



Republic of South Sudan



▶ Voluntary Civilian Disarmament Strategy

Voluntary Civilian Disarmament Strategy

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September 2020



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Contents

1. Introduction	2
2. SALW in South Sudan: Proliferation and Disarmament	3
3. Firearms, Disarmament and Conflict Dynamics	5
4. International Legal and Policy Framework	7
4.2 International Instruments	8
4.3 RSS Within the International Policy and Legal Framework	8
5. Disarmament Processes	9
5.1 Measures to Control Supply	9
5.2 Measures to Reduce Demand	10
5.3 Amnesty, Collection and Destruction	10
6. Advocacy and Communication	12
7. Civilian Disarmament Strategy for South Sudan	13
7.1 Planning the Collection and Destruction of Firearms	13
7.2 Implementation of Civilian Disarmament	14
7.3 National Legal and Institutional Framework	15
7.4 Key Stakeholders	15
7.5 Communication and Coordination Mechanisms	16
8. Conclusion	17
9. Summary of Activities Linked to Voluntary Civilian Disarmament	18
10. Annexes	24
10.1 Acronyms	24
10.2 Documents	25

1.

Introduction

Decades of conflict have led to the proliferation of small arms and light weapons (SALW) among the civilian population in South Sudan.¹ A 2017 study estimated that there could be more than 600,000 firearms in civilian hands.²

Although civilians acknowledge that firearms are a source of insecurity and violence, many resort to them as a means to protect themselves and their livelihoods and to resolve outbreaks of inter- and intra-communal violence. The lack of security, rule of law and access to justice provided by the state means that civilians rely on themselves and their firearms for their own security and to resolve real or perceived crimes against them.³

A voluntary civilian disarmament strategy must be supported by a robust legal framework that is understood by civilians and the state institutions implementing the legislation. Civilians must be aware of and sensitized to the rationale for a disarmament programme and state institutions must have the knowledge and capacity to conduct civilian disarmament with respect for rule of law and human rights. The necessary technical capacity, material resources and processes must be in place to collect and dispose of firearms from the civilian population safely and to register firearms legally to civilians who want and have the right to maintain ownership.

In addition, levels of safety and security must be achieved and maintained in South Sudan so that civilians no longer rely on firearms and their use as a means of protection. Civilians must have the confidence that they can rely on the state to provide security, rule of law and access to justice for all regardless of sex, religion, ethnicity, age or physical or mental ability. Civilians must have non-violent means to resolve local level conflict and access to sustainable, environmentally sensitive livelihoods to mitigate tensions over resources and economically motivated criminal activity. Therefore, civilian disarmament must be implemented as part of broader initiatives to achieve peace, stability and sustainable development.

1 SALW, firearms and weapons have been used interchangeably in this report. The terms cover weapons that might be in the hands of civilians. Control, regulation and collection of ammunition as part of a disarmament process should also be considered.

2 Small Arms Survey, 2017.

3 Centre for Basic Research (CBR) and South Sudan Action Network on Small Arms (SSANSA), 2015.

2.

SALW in South Sudan: Proliferation and Disarmament

Since independence from Britain in 1956, the area that is now South Sudan has experienced a series of civil wars.

This has led to the proliferation of SALW, an acceptance of a culture of violence and the use of weapons to solve problems, a loss of traditional mechanisms for managing inter- and intra-communal violence and a loss of control that communities traditionally had over their youth. Sources of SALW include:⁴

- The Government of Sudan or military, including the Sudan People's Liberation Army (SPLA), which armed civilians and sometimes local militia/rebel groups to be able to protect themselves during the civil war between Khartoum and the SPLA. This enabled the government and the military to focus on their conflict because civilians had the means to protect themselves. Rebel groups were also armed as additional fighting forces to support either the government in Khartoum or the SPLA. Consequently, cattle camps are heavily armed and arms are used during raids.
- Leaks of SALW from the security forces to civilians either because armouries are poorly managed and are insecure or because firearms are being sold to civilians.
- Sales and transfers of SALW to Sudan and South Sudan. Although information is incomplete it is known that, for example, between 1992 and 2005 at least 34 countries exported SALW to Sudan and approximately 96 percent of these transfers were from Iran and China, and in 2007 and 2008 Ukraine and Kenya transferred weapons to South Sudan.⁵

- Regional governments that had political interests in Sudan, and later South Sudan, armed parties to the conflicts to promote their own interests.
- Porous borders facilitated the sale of firearms between civilians from neighbouring countries and enabled nomadic armed groups to move freely in the region. High levels of mobility among civilians and lack of border controls make ownership of firearms difficult to monitor.
- In addition, a survey in 2017 revealed that the black market and family and social networks were also important means for civilians to acquire firearms. A few respondents cited legitimate licensed weapons traders as a source of SALW. The survey, conducted in government-controlled areas, also confirmed that the government and security forces had armed many civilians. The results might have been different had it been possible to conduct the survey in opposition-controlled areas, as rebel groups may also have armed civilians.⁶

Civilians cited the need to protect themselves as the main reason for continuing to possess firearms (71 percent), particularly to protect livestock and property (37 percent) and to protect themselves against armed criminals (42 percent). Some civilians explained that they hold firearms because they belong to local security militias intended to protect the community (24 percent). Seven percent of respondents from the general public claimed that they needed firearms to protect themselves from the SPLA, whereas 23 percent

⁴ Saferworld, 2012; Small Arms Survey, 2017.

⁵ Small Arms Survey 2007 in Saferworld, 2012.

