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THE USE OF ILLEGAL GUNS: SECURITY IMPLICATIONS FOR PAPUA NEW GUINEA

The use of illegal guns in Papua New Guinea is of growing concern, with broad ranging social and economic impacts. In the following paper, Major General Jerry Singirok explores the dimensions of illegal gun use in Papua New Guinea, examining patterns of gun use, sources of guns and firearms administration and control. Drawing upon a variety of sources, including personal experience, Singirok calls for a collaborative approach to gun control between state and society.

INTRODUCTION

On any given day in Papua New Guinea (PNG), the nation's newspapers, television and radio news will feature dramatic stories about gun-related incidents. These incidents are dramatic because they relate to harassing, injuring, shooting and killing individuals. The targets may be families, persons in business houses or people guarding access to restricted areas. Many of these incidents arise from transactions involving the exchange of drugs for guns.

After twenty-nine years of independence, Papua New Guinea is constantly confronted by unprecedented challenges at all levels of state and society, as reflected in the economic, social and political sectors. There are obvious signs of a nation plagued with serious internal conflicts

and a weak and unstable political system. In some parts of the country systemic social breakdown is apparent, where state institutions are in a destitute state because of the lack of political will, resource constraints and failure to enforce policies.

Attempts to rectify the problems plaguing the nation are indeed complex and difficult. At the very least, it would require the exercise of drastic political will by dedicated and experienced public servants. This body of people would implement strategies and institute major reforms to include relevant policy frameworks, tackling issues of damage control and developing long-term strategies to prevent further disintegration of both state and society.

The breakdown in law and order, together with state institutions that are unable to exercise authority, are markers of the current state of affairs in PNG. In dealing with the gun problem it has to be appreciated that the illegal use of guns is only one of a series of social epidemics such as HIV/AIDS, tuberculosis, corruption, poverty and unemployment in PNG, all of which are of major concern. In the global and regional context, post-cold war arms proliferation has resulted in the widespread availability of small arms. These weapons circulate in regions where there are pockets of illicit cells, which for various reasons sponsor, support and supply guns and

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The contribution
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this series is
acknowledged
with appreciation.

ammunition, making smaller states like PNG vulnerable to this kind of activity.

In the nation's capital, Port Moresby, there is a visible landscape of high razor wire fences, an extraordinary presence of security companies and the public display of guns by police, the military and private security firms. In addition, there are foreigners suspected of engaging in illegal activities by using PNG nationals as decoys for larger syndicates, which take advantage of weaknesses in state institutions, such as lapses in enforcement and sovereignty management. The situation is made worse by the fact that the rules, regulations and legislation inherited by the post-colonial administration have not been revisited to take into consideration local values and changes in a changing environment that is fast becoming even more complex, due to internal and external influences and pressures. Hence, the weak state and its impotent institutions are indicative of a nation struggling to cope with formal structures that lack strong links between state and society and confront the informal fabric of traditional values.

Prior to the opening up of PNG to the outside world, the country was still in the Stone Age, with various traditional forms of weapons being used to hunt for meat and for self-defense. There are various reports of the first guns used by indigenous people against foreigners, particularly traders, miners and patrol officers. A case was reported in about 1897 in Oro Province when natives from Binendere killed John Green and three constables, capturing muskets, shotguns and ammunition.¹ The natives used locals experienced in the use of guns to improve their chances of catching prey when hunting, thus replacing the traditional technology of stone axes, bows and arrows, spears and daggers, traps and snares, poison arrows and darts.

Today, the illegal use of guns (and ensuing lethal effects) has spread across all sections of the country and has left thousands of traumatized victims, with grave potential to bring the country to its knees. This has a serious and significant impact on the nation at large, with unintended implications for the economic, social and political sectors and serious consequences for the overall security of PNG. Ironically, the issue of gun use for illegal purposes, while debated widely by civil society in PNG, is poorly understood.

When handing down a life sentence to the perpetrator of a serious firearms offence, on June 24, 2004, National Court judge, Justice Mark Sevua, commented that:

The use of guns in crimes of violence has been, and still is, the subject of serious concerns by leaders and members of the

community. The media must be applauded for taking this issue head on. The use of factory and home made guns and pistols, even automatic weapons like M16s have caused, and continue to cause unnecessary losses and sufferings to innocent citizens.²

In the social and economic sectors, the security implications and impacts of illegal guns and their use are almost beyond comprehension. Illegal guns are often linked both to licit and illicit drug activities, illegal immigrants and money laundering. In this light, the security implications confronting PNG are formidable and require a firm nationwide strategy that embraces civil society and donor agencies. It is equally important to establish the sources of these guns and prevent supply to illegal gun users through resource sharing, strengthening state institutions and enforcing gun laws.

