have experienced a checkered political history with punctuated periods of authoritarian and military rule, as well as, attempts at liberal democracies.

Despite gains made in the democracy projects of the 1990s, and the remarkable improvements in power alteration, electoral violence continues to occur in the sub-region and even countries with relative peace have had some skirmishes. In a few instances, ascent to power has been tainted with electoral violence and the governments involved have consequently suffered accusations of illegitimacy. These have in turn undermined their ability to forge social cohesion among the various constituents in their countries. This inability to encourage cohesion is worrying because almost all the countries in the sub region have several groupings – cleavages, which are formed

⁷ The Brookings Institution’s Index of State Weakness in the Developing World lists Liberia, Côte d’Ivoire, Sierra Leone, Guinea Bissau, Niger, Guinea, Togo and Nigeria in the bottom quintile, Burkina Faso, Gambia Mauritania and Mali in the second quintile; Benin, Ghana and Senegal are in the third quintile and only Cape Verde in the top quintile. Available at http://www.brookings.edu/reports/2008/02_weak_states_index.aspx#

⁸ The sixteen countries are: Benin, Burkina Faso, Ivory Coast, Cape Verde, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone and Togo. All but Mauritania belong to the Economic Community of West African States (ECOWAS).

along ethnic and tribal considerations.⁹ The heavy polarization of the various groups usually formed along ethnic and religious lines can be easily manipulated to induce armed violence, which can in turn, lead to armed conflict.¹⁰

Most countries in the sub-region are experiencing rapid population growth and a youth bulge without a corresponding increase in the provision of public goods and opportunities for upward mobility. The challenge of Nigeria's estimated 25 million youth in a country with few jobs and opportunities epitomizes West Africa's predicament.¹¹ The unemployment rate among persons under the age of 30 years is as high as 30 % in Ghana, 15% in the urban areas of Burkina Faso, 15.9% in urban Niger and 17% nationally in Cape Verde.¹² This undoubtedly creates economic challenges for people within this population bracket and thereby increases their risk factors.¹³ Citing from a research by the Population Action International, the authors of the *Nigeria Next Generation Report* provide a simple response to why the statistics above can be a risk factor – “too many young [wo] men with not enough to do.”¹⁴ Unable to meet societal expectations through legitimate means, there is a tendency for young people to be easily lured into criminal activities, which often involve the use of armed violence.

The manipulation and exploitation of the above-mentioned fault lines have interacted with several other variables to produce insecurity and fear. These have contributed to the increase in armed violence, which in turn facilitates crime, thereby undermining the integrity of the state and its capabilities to provide security. Due to the sensitivity of the fault lines above-mentioned, it is critical to have legitimate counter armed violence measures perceived as just and fair and within the rule of law. The first point of call for effectively addressing armed violence must therefore be at Parliament, the institution mandated to represent the citizens, promulgate laws and ensure the effective implementation of the laws.

Parliaments in West Africa have a unique role of building cohesion and consensus among generally polarized societies. A number of countries in the sub region today are the products of a transition from military to civilian rule whilst some are in post conflict reconstruction and consolidation phases. The challenges posed by the peculiar circumstances of these countries dictates the need for nation building through the fostering of co-existence. Navigating through the myriad of challenges – of disarmament, demobilization and reintegration, security sector governance, transnational organized crime, gender based violence, communal violence, heightened crime levels and electoral violence in countries still regaining trust in government

⁹ Nigeria has two hundred and fifty major ethnic groups, Ghana has over a hundred linguistic and cultural groups, over 20 ethnic groups in Togo, Niger has about 8 groups, Mali has about 6, Burkina Faso has 7 ethnic groups and Liberia has 28

¹⁰ In the armed conflicts in Liberia and Sierra Leone, ethnicity was manipulated by the various factions to draw support for their cause.

¹¹ For more on this, see for example, “The impact of armed violence on poverty and development” Op. Cit. Footnote 2, p.14; see also, Report of the Task Force, “Nigeria, The Next Generation Report” available at http://www.nextgenerationnigeria.org/wp-content/uploads/Next_Generation_Report_Pub.pdf

¹² UNECA/SRO-WA 2010, “Unemployment, Underemployment and Vulnerable Employment in West Africa: Critical Assessment and Strategic Orientations” p.5

¹³ In Sierra Leone, it was the so-called ‘rarray’ or ‘san san’ boys who were recruited into the Revolutionary United Front of Sierra Leone by Sankoh. See for example, Pratt David, “Sierra Leone: The Forgotten Crisis”, Report to the Minister of Foreign Affairs, The Honourable Llyod Axworthy, April 23, 1999 available at <http://www.globalsecurity.org/military/library/report/1999/crisis-e.htm> and

¹⁴ Nigeria, The Next Generation Report, p.2

and political processes, requires a conflict sensitive lens, which seeks *to do no harm*. Parliaments in West Africa need more than law making skills; they also need facilitation and mediation skills as they are sometimes called upon to undertake these tasks in very difficult circumstances.

1.2 Methodology

This paper relies extensively on both primary and secondary data. The latter was gathered from relevant existing literature on the subject matter. Using interpretive and thematic analysis, the study examines the root causes, triggering factors and prevention of armed violence in the West African sub-region. Primary data was obtained from both telephone and face-face interviews with Members of Parliament in the sub-region. The face-face interviews were conducted with Ghanaian Parliamentarians as well as some Parliamentarians present at the Barcelona meeting. In addition to these, meaningful insights were also obtained from the presentations by MPs during the Barcelona meeting. Face to face interviews were also conducted with personnel of Civil Society and Non Governmental Organisations working in the area of armed violence prevention and small arms control. A survey of security sector personnel and staff of organizations working in the area of armed violence was also undertaken

The survey adopted open-ended questions that sought to ascertain cross-country perceptions and knowledge on the extent of parliamentary involvement in the control of small arms and armed violence prevention in the various West African countries. Using purposive and convenience sampling techniques, the questionnaires were handed out to a group of participants from different countries in West Africa, attending a training course on the Marking, Tracing and Record Keeping and Stockpile Management courses of Small Arms and Light Weapons organised by the Kofi Annan International Peace Keeping Centre (KAIPTC). The participants of the training course comprised 14 senior level personnel of the main security forces in their respective countries, 1 administrative staff of the Guinean army, 12 members of National Commissions and 12 members of Civil Society Organisations. Although they responded to the questions in their personal capacities, they were the official delegates attending the training course. Thirty-nine participants returned their questionnaires.

Questionnaires were also administered to nine organisations working in the area of promoting peace and security, namely: the Foundation for Security and Development in Africa (FOSDA), the Kofi Annan International Peacekeeping Training Centre (KAIPTC), the Parliamentary Centre (Ghana), the African Security Dialogue and Research, the West Africa Network for Peace (WANEP), the Friedrich Ebert Stiftung (FES) and the West Africa Action Network on Small Arms (WAANSA). WAANSA Burkina and the Movement Against Small Arms and Light Weapons (MALAO) in Senegal also contributed to research. The questions posed to these organisations sought to ascertain whether they involved Parliaments in their work and if so, their level of involvement. It also sought to obtain information on work undertaken by Parliament to address challenges of armed violence. The views of Parliamentarians were also sought. Nine Parliamentarians from the sub-region were interviewed, two from Ghana, Côte d'Ivoire (1), Guinea Bissau (2), Sierra Leone(2) and Togo(2). Six Parliamentary staff comprising three from the ECOWAS Parliament two from Ghana and one from Ivory Coast also returned questionnaires that were sent to them. The questionnaire, originally in English, was translated to French and Portuguese, for the benefit of participants who used those languages. However, the questionnaire for Parliamentarians was only translated into French. Portuguese participants therefore received the questionnaires in French. However, their responses were in Portuguese.

