
Small arms and light weapons

International Action Network on Small Arms

Background

Twenty years after the adoption of the [UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects](#) (UNPoA), small arms and light weapons (SALW) are still an enormous threat to human security. The effects of SALW use extend far beyond those wounded and killed, to their families, friends, and communities.

Discussions in fora such as the biennial meetings of states for the UNPoA and the annual conferences of states parties for the Arms Trade Treaty (ATT) often focus on the use of these weapons in armed conflict. However, many types of armed violence, such as gender-based violence, take place in both conflict and non-conflict situations. Non-conflict settings include violence involving armed gangs and organised crime and police violations of some of the [UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#).

Other key instruments that address the trade in and misuse of SALW include the [International Tracing Instrument](#) (ITI, 2005); the [UN Firearms Protocol](#) (entry into force, 2005), supplementing the UN Convention Against Transnational Organized Crime (entry into force, 2003).

Current context

The seventh Biennial Meeting of States on the UNPoA (BMS7) was the primary focus of the UN's work on SALW this past year. It took place in July 2021 in a mix of virtual, in-person, and hybrid formats, after being delayed a year

because of the global COVID-19 pandemic. States also considered issues related to the illicit trade in SALW at the ATT's seventh Conference of States Parties (CSP7) in August 2021. At CSP7, states frequently cited the need to explore synergies between the ATT, the UNPoA, and other relevant instruments. For more on this, please see the chapter on "International arms trade".

The [BMS7 outcome document](#) was surprisingly substantive, under the circumstances. The negotiations were hindered by the extensive limitations on face-to-face contact, the list-like nature of early drafts, and the attempts by a small group of states to block numerous substantive proposals. The final document contains promising language on many issues, including gender, ammunition, technological developments in weapons development and production, international cooperation and assistance, and the need to exercise control over weapons throughout their lifecycle, including the destruction of surplus weapons. The real test, of course, will be the extent to which the proposals are implemented.

One area of substantial progress in the BMS7 outcome document is the gender dimension of SALW proliferation, despite the opposition of a small number of states. The outcome document builds on the progress made in BMS6 in 2016 and at the Third Review Conference (RevCon3) in 2018. There is strong language on disaggregating data to examine the effects of SALW use with respect to sex, age, and disability, as well as on mainstreaming gender perspectives, for example.

There is also some early evidence that states are taking seriously their commitment to facilitating the full and effective participation of women. The proportion of statements by speakers identified as women by Reaching Critical Will was significantly higher at BMS7 than at RevCon3: 30 per cent versus 20 per cent. This is still far short of parity, but it's a promising start.

If fully implemented, the outcome document's recommendations on gender could help advance the full and effective participation of women in these processes, the development of more disaggregated data on the gendered effects of SALW, and increased funding for projects dealing with these issues.

In a welcome change, the outcome document paid attention to "survivors" of armed violence, rather than the customary reference to "victims". It did not focus on their needs for assistance, a topic that should be an area of focus for both BMS8 and RevCon4.

BMS7 also increased the focus on the responsibility and accountability of individual states and regions in implementing the UNPoA and the ITI. The outcome document proposes that states consider setting voluntary national and regional targets to support implementation of the two instruments. Setting such targets would allow states to supplement existing more general goals with more specific goals they themselves had developed. This could increase state ownership of the resulting activities, while also improving accountability.

Because of the delay in holding BMS7, BMS8 will take place in summer 2022. This leaves just one year for countries to make progress on their commitments, rather than the usual two-year period between meetings. Despite this, it will be important to have a broad mandate for BMS8, both to further discussions at BMS8 and to begin preparations for a robust review of the UNPoA at RevCon4 in 2024.

Despite significant progress, there are still many obstacles to the full and effective implementation of the UNPoA.

The format for BMS7 created significant challenges for civil society participation. Accredited representatives from civil society were not allowed to enter UN headquarters. Civil society was also excluded from the informal sessions, which included a significant portion of the substantive discussion of the conference.

The decision-making process of the UNPoA meetings also continued to be problematic. In the UNPoA process, "consensus" has been interpreted as meaning unanimity, allowing a single state to block progress if it so chooses. As was the case in RevCon3, an inability to reach consensus on a final outcome document resulted in states voting on particular paragraphs of the document. Ironically, although some states expressed concern about this process, in both cases, the outcome document was stronger because a small group of states was not allowed to determine the content of the text.¹ And at the end of the process, the outcome document was approved unanimously, with no abstentions.

