

BRIEFING PAPER / August 2022

Small arms and ammunition in South Africa



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Abbreviations and acronyms

CFR	Central Firearm Registry
DFOs	Designated Firearms Officers
EWG	Expert Working Group
FCA	Firearms Control Act
IPFA	Illegal possession of firearms and ammunition
ICVPS	Implementation of the Integrated Crime and Violence Prevention Strategy
PSIRA	Private Security Industry Regulatory Authority
SADC	Southern African Development Community
SALW	Small arms and light weapons
SAPS	South African Police Service

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A police officer keeps watch at the scene where 16 people were killed by unknown gunmen on 11 July 2022 inside a tavern in Nomzamo informal settlement, in Soweto, Johannesburg. © Reuters/Siphiwe Sibeko

1. Background and context

Despite a variety of regional and international initiatives in recent years, the illicit or insufficiently controlled trade and diversion of small arms and ammunition into and within many African countries continue at alarming levels. Small arms and ammunition are fuelling civil wars and enabling violent groups to launch attacks against governments, communities, humanitarian aid workers and United Nations (UN) peacekeeping personnel. Indiscriminate armed attacks on civilians and other abuses carried out by some state security forces also create fear and resentment in communities. These attacks contribute to high levels of violent crime and diminish prospects for sustainable peace. One country with excessively high levels of violent crime is South Africa, and the proliferation and availability of illicit small arms (or firearms) and ammunition have played a key role in this.

New approaches for regional and international cooperation that can help address the problem in a more cooperative and effective way are needed. Consequently – pursuant to EU Council Decision (CFSP) 2019/1298 – in November 2019 Saferworld, in cooperation with African and Chinese partners, started a three-year project on ‘Africa-China-Europe dialogue and cooperation on preventing the diversion of arms and ammunition in Africa’. The project raises awareness in Africa, China and Europe of how the illicit flow of arms – particularly small arms and light weapons (SALW) and their ammunition – to unauthorised actors exacerbates insecurity and violence across Africa, thereby undermining social cohesion, public security and socio-economic development. Additionally, the project aims to promote accountability and responsibility in the legal arms trade by demonstrating how effective arms export and domestic controls can contribute to mitigating the risk of diversion of arms into the illicit market.

The core institutional foundation of the project is a non-governmental Africa-China-Europe Expert Working Group (EWG), which is made up of nine members: three each from Africa, China and Europe. The EWG is tasked with identifying and making practical policy recommendations on how the EU, China and African governments can best assist and cooperate on tackling illicit weapons and ammunition in Africa. The EWG engages in policy dialogues, consultations with officials and civil society, fact-finding visits to the field and research.

2. Objectives

This research report on small arms (firearms) and ammunition in South Africa will provide discussion and analysis on:

- existing national rules and regulations concerning firearms and ammunition production, transfers and trade, and civilian licensing
- sources of illegal firearms and ammunition
- evidence of firearms and ammunition originating from foreign sources circulating in illicit markets
- the main vectors in the supply of firearms and ammunition to illicit markets in South Africa
- measures and interventions undertaken by the South African government in response to the illicit trade and proliferation of firearms and ammunition
- additional actions that are necessary to curb the diversion of firearms and ammunition, including international transfer control mechanisms



A police officer carries a gun in an evidence bag at the scene of a shooting in Durban, South Africa, 25 February 2019. © Reuters/Rogan Ward

3. Research methodology

Data for this report was generated through document analysis and key informant interviews with relevant stakeholders with specialised knowledge of SALW control measures and related crime.

The following types of documents were analysed:

- official reports, strategic plans, presentations, speeches, and minutes of relevant official and public meetings
- relevant legislation and policies
- research reports and other relevant academic publications
- publicly available submissions on the proposed amendments to the Firearms Control Act (FCA)
- media reports, opinion pieces and blog posts

4. Terminology

The term 'small arms and light weapons' is not widely used in South Africa. The term 'firearm' is more commonly used, as it is the term used in South African firearms control legislation and policy. Consequently, the term firearm will be extensively used in this report.

5. Firearms/small arms, ammunition production and legal transfers (South Africa)

The South African defence industry is the largest in Africa, and includes a modest SALW and ammunition sector. Small arms and small arms ammunition are produced by private companies and state-owned enterprises (which are subsidiaries of the Denel conglomerate, the state-owned enterprise that focuses on the manufacture and development of defence-related equipment and technologies). The main companies in this regard are listed in the table opposite.

Most of the SALW and ammunition produced in South Africa are for either the export market or government use. In 2020 and 2021, ammunition was exported to: Australia, France, Germany, Jordan, Kenya, Malawi, Malaysia, Netherlands, Pakistan, Philippines, Qatar, Thailand, Turkey, the United Arab Emirates (UAE) and the US (among others). In the same year, small quantities of light weapons were exported to: Brazil, Pakistan, Switzerland, the UAE, the UK and the US. The 2020 and 2021 reports published by the National Conventional Arms Control Committee also demonstrated low levels of SALW exports from South Africa.¹

Civilian firearms and ammunition are typically imported from various countries by arms brokers and gun shops/wholesalers. Examples of countries South Africans import firearms and ammunition from include China, the Czech Republic, Slovakia, Turkey, the UK and the US. To import firearms/small arms and related ammunition, companies and individuals require import permits from the South African Police Service (SAPS), as stipulated in the National Conventional Arms Control Act and the SAPS Act.

In recent years, the production of arms and ammunition (and consequently exports) by companies that are part of the state-owned enterprise Denel has been negatively affected by acute levels of corruption, mismanagement, a reduction in exports and the COVID-19 pandemic. At the time of writing, Denel was effectively insolvent.²

Table 1: Main SALW-producing companies

Rheinmetall Denel Munition (Pty) Ltd	This company is jointly owned by Rheinmetall Waffe Munition GmbH (51 per cent stake) and Denel. It produces various calibres of military ammunition. The South African National Defence Force sources some of its arms and ammunition from this company.
Milkor Pty Ltd	Milkor's main product is the MGL-MK1 shoulder-fired grenade launcher.
Vektor	Vektor designs, develops and manufactures assault rifles, rapid-fire cannons and mortars for the military sector.
Pretoria Metal Pressings (PMP)	PMP – a subsidiary of parastatal Denel – was established in 1931, and develops and manufactures small-to-medium calibre ammunition for military and civilian (sporting) use.
Truvelo Manufacturers	The armoury division of Truvelo Manufacturing was established in 1970. It produces military-type weapons, especially sniper rifles.
Ripple Effect	This company produces hand-held grenade launchers.

