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## Going forward? The UN Biennial Meeting of States on Small Arms and the Programme of Action

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In July 2003, two years after the milestone United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, states gathered in New York for the Biennial Meeting of States (BMS). An element of the follow-up process agreed to at the 2001 Conference, the BMS gave states the opportunity to report on their implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA). Also present at the BMS were many non-governmental organizations (NGOs), including Project Ploughshares, who were present to observe the plenary sessions, meet with government officials, network with each other and take part in a series of parallel seminars organized by the International Action Network for Small Arms (IANSA).

### **Background and overview**

The Small Arms Survey estimates that small arms kill more than half a million people each year or one person every minute.<sup>1</sup> The July 2001 UN conference succeeded in putting the issue of small arms, which UN Secretary-General Kofi Annan has called a 'global scourge', on the international agenda. The PoA that came out of this conference identifies a wide range of national, regional, and global measures to combat the problems caused by small arms and light weapons (SALW).<sup>2</sup>

The BMS was well attended by states and over 172 registered NGOs. Some states sent large delegations that included representatives from a variety of government departments, and, some also included civil society representatives. Ernie Regehr from Project Ploughshares attended as the NGO representative on the Canadian

delegation. The main focus was reporting and information exchange. The week-long meeting consisted of 10 sessions that reflected the structure of the Programme of Action.

Chaired by Ambassador Kuniko Inoguchi of Japan, the meeting opened with five sessions dedicated to reporting by states, UN agencies, and regional and international organizations. Ninety-nine National Reports were received and 103 states (out of a total of 191 UN members) made national statements. The reports and statements varied considerably in length and detail. Most were quite conservative and, at times, self-congratulatory accounts of implementation activities over the last two years. Most states recognized the establishment of National Focal Points as an important first step. To date, 111 have been created.<sup>3</sup>

At the sixth session NGOs presented findings on a wide variety of topics.<sup>4</sup> Although most NGOs were members of IANSA, others, such as the World Forum on the Future of Sport Shooting Activities, had the opportunity to speak as well. Regional and international organizations, including the African Union, North Atlantic Treaty Organisation (NATO), and the International Committee of the Red Cross (ICRC), as well as UN agencies involved in global and regional implementation of the Programme of Action, made statements in the seventh session.

The eighth and ninth sessions were devoted to 14 themes, including weapons collection and destruction; stockpile management; capacity building; resource mobilization; marking and tracing; linkages (terrorism, organized crime, trafficking in drugs and precious minerals); disarmament, demobilization, and reintegration (DDR);

human development; institution building; import/export control; illicit brokering; public awareness and culture of peace; and children, women, and the elderly.

In the final session the Chairperson presented the report that she and her team had produced, based on the proceedings.<sup>5</sup>

## **Results of the proceedings**

There was some tension between those states who wished to adhere strictly to the reporting mandate of the Meeting and others who chose to use the forum as an opportunity to present some forward-looking ideas and re-open for discussion issues that they felt had not been fully resolved during the 2001 Conference. For instance, the US delegation did not want to revisit any issues that were not included in the PoA, while others, like the Netherlands and Canada, proposed that the BMS should be an opportunity to explore ways the Programme might be amended and improved. The US also made it clear that the PoA focus was on the 'illicit' trade in small arms and that, therefore, private (lawful) civilian possession was not up for discussion. However, this position was challenged by some, including Botswana, Yemen, Thailand, Uruguay, and Bangladesh, who felt that new or revised legislation to limit civilian ownership of military weapons was worth consideration.

Other issues, such as the transfer of small arms to non-state actors, that had been taken off the 2001 agenda, also came up. India stated that the failure to agree on preventing arms sales to non-state actors should be seriously addressed in preparing for the 2006 Review Conference. In support, Switzerland suggested that national export criteria could be worded to include non-state actors, and that there might be ways in

which current international law might be used to restrict the supply of small arms to non-state actors. As well, the UK and Mali tried to introduce discussion on export controls, marking and tracing, and brokering. These states revealed a commitment to seeking more vigorous ways to deal with this multi-dimensional and multi-faceted problem.