⁶ Small Arms Survey, 2017.

of community leaders thought that civilians held firearms to protect themselves from the SPLA.⁷

A 2017 survey concluded that between 115,000 to 287,000 households own at least one firearm and that there are between 232,000 and 601,000 firearms in civilian hands. The majority of firearms owners are men. The most commonly held firearms are AK47s (66 percent) followed by rifles (15 percent) and then handguns (10 percent). It should be noted that the survey relies on respondents providing accurate information, so it is likely that the number of firearms in civilian hands is higher. There are also significant regional variations.⁸

Previous civilian disarmament programmes implemented in Lake State in 2006 and 2007, in all 10 states in Southern Sudan through Presidential decree in 2008, in Jonglei State in 2005 and between March 2012 and July 2013 provide important lessons for future disarmament programmes in South Sudan.⁹

- Civilian disarmament should be voluntary. When coercion and violence are used, tensions and fighting break out between civilians and the security forces, undermining the role of the state to protect civilians and reinforcing the need for civilians to have firearms to protect themselves. People have been killed during civilian disarmament processes. Evidence from South Sudan and Uganda suggests that the more voluntary the disarmament process, the fewer the lives lost.
- Security forces must be trained to implement civilian disarmament and to do so with respect for human rights. There are reports that the SPLA has conducted disarmament violently, while drunk, and has used rape as a form of coercion.
- Civilian disarmament should be people-led and their views and perceptions taken into account when designing disarmament programmes. For example, they may suggest measures to reduce violence, such as buffer zones or introduction of extra state security forces to address tensions and inter-communal

violence. Civilians must be informed and sensitized about forthcoming disarmament processes.

- Civilian disarmament is not a stand-alone activity but part of broader security, stability and development initiatives to address root causes of conflict and offer access to justice and alternative livelihoods.
- Civilian disarmament processes should be planned and executed in discussion with authorities at national, state and local levels to ensure common understanding and execution. Disarmament should be applied consistently to ensure that one group does not become more vulnerable than another because there is uneven access to firearms.

In 2006, following violence as a result of coercive weapons collection from civilians, a voluntary process was implemented in Jonglei by training schoolteachers to collect firearms safely. However, the SPLA was critical of the approach as only 1,400 firearms were handed in, and observers said that coercion was still used.¹⁰

It is important to learn from the above because although over 12,000 firearms were collected in Jonglei State in 2012 and 2013, with the exception of Bor County, home to the state capital, there was little or no positive impact on perceptions of security following disarmament. In fact, just over 3 percent of respondents in Bor County thought that security had improved following disarmament. Disarmament is an expensive and complicated process so it should be well planned and executed to ensure that it yields the anticipated benefits. There are allegations that collected weapons have often 'leaked' back into civilian ownership because of poor management of weapons by the security forces. South Sudan has learned that disarming civilians may reduce the number of firearms available but does not reduce the level of violence.¹¹ A 2017 survey revealed that experiences of civilian disarmament processes had been negative and that over 50 percent of respondents felt that disarmament had a negative impact on security.¹²

7 Small Arms Survey, 2017: 35. Respondents could provide multiple answers so the percentage is for each individual question and not a total.

8 Small Arms Survey, 2017.

9 Saferworld, 2012; Duke, George and Hans Rouw, 2013.

10 Saferworld, 2012.

11 Ibid.

12 Small Arms Survey, 2017. There were significant regional variations in the findings of the survey which should be considered when planning future disarmament programmes.

3.

Firearms, Disarmament and Conflict Dynamics

Disarmament of civilians is not recommended during conflict as civilians will be concerned that they cannot defend themselves against their enemies and will be suspicious of those trying to remove their weapons.

In such contexts, fear can lead to an increase in illicit arms and ammunition trading and an increase in their market value, hoarding of weapons and ammunition, and an increase in the status of those in possession of weapons. If weapons were used as protection during livelihood activities, disarmament without proper planning to mitigate the impact can adversely affect livelihoods. Forced disarmament by the authorities can lead to violence. In countries with ongoing insecurity where trust in state law enforcement and rule of law is weak, forced disarmament programmes erode that trust further. The goal of civilian disarmament must be clear and must contribute to greater security, and therefore the process of disarmament must also contribute to and not undermine security.¹³

The removal of weapons alone from civilians does not equal greater security. It is important that the role of firearms in conflict, peace and security is understood. In some contexts they are a status symbol of power and wealth, and in others they provide a livelihood through rental income.¹⁴

A survey conducted in South Sudan in 2015 concluded that firearms were among several factors contributing to inter-communal violence, including poverty, conflict over natural resources, external interference and the absence of effective law enforcement. Within a community, firearms were not seen as a trigger for violence but people quickly resorted to their use to resolve disputes. Although the absence of effective law

enforcement was identified as contributing to conflict, the increased presence of the military and police was more likely to be regarded as a destabilizing rather than a stabilizing factor.¹⁵

The 2015 survey concluded that to increase the confidence of civilian populations in peace and security, the presence of the local administration needed to be strengthened and community interaction through trade and social interaction should be increased. Establishing fair access to services and natural resources is also important. The needs and views of women must be considered as they were more likely to be affected than men by poverty and violence. The survey determined that civilian disarmament would not address the root causes of conflict and that the process could exacerbate insecurity rather than contribute to an improvement in security.¹⁶ Research on civilian disarmament in Jonglei State supports this conclusion as disarmament there led to violence and undermined rather than contributed to security.¹⁷

To promote security, stability and peace at the local level, the United Nations Development Programme (UNDP) has supported the South Sudan Peace and Reconciliation Commission (SSPRC), Bureau of Community Security and Arms Control (BCSSAC), local authorities, traditional leaders, civil society organizations (CSOs), faith organizations and communities to implement the community security and arms control (CSAC) multi-year programmes,

¹³ Faltas, 2018.

¹⁴ Ibid.

¹⁵ CBR and SSANSA, 2015.

¹⁶ Ibid.

¹⁷ Duke and Rouw, 2013.

subsequently named the Peace and Community Cohesion (PACC) Project.¹⁸ Through the CSAC and PACC programmes the following conclusions have been drawn:

- Poverty is a local level conflict driver: Most local level conflicts are driven by poverty. Therefore, local peacebuilding work should be linked with livelihood initiatives to maximize impact and promote community cohesion.
- Peace committees: There is a need for local level structures to address community conflicts. These structures can have a transformative impact on individuals. Local level projects should involve a wide range of community members in peace structures to increase community commitment to peace. Peace committees are instrumental in achieving community peace. They must be well trained and equipped. Youth play an important role in preventing local level violence and conflict when actively engaged in peace committees.
- Multiple actors: It is important to work with a wide range of actors and use their networks and strengths. For example, local CSOs are effective at mobilizing community members at the grassroots, while UNDP can generate commitment to the peace initiatives from local authorities.
- Local level programming requires cooperation and collaboration with all actors, especially local authorities, to be effective. Small local level projects for women and youth contribute to livelihoods, security and peace at the grassroots level.
- Partnerships with CSOs: CSOs should be supported to develop their capacity in a sustainable manner. Capacitated CSOs have proved to be valuable partners and are able to work in wide geographical areas, including in remote, insecure areas out of the reach of UNDP and other international organizations.