6. Firearm violence in South Africa

South Africa is particularly violent. It has one of the highest homicide rates in the world – overshadowed only by Jamaica, Honduras, Venezuela and Puerto Rico.³ South Africa also experiences high levels of various other forms of violence, including robbery, assault, and violence against women and children.⁴ This violence has been underpinned by South Africa's history of colonialism and apartheid, which has entrenched extreme inequality, poverty, high levels of unemployment and structural violence. Key facilitatory determinants of contemporary violence include the prevalence of norms and beliefs that endorse the use of violence to manage interpersonal and inter-group conflicts. Violence has further been exacerbated by alcohol and drug misuse in addition to widespread access to weapons, especially firearms.⁵

Firearms are the most common weapon used to commit murder, attempted murder, and robberies with aggravating circumstances. In 2000/2001, firearms accounted for 52 per cent of all murders; this figure consistently declined over the next decade to 30 per cent in 2011/2012.⁶ However, the use of firearms – as compared to sharp instruments –

in murder incidents then increased steadily, with the number of firearm murders increasing by 55 per cent between 2015/2016 and 2020/2021. Furthermore, firearms accounted for 42 per cent of all murders in South Africa in 2020/2021 (see Figure 1). In 2019 South Africa was ranked 31 out of 204 countries in terms of firearm-related deaths, and had the second-highest recorded firearm death rate in Africa (after Lesotho).⁷

The recent upturn in firearm crime in South Africa appears to be linked to a rise in the availability of firearms in the illegal sector, which have mainly been sourced via the police as well as by licensed civilian firearm owners. Some 78,547 licensed civilian firearms were reported lost or stolen between 2011/2012 and 2018/2019, and there are numerous reports of such weapons being used in the commission of crime.⁸

Firearms are the second-most common instrument used in the commission of crime by perpetrators where the victim is a child, accounting for around 18 per cent of all child murder cases in recent years. Gunshot injuries comprise more than 50 per cent of total murders for child victims between the ages of 15 and 17, with the percentage considerably higher for male adolescents.⁹



Police question a man while on patrol in search of illegal firearms in Soweto, South Africa, following a shooting in a bar on 11 July 2022, which claimed the lives of 16 people. © AP/Shutterstock/Shirraaz Mohamed

Figure 1: Use of firearms, knives and sharp instruments in murder incidents

Source: SAPS data

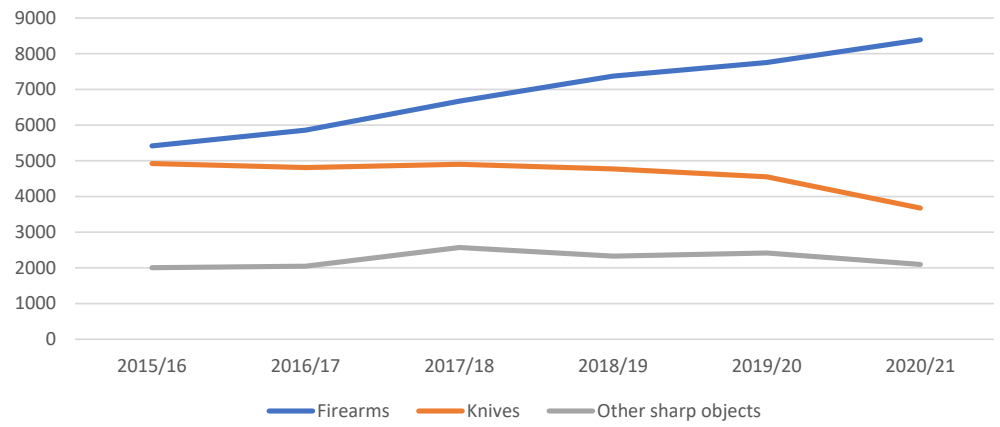
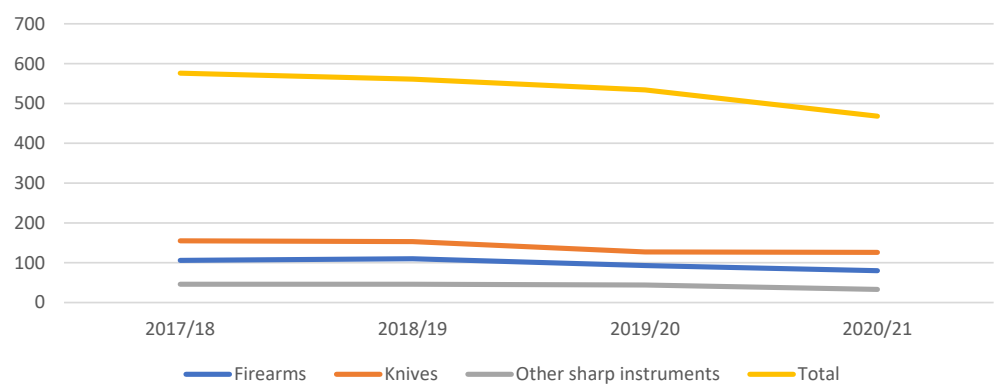


Figure 2: Use of firearms, knives and sharp instruments in child murder incidents

Source: SAPS data



7. Firearm controls in South Africa

7.1 Firearms Control Act

Between the late 1980s and the late 1990s, there were substantial increases in interpersonal firearm crime. For instance, between 1989 and 1992, the armed robbery rate rose by 40 per cent (from 252 to 375 per 100,000), and the reported firearm homicide rate – which had averaged four homicides per 100,000 for much of the 1980s – increased to ten per 100,000.¹⁰ Consequently, the SAPS began to implement more rigorous firearm control measures from the late 1990s, which gained momentum with the establishment of the FCA in 2000. These controls entailed stricter firearm licensing procedures, such as improved background checks, safe storage requirements, an increase in the minimum age for firearm possession, and a limit on the number of licensed firearms and rounds of ammunition a person may possess. The FCA also makes provision for controls over the manufacture and trading in firearms and ammunition. The SAPS prioritised the seizure of illegal firearms both within South Africa and in neighbouring Mozambique (in collaboration with the Mozambican police).

