

SMALL ARMS MONITOR

Civil society perspectives on the UN Programme of Action on small arms and light weapons

Final strides towards a meaningful consensus document

Katherine Prizeman | *Global Action to Prevent War*

Thursday's formal discussions showcased the strong efforts on the part of both the President of the Conference, Ambassador Ogwu of Nigeria, and delegates to reach consensus on a final outcome document for this UN Programme of Action (UNPoA) Review Conference (RevCon) by tomorrow afternoon. At the opening of the afternoon session prior to moving into informal consultations with the facilitators, Ambassador Ogwu urged delegates to not become part of the "culture of failure". As noted by the delegate of New Zealand in the morning session, consensus in this process is critical and achieving consensus at this RevCon is particularly significant for several reasons—to "heal the damage from 2006," to help move the UNPoA into a new phase of practical implementation measures rather than strictly continuous debate over political norms, and to contribute to multilateral disarmament writ large.

Almost all delegations noted that it would be impossible to satisfy the desires of all member states in this single document given both the complexity of the issues and the two-week allotted time frame. Nevertheless, the vast majority of delegations expressed general satisfaction with the new draft (CRP.3/Rev1) and voiced support for its adoption as a consensus outcome document. Of course, there remain points of divergence for member states, including issues that states said they were willing to forego at this stage and a few others that remain "redlines" and that would have to be removed from (or perhaps issues that must be added to) the document in order for those states to endorse it.

The delegations of Japan, Germany, the Holy See, South Africa, Peru, the United States, Botswana, and others supported the document and called for its adoption in its current form. Many other delegations supported the document but also expressed disappointment over certain aspects of it, in particular either the omission or weaken-

ing of specific issues. Such issues included ammunition, diversion, brokering, armed violence, measurability, monitoring, evaluation, gender perspectives, arms embargoes, victims' assistance, and development (see the News in Brief for details).

Some delegations modulated their dissent. The delegation of Peru, for instance, urged that the issues of brokering, munitions, and diversion be taken up in future UNPoA meetings. Likewise, the delegate of CARICOM stated that although ammunition, diversion, and border control do fall under the mandate of this Review Conference, these issues could be raised in the future and their inclusion should not necessarily serve to block the current text. The representative of Ecuador similarly noted that munitions and parts and components should be considered in the future.

Other delegations raised more severe concerns, implying the presence of "redlines," over either the structure of the document as a whole, including the document's titles, or the inclusion of issues that delegations simply cannot accept. The representative of Syria stated that if consensus could not be reached on the remaining "controversial issues," those references should be stricken from the text so that delegations could adopt it. In a similar vein, the delegation of Iran noted that all references to issues "not in the PoA" be taken out. Specifically, the delegate called for the deletion of references to the "new notions" of national resources trafficking, national action plans, human rights, armed violence, measurability and monitoring, and border control. The delegate of Venezuela also drew attention to the "new concept" of natural resource trafficking and the representative of Cuba questioned the legal status the text would enjoy. The issue of the format of the document also continued to be debated as the delegations of Cuba, Iran, the Arab Group, and Syria expressed their discontent with the title "Declaration" for the

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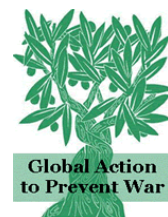
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Final strides, cont'd

first section of the outcome document and reiterated their proposal that the Declaration be turned into a preamble.

As stated by the New Zealand delegation and supported by the representative of Liberia, it is imperative that in the remaining hours left to negotiate this outcome document, proposed changes be confined to two categories—changes that would help improve the clarity of the text or changes related to substantive “redlines” that would stop delegations from joining consensus adoption of the outcome document. Nevertheless, there is a danger that must be underscored in this context. While delegations seek to find common ground and adopt a consensus document through continued refinement of the text’s language and negotiation on substantive issues, the text must not and should not be weaker than the UNPoA itself, a point made by the delegations of France and Belgium. For example, as noted by the representative of Belgium, since diversion is already addressed in the UNPoA, failing to mention it in the outcome document would represent a step backwards. In such an instance, the outcome document

would not only fail to contribute meaningfully to the full implementation of the UNPoA over the next review cycle, but it could well detract from what has already been accomplished since 2001 through a weakening of existing commitments.

