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Six Key Issues for the Eighth Biennial Meeting of States (BMS8) on the UN Programme of Action (PoA)



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This Quick Guide provides an overview of six key issues for the Eighth Biennial Meeting of States (BMS8) to Consider 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 (PoA). It provides information to help IANSA members and partner organizations in their work to lobby Member States, and to help inform diplomats as well. This briefing paper supplements other IANSA resources, which can be found at: <https://iansa.org/publications/>

INTRODUCTION

From 27 June–1 July, the United Nations is conducting the eighth Biennial Meeting of States (BMS8) on the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (PoA), which was originally adopted in 2001.¹ These meetings focus on States' implementation of the PoA.

At BMS8, participating States will also begin to set the agenda for the fourth Review Conference (RevCon4), which is scheduled to take place in 2024. Review Conferences are designed to give States the opportunity to make decisions on more substantial programs and activities to strengthen the PoA's implementation.

This briefing paper focuses on six key issues that IANSA has identified as needing particular attention at BMS8:

- Building on the gender outcomes of RevCon3 and BMS7 and ensuring the inclusion of other traditionally underrepresented groups such as survivors, youth, and those most vulnerable to the effects of armed violence
- Enhancing provisions for the collection and destruction of SALW and their ammunition
- Moving forward on developing national targets for implementation of the PoA
- Ensuring attention to synergies among instruments that are critical to preventing SALW proliferation, violence, and harm
- Increasing attention to the need for sustainable international cooperation and assistance in implementing the PoA and the ITI
- Setting a robust agenda and mandate for RevCon4

¹ United Nations, "[Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects](#)," A/CONF.192/15, 2001.

For each of these issues, the briefing paper indicates why the issue is important and includes selected priorities for States.²

Much of this briefing paper focuses on building on previous progress. Each Biennial Meeting of States (BMS) or Review Conference (RevCon) has provided material and precedents for the meetings that follow.

It's critically important that the previous outcome documents serve as a floor for consideration of proposals, not a ceiling. The illicit trade and proliferation of SALW and the misuse of SALW for violence and crime is changing, and States need to address those changes. Millions of people around the world continue to be affected by violence and abuses committed or facilitated by the irresponsible use of such arms. Unfortunately, some skeptics about the PoA process continue to promote approaches that would undermine the process. Some diplomats have gone so far as to argue that issues shouldn't be discussed unless there is already consensus on them.

Throughout the PoA process, "consensus" has been interpreted as meaning unanimity, allowing a single State to block progress if it chooses, which is contrary to the rules of the General Assembly and did not apply to the adoption of the Arms Trade Treaty. In both of the last two PoA meetings (BMS7 and RevCon3), States did not reach consensus on an outcome document. Rather than abandoning the more substantive texts, Ambassador Martin Kimani (Kenya, BMS7 Chair) and Ambassador Jean-Claude Brunet (France, RevCon3 President) each decided that participating States would vote on the most contentious paragraphs of each document. In both cases, the outcome documents were stronger because a small group of States was not allowed to determine the content of the text. Despite these disagreements, participating Member States unanimously adopted the outcome documents for both RevCon3 and BMS7.

Six Key Issues for BMS8

1. Build on the gender outcomes of RevCon3 and BMS7 and ensure the inclusion of other traditionally underrepresented groups such as survivors, youth, and those most vulnerable to the effects of armed violence.

As originally approved, the PoA gave little attention to affected communities and traditionally underrepresented groups. The words "gender", "youth", and "survivors" were not even included in the 2001 text, for example.

Other related terms were mentioned only in extremely limited contexts. For example, women were mentioned once, in text from the preamble that referred to the devastating consequences of the illicit trade in small arms and light weapons.³ Children were mentioned three times – twice in that paragraph and once in a paragraph on the special needs of children affected by armed conflicts.⁴ Victims were mentioned twice – once in the same preambular paragraph as women and children, and once in a preambular paragraph on the illicit trade impeding the provision of humanitarian assistance to victims of armed conflict.⁵ In turn, references made only to the narrower concept of "armed conflict" and not to "armed violence" exclude huge numbers of people who are affected by these weapons.