Questionnaires completed in French and Portuguese were translated into English for use by the researcher.

2.0 An Overview of Armed Violence in West Africa: Sources and Causes¹⁵

2.1 The Sources of Armed Violence in West Africa

Armed conflicts are a definite source of armed violence. Although international humanitarian law regulates the use of armed violence in the context of armed conflicts, eliciting compliance for the laws of war and armed conflict have not always been successful. Therefore, civilians, notably children, the aged and women tend to suffer extremely from armed violence in armed conflicts. The continuum of violence provides several triggers for armed violence even at the end of armed conflicts especially in places where the processes for disarmament, demobilization and reintegration have not always been successful.

The availability of illicit small arms is a primary source of armed violence. This is unfortunately, a readily available commodity in West Africa where years of coup d'états, military rule and armed conflicts have left a legacy of arms in the hands of untrained people. Of the estimated 639 million illicit small arms and light weapons believed to be in circulation, it is estimated that seven million are in West Africa alone.¹⁶ The proliferation of armed conflicts in West Africa in the 1990s, West Africa's porous borders, weak governance and security structures and other fragilities in several West African countries account for the easy availability of arms in the sub-region. Although a causal link between SALW and instability has not been established, there is no contention that the availability of SALW fuels instability as it increases the propensity to engage in armed violence.¹⁷ Although presently, the sub-region is relatively stable, the effects of the armed conflicts of the 1990s until the mid 2000s have created governance deficits in many countries – and these deficits induce crime, which is facilitated by armed violence.¹⁸

Another source of armed violence is socio-political and economic inequalities, systematic exclusion of particular groups (perceived or real), relative deprivation and horizontal inequalities.¹⁹ The inability of many West African states to efficiently provide basic public goods and quality services delivery to the poor such as opportunity for quality education, employment and the payment of 'liveable' wages have contributed to high rates of poverty, under-employment, unemployment and general underdevelopment especially in the peri-urban and rural areas of many countries in the sub-region. These factors increase the vulnerabilities of persons within this bracket increasing the propensity to resort to armed violence either as a

¹⁵ A typology of Armed Violence is attached as Appendix A

¹⁶ Small Arms Survey, *Small Arms Survey 2001: Profiling the Problem* (Oxford: Oxford University Press, Chapter 2, p. 63).

¹⁷ For more on this, see Florquin Nicolas and Berman G. Eric (Eds), (2005) *Armed and Aimless: Armed Groups, Guns and Human Security in the ECOWAS Region*

¹⁸ For more on this, see Francis Langumba Keili, (2008), "Small arms and light weapons transfer in West Africa: a stock-taking" Disarmament Forum Vol. 4

¹⁹ Although the struggles in the Niger Delta region of Nigeria may have taken up some criminal dimensions, the often cited reason given by the rebels in the region has been the exclusion of the region from benefitting from the country's oil wealth. See for example, Victor Ojatorotu and Lysias Dodd G., "Understanding the Context of oil violence in the Niger Delta of Nigeria" in Ojatorotu V. And Gilbert D. L. (Eds), *Checkmating the Resurgence of Oil Violence in the Niger Delta of Nigeria*, ebook available at http://www.iags.org/Niger_Delta_book.pdf

mechanism for conveying the extent of their grievance or as illegal means of obtaining alternative ways of economic empowerment. Under the circumstances described above, the lure of money and the hope of upward economic and social mobility become attractive, even if it is to be achieved through illegal means, especially when it is backed by a conviction that law enforcement is lame.

Added to these, a lack of transparency in the processes for resource distribution have led to analyses through the lens of one or more of the factors for cleavage formation – ethnicity and/religion. Although most of the well-known resource conflicts in the sub region have been on extractive resources – oil and diamonds, there are also several conflicts over land. In Ghana, the once lack of streamlined land laws led to multiple sale of parcels of land by different vendors or sometimes, the same vendor to different buyers. In such instances, young persons, usually armed and popularly known as land guards have been employed to “settle” the question of ownership through armed violence, which has in the past, resulted in death.²⁰

Criminal activities whether they are within one country or transnational, are some of the commonest sources of armed violence in the sub-region. Armed robberies are perhaps one of the areas where almost every person in West Africa is at risk. Crime begets armed violence, as persons involved in the commission of crime usually challenge among other things, the state’s monopoly over the use of force, by using illicit weapons. Narcotic Drugs, human and small arms trafficking, trans-national armed robberies, money laundering and smuggling are among the many crimes which occasion the use of armed violence from time to time. Engagement in criminal activity which necessitates the use of force to create fear and panic in victims so as to be able to overpower them and evade law enforcement agencies, no doubt contributes to armed violence.²¹

The absence of rule of law and functioning institutions that have the confidence of the people is a source of insecurity and effectively another source of armed violence. When institutions mandated to ensure rule of law, are strongly undermined and highly ineffective it creates two main challenges for the security of states. The first is a lack of faith in the institutions contributing to fear among the citizenry (and an insecure population creates state insecurity). Second, weak rule of law institutions encourage corruption and impunity, which further undermines security. In addition to these, the perpetration of illegitimate acts of armed violence by state security officials against civilian populations can initiate a cycle of armed violence by giving rise to retaliatory attacks. Although all the countries of the sub region have at least some of the structures for the promotion and protection of the rule of law, many are handicapped due to a lack of resources, ineffective implementation, inadequate personnel and political interference.

Additionally, the commoditization of justice which allows guilty parties to pay for favourable verdicts from the judiciary can also be a source of armed violence. Allegations of purchased

²⁰ See for instance, Daily Guide, ‘Horror in Accra: Church Languard Butchered’, Tuesday, 17th November 2009 available at <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=172009>, retrieved on January 18th 2011.

²¹ For more on the nexus between crime and arms, see Everts Dan, (2003) “Human Trafficking: The Ruthless Trade in Human Misery” in *The Brown Journal of World Affairs*, Vol. X, No. 1. Summer/Fall, p.153

verdicts by powerful criminals abound in the sub region. This affects confidence in the judiciary and encourages citizens to take the law into their own hands as they seek justice through informal routes. The insecurity of citizens in the face of burgeoning crime and ineffective law enforcement, leads to a search for alternative means of protection, which sometimes means the procurement of arms.²² Yet, whether legally acquired or otherwise, arms maim and kill. The availability of arms reduces the opportunities for the peaceful resolution of conflicts and increases the propensity of conflicting persons to resort to armed violence.²³

2.2 Causes of Armed Violence in West Africa

Political contestations and elections have been among the primary causes of armed violence in many states in West Africa. Whilst most elections in West Africa especially since 2000 have been relatively peaceful and not degenerated into armed conflict, they have been characterized by armed violence even though with varying degrees of intensity.²⁴ These incidents of violence, which are usually sporadic, tend to generally be between supporters of rival political parties. There have however been instances of intra party clashes, which have resulted in injury and deaths. Most of those who engage in the violence on all sides are usually young unemployed people. The recent arrest of a cache of arms by Nigeria's secret police²⁵ and the expression of worry over its links to the 2011 elections despite assertions that Nigeria may have merely been used as a transit point cannot be overlooked as a mere coincidence since the sources of illicit arms includes diversion from both licit and illicit stocks in transit. The challenge of contestation is however not limited to national level politics but includes competition for power within the domain of traditional authority. Despite the unavailability of empirically generated data, information obtained from public sources reveals the existence of armed violence in contestations for traditional authority.²⁶ In 2002, chieftaincy disputes led to the murder of the paramount chief of the Dagbon traditional area in Ghana, Ya Na Yakubu Andani and forty of his followers.