¹⁸ UNDP, 2018.

4.

International Legal and Policy Framework

There are various regional and international instruments relevant to South Sudan and civilian disarmament.

4.1 REGIONAL INSTRUMENTS

In 2008, the African Union (AU) established a regional steering committee on small arms to coordinate regional efforts to combat the illicit circulation of small arms and their impact on peace and security. The framework for action is provided by the:

- Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (2000);
- Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa (2002);
- Plan of Action (PoA) of the African Union High-level Inter-governmental Meeting on the Prevention and Combating of Terrorism in Africa (2002);
- Africa Common Position to PoA Review Conference (Windhoek Common Position) (2005); and
- African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (2011).

The Republic of South Sudan (RSS) became a member of the African Union in 2011. The Nairobi Protocol and Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States (RECSA) are the most important African frameworks and institutions for SALW management in South Sudan.

RECSA is an intergovernmental organization established in June 2005. The Secretariat is mandated to build the capacity of the Member States, and

coordinate and monitor the implementation of the Nairobi Protocol within the RECSA Region. RECSA is the only internationally recognized inter-governmental organization within Africa whose sole mandate is to address the proliferation of illicit SALW to provide a conducive environment for sustainable development.¹⁹

Nairobi Protocol

RSS ratified the Nairobi Protocol on the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa in 2011. The Nairobi Protocol provides a framework for regional cooperation among the 15 Member States.

Signatories to the Protocol commit to: developing legislative measures to prevent the illicit manufacturing, trafficking, possession and misuse of firearms, and to regulating SALW possession among the civilian population and military personnel through marking and tracing; raising awareness and encouraging responsible ownership and management of SALW; providing safe storage facilities for firearms and ammunition and developing collection and disposal processes for unwanted or seized firearms; and promoting regional cooperation among RECSA national law enforcement authorities and sharing information to improve the management and control of SALW.²⁰

¹⁹ RECSA, <https://recsasec.org/who-we-are/> (accessed 20 May 2020).

²⁰ Nairobi Protocol, 2004.

4.2 INTERNATIONAL INSTRUMENTS

United Nations Programme of Action on Small Arms (2001)

The United Nations Programme of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All its Aspects, known as the Programme of Action (PoA), was adopted by United Nations member states in 2001 and is designed to prevent human suffering caused by illicit small arms trade.

The United Nations PoA is politically binding and, as well as promoting international cooperation to combat illicit trade in SALW, encourages measures relevant to civilian disarmament and control of SALW among the civilian population, including:

- development and enforcement of laws that regulate possession of firearms;
- marking and maintaining a database of SALW and prosecution of the falsification of marks as a criminal act;
- safe storage of government stockpiles and disposal of surplus weapons;
- destruction of small arms collected from the civilian population unless they have been officially authorized for another purpose; and
- raising of public awareness about dangers of gun proliferation and their misuse.

International Tracing Instrument (2005)

The International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, known as the International Tracing Instrument (ITI), is politically binding and addresses issues of marking, record-keeping, cooperation in tracing, and cooperation with the United Nations and INTERPOL.

Firearms Protocol (2005)

The United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, known as the Firearms Protocol, was entered into force in 2005. The Protocol is legally binding for the States that

have ratified it. It provides a framework for States to cooperate on the regulation of licit and illicit firearms flows. South Sudan is not a signatory.

The key measures are relevant to civilian disarmament and:

- criminalize illicit manufacture and trafficking of firearms;
- require effective security and control, including disposal of firearms;
- provide licenses for legitimate manufacture and trafficking of firearms; and
- establish marking, recording and tracing of firearms and international cooperation for tracing.

United Nations Arms Trade Treaty (2013)

The Arms Trade Treaty was adopted by United Nations Member States in April 2013 and is designed to regulate the international transfer, misuse and diversion of arms, including small arms and light weapons. South Sudan is not yet a signatory.

4.3 RSS WITHIN THE INTERNATIONAL POLICY AND LEGAL FRAMEWORK

The national legal framework in South Sudan for firearms controls is discussed below and is aligned with regional and international instruments. RSS is a member of RECSA, which is an important partner for South Sudan as it provides a platform for regional coordination and cooperation to control firearms. It also provides technical support and resources for Member States to implement firearms controls, and RSS and RECSA have collaborated on a number of initiatives to date.

The Director of the BCSSAC is the focal point for international firearms instruments. BCSSAC submits reports against these instruments to the United Nations Office for Disarmament Affairs (UNODA).

5.

Disarmament Processes

Disarmament among civilians comprises two main strands: measures to control the supply of firearms and ammunition and measures to reduce the demand of firearms and ammunition.

5.1 MEASURES TO CONTROL SUPPLY

- **Securing state-owned firearms and ammunition in effectively managed storage facilities to prevent theft.** Firearms must be registered and marked and the information stored securely on a database. Therefore, if weapons are stolen, it is known which ones and if they are recovered the registration details support the investigation into the theft. Training of security forces in physical security and stockpile management (PSSM) and registration, marking and tracing are essential elements of securing state-owned armouries.
- **Securing international borders to prevent resupply of arms and ammunition.** This is difficult in many countries because of long porous borders and insufficient resources to secure them. Weapons trafficking is conducted by armed groups and criminal gangs and often linked with other criminal activities, including people trafficking, poaching and drugs. Tackling cross-border arms trade requires international cooperation and systematic investigations into the activities of armed groups and organized crime. It is noted that it might be easier and more effective to control the supply of ammunition rather than firearms.²¹
- **Security sector reform (SSR) is important to control the supply and reduce the demand of firearms and ammunition.** The security sector must have the capacity to prevent, detect, investigate and prosecute firearms violations. The security forces

must be respected and trusted which means that, as well as providing effective security for the State so that civilians do not need weapons to ensure their own security, they must respect human rights and the rule of law and be capable of applying the law fairly and effectively. SSR should also be linked to any necessary justice reforms so that those accused of committing crimes are given a fair trial and the parties involved achieve justice. Without an effective justice system, people will pursue justice for themselves, which can lead to violence.