Informal consultations continued throughout the afternoon and into the evening on how to reach consensus by Friday afternoon. Delegations must bear in mind that a viable outcome document must be a strong corollary to robust implementation measures and not the means to justify a retreat on existing UNPoA commitments. This RevCon must not provide a forum for retreating from UNPoA measures when it should be moving states forward in tackling implementation challenges. Furthermore, delegations must keep in mind the danger of reverting exclusively to UNPoA text. Such an exercise could render the review conference and its outcome meaningless. As Burundi’s delegation argued, so-called “new” concepts are essential to moving the implementation process forward. •

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All views expressed in this publication are solely those of the contributing authors and do not necessarily reflect the positions of the supporting organizations.

Rest stop

Dr. Robert Zuber | *Global Action to Prevent War*

We are approaching the end of what has been a long and challenging summer for many delegations and NGOs. There is one last hurdle to be overcome—approval of an outcome document that can help define for states and their public a set of obligations to drive the next six years of UNPoA activity.

Global Action to Prevent War (GAPW) has been pleased by the number of states offering, and even increasing, their capacity support for UNPoA related activities. We have appreciated the many resources on display in side events that can help establish a sound basis for more sound policy. We have greatly respected the quality of leadership evidenced by the Review Conference (Rev-Con) President, Ambassador Ogwu of Nigeria, and the facilitators. We have admired the patience and diligence of diplomats and NGOs as we all tap into the last vestiges of energy to ensure that we can move forward UNPoA implementation with the right combination of clear policy objectives, relevant technology, and adequate levels of financing.

Ambassador Ogwu spoke on Thursday about finally approaching the finish line, but she also cautioned, regarding the pursuit of an outcome document, that (in essence) the excellent might well be the enemy of the good. We need a solid document from which we can move forward, but it is clear that a perfect one is not possible nor is it absolutely necessary at this stage. There are political issues at stake in this document, but no binding legal obligations to consider. There are things still to fix and those items will surely be discussed through at least tomorrow morning. It is an inevitability that a document that the President seeks to have endorsed by consensus will fall somewhat

short of expectations for many delegation and NGOs.

On this final day, and as noted by the delegation of Sierra Leone, it is important to remind ourselves that an outcome document is a corollary to—not a substitute for—practical, robust commitments to full UNPoA implementation. We certainly need an outcome document, and it is much better to have a comprehensive framework than a limited one. That said, the most important outcome is related to the creation of enduring, collaborative working relationships of states, multi-lateral organizations, and civil society devoted to effectively implementing all UNPoA provisions. At the next RevCon, we will surely reference this outcome document, but we will be energized by all of the hopeful projects undertaken over the previous six years to bring the problems of illicit small arms under effective national and international control.

One other note: As most of the readers know, the team that has produced this Monitor has spent many weeks in both ATT and UNPoA processes trying to bring capable analysis to bear on problems that delegations have faced as they have sought the most effective ways to eliminate diverted weapons transfers and stem the flow of illicit small arms. We commend this work highly as a major contribution to a reliable, transparent and effective human security framework.

