



SMALL ARMS MONITOR

Civil society perspectives on the fifth biennial meeting of states
of the UN Programme of Action on small arms, 16–20 June 2014



Reaching Critical Will

16 June 2014
Vol. 6, No. 1

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The *Small Arms Monitor* is produced by the Reaching Critical Will programme of the Women's International League for Peace and Freedom during meetings related to the UN Programme of Action on small arms and light weapons.

See reachingcriticalwill.org for information, statements, papers, reports, archived *Small Arms Monitors*, and more.

EDITORIAL: FILLING GAPS, INCREASING RELEVANCE

Ray Acheson | *Reaching Critical Will of WILPF*

In 2012, states held their second review of the UN Programme of Action on small arms and light weapons (UNPoA). This meeting, while technically “successful” because of its adoption of a consensus outcome document, did little reviewing let alone advancing of the critical issues related to the illicit trade in small arms. It mostly reaffirmed decades-old commitments, with little awareness of changing contexts or technologies. The fifth biennial meeting of states should seriously consider how it engages with this work in order enhance efficiency and relevance for the real world of ongoing armed conflict and armed violence.

“Small arms and light weapons kill and injure more people on a daily basis worldwide than any other type of technology developed by humans to harm other humans,” noted Daniel Mack of Instituto Sou da Paz in a briefing for Reaching Critical Will published ahead of last year’s First Committee. “Yet the commitment of governments to address SALW issues at the UN has seemingly decreased, and civil society has suffered a similar malaise.”

In a paper published by RCW ahead of this meeting, Mack extensively explores whether the focus on UN processes such as the UNPoA has really led to effective measures for reducing or preventing the illicit trade in arms or armed violence. Based on extensive research and interviews with civil society experts, he concludes that a strategic shift away from international diplomatic efforts to focus on the national level is justified by the real world objectives that should be guiding the work of governments and civil society. “As a framework for action on a national basis, the PoA was and remains an essential guiding document, and many countries could benefit greatly from taking it more seriously.”

As we gather here in the UN once again to look at progress on preventing and curb-

ing the illicit trade in small arms, his broader recommendation that actors need to create rather than simply maintain is of utmost importance. States could call for the establishment of an independent mechanism to assess UNPoA implementation. They could propose and engage in ways to address ammunition—not only its trade or transfer, but its lifecycle from production to destruction. They could discuss ways to address some of the UNPoA’s biggest gaps, including arms and ammunition production, stockpile management, and relevant emerging technologies.

There are many important aspects of small arms and light weapons that require immediate attention. This meeting should be a place for serious discussion on those matters. National experiences and initiatives should inform and help guide the international work on this issue. If the UNPoA process is unable to respond effectively to changing circumstances, ongoing conflict and violence, and new technologies, states and civil society alike must seriously consider other methods and means for addressing those challenges.

For further analysis
and reporting on the
BMS5 this week, please see
www.reachingcriticalwill.org.

Statements and documents
will also be posted on the
RCW website.

CALENDAR OF EVENTS

When	What	Where	Who
10:00-13:00	Plenary	Conference Room 3	
11:00-12:00	Media Briefing on Small Arms Survey 2014: Women and Guns	Conference Room C Conference Building	Permanent Mission of Switzerland to the UN, Small Arms Survey
13:00-14:00	Official Launch of Small Arms Survey 2014: Women and Guns	Conference Room C Conference Building	Permanent Mission of Switzerland to the UN, Small Arms Survey
13:15-14:45	Physical security and stockpile management: UNMAS at work	Conference Room 3 Conference Building	UNMAS
13:15-14:45	Group of Interested States in practical disarmament measures - New technologies in tracing - UNSCAR trust fund	German House 871 UN Plaza (First Ave, between 48th and 49th St.)	Permanent Mission of Germany
13:15-14:30	Improving the health of the UNPoA	Conference Room B Conference Building	IPPNW, Parliamentary Forum on SALW and IANSA
15:00-18:00	Plenary	Conference Room 3 Conference Building	

Events listings for the rest of the week are available at
www.un-arm.org/BMS5/sideevents/

SMALL ARMS MONITOR
16 JUNE 2014 | Vol. 6, No. 1

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A CALL TO (SMALL) ARMS

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

The Fifth Biennial Meeting of States (BMS) on Small Arms and Light Weapons is taking place at a time of much policy deliberation focused on the rights, obligations, and controversies surrounding small arms trade, possession, and use. Mass shootings continue in the US resulting only in a hardening of positions on meaningful gun control measures. Weapons originally flowing out of Libya continue to find their way into conflicts in many parts of west and central Africa. Arms Trade Treaty (ATT) proponents continue to seek out governments willing to sign on the dotted line and help the treaty enter into force. Small arms are hoisted in the air by combatants from Syria to Ukraine, weapons so numerous and ubiquitous that they seem to 'photo-bomb' entire cultures as they continue to inflict horror on local populations.