The security forces need to have been trained in civilian disarmament and be able to implement the processes transparently, with respect for human rights and rule of law. The use of force to disarm civilians should be avoided.

- **Legal civilian ownership, where permitted, must be properly regulated and monitored.** Both security forces and civilians must be familiar with and understand the legal framework for civilian firearms ownership. Owners should be registered and weapons and ammunition stored safely in accordance with the law. Failure to comply with the legal requirements of ownership leads to confiscation of the weapons and possible prosecution. The security sector must have the capacity to monitor and enforce the law governing civilian weapons ownership.

²¹ Faltas, 2018.

5.2 MEASURES TO REDUCE DEMAND

- **SSR, rule of law and effective provision of security** for the state and civilian population have already been noted as important factors contributing to reduction in demand for firearms.
- **Disarmament, demobilization and reintegration** (DDR) of former combatants is an important process following conflict. It contributes towards stability by helping to return former combatants to civilian life and by building confidence among civilians of the potential for long-term peace. It also reduces the real or perceived threat among civilians of being attacked by combatants, and therefore reduces the need for civilians to possess firearms to protect themselves. Any person in possession of a firearm who does not fulfil the definition of a former combatant is a civilian. South Sudan has a strategy and standard operating procedures for DDR.
- **Conflict transformation, peacebuilding and social cohesion** are important processes to mitigate the impact of conflict, promote security and stability and build the confidence of the civilian population in the prospects for long-term peace. Such activities involve a range of actors and participatory approaches ensuring that the marginalized and vulnerable are included, as well as those who may participate in or incite violence. Community level action should provide platforms to deal with local level conflict, address grievances and provide local level solutions to conflicts. In addition, networks at the community level should seek to understand and monitor conflict triggers and drivers and share information and analysis to inform national strategies and international support. With this information, interventions can be designed to promote peacebuilding and social cohesion.
- **Socioeconomic development and alternative livelihoods** are needed to address poverty, which is often a root cause of conflict, and to promote resilience and self-reliance among the population. Interventions may be at the community level for example to support existing livelihoods, facilitate access to natural resources, provide small loans or training, or at a national level to develop specific sectors. The design of interventions should be based on extensive analysis. The assumption is that improvements in livelihoods, income generation

and economic well-being reduce competition over resources and therefore the likelihood of armed violence, because the causes of conflict and the need to resort to armed crime or join militia for economic gain or survival are reduced.

- **Public information and awareness** uses a range of tools including mass media, social media, public meetings and community outreach to inform civilians about the dangers of firearms and ammunition; the legal framework; the role of the security forces and justice sector in enforcing the law; and the responsibilities of citizens with regard to the law. Where appropriate, information about the safe storage and handling of firearms and ammunition should be disseminated, as well as processes for registering legal firearms ownership. Public information can be disseminated at the community level through CSOs and local level structures designed to promote community cohesion. Public information campaigns should also be designed to counter misinformation that may be in circulation, particularly through social media.

5.3 AMNESTY, COLLECTION AND DESTRUCTION

Collection and destruction of firearms and ammunition is one of the final phases of community disarmament because in order for it to take place there must be trust between the state and the people and confidence in long-term security, stability and peace. The security forces must have the necessary capacity and resources to implement disarmament and information must be shared with civilians about the law governing firearms ownership before disarmament begins.

Before any weapons are collected, a plan and resources must be in place to manage the collection safely and provide secure storage. It is recommended that collected weapons are destroyed, but if there is an alternative use for them this must be authorized by the government and articulated to the civilian population. According to international law and policies, weapons collected from civilians can be used by the security services, stored or transferred (either for payment or donated). Any weapons surrendered to the authorities should be marked and registered so that if they re-enter circulation illicitly the government and security forces can be held to account.

The collection of firearms and ammunition must be done by people who know how to do this safely – usually the security services. However, they should be accompanied by a range of other actors, including officials from the local authorities, traditional leaders and representatives of civil society and faith-based organizations to show that the process has broad support and is voluntary and not coercive.

It is possible to offer amnesty for civilians to surrender their firearms and ammunition to the authorities, after which any weapons and ammunition not handed in can be taken from civilians by the security forces. However, such a process is only possible if civilians feel that they no longer need the ability to defend themselves; if weapons can be handed over without fear of repercussions; and if civilians are well informed of the legal framework governing civilian ownership of weapons, the amnesty and the consequences of failing to comply.

It is recommended that weapons are collected through cooperation of civilians and not their coercion, and that all collected weapons are destroyed safely in public and not retained by the security services or the government for future use. Public ceremonies to destroy weapons, such as ‘flames of peace’ in Mali and Cambodia, are symbolic of peace and hope, as well as transparent. They demonstrate the goodwill of the government and assure the people that the weapons are no longer needed and will no longer be used. Such activities should be monitored and reported by the media as a means of raising awareness of the process and strengthening accountability.

Offering inducements to individual civilians to surrender their firearms is problematic and should be done with care. Paying civilians to hand over their weapons can result in an increase in the flow of illicit weapons in circulation as it is seen as a way to make money. Sometimes only damaged and old weapons are exchanged for cash and people retain the firearms that they actually use. Rather than offer cash, vouchers, tools, bicycles or other items have been offered in exchange for weapons. Poorer people are less likely to own a weapon so do not benefit from cash for weapons or exchange schemes although they are the most in need. However, cash for weapons and exchange programmes are quick, easy and cheap to administer.²²

Development projects for the local population in exchange for weapons provide a collective incentive and are usually regarded as preferable to cash exchange programmes because they are fairer and benefit all, including those most in need. However, these are expensive and time consuming to develop and implement, and it can be difficult to ensure sustainability. As part of broader development initiatives such programmes would be possible.

Appropriate recompense for civilian disarmament should be researched and discussed to determine the most effective approach and ensure consistency. After all, firearms are often valued and valuable possessions.

²² Faltas, 2018.

6.

