

# Two Steps Forward

## UN MEASURES UPDATE

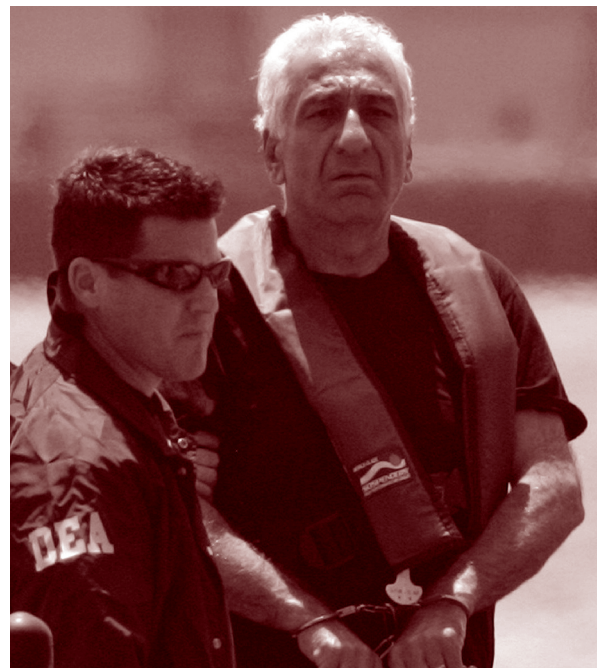
To vote or not to vote? That was the question confronting delegates on the last day of the Third Biennial Meeting of States (BMS3)<sup>1</sup>, as they pondered how to take implementation of the *UN Programme of Action* on small arms a step forward. Governments, international organizations, and NGOs active on small arms issues were hoping the meeting, the third in a series devoted to a 'consideration' of *Programme* implementation, would mark a clean break from the paralysis that had afflicted the earlier biennial meetings, as well as the *Programme's* 2006 Review Conference. In the event, on 18 July 2008 the UN membership voted overwhelmingly to adopt the BMS3 report, including an outcome document designed to spur *Programme* implementation in the areas of international cooperation and assistance, brokering, and stockpile management.

**The BMS3 outcome offers the promise, but not the certainty, of a reinvigorated UN small arms process.**

A week earlier, a Group of Governmental Experts (GGE) had unanimously adopted a useful report that brings ammunition firmly into the global arms control picture. In August 2008, UN headquarters in New York hosted the final meeting of the GGE on an Arms Trade Treaty (ATT). The results from this forum were less than sensational, however. The Group could not reach any firm—or even tentative—conclusions on the scope, feasibility, or draft parameters of an ATT. Yet it did agree that the discussions should continue—success of a kind given the thorny nature of the subject matter, namely, possible restrictions on national arms transfer practices.

This chapter reviews these developments, including follow-up at the session of the UN General Assembly First Committee (Disarmament and International Security) in late 2008. It also examines some of the implications for future work on small arms (and conventional arms) at the global level. Its principal conclusions include the following:

- The BMS3 outcome offers the promise, but not the certainty, of a reinvigorated UN small arms process, one focused on 'implementation challenges and opportunities' in selected areas of the *Programme of Action*.
- There is some indication that the UN small arms regime is inching towards the development of a more rigorous system for monitoring national implementation of *Programme* commitments; however, this is more potential than reality.
- The decision of the Ammunition GGE to treat the issue of ammunition surplus within the broader framework of stockpile management ensures the practical relevance of the Group's report.
- The *Ammunition Report*, which has already prompted the UN to undertake the formulation of technical guidelines for ammunition management, could also be used to improve the management of weapons.
- The ATT GGE reached few, if any, firm conclusions, but it did pave the way for further, more inclusive consideration of the arms transfer issue among UN Member States.
- The prospects for the ATT are unclear. For the moment, all options remain open, including those relating to the core goals and structure of a possible ATT.



Upon arrival in New York for trial, suspected arms trafficker Monzer al-Kassar is escorted by an agent of the Drug Enforcement Administration, June 2008. © Frank Franklin II/AP Photo

**Table 4.1 Voting on the ATT resolutions**

Resolution	Voting forum	Yes	Abstained	No	Not voting
First ATT Resolution	First Committee 2006	139	24	1	28
	General Assembly 2006*	153	24	1	14
Second ATT Resolution	First Committee 2008	145	18	2	27
	General Assembly 2008	133	19	1	39

\* There were slight variations between the states that voted in favour of the ATT Resolution at the First Committee and those that voted in favour at the General Assembly (plenary meeting). Most importantly, Cuba and Djibouti abstained from the First Committee vote, but voted in favour of the resolution at the General Assembly. See WILPF (2008).

Together with earlier documents on weapons tracing and brokering, those produced by BMS3 and the Ammunition GGE help establish a set of benchmarks for implementation. In essence, they provide detailed guidance for the fulfilment of frequently vague *Programme of Action* commitments. It is unclear, however, whether states will take advantage of these new tools. While the first meeting on the implementation of the International Tracing Instrument (ITI),<sup>2</sup> held during BMS3, saw states engaging with the details of weapons marking, record-keeping, and tracing, their national reports (or lack thereof) suggested otherwise. In particular, it appears that the primary function of the ITI, namely, to facilitate small arms tracing in both crime and conflict situations, is so far unfulfilled. Similarly, there are questions about the implementation of the *Programme of Action*. National reporting appears to have the broad support of UN Member States; however, it does not yet allow for an evaluation of overall progress in *Programme* implementation.

The development of specific benchmarks for implementation will, if integrated into national reporting practices, assist in this task. So, too, will the emergence, at least in broad outline, of a more rigorous monitoring system. It appears that national reporting for the *Programme of Action*, as well as the ITI, is shifting to a biennial schedule. This will ease the often disparaged ‘reporting burden’, while encouraging states to provide more detailed and comprehensive information. The increased use of reporting templates will help improve comparability among reports (between states and over time), while the analysis of such information, barely begun in 2008, would boost implementation efforts across the board.

### The priority remains implementation.

In short, the new developments at the UN offer a wealth of possibilities for international small arms work in the coming months and years. But, for now, these are possibilities, not realities. The production of new documents, important as they might be, is only progress on paper. Eight years after the adoption of the *UN Programme of Action*, the priority remains implementation. ■

### Endnotes

- 1 Full title: Third Biennial Meeting of States 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.
- 2 Full title: *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*.