The reason why some delegations and civil society continue to maintain the value of the UN Programme of Action (PoA) on the illicit trade in small arms and light weapons, the focus of the BMS, is its strong legacy of capacity support by states. Capacity support is vital to the goals of promoting safer streets, more secure harbors, fewer insurgents, less porous borders, and more. In a broader context, it is also vital towards fulfilling development goals, promoting full political participation by women and marginalized groups, or finding options for states under threats from climate change or mass atrocity violence. While treaties can be construed as the lifeblood of the human rights pillar of the UN

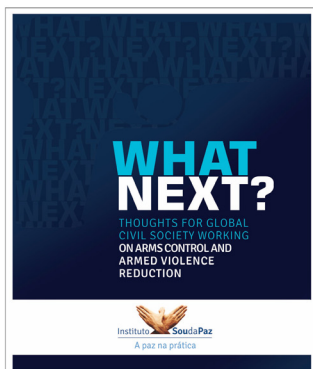
system (in part because of the skillfulness with which treaties in this domain are negotiated and enforced), the lifeblood of the UN system as a whole (and of the PoA) is what is known as 'triangular' capacity support among and between states (south-south, north-south).

Nevertheless, some delegations seem to have little more than tepid interest in this BMS, especially those preferring the 'certainties' of treaty language to the 'suggestions' in the Programme of Action. Indeed, many in the UN community would prefer that PoA-related responsibilities were enshrined in treaty the way that arms transfers now are, citing with justification the PoA's lack of an independent mechanism to assess its actual implementation on a national level. However, there are caveats here worth noting.

First, disarmament treaties are not known for their legal coherence or implementation robustness. The NPT, for instance, is bogged down in unfilled obligations, including those related to nuclear disarmament and establishment of a weapons of mass destruction free zone in the Middle East, and in arcane definitions for 'nuclear weapons states' that categorically ignore the actual possession of such weapons. For its part, the ATT has no viable 'treaty body,' no reliable mechanism for flagging risky transfers, no dependable strategy to ensure that first generation weapons purchases will not eventually become anonymous bargains in second hand weapons markets. Thankfully, there are measures

AN ASSESSMENT OF THE POA (OR, WHY WE ARE NOT IN NEW YORK)

June 2014



New publication from
Reaching Critical Will and
Instituto Sou da Paz
www.reachingcriticalwill.org



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A call to (small) arms, continued

in place to allow the treaty to be amended if current obligations are vague or ineffective, but such revisions are unlikely to be swift if they occur at all.

Second, treaties sometimes require trade-offs that must be carefully examined prior to adoption. The legal imprimatur accorded arms transfers by the ATT might turn out to be a high price to pay for a treaty that has little enforcement power, especially with respect to the large 'first world' manufacturers, several of which sit as permanent members of the UN Security Council. The UN, of course, is an intensely political space, and diplomatic anxiety is only increased where weapons are concerned. Given this 'brew' of anxiety and politics, it is even more important with treaties to think through the implications of the concessions we are making to ensure that the version to be ratified can deliver on its promises.

While Australia, Germany and other states are trying to raise levels of ATT robustness, there seems to be little at this point that would support a conclusion that the PoA would be taken more seriously by states if it had a treaty designation. Its brand might be taken more seriously by some, but would its objectives and end products?

The PoA's success moving forward is clearly tied to its ability to examine and learn from prior capacity successes as a prelude to stimulating new levels of investment. There are stories to be told that states need to hear—from national capitals and civil society organizations, as well as from UNLiREC and the other regional offices of

the UN Office for Disarmament Affairs. From regional marking and tracing protocols and interrupting weapons flows to better stockpile management and the destruction of weapons illegally procured, state capacity-building in the context of the PoA is the engine of significant progress on illicit arms of all kinds.

In discussing any arms-related issues with states within UN contexts, there are two dimensions that always seem to come to the fore and that must somehow be held together—the alleged sovereign right to purchase arms to preserve national security, and the charter responsibility to pursue that security at the least possible level of armament. The tissue that connects and impacts these sometimes difficult-to-resolve obligations is partially about resolutions and treaties but is mostly capacity support. It is this support that provides options and incentives for states to reduce arms levels that do not necessarily require sanction from 'binding' UN instruments. It is this support which has been and will remain the strength of the PoA process.

It's time to put more projects and more offers of mutual assistance on the table. A week of BMS might not be sufficient to highlight all the good work that is taking place worldwide to clamp down on weapons of all kinds. But there is time for some of that vetting in the coming week as well as time to plan ways to increase the numbers and importance of PoA inspired initiatives. In our view, this would be time especially well spent.

