Second Review Conference of the UN Programme of Action (PoA) to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

REGIONAL COOPERATION

Working Paper by Pacific Island Forum and Caribbean Community States

1. In 2001, under the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA), States undertook to implement a number of measures at the regional level. With a view to preventing and stemming the flow of illicit small arms and light weapons, these measures include inter alia:
- to designate a point of contact within subregional and regional organisations
- to develop legally binding instruments to combat the illicit trade in small arms and light weapons (SALW)
- to establish subregional or regional mechanisms, in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies
- to promote safe, effective stockpile management and security, and
- to enhance transparency.

2. The Second UN Review Conference in 2012 provides an opportunity for States to review progress made in the implementation of the UNPoA, including at the regional level, and to identify areas where implementation should be strengthened. This working paper reviews regional cooperation under the UNPoA (I) and proposes areas where regional cooperation could be improved in 2012-2018 (II).

I. Regional cooperation: Implementation of the UNPoA

3. Since the First Review Conference of 2006, a number of groups of States have put in place measures to further implement the UNPoA at the regional level, recognising that the factors influencing the illicit trade in SALW are often regional in nature and the implications of the phenomenon have regional ramifications. These initiatives have included inter alia development of regional instruments, promoting information exchange, capacity building, and cooperative approaches to collection, destruction, stockpile management and surplus disposal.

Regional instruments

4. Significantly, a number of legally binding instruments have been put in place in the Caribbean, Africa and Europe which provide a treaty status framework for robust measures and cooperation to counter the illicit trade in SALW, and strengthen the controls on manufacture and movement of SALW, including:

- The Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components that can be used for their Manufacture, Repair or Assembly, also known as the Kinshasa Convention, was adopted in 2010.

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1 Members of the Pacific Islands Forum in the UN: Australia, Kiribati, the Republic of the Marshall Islands, the Federated States of Micronesia, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. CARICOM States: Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, St Kitts and Nevis, St Vincent and the Grenadines, Suriname, Trinidad and Tobago.
2 UNGA Resolution 66/47 and A/CONF. 192/2012/PC/CRP.
3 The Biennial Meeting of States 2010 (BMS4) to Consider the Implementation of the UNPoA, considered inter alia, the establishment of subregional or regional mechanisms, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders (A/CONF.192/BMS/2010/3)
• The Economic Community of West African States (ECOWAS) signed in 2006 the Convention on Small Arms, Light Weapons, their ammunition and other associated material⁴.
• The EU adopted in 2005 a Strategy to Combat Illicit Accumulation and Trafficking of SALW and adopted in 2008 the Common Position on the control of exports of military technology and equipment, including SALW⁵.
• Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms adopted in 1997 to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, and; to promote and facilitate cooperation and exchange of information and experience among States Parties.
• There have also been important efforts undertaken regionally to support the adoption of a global Arms Trade Treaty, a legally binding instrument to regulate the international trade in conventional arms, which would help prevent the diversion of small arms and light weapons into the illicit market.

Information exchange
5. Regional organisations and networks have played an important role in facilitating and reinforcing implementation efforts. As States increasingly cooperate with their regional partners, and as regional organisations strengthen in terms of capacity, mandate and resources, regional implementation will contribute even further to the UNPoA. Regional organisations provide a constructive forum to share lessons learned and best practices among countries with common interests and similar circumstances. It is crucial that States identify and communicate national points of contact to enhance national, regional and international implementation. Involving civil society has also been valuable in forming an accurate understanding of the challenges, and workable practical solutions. This cooperation builds confidence and contributes to the development of regional instruments, strategies and programs.⁶

6. One of the most common and effective ways to improve information exchange is through regional networks and meetings and joint training, which are effective in connecting experts, sharing best practices and lessons learned, developing confidence building measures and regional action plans to combat SALW.⁷ The Pacific Islands Forum is currently considering the establishment of a SALW Technical Experts Group to undertake such a role focusing on the sharing of technical knowledge among Member states to support POA implementation. CARICOM states agreed a Declaration on Small Arms in 2011⁸. Also, the CARICOM Implementation Agency for Crime and Security is developing a Regional Integrated Ballistic Information Network will target ‘crime guns’ and encourage information-sharing and support among law enforcement, border and customs control agencies, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders. A number of capacity building sessions have also been convened in the Caribbean including: the meeting of CARICOM Firearms Examiners and Ballistic Experts which was coordinated by IMPACS to assess the current situation in Member States and share best practices; a SALW workshop was held to ascertain/address national capabilities and gaps involving the proliferation of illegal firearms; and an Experts’ Roundtable on SALW Trafficking and

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⁴See http://www.unidir.org/pdf/articles/pdf-art2836.pdf
⁵EU working paper of the outcome of the Review Conference on the UNPoA submitted to the UNODA on 24 July
⁶The Pacific Islands Forum Secretariat holds a Bi-annual Security Dialogue with Representatives of Civil Society Organisations to discuss issues that has included sharing experiences of violent conflict using firearms.
⁷The members of the Pacific Islands Forum convened regional meetings in 2009 and 2012 to enhance regional approaches, support greater coordination and assistance and identify priority areas for action. Latin American and Caribbean States met in Lima in March 2010 and Jamaica in April 2012.
⁸http://www.caricom.org/jsp/communications/meetings_statements/declaration_small_arms_light_weapons_2011.jsp
Maritime Security. In West Africa, the ECOWAS Small Arms Control Program aims to build the capacities of Member States through National Small Arms Control Commissions, Civil Society, and the ECOWAS Small Arms Unit in fighting the illicit spread of small arms and light weapons.