The more thorough vetting of firearm licence applicants by the SAPS during the period 2000 to 2010 resulted in a considerable reduction in the number of approved firearm licence applications, compared to the pre-2000 period.¹¹ Between 1994 and 1999 an annual average of 194,000 licence applications were approved by the SAPS Central Firearm Registry (CFR). For the years 2000 and 2001, the annual average of licence approvals decreased by 24 per cent to 146,500, with an annual average of 107,203 licences approved by the CFR for the period 2000/2001 to 2003/2004. By 2003 the number of total licensed firearms recorded on the SAPS Firearms Registry had dropped to 3.7 million, compared to 4.5 million in 1999.¹² For the period 2004/2005 to 2009/2010, the annual average of firearm licences approved by the CFR had drastically shrunk to 9,886.¹³ Thereafter, between 2009 and 2016, the number of firearm licence approvals increased substantially (see Figure 3 below). The SAPS does not typically publish regular data on firearm licence application approvals, but rather indicates in its annual report the number of licence applications that were finalised that year – which is why

there was no published data on annual firearm licence approvals from 2017 onwards, as there have been ongoing legal challenges by firearm interest groups with respect to rejections of firearm licence applications.

In June 2021 the Minister of Police reported that there were 1,614,291 private individuals who were licensed to own a total of 2,718,300 firearms within South Africa. It was also reported that official institutions (such as the SAPS and the South African National Defence Force) possessed 3,467,398 firearms, and that other government institutions were in possession of 164,249 firearms.¹⁴ In 2019 the SAPS reported that there were 102,943 firearms registered to 2,677 private security companies.¹⁵

7.2 Cross-border controls

SALW remaining from the Mozambican civil war contributed to high levels of firearm violence in South Africa in the 1990s. As a result, the SAPS engaged in joint arms collection and destruction operations (Operation Rachel) with the Mozambican police, which appeared to also slow the external injection of illegal firearms into South Africa (see table 2 on page 9).

Since the early 2000s, there has been a decreasing trend in the cross-border transfer of illegal small arms. This is somewhat supported by firearm seizure figures from the SAPS Border Police, which indicate a general decreasing trend from 2002/2003 in firearm confiscations at points of entry into South Africa (see Figure 4). The SAPS reported in 2005 that this decreasing trend could be attributed to the ‘tightening up of border controls’ and ‘improving other security measures at most of the major points of entry and exit’, in line with the SAPS Firearm Strategy.¹⁶ These sentiments have been reiterated intermittently in subsequent SAPS annual reports about illegal firearm seizures. Since 2008/2009 there has been a significant and sustained reduction in the number of firearms confiscated at South African border crossings, most noticeably from 2019/2020, which was likely due to COVID-19 travel restrictions (as shown in Figure 4). In addition, over the past 15 years, cross-border smuggling of firearms in the Southern African region has not been identified as a major area of concern by the Southern African Regional Police Chiefs Cooperation Organisation.

Figure 3: Number of owners of private licensed firearms: 2004–2016

Source: SAPS annual reports

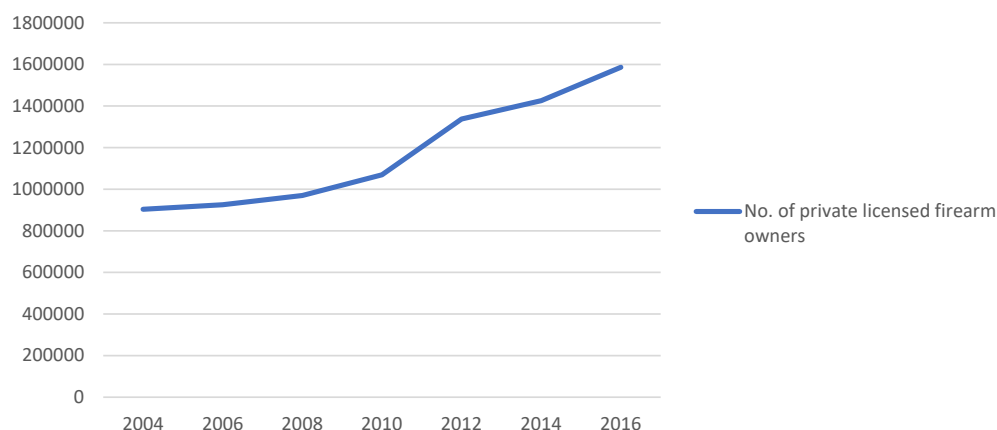


Table 2: Operation Rachel 1995–2008

Year	Firearms destroyed	Ammunition destroyed (rounds)
1995	1,127	23,153
1996	488	136,639
1997	5,683	3,000,000
1998	4,693	155,314
1999	12,036	3,315,106
2000	2,415	83,276
2001	3,930	486,000
2002	4,930	11,004,018
2003	1,637	2,200,001
2004	2,453	2,100,038
2005	3,189	1,666,808
2006	3,170	300,000
2007	0	0
2008	6,124	7,000,000
Total	51,875	31,470,353

Source: Littlejohn and Millard (2009)

However, people from South Africa in possession of illegal firearms have been arrested by police in neighbouring countries from time to time. For example, two South African citizens in possession of a military assault rifle and a handgun were arrested by the Botswana police in Gaborone in November 2021.¹⁷ The Zimbabwean police implicated armed criminals allegedly originating from South Africa in a crime wave in Zimbabwe in October 2020.¹⁸ In 2022, the *Sunday Times* newspaper in South Africa reported that agents with South Africa’s highly controversial State Security Agency had allegedly smuggled assault rifles into Lesotho in 2014 on board the presidential plane during the time of the Jacob Zuma presidency.¹⁹

At the sub-regional level, the Southern African Development Community (SADC) Firearms Protocol was adopted in 2004. South Africa was instrumental in compiling the standard operating procedures for the implementation of this protocol, which has contributed to the increased harmonisation of small arms legislation in Southern Africa.