The use of armed violence by the state security apparatus is often to create fear and panic, muzzle opposition and hijack democratic processes. For example, the September 28 2010, acts of armed violence perpetrated against pro-democracy protestors who demanded a return of the country to constitutional rule by the Guinean Security forces was to create fear and cow opposition to the military's rule into silence. In the process, gender based violence was perpetrated by arms wielding security forces. According to the Commission of Inquiry set up by

²² For more on this, see for instance Musah Abdel Fattau 2002, 'Small Arms: a time bomb under West Africa's democratization processes' in *Brown Journal of World Affairs*, Vol9, No. 1

²³ For more discussion on the link between arms and violence, see Coupland Robin M., "Armed Violence" in *Medicine and Survival*, April 2001, Vol.7 No. 1

²⁴ Even Ghana, hailed as the oasis of democracy in a troubled region experienced pockets of armed violence during the pre-electoral phase and voting day of the 2008 elections

²⁵ BBC News (2010), 'Nigeria's secret police intercept weapons shipment' available at <http://www.bbc.co.uk/news/world-africa-11634885>, retrieved on October 27th 2010

²⁶ For instance, in Ghana, there have been cases of armed violence since 2003 in the Yendi area because of the death of the traditional ruler. In an address to Parliament, in July 2010, the Minister for Chieftaincy and Culture indicated that there were 10 chieftaincy disputes in Northern Ghana, one in the Upper East, thirty two in the Volta Region, eleven in the Eastern Region, sixteen in the Ashanti region, twenty six in the Greater Accra region, thirty one in the Central region and forty five in the Brong Ahafo region. For more on this see "Brong Ahafo records high Chieftaincy disputes" available at

<http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=185600>

the United Nations, about 109 women had been subjected to rape and other forms of sexual violence. Mandated to protect, the security forces like *the sphinx*, had turned onto the people and with the arms supplied by the state, unleashed atrocities on them.²⁷

Conflict between youth gangs competing for spheres of influence on university campuses, in an economic arena or a social space, can become the cause of armed violence. Although this is not predominant in all countries, snippets of it are visible in some areas within almost all the countries. In Nigeria, youth gangs on and outside various university campuses²⁸ engage in contestations over spheres of influence, which sometimes degenerate into armed violence. Agboton-Johnson et al, list nine of the most notorious groups and asserts that fifteen students of the University of Nigeria, Nsuka were killed in violent clashes between rival cult groups.²⁹ Apart from the gangs found in tertiary institutions, there are a number of organised youth groups engaged in various types of criminal activity and who utilize acts of armed violence in the execution of their activities.

The exploitation of religious intolerance has also triggered off armed violence in West African countries. The lack of tolerance and mutual respect has been exploited to create armed violence between people who had hitherto lived peacefully. In Nigeria, Muslims and Christians who had lived peacefully suddenly begun to engage in armed violence, which led to the death of several people. In 2001, about one thousand people were estimated dead in Jos after clashes broke out between Muslims and Christians. In 2008, clashes between Muslims and Christians left about 200 people dead and on 25 December 2010, several people died after bomb explosions in Jos. Initial reports on the death toll of the Christmas Eve bombings varied from 30 to 80 casualties.³⁰ In Ghana, conflicts between the traditional Ga state and Christian churches over the enforcement of the traditional ban on drumming preceding the Homowo festival of the Gas escalated into violence in 1998. In a series of incidents, a group of about 100 Ga youth attacked the Gospel Light International, the Victory Bible Church and the Christ Apostolic Church, which were located in different suburbs of Accra. Subsequently, clashes were recorded in 2000, 2001, and 2002. Although there was no record of the use of arms in these conflicts, it still poses a worrying trend especially in the wake of increasing small arms proliferation in the sub region.

Communal violence between nomadic herdsmen and farmers has also resulted in armed violence in some countries in West Africa. Nigeria, Ghana and Burkina Faso have recorded cases of clashes between Fulani cattlemen and host communities resulting in deaths and destructions. Although knives, machetes and swords used to be the weapons employed in these conflicts, this has changed in recent times with reported cases of gun use.³¹

²⁷ Pablo Castillo Diaz and Letitia Anderson, (2010) 'Guinea-Conakry: the price of political rape' available at <http://www.opendemocracy.net/5050/pablo-castillo-diaz-letitia-anderson/guinea-conakry-price-of-political-rape>, retrieved on 16th November 2010

²⁸ Jennifer Harzen, Jonas Horner, "Small Arms, Armed Violence and Insecurity in Nigeria: The Niger Delta Perspective", Small Arms Survey, Occasional Paper 20

²⁹ For more on this see Christiane, Agbonton-Johnson, Adedeji Ebo and Laura Marzal, (2004) "Small Arms Control in Ghana, Nigeria and Senegal", International Alert, West Africa Series No.2, p.22

³⁰ The statistics were compiled from various sources including the British Broadcasting Corporation, Reuters News and GlobalSecurity.org

³¹ Taiwo. A (2010) 'Terror in their Land': The Nation Life. The Nation Newspaper, Sunday March 7, 2010, 'Six killed in herdsmen-farmers clash' 20/04/2010 The Nation Newspaper , Nigeria

3.0 Brief Overview of Parliamentary Engagements on Addressing the Challenge(s) of Armed Violence Nationally and Sub-Regionally

There is no contention that there is a nexus between armed violence and other criminal activities such as illicit arms proliferation, drug and human trafficking among many others. However, in working to address the criminal activities within their countries and the sub region, little attention has been paid by parliamentarians to the armed violence components of the crimes. This is because armed violence prevention has traditionally been perceived as the work of the state's security services. Parliament has therefore until very recently, played a minimal direct role in the prevention of armed violence.

However, it is noticeable that twenty first century Parliaments in West Africa have, through their designated functions of representation, legislation and exercise of oversight functions, devised innovative ways of engaging on issues of armed violence prevention. In addition to these designated functions and roles, Parliamentarians in the various countries have also played critical roles in the management and settlement of disputes with the propensity of degenerating into armed violence. Although on face value their efforts may not always appear to directly address armed violence, extrapolating the utility of their interventions reveals that the work of Parliament is aimed at mediating conflicts, which are bound to arise in the interaction of actors, stakeholders and processes within a state. Parliaments provide a forum for the concerns of diverse societal actors (including women and minority groups) to be aired and incorporated in processes of dialogue, reconstruction and conflict resolution.³²

Parliaments can be considered as a normative force, charged with the responsibility of navigating the interaction between citizens, the state and citizens, and between the state and its external environment. Parliaments provide the instruments and platforms for the prevention of armed violence and the negotiation of the necessary spaces for mediating in conflicts when they occur, in order to forestall their exacerbation. It is clear that effective and empowered parliaments that work well with political parties and the executive branch of government can be important actors in crisis prevention and post-conflict recovery through mediation, the promotion of dialogue as well as the adoption of conflict sensitive laws, which address the very sources of armed violence.