In this context, we wish to acknowledge the departure from the UN of Mr. Hossam Aly who both enhanced and helped solidify the high reputation of Egyptian diplomats serving the UN disarmament community. The faces that represent states and the Secretariat on disarmament affairs change constantly, but the pattern of commitments left behind continue to inspire our common work. •

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GENDER
STATEMENT
RESOLUTION
UNITEDNATIONS
RCW
WILPF
DISARMAMENT
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PROLIFERATION

News in Brief*Ray Acheson | Reaching Critical Will of WILPF***Draft outcome document***General comments*

- The draft text was welcomed and/or generally supported by the African Group, CARICOM, ECOWAS, EU, Algeria, Belgium, Botswana, Brazil, Burkina Faso, Burundi, Chile, Colombia, DRC, France, Germany, Ghana, Guatemala, Holy See, Japan, Kenya, Madagascar, Malaysia, Mexico, New Zealand, Niger, Norway, Peru, Philippines, Sierra Leone, South Africa, Switzerland, Trinidad and Tobago, USA, and Venezuela.
- South Africa and Zimbabwe called for streamlining language by changing illicit trafficking to illicit trade throughout the text.
- New Zealand cautioned that the only amendments to this text should be editorial or deal with addressing red lines.
- Arab Group, Cuba, Pakistan, and Syria called for the declaration to be turned into a preamble.

Comments on the general content

- CARICOM, ECOWAS, Brazil, Chile, Colombia, Ghana, Mexico, Norway, Peru, and Switzerland would have liked ammunition.
- Chile would have liked parts and components.
- CARICOM and Norway would have liked strong language on border controls.
- CARICOM, EU, Belgium, and France would have liked stronger language on diversion.
- EU, DRC, France, and Switzerland would have liked stronger language on arms embargoes.
- Peru would have liked language on brokering.
- ECOWAS, Colombia, and Peru would have liked language on cross-border trade.
- EU, Ghana, Norway would have liked clearer language on gender perspectives.
- EU and Trinidad and Tobago would have liked language on arms transfer licensing authorities.
- Norway wanted language on victims' assistance.
- Burundi and Norway would have liked language on armed violence and development, such as the Geneva Declaration.
- Ghana appealed for reintroducing language on verifying end-user certificates.
- Australia, Burundi, France, and Switzerland would have liked language on measurability of implementation.
- Switzerland would have liked language on operationalization of armed violence.
- Switzerland would have liked language on the role of ITI in peacekeeping operations.

- Iran called for deletion of all concepts that are not directly addressed in the UNPoA such as: natural resources trafficking, national action plans, human rights, armed violence, monitoring, measurability, or border control.
- Cuba called for violence instead of armed violence.
- Trinidad and Tobago said armed violence should not be deleted.
- Burundi argued that such "new" concepts are essential to moving the implementation process forward.

Section I, Para 2

- Arab Group called for the PoA paragraphs referenced in the footnote to be reprinted in this document.

Section I, Para 4

- Venezuela questioned inclusion of natural resources trafficking.

Section I, Para 8

- Cuba suggested ending after "past decade" and deleting list of "selective" topics.

Section I, Para 9bis

- Arab Group called for addition of "in accordance with the PoA".

Section I, Para 10

- Arab Group called for deletion of border officials.
- Ghana called for retention of border officials

Section I, Para 12bis

- Peru noted that regional centres are not international organizations so the language would have to be slightly modified.

Section I, Para 12ter

- India said it wants to keep this para.

Section II, Para 4

- Switzerland called for assessment to be reintroduced.

Section II, Para 5

- Zimbabwe called for prohibition of diversion to entities not authorized by governments.
- India thought the language on end user or end use should be reintroduced.

Section II, Para 8

- Arab Group called for addition of "where appropriate" in terms of women's participation.
- Liberia argued strongly against this amendment, noting the valuable contributions of women to policy-making and peace processes.

Section II, Para 11

- Kenya, Liberia, and Trinidad and Tobago called for including reference to physically-challenged persons.

Section II, Para 25

- Cuba called for deletion of reference to monitoring.

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News in Brief, cont'd*Section II, Para 26*

- Cuba called for deletion of reference to measurability.

Section II, Para 28

- Germany said the text should establish the multi-donor facility, not just encourage its establishment.

Section III, Para 4

- CARICOM suggested added "relevant" to "emerging".
- Cuba suggested deleting "emerging" and using "relevant".
- Arab Group and Cuba called for the deletion of the list of topics.
- India said meetings should be political and technical.