² The six key issues do not exhaust all of the important issues related to the illicit trade in SALW and their ammunition. Rather, they're intended to give a sense of the range of issues IANSA considers most important to address before, during, and after this particular meeting. For further information on IANSA's concerns, see www.iansa.org

³ UNPoA [Preamble](#), paragraph I.6.

⁴ UNPoA [Preamble](#) paragraph I.6 and main text paragraph 22.

⁵ UNPoA [Preamble](#), paragraphs I.6 and I.6.

Through the efforts of civil society and our diplomatic partners, we've made significant progress on the inclusion of traditionally underrepresented groups in the last several years. But there is much more work to be done. In addition, advocates of inclusion have had to counter the contention of some States that these issues are somehow "secondary" to the implementation of the PoA.

As the Secretary-General indicated in his May 2018 report on *Securing our Common Future: An Agenda for Disarmament*, "Greater efforts are needed to achieve equal, full and effective participation of women in all decision-making processes related to disarmament."⁶ Preliminary texts of the BMS8 outcome document ("Zero drafts" 3, 4, and 5) have included similar wording.

Furthermore, the 2030 Sustainable Development Goals, which commit States to preventing armed violence and illicit arms flows, call for "Follow-up and review processes at all levels will be guided by the following principles" that, *inter alia*, "will be people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind" and "will be rigorous and based on evidence, informed by country-led evaluations and data..."⁷

One basic measure of progress is the extent to which members of underrepresented and vulnerable groups speak for their delegations. At BMS7, for example, 30 percent of the statements were delivered by speakers identified as female. Although that is an improvement from 20 percent at RevCon3, it's still insufficient. These statistics address the *equal* participation of women, but do not indicate whether that participation is *full* or *effective*.

We call upon States to:⁸

- Put into operation their commitments to the equal, full, and effective participation of women at community, national, regional, and global levels.
- Include youth and survivors in their delegations to BMS8 and RevCon4.
- Ensure that at least half of their statements at BMS8 and RevCon4 are delivered by speakers who do not identify as male, while also ensuring that members of underrepresented groups are full and effective participants in these meetings.
- Collect sex- and age-disaggregated data on the illicit trade in SALW and support research on the gendered effects of that trade.
- Increase their attention to other traditionally underrepresented vulnerable groups and sectors of society most affected by SALW violence as they look toward RevCon4.

2. Enhance provisions for the collection and destruction of SALW and their ammunition

Timely collection and destruction of illicit, obsolete, and surplus SALW and ammunition is a primary method of preventing the excessive and destabilizing accumulations of such material and ensuring that it will not be diverted to illicit markets or to unauthorized end users or end uses.

⁶"*Securing our Common Future: An Agenda for Disarmament*", p. xi.

⁷United Nations, "*Transforming our world: the 2030 Agenda for Sustainable Development*," paragraph 74.

⁸Some of these recommendations are drawn or adapted from "*A Call to Action by Civil Society Organisations on Gender and Small Arms Control*," IANSA, April 2021.

Securing legal stockpiles and collecting and then safely disposing of illicit, obsolete, and surplus weapons by taking them out of service and destroying them can decrease the risk of diversion from stockpiles to the illicit market, and to unauthorized users and unauthorized uses. Destruction involves ensuring that the weapons are permanently inoperable and cannot be re-commissioned; simply taking the weapons out of service is insufficient. An additional issue is that when storage depots are located in or near populated areas, civilians will be at risk. Unplanned explosions at munition sites are not a rare occurrence; the Small Arms Survey has documented more than 600 such incidents from January 1997 to December 2021.⁹

We call upon States to:

- Ensure that collection and destruction programs are timely and include all illicit, obsolete, and surplus SALW and their ammunition.
- Invest in the safe and secure management of the full life cycle of weapons and their ammunition and take measures to prevent a “weakest link” problem, where unauthorized users take advantage of specific elements of the weapons lifecycle that are vulnerable in order to divert weapons.
- Assist States that have fewer resources to develop and implement effective collection and destruction programs, giving special attention to States that are located in zones with recurring conflict and in non-conflict areas suffering from pervasive small arms violence.
- Work with other States – especially at sub-regional or regional levels – to exchange information and good practices to prevent the diversion of SALW and their ammunition.

