



# Biting the Bullet

Ensuring a framework for an effective international action programme on Small Arms and Light Weapons:

## Bottom-line issues

**T**HE UN CONFERENCE on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is a unique opportunity to agree to global action to prevent and reduce the spread and misuse of small arms and light weapons (SALW). Many had hoped that this Conference would establish an effective international Programme of Action to combat illicit arms trafficking and small arms proliferation. However, as the July Conference approaches, it has become clear that its achievements are likely to be more modest. On the evidence of the three Preparatory Committee meetings, the UN Conference document will not go far beyond the revised draft Programme of Action (L4 Rev.1). This falls substantially short of the effective international action programme that is required.

Despite this, many NGOs and governments are still determined to encourage the best possible outcome from the UN Conference. The question now is, what can realistically be achieved during the Conference negotiations to ensure the agreement at least constitutes a useful and significant step forward?

### Key principles

The UN Conference Document must at least provide an adequate foundation and framework for the *future development* of an effective international Programme of Action to prevent and reduce small arms proliferation and misuse. This means that the Document must contain a clear and substantial set of principles, commitments, and follow-on provisions. These must: strengthen and stimulate concerted international action to address all aspects of the small arms proliferation problem, complementing and reinforcing national and regional initiatives; and provide a solid basis for the subsequent development of an effective international Programme of Action.

This means that the UN Conference Document must address a 'minimum set' of aspects of the problem, which include:

- preventing and combating illicit SALW trafficking and production;
- recognising and addressing the links between the government-authorised and illicit trades in SALW;
- ensuring adequate controls on legal production, possession, and transfer of SALW;
- promoting effective regulation of civilian possession of SALW;
- promoting destruction and other responsible disposal of confiscated and surplus SALW;
- ensuring adequate security of authorised or official stocks of SALW;
- promoting reduction and control of SALW after conflicts, in peace missions, and in other areas suffering from excessive availability of SALW;
- promoting transparency and information exchange on SALW.

Beyond this, the UN 2001 Conference Document should recognise and reinforce efforts to address key linked issues, such as: child soldiers; war-affected children; the privatisation of security; security sector reform; and impunity. Such issues will be addressed in other national or international policy processes, but the links to the small arms issue must be addressed.



- ▶ It is estimated that, since 1990, about 90% of war-time casualties have been inflicted by small arms. The International Committee for the Red Cross estimates that over 50% of war-time casualties are civilians.
- ▶ It has been estimated that roughly 200,000 people globally are killed with firearms each year in murder, suicide and accidents.

“ The violence began when everything was just quiet. It became really terrible. One day I was sleeping with my son, when attackers came in and asked me who I was and where I was from. They then shot me in the eye and the bullet went right through and into my child. ”

Mary from Kwa-Zulu Natal, South Africa

Small arms are the weapons of choice in most of today's conflicts.

## Bottom-line issues

In view of the low-level of expectation that now surrounds the UN Conference, this briefing lays out some 'bottom-line' recommendations that must be included if the Conference is to avoid being perceived as a failure. These are not our recommendations for an effective Programme of Action, which are much more extensive (see the *Biting the Bullet* briefing series). Rather these recommendations should be regarded as a minimum to ensure that the UN Conference will at least provide a solid foundation for the future development of a far-reaching programme of action.

The current draft text of the UN Conference Document (L4 Rev.1) has significant strengths. It is adequately comprehensive in scope, addressing each of the key aspects identified above. The Document contains some useful norms, principles and commitments, and it encourages international and regional co-operation and assistance programmes. Accordingly, the existing draft Document L4 Rev.1 should be defended, and there should be **no dilution or weakening of its existing provisions**.

At the same time, however, the Document needs to be further strengthened in a number of key areas if it is to achieve its minimum objectives discussed above. Each of our points below are not only important, but also seem achievable.

## Bottom-line recommendations

The UN Conference Document should agree the following:

### Preventing diversion of arms transfers to illicit destinations

- Establishment of information exchange mechanisms on the illicit SALW trade so as to enhance co-operative action
- A commitment to convene a series of open-ended meetings to prepare for negotiations on a legally binding international agreement

### Ensuring traceability

- No dilution of existing L4 Rev.1 provisions, particularly the provision to start negotiation of an international instrument to identify and trace the lines of supply of SALW

### Controlling arms brokers

- Establishment of a process for information exchange, co-operation and the identification of best practice and for the preparation of model regulations
- Launching of a process to develop an international agreement which controls the activities of arms brokering and transportation agents

### Strengthening controls on legal manufacture and transfers of SALW

- A commitment that all States should assess applications for export authorisations according to strict national or regional criteria that are consistent with state obligations under existing international law and which include other criteria such as risk of diversion to unauthorised purposes
- Establishment of a process providing for information exchange and consultation amongst states on the factors that are taken into account when considering applications for export authorisations