- Ecuador expressed concern over mentioning specific themes.

Annex II, Introduction

- Arab Group called for replacing "over" with "during".
- Arab Group called for replace "to achieve" with "towards achieving".

Annex II, Para 4

- Belgium noted there is a reference to diversion in para 11 of the PoA and suggested it be referenced in this para.
- India supported this.



Measuring the effectiveness of the PoA

Natalie Goldring

As we reach the end of the Review Conference, it's important to focus on the fact that the real measure of the Programme of Action is whether it is saving lives.

We know that the human costs of armed violence are far, far too high. The current edition of the *Global Burden of Armed Violence: Armed Encounters* estimates that 526,000 people are killed each year as the result of armed violence; almost exactly one death per minute.

And we can certainly measure the costs of failing to change our current course. On average, in a single eight-hour work day, nearly 500 lives are lost. Some 5000 lives will have been lost during the time scheduled for this review conference.

Just in the last day, Australia, Burundi, France, and Switzerland called for the final document to include more mechanisms to measure the outcomes of our efforts. Right now, the only resources available to governments and civil society are the country reports. It would help if more countries submitted those reports in a timely fashion, but those reports alone are insufficient.

Proposals to better monitor the human costs of use of SALW may help provide the data necessary for determine whether the PoA and associated programs are saving lives. But even if it were possible to count every death from armed violence and track the reduction in deaths over time, we are not likely to be able to determine directly what caused the change. In attempting to resolve armed violence and rebuild the affected societies, many different programs are often implemented; measuring their individual effects is difficult, if not impossible. That does not mean we should abandon the effort – simply that we need to concede its difficulty.

The results of some provisions—such as those that involve setting up national mechanisms—are easier to measure, at least at a basic level. For example, the 5 September draft outcome document calls on states:

To put in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective control over the production of small arms and light weapons within their areas of jurisdiction, and over the export, import, transit or retransfer of such weapons, including by strengthening the national system of export and import licensing and authorization, in order to prevent illegal manufacture of and illicit trafficking in small arms and light weapons, including their diversion to unauthorized recipients.

We can measure the implementation of that type of provision in several ways. At a basic level, we can check to see whether countries have created the relevant laws,

regulations, and administrative procedures. We can also total the number of countries that have established such mechanisms.

Determining whether particular mechanisms have been implemented *effectively* is a much more difficult and complex task, however. It's challenging to obtain data on what countries are manufacturing and transferring legally; getting data on illicit manufacture and trafficking is even more difficult.

Civil society has documented illegal trafficking in SALW. Civil society can work with both affected states and those states that can offer assistance. Together, these partners can help countries better exercise control over the small arms under their jurisdiction. They can also document captured weapons. If effective border controls are also put into place, the quantities of weapons captured should decrease over time, as it should be more difficult for smugglers to operate within that state.

More accurately measuring the effectiveness of the PoA will not be easy. But as this conference ends, we need to rededicate ourselves to making a difference “on the ground” by focusing on reducing the human costs of armed violence. We can start by doing a thorough assessment of the accomplishments and failures of our efforts thus far. The Review Conference should have accomplished this task, but it did not do so. Now it's up to states and civil society to fill the gap. •

Natalie Goldring is a senior fellow with the Security Studies Program at Georgetown University. She also represents the Acronym Institute for Disarmament Diplomacy at the United Nations on conventional weapons and arms trade issues.

Small arms cryptoquote answer

“All over the world, small arms in the wrong hands destroy lives and livelihoods, impede peace efforts, hinder humanitarian aid, facilitate the illicit trade in narcotics and obstruct investment in people. The Programme of Action is a globally shared responsibility to increase security and foster development for all.” - Ambassador Pablo Macedo, Chair of BMS4.