Representation

As representatives of the electorate, Parliamentarians are expected to be aware of and articulate the needs, aspirations and hopes of their constituencies at the national level. This means that there is the need to ensure a fair representation of the population, which includes women and minority groups. Statements made on the floor of Parliament, contributions to discussions at

<http://thenationonlineng.net/web2/articles/43727/1/Six-killed-in-herdsmen-farmers-clash-/Page1.html>, 'Farmers, Herdsmen Clash Leaves 110 People Dead in Adamawa' 5 March 2003 The Vanguard, Nigeria
<http://allafrica.com/stories/200303050393.html>, Mark Breusers, Suzanne Nederlof, Teunis van Rheenen (2010) 'Conflict or Symbiosis? Disentangling Farmer-Herdsmen Relations: The Mossi and Fulbe of the Central Plateau' *The Journal of Modern African Studies*. 36: 3, pp. 357-380, 'Tension Mount Between Fulani Herdsmen, Residents' Samuel Agbewode 20 December 2006 Chronicle <http://allafrica.com/stories/200612200509.html>, 'Bloody Clash At Akokoa in Brong –Ahafo' Michael Boateng, 26 January 2010 Chronicle <http://allafrica.com/stories/201001260876.html>

³² UNDP Guidelines: Parliaments, Crisis Prevention and recovery, 2006 (http://www.undp.org/cpr/documents/prevention/build_national/Guidelines_on_the_Role_of_Parliaments_in_Conflict_and_Post-Conflict_Situations.pdf)

committee level and debates on the floor must emanate from the experiences and aspirations of the people they represent. This means that Parliaments must be aware of the occurrences within their constituencies. In 2001, the then Member of Parliament for Ga South constituency in Ghana drew the attention of the Ghanaian Parliament to recurring annual conflicts between the Ga state and some Christian churches over the enforcement of the ban on drumming and noise making. Hitherto, the Police had always dealt with the clashes. The statement made on the floor of parliament elicited a cross party discussion after which the Speaker referred the issue to the Committees on Culture, Subsidiary Legislation and Constitutional and Legal Affairs and requested them to make appropriate recommendations.³³

When Parliaments draft legislation and policies, approve budgetary allocations for programs and activities and monitor implementation from positions of firsthand knowledge, it helps in truly giving voice to the electorates in the identification and prioritisation of government's vision. Constituency outreach is therefore critical for parliamentarians because it helps them obtain at first hand, the needs and expectations of their constituencies and in turn, gives them the opportunity to inform constituencies on what can be realistically achieved whilst pointing out the financial and other constraints, which may hinder the realization of their expectations. It also provides the representative with a platform upon which to mould consensus with the constituents for the prioritization of needs. In addition, constituency outreach provides parliamentarians the opportunity to monitor ongoing development projects within the constituency.

Despite its usefulness, constituency outreach can be expensive, especially for parliamentarians whose constituencies are far from the seat of Parliament. A study by Afrobarometer in 2005 revealed that constituents in the Upper West and Northern regions of Ghana complained that their members of Parliament never visited them.³⁴ To promote constituency outreach, civil society groups like the Parliamentary Centre and HOPE Sierra Leone have facilitated constituency visits for parliamentarians to foster closer interaction between the representatives and the represented. HOPE Sierra Leone, facilitated field visits, which enabled Parliamentarians come face to face with the challenges of deprived areas. These visits, aimed at sensitizing the Parliament, were to ensure that consideration was given to those areas during budgetary allocations. This was to enhance the equitable distribution of resources and thereby minimize opportunities for inequity (perceived or real), which could be exploited to incite the population, as had been done in the past.

As representatives of the people, parliamentarians are channels for top- bottom and bottom - up transmission of information. In this vein, parliamentarians in West Africa work with civil society organizations in sensitization outreaches to communities for the control of small arms within communities. These partnerships are useful because it provides visibility for such activities and helps in highlighting the seriousness of the issues at stake. In Burkina Faso, parliamentarians participated in activities organized by the Burkina chapter of the West African Action Network on Small Arms and Amnesty International to mark the global action week on gun violence in

³³ “Ban on drumming and noise making referred to parliamentary committees@, June 14th 2001 available at <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=15939>

³⁴ “Parliament of the Fourth Republic of Ghana – Views from the Grassroots”, Afrobarometer Briefing Paper, No. 20, November 2005.

2009 and 2010.³⁵ In Senegal, parliamentarians actively supported civil society activities for the popularization of the ECOWAS Convention³⁶ and in Togo the Human Rights Commission in the Togolese Parliament has been involved in training programs organized by civil society organizations.³⁷

Legislation

One of the core functions of Parliaments is law making. This includes initiating bills, endorsing and discussing bills initiated by the executive or led by private citizens, and the ratification of treaties and international agreements where applicable. Through this function, Parliaments can pass laws to address issues of armed violence. Most Parliaments in the West African sub region have engaged on some activities aimed at addressing issues of armed violence in their countries. Eleven out of the fifteen members of the Economic Community of West African States (ECOWAS) are party to the ECOWAS Convention on Small Arms and Light Weapons, their ammunition and Related Material [hereinafter referred to as the ECOWAS Protocol].³⁸ In addition to this and in accordance with the United Nations Programme of Action (UNPoA), thirteen out of the fifteen member states of the Community have legally established National Commissions³⁹, the co-ordinating framework for addressing issues of small arms and by extrapolation, armed violence. Some of these National Commissions were however set up by Presidential Decrees. Work is therefore in progress to have the requisite laws for the National Commissions as stipulated by the ECOWAS Convention. The Ghanaian Parliament legislated in 2007 for the setting up of the National Commission and in 2010, Parliamentarians in Sierra Leone enacted legislation to back its National Commission. Backing the existing National Commissions with the right legislation provides them with the legal platform and legitimizes the extensive activities they undertake. It also allows Parliaments to provide budgetary allocations for the work of the Commissions.

A requirement in the ECOWAS Convention is that countries enact appropriate legislation for the manufacture (in countries where manufacturing is permitted) and control of small arms within their national jurisdiction. This, it is expected, would ensure some level of uniformity on gun laws within the sub-region. To this end, a number of countries have begun work on their firearms legislation. Sierra Leone for instance has a draft firearms bill waiting to be tabled before its Parliament.⁴⁰ Furthermore, thirteen out of the fifteen countries in the sub-region are Parties to the United Nations Convention against Trans-National Organised Crime and six are parties to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and

³⁵ Self administered interview, Marian Liehoun, President of Réseau d'action sur les armes légères en Afrique de l'ouest Section (RASALAO) Burkina, 12th November 2010

³⁶ Self administered interview, Honoré-Georges NDIAYE, Mouvement Contre les Armes Légères en Afrique de l'Ouest (MALAO), 12th November 2010

³⁷ “Togo: RASALT trained young People on Human Security” available on <http://africabusiness.com/2010/10/29/togo-rasalt-trained-young-people-on-human-security/>, retrieved on 20th December 2010

³⁸ Currently, the State Parties to the Convention are: Benin, Burkina Faso, Cape Verde, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo and Ghana

³⁹ Statement of Ambassador James Victor GBEHO, President of the ECOWAS Commission at the fourth biennial meeting of States to consider the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the illicit trade in Small Arms and Light Weapons in all its Aspects, 14th – 18th June 2010

⁴⁰ Hon. Bernadette Lahai, Member of the Sierra Leonean Parliament stated in an email on legislations undertaken by the Sierra Leone Parliament towards the prevention of armed violence. Received on 19th January 2011

Components and Ammunition. All these efforts are geared towards instituting legal regimes for the control of small arms within the sub-region – a feat, which would undoubtedly address one of the main sources of armed violence.

Effective collaboration between Parliaments and civil society organisations has helped provide technical inputs, which have contributed to the making of stronger laws. In Sierra Leone, the synergy built between civil society and national parliaments led to the promulgation of three Gender sensitive laws - the Domestic Violence Act, Devolution of Estates Act and Customary Marriage and Divorce Act, which have a bearing on armed violence.