Advocacy and Communication

Research

In a large country such as South Sudan where travel is difficult, situations are dynamic, conflict is ongoing, populations are mobile and geographical areas are diverse smaller, local pieces of research might be more useful than large-scale surveys which take time to implement and analyse and may be out of date by the time activities are established in a particular area. Qualitative research would also help to explain some of the findings of quantitative surveys and provide a more nuanced understanding of issues.

Practitioners in SALW management conclude that it is expensive and difficult to determine the numbers of firearms in civilian hands with any accuracy, and that an educated guess at the numbers of firearms in circulation might have to suffice.²³ Therefore, the research published by the Small Arms Survey in 2017 should be used as a basis for planning the logistics of disarmament processes.

Methods of providing ongoing rapid analysis of situations should be identified and developed to inform programming through CSOs and local groups such as the peace committees.

Monitoring and Evaluation

Indicators should be identified based on the agreed aims of the civilian disarmament programme. Numbers of firearms and amounts of ammunition collected and destroyed are not good indicators. Having agreed the goals of the overall disarmament programme and the objectives of the different components of the programme, a baseline should be conducted before activities start against which progress can be measured. Methods might include surveys of perceptions about levels of peace and security.

Resource Mobilization

Resources to support civilian disarmament can be mobilized through numerous budget lines, including for SSR, DDR, governance and rule of law, post-conflict recovery and social cohesion, and development. The needs of different demographic and social groups should be considered and marginalized groups should be included.

A resource mobilization strategy based on the disarmament strategy should be developed. It must be informed by research and needs assessments and draw on monitoring and evaluation systems to demonstrate need, progress and impact and contribute to resource mobilization.

Information Management

Information about the various elements of the disarmament strategy must be stored securely and analysis conducted to report progress to donors, government entities and other stakeholders.

Communication and Coordination

Effective communication and coordination mechanisms for disarmament are needed at all levels – local, state, national, regional and international – and should include all relevant stakeholders from state entities, civil society, civilians and international organizations. These mechanisms are for implementing disarmament activities in South Sudan and communicating those activities internally, and with RECSA and UNODA at regional and international fora.

²³ Faltas, 2018.

7.

Civilian Disarmament Strategy for South Sudan

A voluntary civilian disarmament strategy must be appropriate to the context of South Sudan and aligned with the National Development Plan and ongoing peacebuilding processes. Effective control of firearms is seen as contributing to the achievement of the 2030 Agenda. Goal 16 promotes peaceful and inclusive societies.

7.1 PLANNING THE COLLECTION AND DESTRUCTION OF FIREARMS

Lessons from other countries show that disarmament should be well planned, involve a broad range of state and non-state actors and be conducted during periods of stability. The right capacity must be developed and the necessary resources should be in place before the disarmament process can begin, so it is necessary to be realistic about how much time is needed for the preparations. For example, the actual disarmament process must be planned meticulously. Methods for collecting and destroying firearms will be determined by operational context, capacity, resources and logistical challenges.²⁴ For example:

- The size of the geographical area/population that can be disarmed in one day.
- Whether disarmament will be confined to the dry season or will continue during the rainy season. The dry season is when cattle raiding takes place so civilians may be less willing to hand over their firearms at this time. However, mobility is impeded during the rainy season.
- The numbers of technical staff needed to check that the firearms/ammunition handed over are safe.
- The methods to register collected firearms and ammunition and the maintenance of accurate records to ensure accountability.
- The storage of firearms and ammunition until they can be destroyed or entered into government armouries.
- The availability of air or road transport to move firearms and ammunition to permanent government storage, as well as the weight/volume that can be transported at one time and the security needed during transit.
- Availability of marking and computer equipment so that firearms to be entered into government armouries may be registered and entered into the database during the civilian disarmament process, which should be witnessed by the population.
- The method/s of destruction used – burning, controlled explosion, burying, cutting, crushing – and the location. The most appropriate methods and technology for destruction of firearms and ammunition must be identified for South Sudan. As a symbolic gesture, it is useful to undertake destruction in a ceremony with the civilians that have been disarmed. The firearms and ammunition must be made safe for destruction so people must be trained to do this.

²⁴ Organization for Security and Co-operation in Europe, 2003; Saferworld, 2012.

In addition:

- Any materials left after destruction of firearms must be disposed of or recycled in an environmentally safe manner.
- Decisions must be made whether civilians should be disarmed by people from the same or a different ethnic group. Using a different ethnic group can be helpful to remove concerns about ethnic loyalties but it can pose linguistic difficulties.

The above issues, some of which are identified as part of the planning process in the 2017 Firearms Regulations (pp. 94–96), must be explored fully during the development of implementation plans and standard operating procedures. The plan and timetable for rolling out disarmament across the country will be determined by how implementing organizations address practical considerations.

7.2 IMPLEMENTATION OF CIVILIAN DISARMAMENT

The implementation of the strategy will be led by BCSSAC in partnership with other stakeholders. It is suggested that the police be responsible for collecting and storing firearms surrendered by civilians. However, the process should be civilian, led by community leaders and CSOs with the involvement of county and state authorities. It is recommended that police receive specific training about how to manage civilian disarmament processes to ensure that human rights are protected and violence is not used. It is not recommended that the army be involved in collecting the firearms and ammunition, but support from the armed forces may be needed to dispose of firearms and ammunition safely and/or to transport them.

Disarmament cannot take place until there is a reasonable level of peace and stability, improved livelihoods opportunities and increased trust in government, law enforcement actors and the rule of law. The physical disarmament is one of the final elements of the civilian disarmament process. As noted above, firearms alone do not contribute to violence and insecurity and it is their use, rather than their presence, that is the problem. Therefore, measures to improve stability and reduce the need to resort to violence to resolve disputes can contribute to the reduction in the use of firearms

before disarmament takes place. Roles and responsibilities for disarmament can be clarified as progress is made towards the conditions that are conducive to voluntary civilian disarmament. Community level meetings can be held to determine the most acceptable approaches for disarmament. Observers from the media, civil society and possibly international organizations should be present to witness the disarmament.

Various technical SALW control interventions have been initiated in South Sudan, including:

- training for the security forces in PSSM and the Firearms Law;
- training the security forces in registration and marking; and
- joint BCSSAC-UNDP sensitization workshops for civilians in each of the 10 states on the Fire Arms Act.