3. Move forward on developing national targets for implementation of the PoA

Another positive development included in the BMS7 outcome document was the proposal that individual States consider setting voluntary national and regional targets to support implementation of the PoA and the ITI.¹⁰ Setting such targets for both SALW and their ammunition would allow States to supplement existing, more general goals, with more specific measurable objectives they themselves have developed. This could increase the on-going commitment of stakeholders in each country to the resulting activities and their success, while also improving accountability. In each case, the objectives need to be consistent with commitments to implement the PoA and ITI.

The suggestion to develop national targets was based on the Secretary-General’s recommendation in his 2019 report, in which he argued that the “urgency and the character of the small arms issue is so diverse around the world, there can be no ‘right’ or ‘wrong’ national ambition level.”¹¹ He suggested a bottom-up approach, with each State determining its own level and type of contribution, which would allow States to focus their PoA commitments on national implementation, as was originally intended. This promising approach gives each State the opportunity to set its own targets, based on its individual needs and capacities. At the same time, States still have responsibilities at the regional and global levels, as detailed in the PoA and in the outcome documents of the Biennial Meetings of States and the Review Conferences.

⁹ Small Arms Survey, “[Quick facts on unplanned explosions at munitions sites \(UEMS\)](#)”. For extended analysis of this issue, please see Peter Danssaert and Brian Wood, “[Surplus and Illegal Small Arms, Light Weapons and their Ammunition: the consequences of failing to dispose and safely destroy them](#),” IANSA and International Peace Information Service (IPIS), 2017.

¹⁰ [BMS7 Outcome Document](#), paragraphs 50, 51, 52, and 116.

¹¹ The [2019 Report of the Secretary-General](#) (A/74/187).

The Secretary-General's 2022 report, "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them and the illicit trade in small arms and light weapons in all its aspects," documents numerous activities at national levels that provide important examples for the continuing development of national-level programs and targets.¹²

We call upon States to:

- Develop preliminary sets of key national targets for the implementation of the PoA and ITI before RevCon4.
- Take advantage of the MOSAIC modules¹³ as useful sources of information and good practices for developing effective national targets to control SALW and their ammunition.
- Share national targets to decrease uncertainty and build confidence and stakeholder commitment and involvement to help achieve those targets at the national, sub-regional, regional, and global levels.
- Develop longer-term plans for sustained work to achieve national targets and to develop new or revised targets when necessary, based on PoA and ITI commitments.
- Avoid overreliance on quantitative measures of effectiveness for funding projects and programs, since that will tend to omit important activities that might have more powerful effects but aren't easily measured.

4. Ensure attention to synergies among instruments that are critical to preventing SALW proliferation, violence, and harm

One of the most contentious issues in the PoA process in recent years has been the extent to which outcome documents should acknowledge potential synergies between the PoA and other instruments. This issue became especially prominent after the entry into force of the Arms Trade Treaty in December 2014. There are many ways in which the PoA and the ATT, in particular, can complement and strengthen each other.¹⁴

The PoA provides important elements for a framework to curb illicit SALW transfers between and within countries, even though its provisions are not legally binding. In the PoA, all Member States committed themselves:

"To assess applications for export authorizations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law, taking into account in particular the risk of diversion of these weapons into the illegal trade."¹⁵

¹² "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them and the illicit trade in small arms and light weapons in all its aspects," UN General Assembly A/77/77 Advanced edited English version, accessed 14 June 2022.

¹³ The MOSAIC modules are available at: <https://www.un.org/disarmament/convarms/mosaic>

¹⁴ For additional detail on synergies between the PoA and the ATT, see Natalie J. Goldring, "The Programme of Action, the Arms Trade Treaty, and the UN Register of Conventional Arms: Seeking Synergy and Overcoming Challenges," International Action Network on Small Arms (IANSA) Briefing Paper, June 2016.

¹⁵ [UNPoA](#), Section II paragraph 11.

In turn, the entry into force of the Arms Trade Treaty added legally binding elements for the control of international transfers of SALW, other common types of conventional weapons, and their associated ammunition and munitions. Taken together, these two instruments complement and strengthen each other.¹⁶

The illicit arms trade is a complex issue, involving a wide range of potential factors, including types of weapons and ammunition, actors, diversion routes, and payment types. Taking advantage of synergies among relevant regional and global instruments that address the trade in SALW can increase their collective power to help control this trade and reduce its human cost.