THE DIMENSIONS OF GUN USE IN PAPUA NEW GUINEA

Illegal firearms are now taking over from traditional weapons in ethnic and tribal fighting, which have changed in character, particularly in the Highlands region of PNG. Guns are used for tribal fighting, where the means employed by warring factions against their adversaries are similar to military tactics. This is shown by the well-constructed and skillfully camouflaged weapon pits that are cunningly concealed, enhanced by observation posts sited at points that confer the tactical advantage of giving combatants early warning of an approaching enemy. This new development coincides with the large number of former soldiers returning home who engage in tribal fighting and make use of their military skills to enhance the tactics and techniques of tribal warfare.

During the 2001-2002 National Elections I was engaged as a Security Consultant to the Electoral Commission. I warned the Electoral Commission and the National Government about the alarming presence of illegal high-powered modern weapons in the Highlands region. The report identified the Southern Highlands, Enga and Western Highlands as the locus of illegal gun concentration.³ The same report indicated that both candidates and sitting members were prepared to use both illicit and licit guns to harass, intimidate, disrupt and threaten voters in order to secure their vote or keep them away from polling stations.⁴ The report declared that unless the national government addressed the issue of guns, some parts of the highlands would be declared as having failed elections. The fear of

voters being intimidated and voting under duress was unacceptable, although predictable, given the way that guns have been used in the past.⁵

The unfortunate outcome of the elections in Southern Highlands Province was predicated, with only three members being elected and another six seats remaining undeclared due to a series of gun related incidents. There is still suspicion about the three elected politicians because of claims that guns were used to intimidate or scare away voters.⁶

In metropolitan areas, illicit guns are used daily for armed robberies by organised gangs. These operations, conducted by rogue elements, are well planned and many robberies of business houses are described as “*inside jobs*”, where gunmen either raid restaurants or walk into thriving stores and plunder the stores of their valuables with the assistance of insiders or informants.

Between 1999 and 2002, two major gun related incidents occurred in Port Moresby. The first incident occurred on New Year’s Eve, 1999, and is popularly known as the millennium robbery that went wrong. This incident mimicked a movie scene in which armed men hijacked a helicopter and scaled down from the top floor of the then Papua New Guinea Banking Cooperation using illicit guns and explosives with the support of ground elements previously positioned in the premises before the helicopter assault. The criminals who were caught did not escape death; a coronial inquiry later established that they all died as a result of gunshots. The incident raised a number of questions about the indiscriminate use of state issued guns by the police, who shot at the helicopter in order to force it to land and then arbitrarily fired at the robbers, killing them instantly.⁷

The second incident occurred immediately before the 2002 National Elections, when police fired indiscriminately into a crowd of protesting University of Papua New Guinea students, killing four individuals. The students were unarmed and their behavior was not life threatening. The two incidents illustrate lack of discipline, non-compliance with proper Rules of Engagement (ROE) and a lack of compliance with set procedures to deal with security situations when critical decisions have to be made by police commanders on the spot. Clearly, police officers using guns indiscriminately is as lethal as the use of illicit guns by unauthorized persons for illegal purposes.⁸

Most armed crimes occur in Port Moresby, Lae and the five highlands provinces. The Southern Highlands Province is virtually crippled, as the whole province has neither the political will nor the public service machinery to enforce control

in an area where illicit guns are accepted as the norm. Enga Province, too, is of concern because of the presence of illicit high-powered guns and the persistence of tribal warfare. Reports of similar weaponry come from other parts of the country such as East Sepik, West Sepik, East and West New Britain and Bougainville.

According to statistics compiled by the police, there is evidence that serious crimes reported over the last 10 years, and more so in recent times, have been exacerbated by the use of illegal firearms. It is estimated that approximately 60% of all major crimes are gun related. Amongst the 3 top categories of crime (robbery, break & enter, and murder) at least 90% of those reported crimes involved guns. In other words, it is conceivable that in the absence of firearms crime rates would be lower, although criminals may use alternative means of weaponry.⁹

Papua New Guinea’s political leaders are constantly implicated in the illegal use of guns by the local media. In 2001, a politician from a resource rich province was dismissed from public office when he posed for a photograph carrying a sub-machine gun. During the national elections in 2002, when votes were being counted at a provincial centre, a candidate arrived in a convoy of vehicles with illegal light to medium machine guns and small arms mounted on the vehicles’ cabins. In 2003 a brawl between an open Member of Parliament and a lecturer from UPNG resulted in the MP discharging his firearm at the lecturer. The MP was charged but the case was eventually dropped, while in recent months a provincial governor was charged for shooting his wife with a pistol.

