



## BITING THE BULLET

INTERNATIONAL ALERT | SAFERWORLD | UNIVERSITY OF BRADFORD

### Global implementation of the PoA

#### Introduction

Between 26 June and 17 July 2006, international governments will meet to review their commitment made five years ago to control small arms and light weapons (SALW). The UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (PoA) was agreed at a UN Conference in July 2001, and is the primary international instrument relating to the controls of small arms and light weapons.

The PoA sets out a range of measures and initiatives to be taken by states' in areas such as: controls on the import, export and transit of small arms (transfer controls); the regulation of arms brokering; stockpile management; addressing the impact of small arms on development; and the marking and tracing of small arms.

The Biting the Bullet project aims to promote effective implementation of the PoA and periodically it produces a "Red Book" analysing progress against the PoA.

The 2006 Red Book concludes that global implementation of the PoA is patchy. Although progress has been made in some areas, action taken so far has not been sufficient to have more than a local or marginal impact on the problems of Small Arms and Light Weapons (SALW) trafficking, proliferation and misuse. Some of the factors contributing to inadequate performance are linked to weaknesses in the PoA itself. This year's conference provides the first formal opportunity to review and strengthen the PoA since it was agreed.

This Biting the Bullet briefing focuses on the global implementation of the PoA, highlighting progress thus far, and outlining recommendations for further improvements.

#### Recommendations for more effective global implementation of the PoA

The forthcoming UN Review Conference should:

- **Clarify and elaborate the implications of the PoAs' commitments in key areas, such as on principles for transfer controls based on states existing responsibilities under international law.**
- **Reinforce the foundations of action on SALW in particular by supporting states in building their capacity to take effective action on SALW.**
- **Support the development of new comprehensive sub-regional and regional agreements on SALW.**
- **Reaffirm and expand support for international co-operation and assistance.**

- **Emphasise the need to better integrate action on SALW with development programmes.**

### Statistics

Out of a total of **191** UN Member States who signed up to implement the UN PoA

- **116** states (and entities) have laws and procedures controlling the **production of SALW**;
- **111** states (and entities) have laws and procedures controlling the **export of SALW**;
- **135** states (and entities) have laws and procedures controlling the **import of SALW**
- **102** have standards and procedures for the **management and security of stockpiles**
- **62** states have conducted some form of **disarmament** since 2001
- **53** require that all **SALW are marked** as an integral part of their manufacture, though for many this only relates to some of the emerging international standards on marking SALW
- At least **26** states have provided some form of **donor assistance** to SALW-related projects.

### Implementing the PoA

The PoA process remains the most comprehensive global framework for action on SALW. There are emerging and consolidating good practices in most key areas of PoA implementation from which lessons can be learned and action on small arms can be made more efficient and effective in the future. The PoA has, moreover, opened the way for some significant national and regional action on key issues.

As a general rule, where a sub-region has developed substantial regional agreements and programmes of action to address SALW issues, the states within that sub-region have made more progress towards national implementation. However, not all regions and sub-regions have developed these substantial agreements and programmes and where they are absent progress in PoA implementation has been generally much more limited. This highlights and reinforces the need for an elaborated global framework linked to comprehensive global programmes and initiatives to address all aspects of the illicit trade and misuse of SALW.

### Transfer controls

Out of over **180** countries:

- only **79** states have controls on transit and transshipment.
- only **37** states have specific controls over brokers and brokering.

Effective and responsible transfer controls are key to preventing destabilizing accumulations and misuse of these weapons. The PoA acknowledges this through commitments to effective regulation of the import, export, transit and brokering of SALW as well as recommending further measures relating to: assessing authorizations against strict guidelines and criteria; exercising effective end-use/end-user controls; supporting the enforcement of UN arms embargoes; and border controls.

While a majority of states have some laws and procedures on import and export a substantial group of between **25%** and **30%** of states lack the frameworks required to exercise control let alone the capacity to enforce them.