Regional organizations and UN agencies were more forthcoming with suggestions for moving the PoA forward. During the thematic discussions, most key issues contained in the PoA were considered, although not in depth. The UN Group of Experts on Marking and Tracing did present a report of their findings from a study to determine the feasibility of developing an international instrument on marking and tracing illicit small arms. Their positive recommendations were circulated and a large number of delegations welcomed the report. It will be submitted for further discussion at the General Assembly. As well, the European Union produced a statement on brokering, which calls for a registry of arms brokers, exchange of information among states, and adequate sanctions to ensure effective enforcement of brokering controls. UN agencies, including UNDP, WHO, UNIFEM, and UNIDIR, made strong statements about the human costs of small arms proliferation, which clearly recognized that future developments in the implementation process must take into account the damage and destruction to individuals. Along with other developing countries, The Africa Group stressed the need for international cooperation and assistance, both financial and technical, to help countries to implement the PoA. In general, it can be said that the NGO presentations highlighted the human security elements of the PoA.

The meeting ended with a summary of the proceedings by the Chairperson. Although her report moved the debate forward, it also came under much criticism during the final session. In it she noted the following:

- **Public disclosure relating to SALW:** Significant progress worldwide had been made in public disclosures of the origins, destinations, modus operandi, and profiling of groups engaged in illicit small arms trade.
- **New or amended legislation:** Ninety countries reported that they had new or amended domestic laws to govern the illicit manufacturing, possession, and trade of weapons. States revealed a much higher state of preparedness to prevent future illicit transfer and misuse of SALW.
- **Regional perspective and initiatives:** Since the adoption of the PoA, there has been a growing recognition of the need to develop regional perspectives to combat the illicit trade of small arms, and regional initiatives have begun to take shape.
- **International cooperation:** International cooperation has increased in relevant areas. Brokering depends largely on international cooperation in information sharing, compliance, and law enforcement. States realize the need to agree on guidelines for authorizing exports, imports, and the transit of small arms and light weapons. States are also cooperating in the fight against terrorism, a problem with no respect for borders.
- **Weapons collection and destruction:** An estimated total of over four million weapons worldwide have been collected and

disposed of during the last decade. Half of that total were destroyed during the past two years. The diversion of legitimate stocks was estimated to be one of the main avenues for acquiring illicit weapons, and it was agreed that assistance was necessary to improve the security of armouries. For example, information sharing about existing national inventories could inhibit cross-boundary trafficking of such weapons.

- **Marking and tracing:** The General Assembly asked the Secretary-General to carry out a feasibility study on developing an international instrument to enable states to identify and trace small arms and light weapons. A UN Group of Governmental Experts was set up to address the matter and now has completed its work. A key concern was to control weapons originating from unauthorized manufacturers, because these weapons could not be tracked.<sup>6</sup>

The controversy arose over the report's focus. Some states felt that it went beyond the mandate of the meeting and either did not accurately reflect, or went beyond, the discussions. The Chairperson's summary in particular was deemed selective and biased, especially in the 'Way Forward' section. After some debate, the list of regional and sub-regional initiatives was removed and the amended Summary became an Annex. The 'Way Forward' section was dropped altogether. Because of these changes and deletions, the influence of this report on future efforts is uncertain. And so the meeting, which had, on the whole, been quite positive, ended on a rather negative note.

States, UN agencies, and NGOs organized complementary meetings on a wide variety of subjects. IANSA members organized parallel sessions that proved to be a very effective way to gain more access to government officials and provided opportunities to network. There were also joint NGO-government events. For example, Mali, Canada, and Switzerland, along with the Centre for Humanitarian Dialogue (based in Geneva), launched a new publication, *Putting People First*, which provides a human security perspective on the availability and misuse of small arms.<sup>7</sup> The Small Arms Survey also launched its 2003 report at one of these sessions. And, the Biting the Bullet project (International Alert, Saferworld, University of Bradford), in collaboration with IANSA, launched a report that reviewed progress in implementing the Programme of Action on the basis of collected information on 156 countries, and also provided examples of civil society activities of IANSA member groups.<sup>8</sup>

### **Civil society engagement**

The UN Biennial Meeting of States was a significant occasion because civil society played an important, legitimate, and effective role. The meeting reaffirmed the importance of partnerships between governments and civil society in implementing the Programme of Action, and showcased the expertise and wealth of knowledge possessed by civil society organizations, gained in part from their greater access to people whose lives are affected by small arms.

Two significant aspects of civil society involvement are worth noting. First, the organizational capacity of IANSA had greatly improved since the 2001 Conference, as was noted by states and NGOs alike.

Second, a noteworthy practice, which occurred at the Conference in 2001 and was repeated at the BMS, was the presence of NGO representatives on a number of national delegations (Canada, Chile, Germany, Ireland, Norway, Sweden, the United Kingdom, among others). Such NGO representation should be encouraged.