Sir Michael Somare said that parliamentarians who were reportedly using firearms to intimidate and threaten others would be investigated.

‘These kinds of men will not last in the Parliament’ he said, adding they did not know their standing orders, they go out to nightclubs, drink and fight over leadership. ‘And they fight among themselves on who should lead. They fight in hotels — shame on these MPs. And they use guns and lock up other MPs. What a shame!’ he said.¹⁰

In a bizarre twist of political events Papua New Guinea’s National Parliament was adjourned until November 2004 on the premise that there were high-powered guns on the parliamentary premises.

Nationally, there do not appear to be fears among the people about illegal guns, although Bire Kimisopa, the Internal Security Minister, has raised a series of concerns, as has the Catholic Church. Minister Kimisopa wants tougher laws on the illegal possession of guns, which at present,

he avers, are too lenient and cumbersome. He has said:

We need to instill discipline, respect and obedience in our society and changes must start from the core. That means fixing the laws and legislation governing crimes associated with guns and drugs... Offenders should be locked away in maximum detention in jails and deprived of certain privileges like visitation by friends and relatives... We must give them lengthy sentences.¹¹

Gun laws should not be changed for the sake of change. There must be nation-wide debate, appropriate education and awareness prior to legislative change. The public voice and opinion is critical when the public is most affected. Suffice to say, there are appropriate penalties for gun related offences, but they need to be enforced by the police and prosecutors and the judiciary should play its role when sentencing offenders. It is hoped that the proposed Gun Summit will attract serious attention to the problem of illegal guns in Papua New Guinea.

SOURCES OF GUNS

Urban ownership and use of firearms

The sporting use of legitimate firearms in PNG by both the national and ex-pat communities is not widespread and these activities are mainly based in Port Moresby and some of the major provincial towns. Those individuals who own licit firearms for sporting purposes have demonstrated an appropriate degree of responsibility in the security of their firearms and compliance with their license requirements. PNG has often competed in international sporting events in the Pacific region and other parts of the globe under the direction of the PNG Sporting Shooters Association, which also represents the political interests of its membership.

In a country where urban violent crime is prevalent and an effective police response non-existent, a licit, lethal, concealable firearm is a much sort after commodity. Those citizens who live and work in the crime infested towns seek the perceived protection that a firearm can afford against a criminal element that has become less concerned about the consequences of violent assaults on their victims. Gang rape, murder and grievous bodily harm are common offences reported daily in the PNG media and with a dysfunctional justice system, the citizens of PNG not unexpectedly turn to other means to

protect both their families and business interests. In August 2000 a Moratorium on the issue of new licenses was declared by the then Police Minister Karani.¹² This instrument specifically allowed the renewal of licenses issued before the commencement of the moratorium and persons who already owned a licensed firearm could replace the firearm if it was damaged with a firearm of a similar caliber and action type.¹³ Since 2000, those people who are not able to apply for a firearm license for self-protection may now be seeking illicit firearms and until the PNG justice system can adequately protect its urban-based citizens from violent crime, it is expected that the demand for illicit firearms will remain.

Rural ownership and use of firearms

PNG firearm legislation currently allows the ownership, possession and use of licit firearms for the purpose of "subsistence hunting", and it is the single barrel 12 gauge shotgun that is most prevalent in PNG. Subsistence hunting allows the taking of game and fowl to supplement the nutritional income of those citizens living in a village environment. Previously, the RPNCGC attempted to limit the number of single barrel shotguns in a village environment to one or two guns, but as the capacity of the police has floundered, the current status of gun ownership in villages can no longer be accurately assessed by the central firearm registry in Port Moresby.

The cost of an annual firearm license for a single barrel shotgun is K150 – a large amount of money that cannot be legally sourced by many grass-roots gun owners.¹⁴ A consequence is the inability of many licensed owners to meet their obligations to renew their license, and as such it is now estimated that only a quarter of all licensed firearms in PNG are in the hands of licensed owners. In addition, the license renewal fee given to rural police station officers may be subject to theft or embezzlement. Until a supervised audit of the registration system is undertaken to ascertain the exact number of firearms that are now licensed, an accurate picture of the unintended consequences of the increased fee structure will not be known. Reputable PNG firearm dealers cannot supply ammunition to a person without the production of a current license in that person's name.¹⁵ As the number of licensed persons diminishes due to license fee increases, sales of licit ammunition will reduce, resulting in a commensurate increase in the number of people looking to purchase illicit 12 gauge (12g) ammunition.