WOMEN COUNT: Women and the UNPoA Review Conference

Jasmin Nario-Galace | IANSA Women's Network

A total of 141 States sent representatives to the *United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* in New York on 27 August–7 September 2012.

Eighty-one (81) or 57.44% of the States had women in their delegations. The number of women delegates, though, paled in comparison to the number of men delegates. There were only 149 women out of 642 state delegates: 23.20%. It is good to note, though, that there has been a slight increase on women's participation in meetings related to arms control. At the Preparatory Committee (PrepCom) of the PoA Review Conference in New York on 19–23 March 2012, 21.5% of the participants were women. At the ATT PrepCom in February, 20% of participants were women.

Delegations with a good number of women delegates—those who had 50% women in their delegation or more—were Antigua and Barbuda, Australia, Bahamas, Barbados, Belize, Bosnia and Herzegovina, Brunei, Cyprus, Ethiopia, Gambia, Guatemala, Iceland, Jamaica, Latvia, Lebanon, Lithuania, Madagascar, Netherlands, Norway, Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Serbia, Solomon Islands, Sri Lanka, Swaziland, Turkmenistan, Uganda, United Arab Emirates, United Kingdom, Uruguay, and Zambia.

Based on the list of participants circulated on 6 September, the following states did not have women in their delegations: Afghanistan, Albania, Bangladesh, Belarus, Benin, Bulgaria, Burkina Faso, Cambodia, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, DPRK, Denmark, Egypt, El Salvador, France, Ghana, Grenada, Holy See, Hungary, Indonesia, Iran, Ireland, Italy, Japan, Jordan, Laos, Libya, Liechtenstein, Mali, Malta, Mongolia, Morocco, Namibia, New Zealand, Niger, Oman, Pakistan, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Rwanda, Sierra Leone, Singapore, South Sudan, Sudan, Syrian Arab Republic, Tajikistan, Togo, Yemen, and Zimbabwe.

However, even if some states did not have women in their delegations, some of them actively supported the inclusion of gender language in the document. The conference saw several states ardently calling for gender mainstreaming for effective implementation of the UNPoA.

On the other hand, non-state delegations had 12 women participants. That was 46.15% of the total. Of these non-state entities, only Palestine and the League of Arab states had no women delegates.

UN Security Council Resolution 1325 urges Member States to ensure increased representation of women at all decision-making levels in national, regional, and international institutions and mechanisms for the prevention of conflict and for work related to the building of peace. The Review Conference would have been an opportunity for women to have a say on how states have performed in its goal of reducing human suffering caused by the illicit trade in small arms and how they could do better.

As of this writing, two paragraphs of the proposed document are responsive to the UNSCRS on Women, Peace and Security. One is paragraph 11 of the declaration, which expresses grave concern about the negative impact of the illicit trade of SALW on women, children, youth, and the elderly and calls for improved understanding of the different concerns and needs of these groups. It underscores the need for further integration of the role of women into efforts to combat and eradicate the illicit trade in SALW.

Paragraph 8 of the UNPoA implementation plan indicates the need to facilitate the participation and representation of women in small arms policymaking, taking into account relevant resolutions of the Security Council and the General Assembly. It also indicates the need to explore means to eliminate the negative impact of the illicit trade in SALW on women.

Several delegations expressed a wish that the language on women's participation could have been stronger, and many others lamented that language on gender mainstreaming or a gender perspective was omitted. The language provided does at least provide recognition of some of the important issues related to women, peace, and security, which can be built upon in the future.

The last Review Conference failed to produce an outcome document. Ambassador Joy Ogwu of Nigeria and Chair of the Conference expressed hope that the “culture of failure” that has seemed to characterize disarmament meetings in the past will not persist in this Review Conference. Indeed, it's time to cut the chain. •



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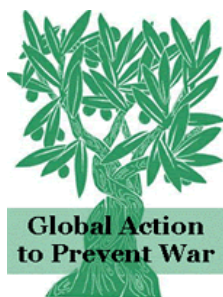
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