The passage of the {three gender} laws also marked an innovative collaboration between government and civil society. While the bills were first championed by the Parliamentary Human Rights Committee with support from UNDP, numerous other partners provided support, including extensive legal input from the newly-formed Human Rights Commission and considerable logistical support from an informal coalition of civil society organisations known as the Taskforce on the Gender Bills.⁴¹

Nigeria's Parliament has legislated to address the challenges associated with the country's oil resources. These bills among other things are geared towards addressing the issues that have fuelled the violent events that have occurred as a result of contestations regarding the country's oil resources. The laws passed by Parliament include a bill, which established the Niger Delta Development Corporation, which is charged among others, to use the crude oil proceeds for the development of the communities and an Act for the Allocation of Revenue (Federation Account) Bill aimed at ensuring equitable distribution and management of oil revenue.⁴²

In Côte d'Ivoire, aware of the impact of the citizenship question in the armed conflict that gripped the country, the National Assembly, adopted a Special Law on naturalization. The draft laws signed by the President in 2005, resolved the Nationality question even if partially, and paved the way for the organization of elections. Through the development of relevant legal frameworks, the Guinean interim Parliament (the National Transition Council) created the needed constitutional bases for the transitioning of Guinea into a constitutional democracy. Through its efforts, a new constitution, an electoral code and other relevant laws, which formed the foundations of the institutions of the Republic of Guinea were developed; thereby setting the country onto a path of reconciliation and rebuilding.⁴³ Conscious of the challenges of electoral violence, the Parliaments of Sierra Leone and Ghana have adopted the African Charter on Democracy, Elections and Governance. This is a proactive measure to minimize the chances of electoral violence as the Charter's provisions reinforces existing democratic principles and regulatory mechanisms for elections whilst providing additional frameworks for the prevention of electoral conflicts and violence.

⁴¹ "Sierra Leone Parliament Passes the Gender Bills into Law" available on http://www.carlsl.org/home/index.php?option=com_content&view=article&id=298:sierra-leone-parliament-passes-the-gender-bills-into-law&catid=5:reports&Itemid=20 retrieved on 21st November 2010

⁴² Okediran Wale, "Parliamentary Initiatives in Energy Legislation and Sustainable Development - The Nigerian Perspective", 5th -7th October 2005.

⁴³ Self administered interview, Abdoulaye Toure, Rapporteur of the Defense and Security Committee of the National Transitional Council of Guinea, December 4th 2010

Oversight Responsibility

Parliaments' oversight responsibility is twofold: first, they are charged with ensuring that the implementation of governments' policies and programmes are in accordance with the laws of the state. Secondly, they are expected to ensure that budgetary allocations are equitable and rightly appropriated. In both instances, Parliaments have the opportunity to make significant contributions to addressing armed violence. Exercising oversight responsibility also equips Parliaments to make the necessary adjustments and provide the required budgetary allocations to address issues, which facilitate armed violence prevention. Through the examination of reports at the sub-committee level and questioning on the floor of Parliament, the legislature is able to hold the executive accountable.

The decision in 2008 by Nigeria's Parliament to probe its oil sector was an indirect way of addressing a source of armed violence in Nigeria. Allegations of corruption in the Oil Sector have been used to justify acts of armed violence especially in the oil rich regions.⁴⁴ Thus, setting up a committee to probe the sector is one way through which the Nigerian Parliament tries to exact accountability and appropriate responsibility for any mismanagement thereby tackling a source of grievance that has often been manipulated to result in armed violence. Exercising effective oversight also provides a picture of critical areas, which must be addressed to inform the prioritization of resources. Therefore, one of the reasons provided by Nigeria's Parliament for increasing the 2010 budget was to make provisions for the development of the Niger Delta⁴⁵, an area that had experienced different types of armed violence in Nigeria. The quest to allocate funds for the development of the Niger Delta suggests that the Parliamentarians would want to effectively address the challenge underdevelopment of the region poses to security and stability. However, whilst the budgetary allocation is useful, it is equally important that effective oversight be exercised to ensure that the allocation is used to undertake the programs envisaged to benefit those identified.

Facilitation & Mediation

Parliamentarians with legitimate mandates are generally respected within their constituencies and elsewhere. This therefore provides them with some currency to impress upon conflicting parties to subject their differences to non-violent resolution processes. For instance in Sierra Leone, a Member of Parliament was able to utilize the currency of her earned respect to facilitate dialogue between her traditional ruler and members of the community even though her hometown was not her constituency.⁴⁶ This was necessary, as the impasse had resulted in stalled development activities in the area. In Ghana, the Parliamentary caucuses on Brong Ahafo and the Northern region were able to engage the traditional authorities in the two regions to manage long-standing conflicts and facilitate the initiation of resolution.⁴⁷

Parliamentary Administration

⁴⁴ BBC News, Tuesday 22nd April 2008 retrieved on November 22nd 2010

⁴⁵ Reuters News, January 15th 2010 retrieved on November 22nd 2010

⁴⁶ Submission by Hon. Victoria Saidu-Kamara, Member of the Sierra Leonean Parliament and the Fourth Deputy Speaker of the ECOWAS Parliament at the Barcelona Meeting in Spain

⁴⁷ Interview with Hon. Frema Osei Opare, Member of the Ghanaian Parliament, 3rd December 2010

The ability of Parliaments to effectively discharge these functions is also dependent on their working environment and the support structures in place to aid them in the execution of their mandates. Qualified researchers are useful for all aspects of Parliamentary work as they assist in the collection of relevant primary and secondary data, which provides Parliamentarians with empirical data that enables them to evolve relevant responses. Developing the capacities of Parliamentary administrators is therefore equally necessary in addressing the challenges of armed violence.⁴⁸ Since Parliamentary administrators are civil servants with secured tenure, they can also be useful in guaranteeing continuity. By virtue of the continuity of their positions, they are also a source of consolidated expertise/experience, with respect to parliamentary work in armed violence prevention. They are therefore important allies for any parliamentary engagement as their institutional memory can provide parliamentarians with the history of programs and expertise, which can be tapped. This removes the need to begin from scratch when new administrations take power. Encouraging the development of networks and forums among administrators would be useful in keeping the conversation on armed violence prevention alive. It would also ensure that armed violence prevention is mainstreamed into discussions so that it becomes part of the various discourses undertaken by Parliaments.

The ECOWAS Parliament

Apart from the national Parliaments, the West African region has a community parliament – the ECOWAS Parliament. Established in accordance with Articles 6 and 13 of the ECOWAS Treaty, the ECOWAS Parliament is a Consultative and Advisory body that also provides a platform for dialogue among its members on the one hand and its members and various stakeholders on another hand. Through its learning and sharing platform, the Community Parliament engages on the identification of innovative ways to effectively contribute to the security and democratic stability of the sub-region. Within its limited mandate, the ECOWAS Parliament has been able to engage in situations of pervasive armed violence using a number of methods. These have included condemning constitutional coups, which has the potential to trigger armed violence, issuing Resolutions on conflict sensitive occurrences, setting up ad hoc Committees for countries in crisis with the potential to cause insecurity, and the deployment of Fact Finding Missions as well as envoys to countries in crisis. In Liberia, the ECOWAS Parliament was the first international body to engage and convince the LURD to participate in the peace negotiation process. In response to the crisis in Niger and Guinea, the ECOWAS Parliament set up an ad hoc committee to engage the actors and stakeholders involved in the quest to find non-violent solutions to the crisis.⁴⁹

4.0 Challenges and Gaps⁵⁰

Challenges that resounded through all the conversations included the lack of support facilities to assist Parliamentarians to optimize their opportunities to address issues of armed violence, the over-politicisation of issues in Parliament, limited capacities to investigate issues of conflict, powerful executives that interfere with parliamentary work and the lack of dedicated structures, which focus on armed violence.

⁴⁸ Gorgui Jean Jacques, Parliamentary Administrator, National Assembly of Côte d'Ivoire made this point during the UNDP Parliamentary Working Group Meeting held in Barcelona, Spain from 30th November – 3rd December 2010

⁴⁹ Interview with Dr. Kabear Gariba, Bureau Manager of the ECOWAS Parliament on November 22nd 2010

⁵⁰ These were collated from the responses obtained from the questionnaire administered to the Parliamentarians at the Barcelona Meeting.