With the passage of time it may be necessary to repeat some of the activities. For each element of the disarmament strategy a rapid internal appraisal should be conducted to identify gaps in capacity, resources and knowledge to determine next steps. In some instances, it may be decided that a full external capacity assessment is required or simply some refresher training.

Often staff trained in PSSM are redeployed to other responsibilities so the capacity to manage state-owned armouries is reduced. The situation should be reviewed to see whether it is possible to retain PSSM-trained staff to focus on stockpile management and whether some of these staff can train others to develop sustainable PSSM capacity for South Sudan.

The strategy focuses on:

- the legal framework;
- roles and responsibilities of national authorities and their capacity to implement firearms controls;
- measures to control and manage the supply of firearms; and
- measures to reduce the demand for firearms involving advocacy and communications and monitoring and evaluation.

Guiding Principles

The strategy shall be implemented with respect for:

- human rights and rule of law;
- gender and diversity (active participation of all demographic and socioeconomic groups is essential);
- conflict sensitivity; and
- environmental sensitivity.

7.3 NATIONAL LEGAL AND INSTITUTIONAL FRAMEWORK

South Sudan has developed a national legal framework for arms control and civilian weapon ownership. The Firearms Act was passed in 2016 and is complemented by the Firearms Handbook published the following year. There is also a small arms and light weapons policy.

A three-year roadmap for implementing the Firearms Act prioritized 21 actions, including:

- training organized forces in stockpile management;
- construction of new safe storage facilities for weapons;
- supporting gun marking processes;
- disposal of obsolete weapons as well as weapons collected from civilians;
- developing guidelines for registration and licensing of weapons held by civilians; and
- providing training to the police and other relevant government institutions to implement the registration.

Ongoing conflict means that the roadmap has not been implemented. It should be reviewed and, if still considered useful, revised and implemented.

7.4 KEY STAKEHOLDERS

The strategy must involve the active participation and support of the relevant national, state and local level governmental bodies, traditional levels and community representatives, CSOs, faith-based organizations,

United Nations entities, and international and local non-governmental organizations. It should also include the active participation of the civilian population ensuring the involvement of all demographic groups.

The Bureau for Community Security and Small Arms Control (BCSSAC) was established in 2008 through Resolution No 280/2008 and Resolution 281/2008 by the Council of Ministers on 7 November 2008. According to the Firearms Act, para. 36, the Bureau assists law enforcement agencies in the control of arms. It is part of the Ministry of Interior. In particular, the Bureau should support government, law enforcement entities and communities to undertake voluntary civilian disarmament, advocate for a small arms controls framework and address the root cause of conflict to facilitate peace and development.²⁵

The Ministry of the Interior is responsible for the police, police firearms and ammunition stores, enforcement of the rule of law with respect for human rights and the collection of firearms from the civilian population, as well as their destruction.

The Ministry of Defence is responsible for the armed forces and management of their firearms and ammunition.

The Ministry of Justice is involved in the legal framework for control of firearms and ammunition, including civilian disarmament. It is responsible for overseeing the rule of law, and ensuring that just procedures are developed and followed correctly.

The Ministry of Foreign Affairs is the representative of RSS at international meetings and is the signatory of international agreements for arms control. It also cooperates internationally over border controls.

The South Sudan Peace and Reconciliation Commission (SSPRC) or Ministry of Peace (the Ministry of Peace is newly formed and its role is to be determined) is important for promoting peace and strengthening the relationship between the state and the people. It works with key stakeholders for community level interventions, including the South Sudan Council of Churches, the Islamic Council of South Sudan, civil society, local leaders, non-governmental organizations and the United Nations.

²⁵ SALW Policy.

The Disarmament, Demobilization and Reintegration Commission is responsible for DDR and has begun to implement the DDR strategy. DDR is an important process in post-war recovery and the Commission is an important partner in civilian disarmament processes to ensure that disarmament processes for civilians and former combatants are complementary and do not undermine each other.

The Ministry of Youth and Sport and Ministry of Social Affairs should be involved in community level conflict transformation, peacebuilding and social cohesion activities, working with non-government stakeholders in South Sudan.

Border control is the responsibility of the Ministry of the Interior and Customs Office with the involvement of the Ministry of Defence in some instances.

Armed forces in South Sudan include the police, military, national security, prison, wildlife rangers and fire brigade. Where relevant, all of these must be engaged in firearms controls that relate to civilian

disarmament, including stockpile management, safe storage and registration and marking.

7.5 COMMUNICATION AND COORDINATION MECHANISMS

The BCSSAC is responsible for ensuring communication and coordination of the disarmament strategy at all levels and among all stakeholders at the local, county, state, national, regional and international levels. It is responsible for disseminating information among implementing partners and for monitoring implementation and reporting progress at the national level among government entities and to international partners, at the regional level through RESCA and the AU, and at the international level through UNODA.

There is a **Specialized Committee of Defence, Security and Public Order** which is a parliamentary forum for inter-ministerial cooperation on matters that include arms controls.

8.

Conclusion

The civilian disarmament strategy was validated at a workshop on 9 September 2020. It was hosted by the BCSSAC and supported by UNDP. Participants included Ministry of the Interior, DDR Commission and SSPRC.

It was recognized that community level activities to promote peace, stability and livelihoods are ongoing, and that these should continue as they contribute towards creating an environment in which civilian disarmament can take place. It was also recognized that RSS must have the necessary capacity, resources and plans in place for civilian disarmament and that SSR and the rule of law are priorities to ensure that there is stability, security provision and the ability to implement civilian disarmament in accordance with the law and respect for human rights.

It was agreed that further discussions were needed among relevant stakeholders to determine whether incentives for civilians to disarm were appropriate and if so, what form they should take. It was agreed to consider no incentives, individual incentives and collective incentives and to ensure that whatever decisions were made could be reconciled with any incentives offered to combatants through DDR processes.

The preference to destroy collected weapons rather than include them in state armouries was expressed. Crushing seemed to be the preferred method of destruction, so it is necessary to examine the feasibility of this approach further. There was also recognition of the significant logistical challenges in South Sudan posed by geography and climate to destroying and recycling firearms.

The importance of raising awareness and disseminating accurate information among the civilian population was stressed. It was also noted that disinformation is being spread through social media and that this needs to be countered with effective messaging about the dangers of firearms and potential future disarmament campaigns.