The cost of 12g ammunition also affects the capacity of the grass-roots firearm owner to remain compliant with firearms legislation in

PNG. Ammunition is recognized as category 1.4s dangerous goods, resulting in freight charges of US\$25,000 for an average shipping container consignment. As at November 2004, a single 12g cartridge suitable for killing large game sells on the legitimate market in Port Moresby for K12, with a cartridge suitable for smaller game costing K10. Sporting ammunition is subject to a 70% import tax on invoice cost price and freight, making the price of licit ammunition far beyond the reach of most law-abiding villagers. Very few licensed firearm dealers in PNG have the capacity to import the amount of ammunition required to make it a financially commercial venture. The availability of legitimate ammunition to those in rural PNG has diminished and as the carriage of ammunition on aircraft is subject to regulation and inspection by at times a heavy handed RPNGC, grass-roots people will become more dependent upon illicit sources to supply their needs.

Undoubtedly, the security forces (the PNGDF and the RPNGC) are the main sources of illicit high-powered firearms. However, there are also large numbers of homemade guns in Papua New Guinea. Homemade guns are just as lethal as factory made guns, particularly when used at close range. These guns fire the 12g shotgun caliber for which the 1" water pipe "barrel" is readily available from hardware outlets and trigger components are manufactured in what has been described as a cottage industry. These homemade guns are used in tribal fighting to complement illicit high-powered weapons and they are also used to intimidate village leaders, threaten officials and arm criminals. The possession of homemade guns has been particularly prevalent in Bougainville and the Highlands, Port Moresby and in Lae.

The manufacture of firearms and their parts has been illegal since 1996, with a mandatory prison sentence not exceeding five years as a penalty upon conviction.¹⁶ This section also allows for the forfeiture of all tools, equipment, materials and even the premises belonging to a person convicted of manufacture.

In addition to the PNGDF and the RPNGC, legal gun owners, traders and outsiders, are also circulating guns.

Papua New Guinea Defence Force (PNGDF)

There are five military bases throughout the country, in addition to five major units in Port Moresby. They are Igam Barracks in Lae (Morobe Province), Moem Barracks in East Sepik Province, Lombrum naval base and the smaller outposts at Vanimo, West Sepik Province, and Kiunga in Western Province.

Accessibility to military guns is greatest in Port Moresby. For example, Goldie River Depot, about 18 kilometers out of Port Moresby, has ammunition dumps and a depot. In 2000, a junior non-commissioned officer was caught selling military issue guns from the Goldie depot. In 1997, during the Sandline crisis standoff between Operation *Rausim Kwik* troops and the Special Operations Group troops, a number of ex- Sandline weapons (ranging from small arms to rocket propelled grenades) were not accounted for during post-*Rausim Kwik* activities. During the Moem Barracks Mutiny in 2002, over thirty M16s were stolen and to date only a handful have been recovered. Large quantities of ammunition are still missing.¹⁷

In response to these problems, the PNGDF, with the assistance of the Defence Cooperation program (DCP), has invested over \$A7million in new armouries at Murray Barracks, Taurama Barracks, Goldie Igam Barracks and Moem Barracks. The armouries are designed for shared access, in that different staff members will have access through separate security barriers. There are four barriers to pass through for access to the armouries.¹⁸ In October 2002, the Australian Minister for Defence approved the construction of additional armouries at Igam and Moem Barracks, Lombrum Navy Base and Vanimo Forward Operating Base. These armouries were completed in 2003.¹⁹

In 2002, a complete muster of all weapons held by the PNGDF was conducted with DCP funding assistance. The muster involved sighting each weapon. Head quarters now controls a complete database of all weapons, unit by unit, held by the PNGDF on a Microsoft Excel based spreadsheet system. In the course of the muster, a complete list of all weapons stolen/missing was also compiled. Following the muster, all PNGDF Commanding Officers (COs) were instructed to provide monthly weapon stock take returns to PNGDF head quarters. Additionally, the PNGDF Supply Company (which carries overall responsibility) has a schedule for cyclic spot checks which are regularly sent out to unit COs. There are also periodic physical inspections of unit weapons holdings and accounting documents conducted by the Supply Company staff. The above actions are generally considered to be effective in improving weapons control, with a large number of weapons previously listed as 'missing' by HQ PNGDF being recovered in other unit armouries during stock takes.²⁰