The lack of support facilities

The ability to articulate the lived experiences of the electorates is dependent on the frequency of the interaction between Parliamentarians and their constituencies. However, although Parliamentarians do undertake field visits to address challenges, which have the propensity of exacerbating into armed violence, these visits are infrequent because some of the communities have accessibility issues. A lack of funds for such activities further adds to the problem. In many instances, Parliamentarians have undertaken such missions with personal funds. This has made it difficult to heed early warning signs to avert armed violence.

In a related vein, Parliaments have not been able to effectively monitor the implementation of programs, projects and activities for which budgetary allocation has been made because of the lack of funds [sufficient]. This is necessary for all programs and projects but particularly needed for pro-poor programs to be able to verify how funds are disbursed and who gets what. Yet, this is not always done and the Committees have to rely on the audited accounts and the briefings, which are useful but inadequate. Again, despite the noticeable benefits of pre-budget hearings, it is not undertaken in many Parliaments because of its associated costs. Even where it is carried out, it is limited to only one or a few committees as a result of the lack of finance. This means that other areas not necessarily engaged on direct pro-poor programs and activities lose the benefits associated with this process.

Over - politicisation of issues in Parliament

There is no gainsaying that politics is the essence of democracy and whilst parliamentarians are representatives of the people, they are also [at least most of them], part of political parties. They are therefore expected to oscillate between the two arenas, and even as they engage in politics, do so with a modicum of objectivity to the issues of debate. However, the over-bearing influence of political parties makes it difficult for most parliamentarians to effectively discuss issues of security without politicizing them. This therefore affects the ability of Parliaments to perform their function of true representation of the people and makes it equally difficult to address issues of security.

Strong Executives

The success of legislation, programs and activities is highly dependent on implementation, which is the function of the Executive. Powerful Executives can therefore stifle and frustrate the work of Parliamentarians. For instance in Ghana, government can freeze the approved investment budget of a MDA, reduce it or reprioritize depending on the availability of funds. Yet, due to the lack of a budget appropriation law, government cannot be held accountable for this. Again, there is covert governmental interference with the work of Parliaments, which derails some conflict resolution efforts.

5.0 Policy Recommendations⁵¹

Parliaments are critical to addressing armed violence in West Africa. They provide the legal framework upon which all other engagements are based, have the mandate to monitor the progress of efforts at addressing armed violence through their oversight function and finally, are able to guide the allocation of resources to the efforts undertaken. Without the requisite legislation, little can be achieved legally in addressing the scourge of armed violence. Developing the capacities of Parliamentarians to adopt conflict sensitive legislation and view security through a wide lens, which includes human security, is useful to addressing the challenge of armed violence in the countries of the sub-region.

Develop platforms for education and awareness creation for the engagement of Parliamentarians, parliamentary staff, political parties and the Executives

A number of countries in the sub-region are recovering from years of divisiveness, which has created mutual mistrust among the different members of the population. Since Parliamentarians in West Africa have to account to two different entities – their constituents and political parties, it is critical to get the buy-in of the political parties. This is especially important as the Executive is mainly drawn out of the ‘party faithful’ and so once they appreciate the different dimensions from which Parliamentarians have to work, it could ease some of the pressure on Parliamentarians to be partisan in their work. Similarly, due to the mutual dependence of Parliaments and the Executive, it is important to engage both, to enhance understanding of the urgency of the issues and encourage collaboration rather than territorialism. In a related vein, it is imperative for Parliamentary Administrators to be part of this discourse to ensure continuity in the dialogue especially since Parliaments have a turn over; this means that some old ones leave and some new ones who get in have to be introduced to the issues and discussions.

The success of Parliamentarians in addressing armed violence is highly dependent on a number of assumptions, which includes legitimacy and credibility as well as cordial relations with the Executive. It is therefore important that these are guaranteed in all Parliaments. When Parliamentarians utilize armed violence to get into parliament, it affects their legitimacy and claim to credibility. This can severely undermine their efforts at addressing subsequent acts of armed violence in their constituency. The use of emotive language, hate speeches during campaigns and a call to arms by Parliamentarians and parliamentary aspirants must be discouraged and punished by Parliament, to serve as a deterrent for others. Similarly, parliamentarians who fund illegal security units and private militias cannot effectively be a part of the change needed for armed violence prevention. It is therefore necessary for Parliaments to develop structures and codes for armed violence prevention among its members to help in the development of a culture that eschews armed violence.

Provide Capacity Development for Parliamentary Administrations

Parliamentarians in West Africa under-perform because they do not have the needed support structures. In West Africa, Parliamentarians do not have well constituted research staff with the capacity to provide (in formats that are useful to the Parliamentarians who have heavy schedules) background papers, briefing notes and monitoring and evaluation information among others. It is

⁵¹ See Appendix B for a summary table of roles that parliamentarians can play, institutions that can be engaged, the type and potential positive impacts of these activities.

imperative therefore to undertake a Capacity Development Analysis, which must take into cognisance the individual performance needs in order to design appropriate responses for the Parliaments in the sub-region. In some instances, there may be the need to fund the salaries of staff and provide logistics for the establishment of dedicated secretariats for the Parliament; in other instances, there may be the need for administrative training whilst in some others, there may be a need for training in research, monitoring and evaluation. However, ultimately, Parliamentary administrators and staff must be knowledgeable on the laws, policies and resources for armed violence prevention. They must also be adept at accessing available resources to enhance the work of parliamentarians. These would be useful in providing solid support bases, which would facilitate the work of the Parliament.

Lobby for the ratification, dissemination and implementation of relevant international instruments

Countries in West Africa that are still not party to the ECOWAS Convention, (the sub-regional framework for addressing the illicit proliferation of small arms), must be encouraged to ratify the Convention. In addition, those who are Parties should be encouraged to sign up to other relevant instruments, which enhance the efforts at addressing issues of armed violence. The United Nations Convention against Trans National Organised Crime and its Protocols are useful legal instruments for enhancing human and state security. The African Union's Charter on Democracy, Elections and Governance, addresses some of the common sources and causes of armed violence in the sub-region and will be equally useful for enhancing security in the sub-region. State Parties on the other hand should be encouraged to provide national laws to give effect to the international instruments they ratify. In addition to the promulgation of national laws, there should also be a harmonization of laws to eliminate possible legal bottlenecks. There should also be a systematic tracking of the laws to monitor compliance.

Mainstream segments of training on armed violence in all training, workshops and seminars organised for Parliamentarians

There is the need to show the nexus between security, development and peace to make the issues of armed violence relevant to the ordinary Parliamentarian. Mainstreaming issues of armed violence in training activities will help establish these links and provide an opportunity for the various actors to brainstorm on possible ways of addressing the challenges faced. This helps to take away issues of security from a hallowed domain into mainstream discussions of Parliamentarians. In addition, it provides opportunity for the popularization of efforts needed to address the challenge of armed violence. The sources of small arms are varied and so addressing it must involve various actors and strategies.

Provide resources on crisis prevention

- Despite the availability of literature on several aspects of crisis prevention, access is not always easy. It would be useful to provide Parliaments with literature on crisis prevention to enable them acquaint themselves with lessons learnt and good practices, which will help them in their advocacy and legislation. Existing electronic platforms such as Agora (available on www.agora-parl.org), which is a portal of parliamentary development and provides references and information on Parliamentary development should be popularised as it provides useful material for parliamentary development and crisis prevention. However, due to the peculiar situation of West Africa, it is important to

provide materials in hard copy as well because of the limitations of connectivity and access to electronic platforms.

- It is equally important to provide training to journalists to enhance their understanding of the sources and causes of armed violence. This will go a long way to promote ethical reporting on issues of armed violence as well as enhance proactive journalism on the subject matter.