7.3 Firearm amnesties

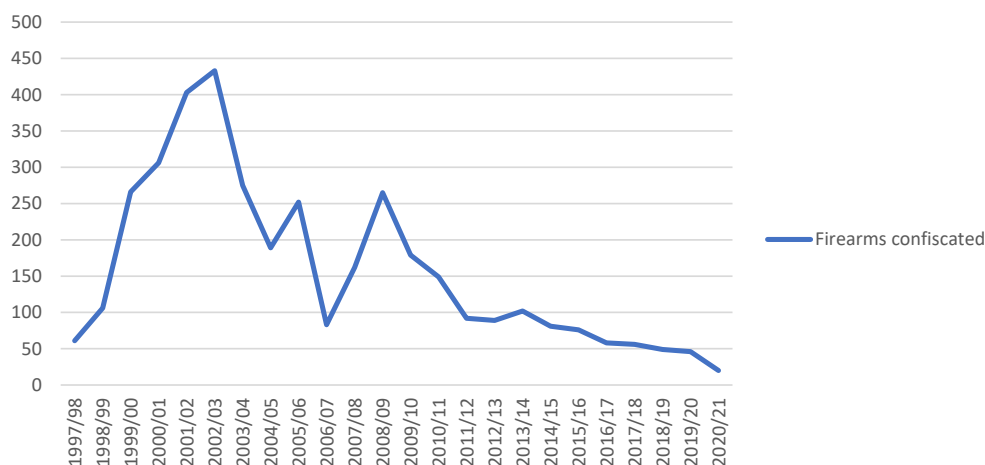
In an effort to reduce the number of civilian-held firearms that could potentially enter the illegal market, ministers responsible for the SAPS declared three national firearm amnesties, in 2005, 2010 and 2019/2020. The aim of these amnesties was to encourage civilian firearm owners to surrender to the SAPS firearms that they either no longer wished to possess or that were in their possession unlawfully,²⁰ without fear of prosecution.²¹ Together, the first two amnesties resulted in the surrender of close to 105,000 firearms and 1.7 million rounds of ammunition.²² The third and most recent amnesty took place from 1 December 2019 to 31 May 2020, and was then extended to 31 January 2021. According to the SAPS, 165,715 firearms and more than 723,000 rounds of ammunition were surrendered during the third amnesty.²³

7.4 High-density operations

From the mid-1990s the SAPS embarked on a series of large-scale, high-density operations (‘saturation policing’) in an attempt to diminish excessive crime levels in high-crime areas. The principal motivation behind the adoption of this approach was that by concentrating police resources on such crime hot spots, the government ‘hoped that the national level of serious crime w[ould] be reduced’.²⁴ A key objective of such operations has been to seize illegal small arms ammunition and arrest those in possession of such contraband. Research has demonstrated that these operations have had a significant reduction effect on firearm murders in high-crime areas.²⁵

Figure 4: Border police (SAPS) firearm seizures, 1997/1998 to 2020/2021

Source: SAPS annual reports



8. Firearm and ammunition diversion

Most serious firearm crimes in South Africa are committed with illegal firearms and ammunition, with handguns attributed to more than 90 per cent of the following crimes that involved the use of a firearm: murders, attempted murders, robberies with aggravating circumstances, residential robberies, business robberies and carjackings.²⁶ Many illegal firearms remain in circulation for a considerable period and are often used to commit multiple crimes. For instance, the Facebook feed of Intelligence Bureau SA and the SAPS hashtag #GunsOffTheStreets (which features numerous images of illegal weapons seized or confiscated by the SAPS and other law enforcement agencies) show that many confiscated illegal firearms are well-used, although newer-looking firearms have also been seized. Most confiscated firearms are handguns, but shotguns and hunting rifles featured on occasion.²⁷

Case study and ethnographic research in South Africa suggests that people who perpetrate violent crime with an illegal firearm either acquire it directly from those legally in possession of such weapons by means of theft/robbery, or indirectly via black market entrepreneurial intermediaries. Individuals who steal firearms for their personal use are predominantly part of small criminal groups that engage in street, house and business robberies where firearms are stolen in addition to other valuable items.²⁸ The illegal firearm intermediaries have often been linked to organised criminal groups (including street gangs) that steal or buy stolen or misplaced licensed or government-held firearms or bribe corrupt government officials who have access to firearms and ammunition. Stolen firearms are then frequently resold. For example, renowned South African artist Ester Mahlangu had her licensed pistol stolen during a house robbery in March 2022. The police recovered the firearm the following month and reported that it had been resold four times since being initially stolen.²⁹

A key problem with firearm diversion is the significant number of licensed firearms that are lost and stolen, with the loss and theft not reported to the police. For example, in February 2022, SAPS officials apprehended four men in relation to the possession of an illegal firearm. The gun was registered to a Pretoria man who had died in 2019, but the firearm had not been reported to the police as having been lost or stolen.³⁰

Private security companies have also been implicated in firearms and ammunition diversion. Caryn Dolley's investigative account of Cape Town's criminal underworld revealed that an organised criminal network had established private security companies in order to acquire firearms. This entailed gang leaders instructing gang members without criminal records to apply for company accreditation with the Private Security Industry Regulatory Authority (PSIRA). Once accredited, these companies could then apply for firearm licences.³¹ The firearms holdings of private security companies that have gone out of business (or been de-registered by the PSIRA) are also vulnerable to diversion,³² and as a result the SAPS regularly undertakes inspections of such companies. For example, in 2020/2021 SAPS CFR staff undertook inspections of 165 security businesses that had been de-registered by the PSIRA, and they confiscated 3,058 firearms and 6,823 rounds of ammunition.³³

In recent years, between 9,000 and 10,000 firearms have been lost by or stolen from licensed civilian firearm owners annually, and between the years 2000 and 2014, more than 200,000 legal firearms were reportedly lost or stolen. Only 30 per cent of all lost or stolen licensed firearms were recovered by the police during this period.³⁴ Most of these firearms had previously been licensed to private (civilian) owners. The extent of loss and theft of firearms declined significantly between 2003/2004 and 2015/2016 (see Figure 6); this has been attributed to the more rigorous licensing requirements of the FCA.

The SAPS has also been responsible for firearm loss and theft – roughly equating to, on average, a tenth of the number of civilian firearms that are lost or stolen each year (see Figure 7). While police officials have been targeted by criminals for their firearms, some police have lost their firearms due to negligence. Weaknesses in the SAPS' internal firearms control measures have also contributed to this diversion (including corruption), and such loss and theft could be reduced if firearm controls within the police service were improved. The South African National Defence Force has reported much lower levels of loss and theft (although its data is less reliable than SAPS data); for example, 80 firearms and close to 8,000 rounds of ammunition were stolen between 1 April 2017 and 31 December 2019.