Following the PNGDF stock take in 2002, Australian Defence staff assisted the PNGDF with the destruction of surplus small arms and ammunition. The weapons were gas-axed into



pieces and the pieces were then sealed in 200 litre drums of wet concrete. Colonel Dougall McMillan, Head of Australian Defence Staff in PNG, commented:

The provision of state of the art armouries to the PNGDF is a step forward in weapon control in PNG. Since their completion, no weapon has been unlawfully removed from these armouries when they have been properly secured.”²¹

However, the effectiveness of the new armouries relies on the PNGDF continuing to maintain and enforce present security procedures, including unit weapons checks, accounting procedures and individual weapon security practices. While armouries are important for the physical safety and security of large number of weapons stored for ceremony and operations, there are bound to be problems. Even the best technology can be compromised; a desperate soldier may be able to manipulate the system and gain access to guns and ammunition. Nevertheless, this project is a major milestone in weapons security.

Royal Papua New Guinea Constabulary (RPNGC)

Whilst the RPNGC has in most cases adequate secure storage facilities in regional areas, it fails to adequately audit the issuing of firearms and ammunition, which creates the opportunity for theft of these items. The monetary value of a modern high-powered firearm far exceeds the meager salary that a police officer earns and it has been known that RPNGC firearms have been rented on short-term agreement to criminals by errant police officers.

In the period 1994 – 1996, the RPNGC embarked upon a program of firearm accountability within the force and with the financial and logistical support of the private sector, surplus firearms, along with large quantities of illegal arms, exhibits and ammunition were destroyed. Some 4,300 firearms had their serial number electronically recorded and were then disposed at sea under the control of a commissioned officer appointed to oversee the program.

An ongoing, accountable and secure system of firearm destruction must be implemented to ensure that RPNGC armouries do not become a stockpile of seized firearms, which become an attractive source of revenue for corrupt police. During the accountability phase of 1994 – 1996 some firearms were identified as being held for some 10 years. The RPNGC destroyed firearms during that period by dumping them at sea in areas validated as being of a suitable depth. For firearms in the Highlands this required their transport from Wabag to Lae by vehicles under

armed escort and once at their destination the business sector assisted with suitable watercraft. During this period the Central Firearms Registry (CFR) was subject to an internal administrative review and with AusAID (AIDAB) and private sector assistance, a photographic firearm license system was introduced.

Despite these efforts, in December 2000, almost 100 police firearms were reported missing, including 10 machine guns, 32 M16 automatic assault rifles, 25 SIG Sauer pistols, and 5 semi-automatic shotguns, along with thousands of rounds of ammunition. An audit the following year estimated that as many as 600 firearms were missing from the police armoury.²²

Legitimate firearm owners

There are reported cases of legal licence holders applying for new guns using the same licences for multiple purchases of guns including the sale of personal guns to new owners without proper approval. In PNG there are legitimate sporting shooter clubs that use registered firearms of various types for approved recreational purposes. Whilst a minority group within PNG's sporting environment, firearm club activities have not revealed any major and on-going breaches of firearm legislation. There are community issues that are linked to the legitimate ownership of firearms that must be monitored to ensure public safety and sufficient controls, including the need for an efficient and accessible firearm registration system, education programs on firearm security and responsible and accredited firearm safety programs.

Traders and outsiders

Recently, a logging company in West New Britain was raided following a tip off. Police successfully raided the Asian Logging Company, where a male suspect of Asian origin was arrested and photographs of assorted firearms and ammunition were taken. This incident has proved beyond doubt that foreign loggers and fishing vessels trade guns and ammunition for cash and drugs and that they use guns without compliance with state laws and regulations. On Friday 30 July 2004 a major drug racket was uncovered at Jacksons airport terminal in Port Moresby, destined for Western Province for the Australian market in exchange for weapons and cash.²³ As outlined below, illicit gun trading is often discussed in the context of Papua New Guinea's shared borders with Australia and Indonesia.

PNG and Australia

Although Australia claims to have adequate surveillance of the Torres Strait, which lies

between the most northern tip of Australia and the southern part of Papua New Guinea, the border between PNG and Australia remains vulnerable in terms of accessibility and the lure of lucrative returns for small lawless expeditionary traders.²⁴ Weapons sourced from Australia that were used during the 2002 National Election campaign in Southern Highlands were reportedly flown in from Western Province to the Southern Highlands Province by small fixed-wing aircraft and helicopters avoiding Port Moresby, the main port of entry.