Build Coalitions and Alliances to engage Parliaments on issues of armed violence

Several organisations work in areas of peace and security in West Africa. Whilst some work on issues with a direct bearing on armed violence, others work on sources of armed violence. Many more seek to develop capacity for the management of the triggers of armed violence and mitigate the impact of armed violence on vulnerable populations. Some of these groups have their constituents in Parliament with whom they engage on particular issues. A coalition of all these groups would be useful in engaging Parliament on relevant issues needed to be considered in addressing armed violence in the sub-region. Coalitions and alliances should work at providing empirical information in simple formats to Parliaments on who is committing armed violence, against whom and for what reasons.

Encourage the Formation of Parliamentary Networks on Small Arms, Focal Points & Caucuses for crisis prevention

The West African Action Network on Small Arms (WAANSA) has been mandated by the Parliamentary Forum to set up Parliamentary Networks on Small Arms in the sub-region. Currently, only two countries, Burkina Faso and Sierra Leone have set up the Networks. The creation of such Networks and caucuses provides a platform for cross party dialogue on issues of security and armed violence. It can also help Parliamentarians exchange information and identify areas of critical need to evolve practical solutions. In addition, it can also help develop a critical mass of Parliamentarians who can become goodwill ambassadors on armed violence in Parliament.

Engage the ECOWAS Parliament and parliamentary development practitioners to promote the harmonisation of national laws to address armed violence

Some efforts on the harmonization of national laws to enhance security in the sub-region have commenced. The United Nations Regional Centre for peace and disarmament (UNREC), working with the ECOWAS Small Arms Unit and ECOSAP have developed guidelines on the harmonization of national legislations on Small Arms and Light Weapons, the tools used in the commission of armed violence. It is therefore imperative that the ECOWAS Parliament through its consultative and advisory roles lead on the efforts at the ECOWAS level to encourage member states to harmonise their laws. The Inter-Parliamentary Union, the Parliamentary Forum and the United Nations Development Program can also use their dialogue platforms and crisis prevention activities to encourage discussions on the issue. The participants who are individual members of Parliaments can also lead the crisis prevention efforts in their home countries.

The ECOWAS Parliament could also lend a hand in addressing cross border armed violence, which poses challenges in the sub region. Understanding the sources, causes and financiers behind such activities would be useful for designing appropriate responses both at the sub regional as well as at the national levels.

6.0 Conclusion

Efforts at addressing armed violence in the sub-region will only achieve minimal success without the active involvement of Parliaments. The critical importance of these law-making bodies lies in their ability to provide an enabling legal environment, which guides and capacitates the various actors and stakeholders working on the operational and tactical issues of providing and enhancing security. Effective and capacitated parliaments are key actors in armed violence prevention and crisis prevention and recovery. Nevertheless, Parliaments can perform optimally if they are exposed to needed knowledge, have the requisite support structures and are able to see their roles as critical to the efforts at addressing issues of armed violence

They must therefore be supported with technical expertise to be able to better appreciate the inter-connectedness of the risk factors such as illiteracy, an ignorant burgeoning youth population and lax laws, and traditional security threats such as weak law enforcement agencies, corrupt state officials and ungovernable spaces. Parliaments in the sub-region should also receive assistance to better engage on issues of low intensity conflicts which often remain under reported, but within which armed violence occurs nonetheless. Understanding the legal provisions of ECOWAS and the security challenges of the sub-region is also necessary for Parliaments to be better placed in discharging their functions in the face of insecurities, whilst honouring the obligations of their states.

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Appendices

APPENDIX A

Typologies of Armed Violence in West Africa

Classification	Domain	Unit of Analysis/Populations most at risk	Effect of armed violence on the unit of analysis	Impact of armed violence
<p><i>Gender Based Violence</i></p> <ul style="list-style-type: none"> • Threat of violence issued with arms • Familial rape • Homicide 	The Family (Domestic setting)	<ul style="list-style-type: none"> • The female¹ • Children • The Aged (Usually accused of witchcraft) • Excluded individuals including physically and mentally challenged persons 	Fear and Insecurity Death Injuries Psychological trauma	<ul style="list-style-type: none"> • Heightened insecurity which may lead to acquisition of arms by the surviving victim • Decline in productivity which affects livelihood incomes
<p><i>Political Violence</i></p> <ul style="list-style-type: none"> • Contestation for traditional leadership eg. Chieftaincy • Contestation for internal political party structures • Contestation for national level elections – electoral violence 	The Community The Political Party The State	<ul style="list-style-type: none"> • Members of the community although the direct victims tend to be the contenders • Members of the Political Party • Persons in the state 	Fear and insecurity Chaos and instability	<ul style="list-style-type: none"> • Heightened insecurity which could affect freedom of movement • Disruptions in service delivery: education, health • Movement restrictions negatively affects economic engagements and sources of livelihoods in communities • Widespread insecurity requires fosters criminal activity
<p><i>Crime Related Violence</i></p> <ul style="list-style-type: none"> • Bank Robberies • Robberies in corporate entities • Robberies in homes • Highway robberies <p><i>Trans national Organised Crimes</i></p> <ul style="list-style-type: none"> • International robberies especially in vehicles from free ports • Drug, human and arms 	The Public and private arenas	Individuals Families Corporate entities	Fear and Insecurity Drain on resources of the security sector	<ul style="list-style-type: none"> • Heightened Insecurity • Disincentive for investment • High insurance costs • Corruption of members of the security forces and ruling class with ill gotten wealth • Money laundering through importation of goods which are sold at a cheaper rate undermines genuine business people and kills genuine trade • Local consumption of narcotics

trafficking				<p>create health challenges for the already stretched health facilities and affects the health of the population</p> <ul style="list-style-type: none"> • Existence of wealth obtained from illicit activities can be injected into political competition and influence political outcomes • Extra pressure on security services
<p><i>Natural Resource Violence</i></p> <ul style="list-style-type: none"> • Kidnapping • Murders • Disruption in production of extractive industries 	The Public arena	<p>Individuals and Families</p> <p>The state</p> <p>Corporate entities</p>	<p>Fear and Insecurity</p> <p>Deaths</p> <p>Loss of revenue</p>	<ul style="list-style-type: none"> • Heightened insecurity • Disincentive for Investment • High insurance costs
<p><i>Community Based Violence</i></p> <ul style="list-style-type: none"> • Fulani herdsmen and farming communities • Serial Killings • Gang/cult Violence • Religion-based clashes 	The public arena	Individuals	<p>Fear and insecurity</p> <p>Deaths</p> <p>Loss of produce and in effect, loss of revenue</p> <p>Fear and insecurity leading to restrictions on movement</p>	<ul style="list-style-type: none"> • Heightened insecurity • Prolonged armed violence • Dissatisfaction among the local population with the security agencies and the ruling class
<p><i>State-sanctioned violence</i></p> <ul style="list-style-type: none"> • Police Brutalities to clamp down student demonstrators • Police and military brutalities to clamp down on peaceful demonstrators • Police and Military Brutalities to clamp down on political opposition 	The Public	Individuals	<p>Culture of silence</p> <p>Cycle of armed violence as members of the opposition may also resort to the use of violent measures</p> <p>arms</p> <p>Voluntary exiling of opposition members</p>	<p>Heightened Fear and Insecurity</p> <p>Disincentive for investment</p> <p>Exclusion of the state by the comity of civilised nations</p>

¹ Note should be taken of the fact that whilst this generally refers to women, there may be some men who suffer this fate because of their roles within families