Figure 5: Illegal possession of firearms and ammunition (total) 1994/1995–2020/2021

Source: SAPS annual reports

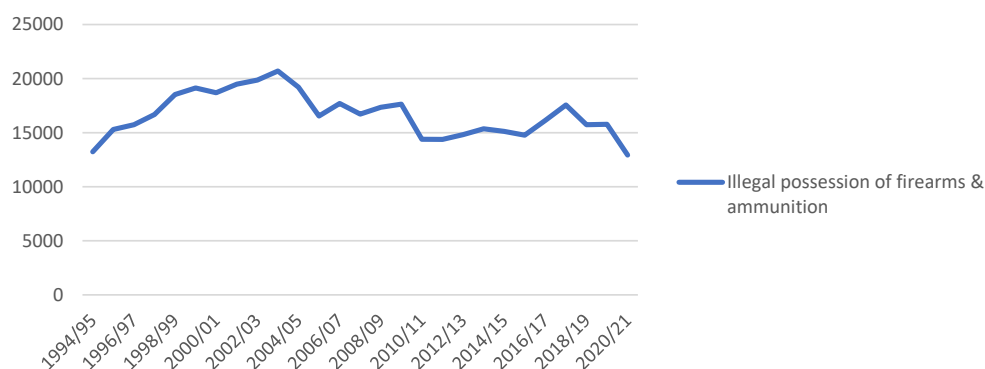


Figure 6: Reported civilian firearm losses/thefts: 1995/1996–2020/2021

Source: SAPS annual reports

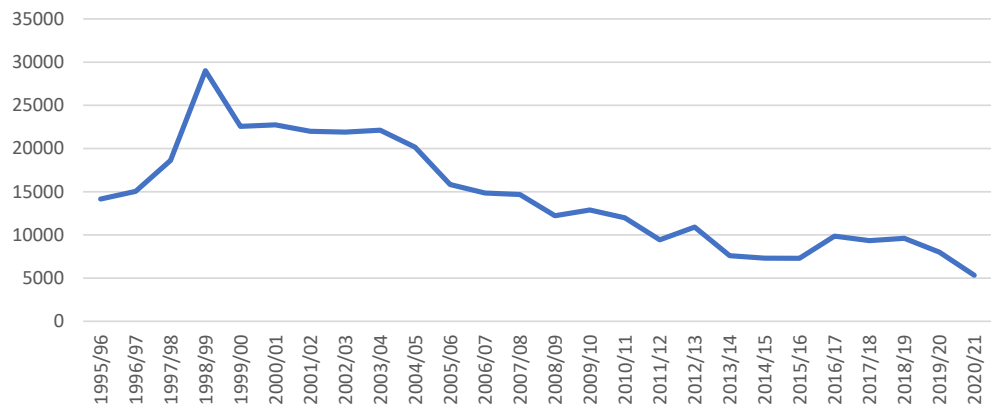
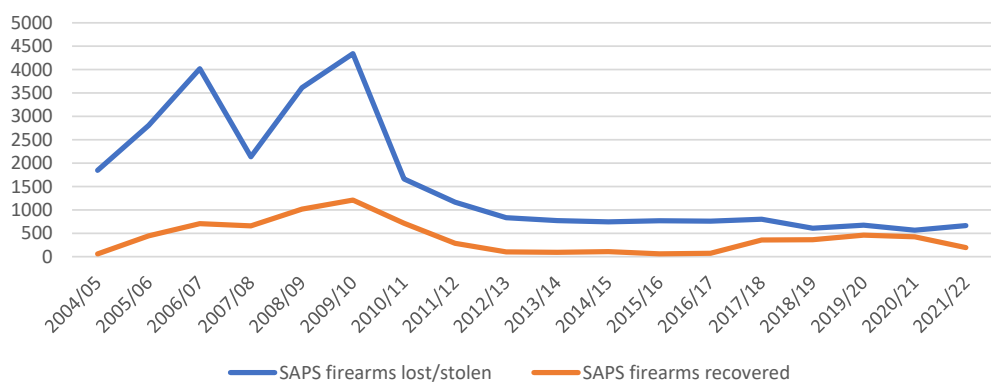


Figure 7: Loss/theft of SAPS firearms vs recoveries of SAPS firearms: 2004/2005–2020/2021

Source: SAPS annual reports



Data on ammunition diversion is lacking, but between 2013/2014 and 2018/2019 the SAPS reported that 9.6 million rounds of ammunition that belonged to the SAPS could not be accounted for. Poor record-keeping was suggested, but it is highly conceivable that significant amounts of this ammunition may have found its way into the hands of criminals. A recent report by the Global Initiative on Transnational Organized Crime suggested that, based on anecdotal evidence, some firearm licence holders with connections to the criminal underworld had been using their licences to acquire large quantities of ammunition, which were subsequently used in criminal activities.³⁵

Police officials associated with investigations into firearm and ammunition diversion have indicated that organised criminal groups were able to source handgun ammunition as a result of ineffective controls over legal sources. Firearm licence holders associated with gangs would purchase ammunition from various registered firearm dealers on a regular basis and then distribute this ammunition to criminal gangs.³⁶ The lack of an effective monitoring system has meant that the ammunition limits stipulated in the FCA are not being enforced and civilian ammunition stocks may likely have been used in criminal activities.



Illegal, lost and unwanted firearms that will be destroyed by police in Vereeniging, south of Johannesburg, 16 January 2015. © Reuters/Siphiwe Sibeko

9. Police corruption and firearms

9.1 Firearm licensing and corruption

Since 2010, there have been concentrated forms of corruption with regards to how certain SAPS personnel have administered South Africa's firearm licensing regulations and exercised control over firearms held by the police. These acts of corruption have resulted in the distribution of thousands of firearms to criminal groups, as well as the fraudulent issuing of firearm licences to unfit people. This has been a major area of concern for the public and government alike, as firearms are traditionally the most common weapons used in murders and robberies in South Africa.

For more than a decade there has been a heightened risk for police corruption within the SAPS CFR, especially in terms of the approval of firearm licences. The risk factors include institutional dysfunctionality; political pressure on CFR staff to process applications within 90 working days, as well as clear the substantial licensing backlog; a lack of sufficient oversight over personnel responsible for processing licence applications; opportunities for corruption given the convoluted firearm application process; and inadequate anti-corruption measures. It is therefore unsurprising that a number of corruption scandals were exposed, three of which are discussed below.