PNG, Australia and Indonesia

The international borders of these three countries are significant in that from Merauké, in Indonesia, to Western Province and Australia, illicit activities are carried out using sea, air and land routes. These activities include the illegal transfer of guns, drug trafficking and the distribution of red meat. This latter commodity serves, in part, as a medium of exchange for guns and drugs. A specific area of interest, located between Papua New Guinea, Indonesia and Australia, is called the "dog leg". In this area, perpetrators of illicit activities, including fish poaching, have been apprehended many times by joint air and sea patrols of the PNG Defence Force, the Australian coast guard and PC3 Orions of the Royal Australian Air Force. But these joint surveillance patrols are sporadic, which means that illicit activities will continue unabated. In 2003, the Bensbach Motel, situated near the Indonesian border in the Western Province of PNG, was raided after a tip off. The police confiscated both firearms and ammunition, demonstrating that trading in illegal guns, drugs and money is occurring between the borders of Australia, Indonesia and PNG.

PNG and Indonesia

The unprotected land border that extends for 760km between PNG and Indonesia is invitingly open to illicit dealers in guns and drugs. Indonesia's own internal political struggle between the Organisasi Papua Merdeka (OPM) for an independent West Papua (or Irian Jaya) started about 1969, following a staged referendum. This protracted armed political struggle against the central government in Jakarta has been well documented and there is no doubt that the arms used by elements of the OPM make their way to PNG. Equally, PNG is unquestionably a source of arms and ammunition for the armed struggle of the OPM. Further security implications of border management with Indonesia derive from the political events in East Timor, Aceh and Ambon. These have had a profound impact on

the bellicose political struggle in West Papua. Arms have been smuggled into PNG and West Papua and have been used in the armed struggle against Jakarta for the political autonomy and ultimate independence of West Papua.

The most northern tip of PNG is Vanimo in the West Sepik Province, where there has been a reported increase in arms smuggling from West Papua. In 1999, four suspects from Western Province were caught smuggling four unlicensed weapons and ammunition from Irian Jaya. Unfortunately, the lack of resources allocated to state agencies and institutions like the police, defence, immigration and foreign affairs has prevented any active patrolling or monitoring of PNG's land border with Indonesia.²⁵

The security implications of the Indonesian land border with PNG and the Australian sea border with PNG are ominous. This situation continues to pose a significant threat not only to PNG, but to neighboring countries as well. The PNG/Indonesian land border has not been patrolled for approximately 10 years, as Defence Force resources were committed to Bougainville; meanwhile, the Force is undergoing massive manpower cuts from 5,200 to 2,500 by end of 2004.²⁶ This fact alone will inhibit manpower planning for border patrols on the ground, although it is doubtful that border patrols have ever been regularly undertaken in the area.

PNG (Bougainville) and Solomon Islands

Over ten years of civil strife and armed struggle on Bougainville (until late 1997) resulted in the widespread presence of guns on the island. There was, for example, the Kangu Beach massacre by the BRA in the Buin District in September 1996. Over 30 high-powered weapons including 10 machine guns and 4 60mm mortars and mortar bombs, hand grenades and a large quantity of ammunition were stolen and taken to an area known as Laguai. The subsequent surrender of weapons yielded only a handful of guns.

Bougainville and Solomon Islands were both major battlegrounds for the allies and the Japanese during the Pacific campaign, generating a significant source of weapons and ammunition, including unexploded bombs from World War Two. During the Bougainville conflict many high-powered guns and ammunition supplies came into the hands of the insurrectionist (BRA) from this source. It is noted with a degree of concern that throughout Bougainville, many high-powered guns have been retained by former combatants, including explosives such as hand grenades, mortar bombs, gelignite, blasting caps, dynamite sticks and primers.

Gun trade between Bougainville and Solomon Islands still poses a threat to the governments of Solomon Islands and PNG. The Solomon Islands police minister, Michael Maena, said in an interview with the *Post-Courier* correspondent in Honiara that there were still strong suspicions that some trading in weapons was going on between the people of Bougainville and Solomon Islands.²⁷ A recent report of weapons and ammunition being smuggled to Solomon Island by the Bougainville Revolutionary Army (BRA) could be related to undeclared items associated with the surrender of weapons and ammunition in Bougainville, supervised by United Nations weapons disposal teams, although there is little evidence to prove this.