9. Summary of Activities Linked to Voluntary Civilian Disarmament

#	Functional area	Content	Activities	Lead actors	Status/action
1	Legal/policy framework				
1.1	National legislation	Firearms Act (2016)	<p>A road map for implementation of the Firearms Act has been developed but not implemented. It should be revised and implemented.</p> <p>The Firearms Act is supported by the Firearms Regulations (2017) and the SALW Policy.</p>	<p>Ministry of Interior</p> <p>Ministry of Defence</p> <p>BCSSAC</p>	<p>The national legal framework is in place and ready to be implemented.</p> <p>Determine whether the roadmap for implementation is still relevant and should be implemented. If not, revise accordingly.</p>
1.2	Regional instruments	Nairobi Protocol	<p>RSS is a signatory of the Nairobi Protocol and RECSA.</p> <p>RSS is a member of the African Union which has various instruments for firearms controls.</p> <p>BCSSAC liaises with RECSA.</p> <p>National legislation in line with the Nairobi Protocol.</p>	<p>Ministry of Foreign Affairs</p> <p>BCSSAC</p>	<p>RSS is a member of RECSA and should continue to work with RECSA to promote regional cooperation in firearms controls as well as within AU frameworks for arms controls.</p>
1.3	International instruments	<p>PoA</p> <p>ITI</p> <p>Firearms Protocol</p> <p>ATT</p>	<p>RSS is not a signatory to the Firearms Protocol or the ATT but reports to UNODA. BSCAC is the focal point.</p> <p>National legislation in line with these international instruments.</p>	<p>BCSSAC</p> <p>Ministry of Foreign Affairs</p> <p>Ministry of Justice</p>	<p>RSS should become a party to international instruments and continue to pursue greater compliance.</p>
2	National entities				
2.1	Institutional structures		<p>The Firearms Regulations detail the roles and responsibilities for implementing firearms controls, including measures relating to civilians.</p>	<p>BCSSAC</p> <p>National Police</p> <p>Ministry of Interior</p> <p>Ministry of Defence</p>	<p>Ensure that all entities are aware of their roles and responsibilities as outlined in the Firearms Regulations.</p>

#	Functional area	Content	Activities	Lead actors	Status/action
2.2	Capacity strengthening	SSR Rule of law PSSM	SSR and rule of law capacity strengthening should be initiated (or further developed) to ensure that the Firearms Act is implemented according to the rule of law and human rights, and that the justice sector can respond to disputes. Disarmament also requires resources, including safe storage, machines for marking and computers. Identification of necessary resources should also form part of the capacity strengthening. PSSM training has been initiated and should be continued.	BCSSAC National Police Ministry of Interior Ministry of Defence Ministry of Justice	Initiate capacity assessments and develop a capacity strengthening strategy for training and resources. RSS should aim to develop a strategy to ensure sustainable national capacity.
3. Supply-side control and management					
3.1	Stockpile management	Firearms Act, para. 15	State-owned weapons facilities must be safe and secure. Stockpile verification at least once a year. Safe destruction of obsolete and surplus firearms and ammunition.	Ministry of the Interior Ministry of Defence Police and armed forces	The necessary capacity and resources must be in place.
3.2	Marking, tracing and databases		All state weapons must be marked. No state-owned weapon can be transferred to a civilian.	Ministry of the Interior Ministry of Defence Police and armed forces	This process has been initiated so progress must be reviewed and the process completed.
3.2	Cross-border control	Border management International agreements Returnees	RSS must decide how to manage its borders. Regional and international measures for border management can be pursued through the AU, RECSA and the United Nations. RSS has already established relationships for doing this. South Sudanese refugees who want to return home may have firearms. RSS has to determine who should manage returnees in accordance with human rights.	Ministry of the Interior Ministry of Defence BCSSAC Ministry of Foreign Affairs RSS entities liaison with UNHCR, IOM, UNMISS, UNDP and other relevant organizations	Border management and international cooperation is time-consuming, ongoing and complex as there are criminal and conflict dynamics to tackle. RSS must establish practical measures to manage its borders and cooperate internationally. Procedures must be established.
3.3	Public warehouses	Firearms Act (18–20)	Effective management of public warehouses. Only those under the police to be used for private firearms ownership.	Authorized by the Ministry of the Interior and maintained by police at state and county levels	These must be in place before civilian disarmament can begin.

#	Functional area	Content	Activities	Lead actors	Status/action
3.4	Licensing of firearms importers/vendors	Firearms Act (25-26, 44)	Importers only as authorized by the Ministry of Interior. All vendors must be licensed and adhere to regulations.	Ministry of Interior	Capacity must be in place to regulate importers/vendors.
3.5	Amnesty, collection and destruction	Amnesty, Firearms Act (47)	Removal and disposal of illicit, unwanted, obsolete and surplus weapons and ammunition from circulation. Amnesty for collecting firearms and ammunition can be called by the President. Suitable methods of destruction that are appropriate for South Sudan and are environmentally sensitive and enable materials to be recycled must be identified. Incentives for disarmament must be agreed and resourced.	Ministry of Interior Police BCSSAC Army National Security Service	Before this can begin, SSR and rule of law capacity strengthening must have taken place. The necessary storage facilities and plans for destruction must have been developed and community sensitization must have taken place. Technical assessments may be necessary. Further discussion and analysis needed to determine whether incentives are appropriate and, if so, what form they should take.
3.6	Arms registration and marking	Firearms Act (6-14)	Record and mark all civilian-owned firearms and maintain an accurate record of legally-held civilian-owned firearms in South Sudan.	Inspector-General of Police responsible for the central registry of firearms	This capacity must be developed and civilians sensitized to the rules before civilian disarmament is initiated.
3.7	Private firearms license	Eligibility, Firearms Act (23) Exemption from holding a licence, Firearms Act (30) Firearms permitted in private ownership, Firearms Act (29) Civilian firearms ownership, Firearms Regulations (Ch. 6)	Provide registration documents to civilians holding firearms. Re-registration to be renewed annually. Ammunition permitted by Firearms Act 49. Safe storage according to Firearms Handbook Ch. 6. Persons suspected of contravening the Firearms Act can be arrested without a warrant and, following due process, imprisoned or fined. Monitor civilian firearms holders to check safe storage and owners understanding of responsibilities. Licenses can be revoked and firearms must be surrendered. Firearms are prohibited in: • places of worship • hospitals and health centres • markets and places of public gathering • schools and other places of learning • nightclubs, bars and restaurants • courts of law and Public Attorney's office.	Head of Criminal Investigation Department at state and county levels Designated arms office for implementation	Capacity must be developed to issue private firearms licences according to the law. Guidelines must be developed for civilian firearms holders. They must be trained in these guidelines and have safe storage facilities.