In 2012, in response to various allegations of corruption within the CFR, the Head of the CFR Brigadier Mathapelo Mangwani publicly stated that reports of corruption within the CFR were being investigated, and claimed that "I want to turn things around. The corrupter and the corrupted should face the consequences."³⁷ Ironically, in 2013, Mangwani was implicated in accepting bribes from the management of Dave Sheer Guns, a large firearm dealer in Johannesburg, in order to fast-track licence applications from this gun dealership.³⁸ It was alleged that Mikey Schultz, the self-confessed killer of Brett Kebble – a high-profile mining magnate – had acquired firearm licences through this corrupt scheme.³⁹ This was a corruption scandal of serious proportions; in addition to Mangwani, 20 other SAPS employees were implicated, including CFR staff and Designated Firearms Officers (DFOs) at the station level. The SAPS employees were subsequently suspended, and Mangwani was found guilty of corrupt practices and dismissed by the SAPS the following year.⁴⁰

In 2014, investigators discovered that CFR officials had been fraudulently issuing numerous firearm licences to Ralph Stansfield (a leader of the 28s gang, one of Cape Town's largest gangs) and to around 20 of his associates – including his wife, sister and other relatives – in the Western Cape, allegedly in exchange for the payment of bribes. The SAPS officials that were allegedly involved in these corrupt activities were also implicated in participating in destroying fraudulent documentation relating to the firearms licence applications. Police investigators asserted that these firearms were used in the commission of crime in some of the most violent communities in the Western Cape province. Four previous attempts by Stansfield to secure firearm licences between 2000 and 2006 had been

unsuccessful.⁴¹ The trial involving Stansfield, his associates and the CFR was ongoing at the time of writing.

In 2017 there was a series of violent incidents, including murders and attempted murders, within the nightclub security sector in the Western Cape and Gauteng due to a new group attempting to usurp the control of the industry from an existing syndicate. At the time of writing, key figures from the new group were standing trial for extortion in the Cape Town Magistrates' Court. This group had used private security companies that were registered with the PSIRA (particularly the Security Group) as a means to fraudulently acquire firearm licences.⁴² The SAPS subsequently made ten arrests, and the case was being heard before the courts at the time of writing.⁴³ It was unclear if there had been any SAPS corruption with respect to the issuing of firearm licences, but the necessary background due diligence checks had clearly not been undertaken by the SAPS. In 2020, a seasoned SAPS detective, Charl Kinnear, who was investigating the alleged involvement of senior police officials in firearms-related racketeering with organised criminal groups, was assassinated in front of his home in Cape Town. At the time of writing, Nafiz Modack (a prominent figure associated with South Africa's criminal underworld) was on trial for the murder of Kinnear.

Over the past 20 years there has also been a number of cases where DFOs at the station level have allegedly taken bribes to illegally facilitate the processing of licence applications for people who are unfit to hold such a licence, as determined by the FCA. The most recent case was in Lentegeur police station in 2018 where two DFOs were arrested for accepting a bribe to arrange a firearm licence for a person who had been declared unfit to hold one.⁴⁴ In KwaZulu-Natal, foreign nationals were implicated in paying bribes to police officials in order to secure firearm licences; only South African citizens or permanent residents are permitted to apply for a firearm licence.⁴⁵ There were also cases in Philippi (Cape Town) in 2002, where DFOs assisted known gangsters to secure firearm licences.⁴⁶

The effective control over the licensing of civilian-held firearms has been stymied by the CFR's electronic licensing system, which the National SAPS Commissioner has said has limited utility and is "based on old technology", and which remains largely paper-based. The development of the system was mired in controversy concerning corrupt payments, and the SAPS spent more than R103 million on its development and maintenance between 2000 and 2021.⁴⁷

9.2 SAPS-controlled firearms and corruption

The SAPS stores firearms in most police stations in South Africa (approximately 1,100 stations). These are usually service weapons designated for SAPS personnel; illegal firearms that have been recovered during operations; or firearms that have been surrendered to the police by members of the public. These firearms are typically stored in secure areas in police stations referred to as Section 13 stores. The most recent data for these Section 13 stores was from January 2011, when records showed that there were 188,848 firearms in such stores.⁴⁸ The SAPS also transfers

weapons designated for destruction to centralised points throughout South Africa in order to reduce the risk of diversion.

The security, management and administration of these Section 13 stores have reportedly been inconsistent across police stations,⁴⁹ and antiquated record-keeping systems have prevented real-time oversight and risk mitigation. For example, in a response to a parliamentary question about firearms that had gone missing from police custody, the Minister of Police stated: ‘This information is not available on a central electronic database. In order to provide the requested information every police station will have to manually check its SAPS 13 stores registers. This information will also have to be verified for correctness and completeness. This process represents a significant administrative burden that may impact on SAPS service delivery. When firearms have been reported as lost or stolen from the SAPS 13 stores, a criminal case is opened and investigated. However, the information captured on the Crime Administration System (CAS) will only reflect “theft of firearm” ... There is no specific crime code on the CAS that indicates theft from the SAPS 13 Stores.’⁵⁰

The security of SAPS-held firearms at the station level is ultimately dependent on the conscientiousness of station commanders as well as CFR officials at the provincial level, with regards to ensuring that adequate security measures are in place and that regular inspections and firearm audits are carried out. Consequently, given the large number of police stations across South Africa, there is a considerable risk of diversion for SAPS-controlled firearms. While criminal groups have targeted police stations in rural locations in recent years in order to steal police firearms, police corruption has contributed to considerably greater diversion. Four high-profile examples of such corruption are described below, which show many of the common risk factors.

Firstly, in 2010 it was reported that an exhibit clerk at the Inanda police station in KwaZulu-Natal was instrumental in stealing 98 firearms from the Section 13 store. He subsequently received a 20-year jail sentence.⁵¹ A site inspection by the Parliamentary Portfolio Committee on Police in June 2010 suggested that poor management and administrative practices at the Inanda station, and a lack of effective oversight by the KwaZulu-Natal SAPS firearm control structures, had contributed to conditions that were conducive to firearm theft.⁵² Similar incidents have reportedly taken place at police stations in Nelspruit,⁵³ Sandton⁵⁴ and Alice.⁵⁵

Secondly, in 2014 a police raid on the home of an alleged leader of an organised criminal group in Norwood, Johannesburg, led to the discovery of more than 300 unlicensed firearms, as well as ammunition and explosives. During the ensuing legal proceedings it was revealed that some of these firearms were police service firearms, while others had previously been surrendered to the SAPS at the Linden Police Station for destruction as part of a national firearm amnesty.⁵⁶ In January 2022, a further 175 firearms from Norwood Police Station’s Section 13

store were stolen.⁵⁷ There have been three other prominent cases in which SAPS members were connected to illegal firearm transfers from SAPS 13 stores to criminal groups. In September 2017 it was reported that SAPS firearms from the Bellville South and Mitchells Plain SAPS stations had been sold by police to gang members.⁵⁸ In December of the same year, a junior SAPS official was arrested in connection with supplying firearms to hitmen operating within the notorious Glebelands Hostel in Umlazi, KwaZulu-Natal.⁵⁹