We call upon States to:

- Include specific references to opportunities for synergies between the PoA and other instruments in the BMS8 outcome document.
- Directly acknowledge the interrelationships among instruments and proposals such as the Sustainable Development Goals (SDGs), the Secretary-General's Agenda for Disarmament, and the Women, Peace and Security Agenda in the BMS8 outcome document.
- Take advantage of synergies among instruments to develop control measures and to streamline responsibilities, especially in the realm of reporting.

5. Increase attention to the need for sustainable international cooperation and assistance in implementing the PoA and the ITI

Fully implementing the PoA and ITI involves tasks with a wide range of costs and complexity. Some of these tasks, such as developing more robust administrative systems for authorizing, monitoring, tracking, and tracing arms imports and exports, may involve moderate costs in some countries with significant infrastructure, and far larger costs in countries that lack infrastructure.

The countries with the greatest need often have the fewest resources. A common response to this situation is to view international cooperation and assistance as something that flows from wealthier countries to less wealthy ones. But it's also possible to have cooperation among countries with high levels of resources. And importantly, there is also the possibility of peer-to-peer cooperation between and among countries that have fewer material resources.

We call upon States to:

- Share financial resources with States that have more limited resources, committing to sustained and sustainable cooperation whenever possible.
- Address the need for sustainable cooperation and assistance with and for civil society, including those sectors of society most affected by SALW violence, to build stakeholder support for measures to prevent and eradicate the illicit trade in SALW.

¹⁶ The same analysis could be extended to other instruments, such as the [International Tracing Instrument](#), the United Nations [Firearms Protocol](#), and the [Sustainable Development Goals](#). The UN Firearms Protocol, for example, is a treaty that has obligatory provisions that cover firearms, their parts and components, and their ammunition, a useful precedent for other instruments. UN Member States also have legal obligations related to arms transfers through the UN Security Council and instruments such as the Cluster Munitions Convention, Landmines Convention, and various regional treaties, among others.

- Share good practices based on international standards between and among States, in subregional, regional, and global settings.
- Provide opportunities for peer-to-peer cooperation and triangular cooperation.
- Undertake public education programs in partnership with civil society organizations to increase awareness of the dangers of the illicit trade in SALW in local, national, regional, and global contexts.

6. Set a robust agenda and mandate for RevCon4

One of the key tasks for BMS8 will be establishing a mandate for the fourth Review Conference on the Programme of Action and the International Tracing Instrument (RevCon4), which is scheduled to be held in 2024.

RevCon4 offers a critically important opportunity to propose programs and actions to improve implementation of the PoA and the ITI.

We call on States to:

- Provide a broad mandate for RevCon4 that allows new proposals to be discussed that address the persistent problems, the changing circumstances, and the negative consequences of the illicit trade in SALW in all its aspects, as well as proposals to prevent that trade.
- Provide a mandate for RevCon4 that, as a priority, increases the inclusion in the Review Conference of voices and research findings that convey the needs of those sectors of society most affected by the illicit trade in SALW and resulting patterns of violence.
- Use RevCon4 to assess the effectiveness of national target setting as a method to prevent the illicit trade in SALW in all its aspects, review the needs of States for international assistance programs, and build capacities for collection and destruction of illicit, obsolete, and surplus SALW and their ammunition. Also take advantage of the opportunity to counter the negative effects of new technologies, while seeking opportunities to use other technologies to improve SALW controls.
- Use RevCon 4 to strengthen international and regional cooperation, including through implementing measures that take advantage of synergies with other relevant instruments.

This briefing paper was prepared for IANSA by Dr. Natalie Goldring. The briefing paper draws from and builds on several previous IANSA publications, including IANSA's BMS7 Quick Guide (2021), written by Dr. Goldring and Teresa Dybeck, and IANSA's RevCon3 Quick Guide (2018), written by Dr. Goldring. Comments and edits were provided by Dr. Brian Wood. It was designed by Emily Callsen.

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