### **State responsibility for weapons**

Out of over **180** countries:

- **102** have standards and procedures for the management and security of stockpiles.
- **30** governments have reviewed these systems.

Ensuring responsibility for authorised small arms, light weapons, and associated ammunition has been one of the most widely implemented areas of national action on SALW since 2001. For some states this has meant the prioritisation of implementing controls over state stocks; for others, the weapons and ammunition authorised for other bodies such as private security companies, private dealers, and civilians have been the priority. Fewer states have prioritised action on manufacturing controls and many ammunition stocks have been neglected and require urgent attention.

The management and security of stocks of SALW in the hands of state agencies (military, police, paramilitary, border guards etc) and authorised bodies (such as private security companies) is central to the PoA and to reducing the illicit trade in SALW. Most states have some form of system for stockpile management and security although many of these are, in practice, inadequate.

### **Disarmament and weapons collection**

Out of over **180** countries:

- only **62** states have conducted some form of disarmament.
- **73** states have destroyed surplus, confiscated and/or collected SALW and/or ammunition.

Disarmament and disposal through destruction are key areas of programming promoted by the PoA. Programmes to promote the disarmament of ex-combatants in post-conflict situations, to collect SALW from civilians, and to dispose of SALW through destruction have been prominent areas of action since before 2001.

Significant gaps and opportunities remain for learning lessons from good practice and increasing the scale and effectiveness of disarmament and destruction programmes. Across the range of disarmament initiatives and contexts there are important lessons to learn related to issues including: the use of incentives for weapons handover; the need for partnerships with civil society; the need for addressing the needs of women and children in post-conflict settings; and the safety, security and disposal of collected weapons.

### **International assistance**

Out of over **180** countries:

- **26** states have provided some form of financial or technical assistance to action on SALW.

International co-operation and assistance are essential elements of efforts to implement the PoA. Section III of the PoA is dedicated to outlining states' commitments towards international cooperation and assistance for action on SALW.

The presence of a number of new donors is changing the character of international assistance programmes which are gradually moving away from relatively inflexible and project-based donor aid, to more flexible and sustained co-operation with greater scope for genuine partnerships. Further, regional and international institutions have become increasingly involved in raising, providing, channelling and co-coordinating assistance.

While there have been numerous improvements in co-operation and assistance, in practice donors have been slow to actually learn and apply these lessons and mistakes are repeatedly made. Importantly, the international community has not realised its commitment to ensure co-ordination and synergy in actions on SALW. The scale of available assistance remains inadequate and there is a clear need to increase assistance substantially.

### **Development & human rights**

The PoA does not systematically address the factors driving the demand for illicit SALW, or tackle the real impacts of the uncontrolled proliferation and misuse of these on a global scale. However, it is increasingly recognised that action on SALW should fully recognise the impacts and implications of the illicit proliferation and misuse of SALW, and – where appropriate – be integrated with broader programming that directly engages with these issues. In addition to the clear need for development and governance programming to take greater account and make more effective use of SALW programming, the converse is also crucial: specific actions on SALW need to pay greater attention to human rights, development and governance issues and impacts.

The integration of SALW programming in development and governance programmes has begun, with a handful of donors, programmes, and affected countries taking steps to integrate SALW programmes with poverty reduction strategies, security sector reform programmes, and so forth. For example, this includes the decision by the **OECD DAC** to make SALW programming eligible for ODA and the inclusion of small arms control in Uganda's Poverty Eradication Action Plan (PEAP). Increased international action on the linkages between SALW and human rights, humanitarian issues, development, governance, and security is required.

### **Further information**

- *Implementing the Programme of Action 2006: Action by States and Civil Society*, Biting the Bullet (International Alert, Saferworld and University of Bradford), June 2006
- *Promoting Effective Global Action on Small Arms: Priorities for the 2006 UN Review Conference*, Biting the Bullet Project (International Alert, Saferworld and University of Bradford), January 2006
- *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, UN Document A/CONF.192/15