Thirdly, Colonel Christiaan Prinsloo – a SAPS official responsible for securing confiscated firearms at the Vereeniging police station (Gauteng) – was arrested in January 2015. He was accused of supplying some 2,400 firearms, via firearm dealers and brokers, to members of two of Cape Town’s largest gangs, the 28s and Mongrels gangs, from 2007 onwards.⁶⁰ Due to low levels of visibility and inadequate oversight, Prinsloo, in collusion with other SAPS officials, had been able to acquire the firearms from a SAPS stockpile that had been earmarked for destruction. It was fraudulently indicated on the SAPS electronic firearm database that these weapons had been destroyed as early as 2007, and police investigations revealed that between 2010 and 2016 some 1,066 murders (of which 231 were child victims) were committed with these specific firearms.⁶¹

Fourthly, during unrest and widespread looting that took place in KwaZulu-Natal and Gauteng in July 2021 following the arrest of former South African President Jacob Zuma, approximately 1.5 million rounds of small arms ammunition (imported from Brazil) were stolen from a container port near the city of eThekweni. Corruption and the involvement of organised crime were suspected, as at the time of the theft the container was not properly secured and the theft of such a large quantity of ammunition would have required considerable logistical resources, given that it weighed in excess of 14 tons.⁶² Some of the ammunition was subsequently used by criminals in a shootout with the police in Lamontville (near eThekweni).⁶³

Corruption in relation to firearms and ammunition has also affected some of the metropolitan policing bodies, such as the Johannesburg Metropolitan Police Department, with police investigations in 2022 implicating two officials from the department in the illegal sale of thousands of rounds of official police ammunition.⁶⁴

9.3 Police corruption, firearms, and the increase in the murder rate in Cape Town

Available data shows that most police corruption in relation to the diversion of firearms to criminal gangs has taken place in the Western Cape province, particularly in Cape Town, South Africa’s second-largest city. According to official crime data, the murder rate in Cape Town increased from 43 per 100,000 in 2009/2010 to 69 per 100,000 in 2020/2021 (a 60 per cent increase). On average, the murder rates in most of the other major South African cities either declined or remained relatively constant over the same period, with the average murder rate for all major cities varying between 36 and 41 per 100,000.⁶⁵



Weapons instructor Ridwaan Syed instructs three citizens on gun ownership as they go through the process of applying for a new gun licence at the East Coast Guns shop and training centre, Durban, South Africa, 3 September 2021. © EPA-EFE/Shutterstock/Kim Ludbrook

A study on firearm and non-firearm homicides in Cape Town indicated that the 14 per cent increase in the homicide rate in Cape Town between 2010 and 2013 was mainly attributable to firearm injuries.⁶⁶ This was confirmed by studies conducted by the Western Cape Government.⁶⁷ More recent SAPS reports have stated that firearm injuries remain the leading cause of murder in the Western Cape.⁶⁸ SAPS data also showed that the rate per 100,000 for ‘robberies with aggravating circumstances’ – a type of robbery that often involves the use of a firearm – increased by 73 per cent between 2010/2011 and 2017/2018, from 280 to 484.⁶⁹

The systematic increases in the murder rate and the rate for robberies with aggravating circumstances in Cape Town corresponded with a general increase in the illegal possession of firearms and ammunition (IPFA) rate, increasing from 51 per 100,000 in 2009/2010 to 67 per 100,000 in 2020/2021 (a 31 per cent increase). Similarly, on average the IPFA rates in most of the other major cities in South Africa either dropped or remained relatively constant over the same period, with the average IPFA rate for all major cities varying between 33 and 36.

This data therefore suggests that illegal firearms may have been used in the majority of firearm murders in Cape Town since 2009/2010. This is supported by SAPS investigations, which, through ballistics evidence, have linked 1,066 murders that were committed between 2010 and 2014 to 888 firearms supplied by Colonel Prinsloo to gangs in Cape Town.⁷⁰ It has also been alleged that many of the firearms that gangs acquired from the police resulted in an intensification of violent gang conflicts throughout the city.⁷¹ The Western Cape government also reported that there were 442 shooting incidents where three or more people were shot at one time in the Western Cape (the majority of which were in Cape Town) between June 2019 and December 2021, in which 563 individuals died and more than 1,000 people were injured.⁷²

There was a moderate decline in firearm injuries during the lockdown period in Cape Town between March and May 2020. This was attributed to increased visible policing and a ban on the sale of alcohol.⁷³ Such injuries increased dramatically, however, following the relaxing of lockdown regulations in June 2020.⁷⁴ Between January and March 2022, the number of murder incidents in the Western Cape province increased by more than 12 per cent, compared to the same period in 2021.

10. Improvements to firearms control

The South African government has made some legislative, policy and practical developments in recent years with the objective of improving controls over firearms and ammunition and therefore reducing diversion into the hands of criminals. These include proposed amendments to the FCA; the development of a new 'turnaround' strategy for the CFR; measures to improve the safeguarding of police firearms; and enhanced regulations pertaining to firearms access and use by the private security industry.

10.1 Amendments to the Firearms Control Act

Proposed amendments to the FCA were published by the SAPS in 2021. A key proposal is the removal of the provision that allows people 21 years or older to apply for firearm licences for purposes of self-defence. According to the SAPS, the main reason for this is that firearms licensed for self-defence are the most at-risk category of legal firearms for being stolen or lost. There has been considerable opposition to the amendments by various pro-firearm groups, with more than 100,000 written submissions received in 2021 by the Civilian Secretariat for Police Service. At the time of writing, the timeline for the finalisation of the amendments was unclear.

