

- *Why do non-state actors emerge?*
- *Are they a result of failed states / bad governance / corruption and mismanagement among officials?*
- *What creates the demand for non-state actors and the demand for SALW?*
- *How do we deal with the ethical issue of uniformity of application when decisions made by the international community may be subjective and biased?*
- *If we are not providing people with SALW, what other means of protection are we offering them?*
- *How can we make people feel secure so they will be willing/able to give up their weapons?*
- *How can the issues of good governance, justice and policy framed in human rights be brought back into the discussion surrounding SALW since the lack of these issues leads to the emergence of non-state actors?*

Where a state is committing human rights violations and widespread, systemic abuses against its people, an opposition group being subjected to these crimes, or acting on behalf of and with the support of those that are, has a right to take up arms against their oppressor. However, the involvement of outside governments in arming such opposition groups is problematic when one cannot come to terms with exactly what is meant by a crime that could justify taking up arms for protection. It is argued that the threat needs to be very manifest and real for someone to be given a weapon for self-defence and thereby reject non-violence. Can this be determined by international humanitarian law?

There is a need to address the factors related to the emergence of non-state actors. Their very presence anywhere in the world is a sign that the performance of the state is wanting, although one can argue that there will always be a role for those who wish to criticise the state. The appearance of non-state actors on the political landscape can be more serious, however, a consequence of declining quality of life for which bad governance is responsible, the selective marginalization of minorities on ethnic lines, underdevelopment, the dual existence of exchange rates, excessive and unfair regulation, black marketing, and a decline in economic opportunity. It is a strategic mistake to brand non-state actors as a negative force rather than dialoguing with them and inviting them to become a part of the solution. However, it is also the case that some non-state actors have no interest in defining and implementing a solution. Warlords have a vested interest in the continuity of conflict and some NGOs will be critical of the state whatever its actions.

#### **4. Where Are We Now?**

- *What codes, conventions, agreements, etc. exist?*
- *What do they do?*
- *Where are the gaps?*
- *What kind of new proposals are currently being formulated?*
- *What mechanisms exist to address the exceptional circumstances in which it is deemed acceptable to arm non-state actors?*
- *When do you have the right to defend yourself?*