### Management and security of official stocks of SALW

- Establishment of a process for information exchange, and the identification and dissemination of good practice
- A commitment to the development of international mechanisms for enhancing co-operation and mobilising assistance in the implementation of good practice in arms stockpile management and security

### Responsible disposal of confiscated and surplus weapons

- No dilution of existing commitments in L4 Rev.1, including the destruction of all confiscated SALW, and the responsible and expeditious disposal of surplus SALW, normally through destruction
- A commitment that SALW transfers should include understandings about the disposal and destruction of arms rendered surplus by the transfer
- A commitment to the development of international and regional mechanisms to enhance co-operation and provide assistance in destruction of confiscated and surplus SALW

### Weapons collection and control

- Establishment of clear commitments to promote and support the collection of SALW, in post conflict regions and other areas where excessive or uncontrolled availability of SALW is a major problem
- Establishment of a process for information exchange and the promotion of best practice in this area, and for systems to facilitate mobilisation of assistance

### Regulating civilian possession of SALW

- A commitment to ensuring adequate regulation of the trade and private ownership of SALW, including a prohibition on the private ownership of automatic weapons.

### Reducing and controlling arms after peace agreements and in UN operations

- A commitment to the development of an international mechanism to assist with SALW stockpile security in emergency situations, and in the destruction of SALW in post-conflict areas

### Transparency, accountability and information exchange

- Strengthening of the existing text of L4 Rev.1 in relation to systematic information exchange and consultation in all aspects of co-operation on SALW
- Explicit encouragement and supporting of regional and international arrangements relating to information exchange and enhanced transparency on SALW

“ The war (in Sierra Leone) brought us here. The war was very serious; there was gunfire everywhere. I fled with nothing. I was running carrying one of the children, but my other child was shot. He was six years old. So many people died in our village. No-one is left there now: everyone fled for their lives. ”

Fatima Kemokai, refugee in Liberia

Weapons collection in Liberia: an agreement to collect and destroy surplus arms is a key priority for the UN conference.

- ▶ 500 million assault weapons are estimated to be in circulation world-wide.
- ▶ Small arms transfers account for around 10–15% of all government-to-government transfers, or \$2.5 billion annually.
- ▶ Paramilitary groups spend an estimated \$2.5 billion a year on small arms.

# Biting the Bullet

## Biting the Bullet project

The *Biting the Bullet* project was launched at a seminar in New York in February 2000 on the fringes of the first Preparatory Committee for the UN Conference. The *Biting the Bullet* project seeks to influence the policy-making process through the production of timely briefings and hosting of a range of seminars and events. The first stage of the *Biting the Bullet* project included hosting a seminar on the margins of the UN Firearms Protocol negotiations and the three Preparatory Committees for the Conference. In addition a number of inter-sessional events were held, including: a meeting in collaboration with the Finnish government in December 2000; a meeting of OAS states in May in collaboration with the Canadian Ministry of Foreign Affairs; and a third in collaboration with the Geneva Forum held in Switzerland in the weeks leading up to the Conference itself.

For further information on the *Biting the Bullet* project and the related briefings please visit [www.basicint.org](http://www.basicint.org) or [www.international-alert.org](http://www.international-alert.org) or [www.saferworld.co.uk](http://www.saferworld.co.uk)

A mural in Somalia spells out the desire of local people for peace.



“ Armed gunmen entered our village and killed one man. They locked up 37 families in a shop, threatened to kill them, burned houses in the village. They then told us that we had three hours to leave. There are no roads in our area of Colombia so I built a raft to allow my family and I to escape. ”

Pedro Rodrigues, Colombia

## Follow-on mechanisms

If the UN Conference is to act as a catalyst for future international action to tackle small arms proliferation and misuse, substantive follow-up provisions will be required. These should include provisions for reviewing implementation of all Conference commitments, as follows:

- Biennial meetings of states and a Review Conference in 2006 to evaluate the adequacy of the Conference commitments and pursue the development of a far-reaching Programme of Action
- The establishment of international resource centres to facilitate implementation
- The establishment of a mechanism for systematic exchange of information and experience between regional, sub-regional and international bodies involved in efforts to prevent and reduce SALW proliferation and misuse.

## Future activities

In the coming years governments and civil society will need to work together to turn the UN Conference framework into an effective international Programme of Action on SALW proliferation and misuse. This should involve all concerned actors and centre around partnerships between NGOs, civil society, international and regional organisations particularly including those from effected regions. The *Biting the Bullet* team are committed to continuing this work and further contributing to this process. We will continue to work with other IANSA participants to combat the proliferation of small arms and facilitate capacity building of governments and NGOs.

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“ The world is awash with small arms... this is one of the gravest threats to international peace and security in the new millennium. ”

Kofi Annan, UN Secretary-General

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