SECURITY IMPLICATIONS

The Post-Courier carries a daily free advertisement about illegal guns, which sums up the situation:

This is the biggest threat to our security and future prosperity. Tell your MP to vote for YES for much tougher laws against guns.²⁸

The security implications of unregulated ownership are horrendous and cut across all sectors of PNG society. On 27 May 2004, based on my experience and exposure to gun culture in PNG, together with assistance from the *Post-Courier*, I made a press statement on illegal guns and the security implications for PNG. I said that the state and its responsible agencies must take decisive action to control illegal guns. The story made the front page and had an instant impact on civil society, where the public was invited to make comments and join in debate over two weeks. The results were overwhelming, as the public wanted greater control of gun licenses and many wanted a total ban of guns in PNG.²⁹

The impact of the lack of illegal gun control on business houses and individuals, tourists and foreign investment is serious, making PNG an unattractive destination for tourists and investors, a situation which will continue if the state does not bring illegal weapons under control and enforce gun laws. Supporting this view, on 9 August 2004, the *Post-Courier* ran a story about a large tourist shipping liner, the *Pacific Star*, whose operators cancelled a tourist trip with 700 tourists into Rabaul in response to the armed hold-up of a ship in Rabaul two weeks earlier.³⁰

The Defence Force's Air Wing is crippled due to lack of funding for aerial surveillance, which has caused many military pilots to leave the force

for commercial flying jobs. The maritime element has five patrol boats and faces similar problems, with boats being tied up in port most of the time due to the lack of operating funds. The seaports are not effectively screened, and ocean going vessels, logging company craft and fishing vessels that discharge their cargo from ports have been identified as posing serious security concerns.

Recently, Qantas refused to fly into PNG because of non-compliance with international aviation security procedures and policies. At least one handgun unchecked at Jacksons airport ended up in Singapore and there were numerous security breaches at the airport. Unless state institutions are able to work together and share resources, including intelligence, PNG will remain a lucrative market for illicit dealers posing serious problems for security management at the highest level. Accordingly, border management and intelligence information, including resource sharing, is of fundamental importance to PNG and Indonesia, which have profound security implications for Australia.

FIRE ARMS ADMINISTRATION AND CONTROL

The Commissioner of Police is the Registrar of Firearms for the purposes of the *Fire Arms Act 1978*.³¹ The Registrar may delegate to a commissioned officer of the Police Force all or any of his/her powers and functions under this Act (except the power of delegation itself).

An important point to note is that by virtue of Part 111 of the *Fire Arms Act*, the Police Minister has control of firearms and ammunition and may prohibit or make restrictions on certain firearms and ammunition by notice in the National Gazette. For example, the Minister can prohibit or restrict; or declare an area to be a prohibited area in respect of, the possession or use of any firearms or types of firearm, or of any ammunition or types of ammunition.³²

The possibility of political meddling in the administrative and related functions of the Police Commissioner's jurisdiction over fire arms is a sensitive matter and may be subject to abuse by a police minister with ulterior motives.

According to AIDAB (now AusAID) monitors, in 1996 there were serious flaws in, and allegations of corruption connected with, the Fire Arms Registry, a situation that has apparently not improved.³³ There are problems with the main database at the Fire Arms Registry office in Port Moresby, which does not have proper linkages between gun owners, transfers and the renewal of licenses nationwide. Another flaw is the control

and monitoring of licenses issued in rural areas, where important administration is left to rural police station commanders who are not equipped with the skills to handle the issuing of licenses and database control. There are also allegations of manual entries being made at the Fire Arms Registry to avoid detection by registry staff, thus compromising the integrity of the office.³⁴ There have been over 20,000 firearms licenses recorded.³⁵ There is no proper monitoring or control and the Fire Arms Registry is ineffective because it lacks credibility. For example, there are reports of firearms licenses being issued without physical inspection of the firearms. At the time of writing, no information was obtained from the Firearms Registry, except for a report that the Fire Arms Registry is in a serious situation. There is no information available regarding licenses that have been issued. There are no lists of the names of gun owners and the dates when they were registered; despite efforts made between 1996-2003 to remedy this gap in the recording system.³⁶

ENFORCEMENT OF FIREARM LEGISLATION

Whilst PNG has legislation for the effective control of firearms, it is the failure to enforce that legislation which has led PNG to suffer from the criminal misuse of illegal firearms. Poor communication between the CFR and provincial police makes enforcement of firearm control reliant upon the officer at the scene. With no quick access to reliable information as to the legal status of a located firearm, many guns are simply seized from the owner and stored in local armouries. This situation increases a source of firearms available for theft or diversion by corrupt police, whilst the owner is left to deal with the same police to regain possession of the gun at a later date.