10.2 CFR turnaround strategy

The SAPS 2020/2021 Annual Report stated that the police were in the process of compiling a CFR 'turnaround' strategy that would aim to not only improve the functionality of the CFR (including the development of a more robust electronic licensing and record-keeping system), but also working conditions for CFR personnel. Nonetheless, members of the Parliamentary Portfolio on Police noted in a meeting in April 2022 that progress towards reforming and building the capacities of the CFR has been relatively slow. However, in the same meeting, the newly appointed National Police Commissioner, General Fannie Masemola, indicated that he would be prioritising the dysfunctions within the CFR.⁷⁵ The 2022/2023 Annual SAPS Performance Plan also indicated that a CFR report on how to better equip the CFR had been completed.⁷⁶

10.3 Internal SAPS firearms controls

In February 2022, the Minister of Police reported that the SAPS had actively sought to improve its control over

the firearms in its possession. SAPS firearms are uniquely marked using a dot peen (bar coding) method and police ammunition cartridges are marked with a 'P'. The ballistic 'fingerprints' of SAPS firearms are captured on the SAPS Integrated Ballistic Information System. SAPS officials who are required to carry firearms undergo a screening procedure and are issued with firearm retention cords and firearm safes (to store their arms while they are at places of residence). The SAPS has reported that during firearms training and shooting practices, trainers regularly emphasise the safe handling and safeguarding of firearms.⁷⁷ Considerable interventions are still required, however, to improve controls of the firearms held in SAPS armouries.

10.4 Private security industry firearm controls

The PSIRA established a Firearm Regulatory Sub-Committee with a view to enhancing firearm control within the private security sector. This has included improvements to the security service providers' database, which now incorporates the details of the private security organisations that are licensed and registered to use firearms. The sub-committee provides regular reports on such businesses to the CFR. A standing committee, comprised of PSIRA and CFR officials, was also established by the PSIRA. The standing committee seeks to: coordinate PSIRA and CFR decisions, actions and operations; standardise the control of firearms in the private security industry; devise minimum requirements for the issuing of firearm licences and guidelines for the withdrawal of licences; share information; and arrange training of firearm inspectors for the private security sector.⁷⁸

10.5 Other firearm control interventions

In its 2022/2023 annual performance plan, the SAPS emphasised that illegal firearms are a priority area and that it will strategically use visible policing, as well as intelligence-led and high-density operations, to target areas with high levels of firearm crime.⁷⁹ In 2022 the Western Cape Provincial Government introduced an incentive system for anonymous reporting of illegal firearms, whereby members of the public will receive financial rewards if they provide information to the police about illegal firearms (and if such information leads to the confiscation of firearms by law enforcement officials).⁸⁰ Also in 2022, the Western Cape Provincial Government introduced a data-driven violence hot spot approach to the deployment of provincial police resources, which the provincial government claims has led to an increase in the confiscation of illegal firearms.⁸¹

11. Recommendations

Finalisation of the amendments to the Firearms Control Act (FCA)	<p>The 2021 proposed amendments to the FCA have considerable potential to reduce firearms and ammunition diversion within South Africa. It is crucial that the amendments are finalised as soon as possible by the Civilian Secretariat for Police Service and the Parliamentary Portfolio Committee on Police, and that the final FCA amendments are based on sound scientific research.</p>
Enhancing and improving the Central Firearm Registry (CFR)	<p>The SAPS has indicated that building and enhancing CFR capacity is a priority. The CFR plays a crucial role in firearms control and diversion prevention. The SAPS should seek to accelerate the process to substantially improve the functioning of the CFR (especially the effective rollout of a fully functional electronic licensing system).</p>
Compilation of a firearm plan	<p>The SAPS devised a comprehensive Firearm Plan in the early 2000s, which provided a SAPS-led multi-departmental approach to combatting firearm crime and diversion. This plan greatly contributed to the reduction in firearm crime between 2000 and 2008.⁸² Given the high levels of firearm crime in South Africa, the SAPS should consider establishing and implementing a new firearm plan that is drafted in consultation with crime-affected communities and other relevant stakeholders.</p>
Firearm-focused police operations	<p>Dedicated illegal firearm police operations were a central component of the Firearm Plan mentioned above. Such operations (such as the 2004 Operation Sethunya) were instrumental in reducing the pool of illegal firearms, especially in high-crime areas.⁸³ There is considerable value in implementing similar operations in the future.</p>
Improved controls over police armouries (SAPS Section 13 stores)	<p>The lack of a centralised electronic management system related to the firearms and ammunition that are the responsibility of the SAPS (such as the SAPS Section 13 stores at the station level) is one of the weakest links in the SAPS firearm control regime. There is considerable stock/asset management expertise in the private sector, and there would be value in the SAPS entering into partnerships with reputable private sector entities to devise manageable and affordable solutions.</p>
Improvements to the legal ammunition trade	<p>Loopholes in the legal sale of ammunition to firearm licence holders have contributed to considerable ammunition diversion (especially among criminals). Measures to reduce the abuse of such loopholes should be explored by the CFR, the PSIRA and firearm dealers. This could possibly be addressed in the amendments to the FCA.</p>
Implementation of the Integrated Crime and Violence Prevention Strategy (ICVPS)	<p>The ICVPS was approved by the South African Cabinet in March 2022. This strategy presents a comprehensive and integrated approach to preventing violent crime, promoting community safety, and professionalising and improving policing. A safer South Africa would likely reduce the demand for both legal and illegal firearms for self-defence. The government should therefore urgently take steps to implement the ICVPS.</p>

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Saferworld

Saferworld is an independent, not-for-profit international organisation working to prevent violent conflict and build safer lives in countries and territories across Africa, Asia and the Middle East. We work in solidarity with people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace. Our priority is people – we believe in a world where everyone can lead peaceful, fulfilling lives, free from fear and insecurity.

The China Arms Control and Disarmament Association (CACDA)

CACDA is a non-profit NGO founded in 2001 that focuses on arms control, disarmament and non-proliferation. Its main activities include the coordination and organisation of research, education and advocacy on issues of arms control and international security. In addition, CACDA has hosted and sponsored seminars and workshops on similar issues in China. Within the context of this project, CACDA has been established as an official partner and will be leading on the implementation of the project in China and contributing to overall project implementation in Europe and Africa. CACDA previously contributed to the implementation of EU-China-Africa dialogue and cooperation on conventional arms controls back in 2012–2014.

Security Research & Information Centre (SRIC)

SRIC is an independent non-profit think tank which is committed to providing data and information on human security and security sector dynamics in Kenya and the sub-region of the Great Lakes and the Horn of Africa. Within these regions, SRIC aims to influence and contribute to positive change in security sector dynamics as a research-based organisation. Within the context of this project, SRIC has been established as an official partner in the EU Council Decision to lead on the implementation of the project in Africa.

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