#	Functional area	Content	Activities	Lead actors	Status/action
3.8	Private temporary firearms license	Firearms Act (28) Firearms Regulations (Ch. 7)	Firearms issued specifically for hunting or sport.	As above	As above
4 Demand reduction					
4.1	SSR/rule of law		SSR and the rule of law to create stable environment. This is beyond the scope of the civilian disarmament strategy, but all initiatives must be aligned and the relevant stakeholders must have the capacity and resources to implement the civilian disarmament strategy.	Ministry of Interior Ministry of Defence Ministry of Justice Ministry of Wildlife Service	The implementation of the civilian disarmament strategy must be done in cooperation with SSR and the rule of law.
4.2	Conflict transformation, peacebuilding and social cohesion	Conflict warning Peacebuilding Transitional justice	<p>Stakeholders should continue to build on conflict early warning and response systems (CEWERS) and conflict early warning and response networks (CEWARN).</p> <p>Stakeholders should also build local and national capacity to manage conflict and promote peace, and community-based work should:</p> <ul style="list-style-type: none"> strengthen community cohesion empower all members of the community raise awareness about firearms controls and the negative impact of misuse of firearms ensure firearm-free zones support marginalized and vulnerable groups. 	BCSSAC CEWARN SSPRC Universities Media CSOs Faith-based organizations	<p>Continue CEWERS and CEWARN and liaise with IGAD.</p> <p>Align with PACC projects and other ongoing initiatives.</p> <p>Target areas must be identified as it will not be possible to roll out initiatives throughout the country simultaneously.</p> <p>Intervention should be based on research and analysis.</p>
4.3	Socioeconomic development and alternative livelihoods		Alternative livelihoods and development projects based on needs articulated by the community. These might include firearms for community development projects.	BCSSAC SSPRC Faith-based organizations CSOs UNDP International and local non-governmental organizations	<p>Aligned with the National Development Plan and the Sustainable Development Goals.</p> <p>Intervention should be based on research and analysis.</p>

#	Functional area	Content	Activities	Lead actors	Status/action
4.4	Public information and awareness campaign	Mass media, including radio messages and posters Public meetings, peace committees, faith-based networks, social media SALW Policy: 3.1	Raising awareness of firearms interventions, and of impact, risks and dangers of firearms. Ensuring that all civilians are aware of the firearms laws and their rights, as well as roles and responsibilities.	BCSSAC SSPRC CSOs Faith-based organizations UNDP International and local NGOs Media	Ongoing initiatives should continue. Messaging should be standardized and consistent and designed to counter any misinformation. Intervention should be based on research and analysis.
4.5	DDR	DDR strategy and standard operating procedures developed	Those not in one of the state armed forces or falling under the DDR criteria of combatants are civilians.	DDR Commission	Civilian disarmament strategy should complement DDR strategy.
5 Advocacy and communication					
5.1	Research		Qualitative and quantitative research to: <ul style="list-style-type: none"> • assess firearms ownership • assess perceptions of peace and security • understand conflict dynamics. Research should be ongoing as the situation in South Sudan is dynamic. Research can be on a small scale and conducted in small geographical areas to inform specific local activities. Large-scale research projects, although useful to provide an overview and monitor trends, are time consuming so situations may have evolved before they are completed.	BCSSAC SSPRC CSOs Think tanks	Include budget for research in funding applications.
5.2	Monitoring and evaluation		Monitoring and evaluation of activities from the civilian disarmament strategy. Lessons learned to be used to improve the design and implementation of the strategy.	BCSSAC SSPRC Actors implementing projects related to civilian disarmament	To be developed after specific projects have been designed.

#	Functional area	Content	Activities	Lead actors	Status/action
5.3	Resource mobilization		Secure appropriate funding from a range of different funding mechanisms. Identify how arms controls and disarmament interventions can be included in broader peace and development programmes.	BCSSAC	Develop resource mobilization strategy
5.4	Information management		Information must be stored and managed to use for advocacy, resource mobilization and to monitor progress and impact.	BCSSAC	
5.5	Communication and coordination	Meetings at all levels in RSS (national, state, county, local) International meetings	To coordinate, plan, communicate progress, identify needs and agree on strategies and action plans. Coordination should aim to unite stakeholders to work towards common objectives. Coordinate with AU, IGAD, United Nations, RECSA and neighbouring countries on arms controls and border controls and communicate progress implementing arms controls in South Sudan.	Relevant government entities BCSSAC SSPRC Faith-based organizations CSOs UNDP and United Nations entities International and local non-governmental organizations BCSSAC, SSPRC and the Ministries of the Interior, Defence, Justice and Foreign Affairs, plus all other relevant stakeholders	Identify and use existing fora and, where necessary, create new ones

10.

Annexes

10.1 ACRONYMS

ATT	Arms Trade Treaty
AU	African Union
BCSSAC	Bureau for Community Security and Small Arms Control
CBR	Centre for Basic Research
CSAC	community security and arms control
CSO	civil society organization
DDR	disarmament, demobilization and reintegration
IGAD	Inter-governmental Authority on Development
IOM	International Organization for Migration
ITI	International Tracing Instrument
PACC	Peace and Community Cohesion
PoA	Programme of Action
PSSM	physical security and stockpile management
RECSA	Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States
RSS	Republic of South Sudan
SALW	small arms and light weapons
SPLA	Sudan People's Liberation Organization
SSANSA	South Sudan Action Network on Small Arms
SSPRC	South Sudan Peace and Reconciliation Commission
SSR	security sector reform
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNMISS	United Nations Mission in South Sudan
UNODA	United Nations Office of Disarmament Affairs

10.2 DOCUMENTS

Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons.

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