It is known that firearms seized from criminals by police have become "operational" weapons used and kept by police. A PNGDF 9mm Browning pistol recovered from a soldier on leave in the Eastern Highlands Province was taken by a police prosecutor and kept as a personal issue "police" firearm. This particular handgun was taken from the prosecutor during the 1994-1996 accountability process implemented by RPNGC Headquarters at Konedobu and destroyed.

The plastic credit card size photographic license (PL) introduced in 1995 was only available to gun owners who lived in Port Moresby, and all other firearm owners were still issued the paper license by the local police station. Each person

who was issued a PL was given a dedicated license number that remained with that person until firearm ownership ceased. This enabled the CRF to easily track the ownership history and transfer of firearms between individuals. The plastic license was issued detailing the serial number, make and type of firearm, so that a police officer could check those details against any firearm in the possession of a person. With no radio access to records of the CFR police could simply cross-reference the four possible key components available at the scene – the photograph, the person in possession of the firearm, the license details and the located firearm.

The paper firearm license details the name and address of the owner and the firearm details. Subject to the elements, most paper firearm licenses are in a deplorable condition and the information contained upon them is often difficult to decipher. With no photograph available to positively identify the person in possession of the firearm, police are left to either leave the firearm in the possession of a person who may not be the legitimate owner, or simply confiscate the gun pending further, lengthy enquiries. The paper license does not have a dedicated license number on it. Every year a new (renewal) paper license is issued with a new number, which creates an overwhelming workload for the staff of the CFR. Such a system also reduces the effectiveness of an electronic computer database.

The CFR requires a responsible commissioned officer to oversee an area that could be subject to corruption because of the demand for licit compact firearms by the business sector. This commissioned officer would be required to undertake a lengthy tenure of appointment to achieve confidence in enforcing legislation and policy, and be robust enough to withstand the corrupt practices of other individuals.

Undoubtedly, the current Fire Arms Act 1978 carries sufficient legislative authority to control the legitimate use of licit firearms, but current operational and logistical systems do not allow for the legislation to be implemented fully.

CHALLENGES AHEAD

The most important challenge is to get *political will* with bipartisan support to provide vision and guidance to address the gun issue. It is equally important to get *community support* to complement political will if there is to be a significant impact upon the use and sale of illegal firearms. Ideally, aid donors, particularly Australia, should be used as the means to strengthen institutions, especially the police in the areas

of armoury and database management, and to complement and strengthen investigative skills, an initiative that will hopefully be subsumed under the Enhanced Cooperation Package. If the *Fire Arms Act* is to be enforced, it is equally important to enhance institutions such as the Attorney General, the Public Prosecutor and the Local Court magistrates with training and proper procedures, investigative skills and documentation for the prosecution of suspects.

The *Fire Arms Act* gives the Police Commissioner the jurisdiction to control and enforce guns laws; therefore, capacity building for the police is a critical requirement. There is already a school of thought supporting the formation of a Fire Arms Licensing Committee to exercise control of firearms licensing and relieve the Police Commissioner of this task. The Committee would consist of a senior magistrate, a senior police commissioned officer, a representative from civil society and a senior public servant to report to the Police Commissioner and the Minister for Police on all matters related to guns and ammunition.

It is clear that the use and sale of illegal guns is a national problem but the state and its institutions cannot enforce changes without public support. It is important to note that what is applicable in coastal provinces is not necessarily applicable in the Highlands region or Bougainville. Therefore it is essential that a blanket policy should be properly scrutinised prior to making relevant amendments to the *Fire Arms Act* and the Criminal Code. In enforcing penalties under the Criminal Code for gun related offences, magistrates and judges must impose punishments relevant to the gravity of the crimes committed by offenders who use guns for illegal purposes. Therefore, common sense and discretion is left to judges to impose just punishment when sentencing those leaders and law enforcers who show lack of remorse and self-discipline when implicated in gun related charges.

From the security point of view, the implications of dealing with the illegal guns situation are daunting, not only to individuals and families, but also to the wider community. A bilateral and multilateral approach to the joint sharing of resources, intelligence and training and capacity building will assist in the strengthening of security and hence of the tourist industry and international relations.

In conclusion, the presence of illegal guns and their use is of great concern to PNG. The security implications both internally and externally are enormous and have serious consequences for PNG, with the potential to affect neighboring

states. The problems of control, legislation and enforcement are obvious. But without political will, community involvement and the coordination of resources, the problem of illegal guns will continue to haunt Papua New Guinea.

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ENDNOTES

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