Civil society should monitor some of the recommendations that came out of the meeting:

- As a first step, states that have not already done so need to be encouraged to establish national focal points (coordinating bodies), and develop national plans of action;
- States need to review and strengthen relevant small arms legislation – states need to recognize, more fully, that domestic laws and international policies are interdependent, and that each country's national laws affect the small arms proliferation problems of its neighbours and even countries in other regions;
- There needs to be greater recognition that the legal and the illegal markets for small arms are inter-related, that many illicit transfers start out as legal ones, and that small arms are responsible for deaths and destruction whether they are technically illegal or not. For instance, the proposed Arms Trade Treaty seeks to keep arms away from human rights abusers;
- The problems caused by small arms are complex and it is essential to address both the supply and the demand. Demand perspective approaches are an important complement to supply-side approaches, and efforts from both perspectives should be mutually

beneficial and reinforcing. More research and analysis are needed to help in the development of policy proposals on demand-side issues;

- Donors need to incorporate both arms control and human security objectives into their development programs to make them more inclusive and effective;
- Negotiations should begin on treaties to mark and trace small arms and regulate arms transfers.<sup>9</sup>

In particular, civil society must continue to encourage annual government reporting on small arms activities. Regular and sustained interaction between government and civil society organizations will help ensure that those who are most affected by small arms are best served by the UN process.

### **Conclusion**

The controversy over the Chairperson's report should not cloud either the positive outcomes of the meeting or the fact that overall the BMS was deemed a success by both government and civil society participants. The BMS reinvigorated international interest in the problems caused by the proliferation and misuse of small arms. It showcased the increased attention given by states to this issue in the two years following the 2001 Conference. And it created momentum for future work, particularly on human security aspects of the problem.

The fact that a large number of states participated and reported, and that civil society was well represented and well organized, bodes well for the follow-up meetings in 2005 and 2006. The meeting also highlighted the relationship between civil society and government in dealing with small arms; this partnership was recognized

as a crucial element for the effective implementation of the Programme of Action. Another important theme running through the conference was that the small arms problem cannot be thoroughly addressed only on the national level but that the most effective initiatives will be those where there is strong regional and international cooperation.

Perhaps the final word should be left to the meeting's Chairperson, Ambassador Inoguchi, who reported at her last press conference following the meeting that "I would not claim we have achieved some heroic and ambitious outcome, but have only started to implement actions against small arms and explore what the United Nations can do."

1. See the Small Arms Survey website [www.smallarmssurvey.org](http://www.smallarmssurvey.org).
2. See Ploughshares website [www.ploughshares.ca/content/CONTROL%20WEAPONS/UNSmallArmsConf.htm](http://www.ploughshares.ca/content/CONTROL%20WEAPONS/UNSmallArmsConf.htm) for the full Programme of Action and other documents related to the 2001 Conference.
3. See the UN Department for Disarmament Affairs website <http://disarmament2.un.org:8080/cab/salw->

[2003.html](#) for all official reports related to the BMS.

4. See [www.iansa.org/un/ngo\\_presentations.htm](http://www.iansa.org/un/ngo_presentations.htm) for full texts of the presentations.
5. See *Disarmament Diplomacy* 2003, Issue 72, August-September.
6. A complete report can be found in "First Biennial Meeting of States to Assess Halt to Illicit Small Arms Trade Concludes, Hails Progress Worldwide in Just Two Years," UN Press Release DC/2877 R 22 (11/07/2003).

7. The full text can be found at [www.hdcentre.org/Programmes/smallarms/Documents/Putting%20People%20First%20-%20website%20version.pdf](http://www.hdcentre.org/Programmes/smallarms/Documents/Putting%20People%20First%20-%20website%20version.pdf).

8. The full text can be found at [www.iansa.org/documents/03poareport/index.htm](http://www.iansa.org/documents/03poareport/index.htm).

9. Excerpted from the IANSA press release, 11 July 2003.

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Project Ploughshares is an ecumenical agency of the Canadian Council of Churches, formed to implement the churches' imperative to pursue peace and justice. The mandate given to Project Ploughshares is to work with churches and related organizations, as well as governments and non-governmental organizations, in Canada and abroad, to identify, develop, and advance approaches that build peace and prevent war, and promote the peaceful resolution of political conflict.

*"and they shall beat their swords into ploughshares, and spears into pruning hooks; nation shall not lift up sword against nation; neither shall they learn war any more" (Isaiah 2:4)*