Unfortunately, the inclusion of SALW ammunition within the UNPoA continues to be a sticking point. As many member states pointed out during both formal and informal negotiating sessions, ammunition is what makes SALW powerful. Yet some states continue to try to exclude it from the discussions, making an artificial distinction between the weapons themselves and the ammunition that makes them function.

Another contentious issue is developing an annex to the ITI to take into account the vast changes in weapons technology since its adoption, including modular and polymer weapons and 3-D printing. Early in the deliberations, a substantive proposal for an annex received strong support from many states. This proposal was weakened in the negotiating process, and the final text only

refers to considering a proposal for an open-ended working group of technical experts to address “challenges and opportunities of such technologies”. Although the final document did not specifically call for an annex, it did suggest many ways that states could begin addressing the emerging challenges.

States’ commitments to the UNPoA’s reporting requirements remain uneven. As of late August 2021, 91 states had submitted their biennial [reports on UNPoA implementation](#); 126 countries have provided their [national points of contact](#).

The annual omnibus First Committee resolution on SALW is adopted by consensus. While reporting can be a far more complicated task than identifying points of contact, the countries that annually support this resolution should be able to identify a point of contact for this important instrument. (For an analysis of SALW-related resolutions from the 2020 First Committee session, please see the relevant chapter in this edition of the [2020 First Committee Monitor](#).)

Last year it seemed as though the delay in BMS7 would give time for the Group of Governmental Experts on Problems Arising from the Accumulation of Conventional Ammunition Stockpiles in Surplus (GGE) to complete its work before the July 2021 meeting. Unfortunately, the GGE’s work was also slowed by COVID-19 constraints, and it is expected to have its last meeting in September 2021.

Recommendations

During First Committee, delegations should:

- ➔ Demonstrate their commitment to the full and effective participation of women in the UNPoA process by ensuring parity in their delegations’ leadership and composition, as well as their presentations;
- ➔ Support resolutions containing gender-focused measures to prevent, curb, and eradicate SALW proliferation and violence;²

- ➔ Share comprehensive reports on their progress on meeting their RevCon3 commitments, especially if they were unable to do so before BMS7;
- ➔ Ensure that any resolutions on BMS8 set a broad mandate for the meeting;
- ➔ Recognise that the vast majority of deaths and injuries due to SALW use occur in violence and crime, not in armed conflict; and
- ➔ Ensure that civil society is able to participate fully, whatever format is chosen for First Committee proceedings, with the presumption that meetings will be open as the default procedure.

Beyond First Committee, states should:

- ➔ Ensure that they continue to make progress in implementing their commitments from BMS7 and RevCon3, and prepare reports to be considered at BMS8;
- ➔ Act unilaterally or in regional groups to implement more ambitious standards than agreed at the biennial meetings or the review conferences;
- ➔ Implement all of the Sustainable Development Goals (SDGs) that are related to arms control issues, not limiting efforts to SDG 16.
- ➔ Take advantage of and further develop synergies among the UNPoA, the Firearms Protocol, and the ATT. For example, states could:³
 - utilise UNPoA provisions on recordkeeping, end-user certification, prevention of diversion, stockpile safety and security, and provision for destruction of surplus weapons and weapons that remain when conflicts end, to strengthen the implementation of other relevant instruments; and



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- apply the criteria, guidelines, and prohibitions in the ATT to help bring more of the international trade in conventional weapons, including SALW, into compliance with international human rights and humanitarian law.
- ➡ Demonstrate that they mean it when they say that civil society is an important partner in these efforts, by:
 - including civil society representatives on national delegations,
 - fully integrating civil society representatives into the work to reduce the human costs of armed violence,
 - ensuring diverse leadership from survivors, youth, and other traditionally underrepresented groups, and
 - committing to increasing funding for civil society's work to raise awareness of these issues.

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1 Ambassador Martin Kimani (Kenya, BMS7 Chair) and Ambassador Jean-Claude Brunet (France, RevCon3 President) both deserve credit for refusing to reduce their respective outcome documents to the least common denominator.

2 For additional information, analysis, and recommendations on these issues, see [“A Call to Action by Civil Society Organisations on Gender and Small Arms Control,”](#) April 2021, and [“Room For Improvement: An analysis of ‘gender considerations’ in the 2020 Programme of Action national reports,”](#) IANSA/WILPF Briefing Paper, July 2021.

3 See also [“Quick Guide to the Results of the 2018 Review Conference on the Illicit Trade in Small Arms and Light Weapons,”](#) IANSA, revised April 2019.