APPENDIX B

Action Envisaged	Institution(s) to be Engaged ²	Potential Possible Impact
Small arms are a fundamental driver of armed violence. Controlling its availability will reduce its usage		
<ul style="list-style-type: none"> • Ratification of the ECOWAS Convention • Ratification of the United Nations Firearms Protocol • Enact Appropriate Firearms Legislation • Including Marking record keeping for local manufacture where applicable • Ring Fence budgetary allocation for armed violence prevention to the Security Forces and the National Commissions on Small Arms • Provide resources for capacity building including the acquisition of logistics and training • Scrutinise internal policies and procedures for record keeping within the state security forces and private armouries (where applicable) as well as commercial armouries) • On-site visits to armouries by the Select Committees on Defence and Interior 	<p>National chapters of the West African Action Network on Small Arms (WAANSA) Where this does not exist, the WAANSA Secretariat All state agencies allowed to carry arms in their operations The national chapter of WAANSA The National Small Arms Commission The United Nations Regional Centre for Peace and Disarmament The ECOWAS Small Arms Unit The United Nations Armed Violence Prevention Unit</p>	<p>Providing effective gun control legislation equips the security forces with the legal frameworks to address the illicit proliferation of small arms and light weapons which are often used in the commission of armed violence. In Sierra Leone, a Draft Firearms bill is due for tabling before parliament. It will also help address one of the challenges of proliferation – illegal local manufacture of weapons. Having ratified the ECOWAS Convention on Small Arms, it has been possible to begin discussions on ways to address local manufacture of small arms in Ghana. This has included conversations with blacksmiths. Although the manufacture of small arms is still illegal, it has become necessary to look at the issue realistically. This would have been impossible without the provision in the ECOWAS Convention that requires such dialogue. Since licit stocks are sometimes the source of illicit proliferation, onsite visits and audits of the internal policies, processes and procedures of state owned, commercial and private armouries, will enable Parliamentary Committees obtain first hand information on the licit weapons in their countries. An honest discussion on the number of illicit weapons, their sources and uses has been begun in several countries after ratification of the ECOWAS Convention. With assistance from ECOSAP, a number of countries have conducted surveys to determine the number of arms in circulation which would enable them take effective action.</p>
Gender Based Violence		
<ul style="list-style-type: none"> • Enact Domestic Violence Laws • Enact Gender Sensitive Armed Violence Prevention Laws • Be part of campaigns to educate and sensitize communities on gender based violence 	<p>Law Enforcement Agencies Civil Society Organisations Working on Armed Violence and Gender (eg. Foundation for Security and Development in Africa (FOSDA) (in Ghana and Sierra Leone) WANEP University Research Institutes National Chapter of WAANSA UNDP</p>	<p>Providing gender sensitive legal frameworks provide a platform for confronting addressing in a holistic and comprehensive way, gender based violence. Without specific laws for gender based violence, the issue may be dealt with but only in a piecemeal manner. It also provides a legal requirement for budgets to be allotted for the prevention of gender based violence. There is a heavy reliance in West Africa to provide resources to address gender based violence. However, after the passage of the Domestic Violence Law in Ghana, the government has had to provide gender desks at all police stations in the country. Whilst there are still challenges especially with funding, the institution of the framework itself is useful as it provides a frontline person who can provide some assistance.</p>

Political Violence		
<ul style="list-style-type: none"> • Ratify the African Charter on Democracy, Elections and Governance • Enact conflict sensitive electoral laws • Popularise electoral laws and encourage violence free elections • Enact/Review/Amend Political Parties' Laws to ensure internal democracy • Exercise oversight on the Electoral Management Body to ensure the implementation of programs . • Exercise oversight over state agencies in charge of civic education to ensure that programs are being implemented • Develop security architecture where this is absent. • Strengthen security architecture through funding • Encourage a dialogue on rules for succession etc with traditional authorities 	<p>International Institute for Democracy and Electoral Assistance (IDEA), West Africa office</p> <p>UNDP Governance Unit (Available in all the country offices), Friedrich Ebert Stiftung (FES)</p> <p>Centre for Democratic Governance (CDD) Country Offices</p> <p>Women in Law and Development Africa (WiLDAF) Country Offices</p> <p>Abantu for Development (Country Offices)</p> <p>Relevant National Agencies under which traditional authority falls such as Ministry of Chieftaincy and Ministry of Culture</p> <p>Academic Institutions</p>	<p>Providing the legal frameworks for elections, democracy and governance paves the way for the development of effective structures for operationalization. Having a legal framework also places an obligation on the government to provide funds in the national budget for the activities to be undertaken to translate the legal provisions into action. Again, it provides a legal basis for civil society work with the relevant authorities. This is especially useful as civil society organisations tend to have resources (technical and financial) which national institutions lack and can make meaningful contributions if the right legal environment is created.</p>
Crime Related Violence		
<ul style="list-style-type: none"> • Capacity Building for security Forces – logistics, equipment and training. • Develop guidelines for security sector governance to enhance transparency in the security sector budgets • Ensure pro-poor budgeting to address sources of armed violence • Ensure that pro-poor programs contribute to the creation of alternative livelihoods • Launch sustained and systematic campaigns to get young people into educational institutions/vocational institutions 	<p>The Geneva Centre for the Democratic Control of the Armed Forces</p> <p>UNDP Country Offices</p> <p>Civil Society Organisations with a security focus</p> <p>UNDP Country Programs</p> <p>UNDP Peacebuilding Fund (for post conflict countries and fragile countries for Quick Impact Projects)</p> <p>Parliamentary Centre (provides technical expertise for budget analysis)</p>	<p>Providing the right legal and policy frameworks to tackle crime will undoubtedly enhance human security. Having pro-poor budgeting guarantees that budgets of all sectors, Ministries and Departments are pro-poor. This will help mainstream the issues and give the efforts at providing equity a wider scope. Once this is done, one of the lenses for monitoring the execution of the budgets will be pro-poor to guarantee that effective action is being undertaken at the implementation stage. It will also provide a basis for local people to demand accountability from their decision makers on the execution of projects.</p>

Trans national Organised Crimes		
<ul style="list-style-type: none"> • Ratify the United Nations Convention Against Transnational organised crimes and its Protocols • Harmonise the laws in the sub-region • Interrogate and examine the policy frameworks for collaboration between security agencies in the sub region • Interrogate and examine the policy frameworks for cooperation among security agencies within the country 	<p>UNDP Country Offices United Nations Regional Office For Peace and Disarmament in Africa</p>	<p>West Africa’s porous borders are permissive for criminal activities across borders. It is therefore imperative to have common laws to be able to effectively tackle transnational organised crime, which is a driver of armed violence. Already, there are informal networks of national security agencies, which share information and collaborate on certain aspects for crime prevention. Having the right frameworks and tools will enable them go further to clamp down on trans-national organised crime.</p>
Natural Resource Violence		
<ul style="list-style-type: none"> • Develop transparent laws for the distribution of resource revenue • Scrutinise budgetary submissions to ensure that activities and programs benefit resource rich areas. • Monitor activities and programs designed for resource rich areas to ensure that they are fully executed. 	<p>UNDP Country Office West Africa Network for Peace FES</p>	<p>Natural resource conflict is common place in West Africa where several countries are natural resource –rich. The most often cited reason for natural resource conflicts have been the neglect of central government, of the resource rich areas. Developing transparent laws for the distribution of resource revenue, scrutinizing budgets to ensure that they are beneficial to resource rich areas and are the right responses to their needs as well as monitoring the implementation of such activities, would go a long way to prevent and manage natural resource violence. In Nigeria, an amnesty and offer for systematic and systemic development by President Yara’dua saw the rebels in the Niger Delta put down their arms.</p> <p>Similarly, interrogating the frameworks for guaranteeing resources such as land and reviewing existing laws to reflect current realities would go a long way to prevent conflicts among citizens and individuals which often lead to armed violence. In Ghana, the lack of streamlined land laws saw a lot of conflict between individuals in the 1990s and early 200s. However, the development of legislative instruments for land has set in motion, a chain of processes to enhance transparency and minimize the conflicts which had hitherto surrounded land acquisition and use.</p>

² These institutions may be able to provide various forms of assistance including financial, technical the provision of logistics (depending on the nature of the request).