7. Many States have also emphasised the value of cross-regional exchange. Knowledge sharing between small island countries in the Caribbean and the Pacific for example, has demonstrated that despite geographic distance, small island developing states share similar experiences, face comparable vulnerabilities and capacity challenges.9

Collection, control and destruction
8. In the Pacific region, there have been notable successes in regional cooperation to reduce the destabilising effect of illicit small arms. In the Solomon Islands, for example, the Regional Assistance Mission to Solomon Islands (RAMSI) removed 3,600 guns and 300,000 rounds of ammunition from the community during a 21-day firearms amnesty in 2003. Since the amnesty, almost 4,000 additional firearms have been removed from the Solomon Islands community. Gun amnesties were also held in Samoa in 2005 and in the Cook Islands in 2011. Collection and destruction of illicitly held small arms remains an enduring task for Pacific States. In the CARICOM Region, UNLiREC conducted a regional stockpile Firearms Destruction and Stockpile Management Assistance Package for Caribbean States.

Stockpile security and surplus disposal
9. Stockpile security and surplus disposal remain important issues for many member states in their implementation of the UNPoA. There have been concerted efforts in the Pacific region. For example, the Australian Defence Force has assisted countries including PNG and East Timor with weapons storage, stock control and weapons management practices. A firearms census project is currently underway in Vanuatu. The Pacific Islands Chiefs of Police have reviewed Police armouries in Pacific Island Countries and since 2010 have coordinated the construction of SALW safes and armouries and introduced stockpile management processes in five Pacific Countries. Building on the discussions at the Third Biennial Meeting of States in 2008, more could be done in our follow up to the Review Conference on these aspects including exploring successes and best practices10.

II. Areas where regional cooperation could be strengthened

10. Looking ahead, Pacific Island Forum Members and Caribbean Community States consider that regional cooperation merits further attention and exploration to strengthen UNPoA implementation by States. Some areas that have been identified for improved implementation at the regional level include facilitating the delivery of assistance, reporting, enhancing law enforcement capacity and cooperation, and measuring and evaluating implementation.

International assistance to strengthen national implementation
11. Limited resources, different capacities and competing priorities of States continue to present some of the most significant impediments to the full implementation of the UNPoA. International cooperation and assistance is essential to support implementation of the UNPoA at both national and regional levels11. Regional cooperation, as well as broader international assistance, is particularly important where States, including small island developing States, face the challenges of limited human and financial resources and many competing policy priorities.

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9 In June 2012, the Pacific Islands Forum Regional Security Committee agreed to enhance engagement with Caricom to share experiences on SALW issues and UNPoA implementation
10 A/CONF.192/BMS/2008/3
11 International cooperation and assistance working paper by Australia, Cote d’Ivoire, Germany and South Sudan
12. Regional organisations and networks can play a greater role in assisting States seek and receive assistance, including by building States’ capacity to identify, prioritise and communicate their assistance needs, and supporting comprehensive needs assessments. In order to fulfil these tasks, regional organisations must be strengthened in terms of capacity, mandate and resources to further enhance their contribution to implementation of the UN PoA'. Regional organisations and networks should work closely with UN regional disarmament centres to develop this capacity and to support the process of matching needs with resources. In addition, regional networks may consider inviting donors and implementing partners to regional meetings (or specific elements of the program) to directly discuss implementation challenges and needs, as well as the formulation of proposals for project funding.

13. With the approval of States, regional organisations can also play a role in assisting States enact national legislation to implement the UNPoA and also to promote coordinated implementation and improved enforcement and prosecution through harmonised laws. The Pacific Islands Forum has, for example, developed a model firearms law for Pacific states and has committed to undertake a gap analysis of member states to identify SALW legislative deficiencies to improve implementation12.

Reporting requirements
14. While national reports are important for developing baseline data and identifying specific assistance needs, UNPoA reporting requirements need to be flexible13. Reporting obligations can pose challenges, particularly for small States. Regional organisations could play a greater role in coordinating and submitting national reports, with the approval and support of national governments. The Pacific Islands Forum for example has provided technical assistance to its Members seeking to support national reporting obligations since November of 2011. States should also explore ways in which regional organisations can further reduce the burden of report on small states. Measures could include promoting easy to use templates, enabling nil reporting, the submitting of updates to previous reports, and regional organisations submitting consolidated reporting at the regional level to enhance implementation of the UNPoA by reducing the burden on small states14.

15. UN regional centres for peace and disarmament should consider ways to support regional organisations and networks improve capacity to submit national and regional reports.

Enhancing cooperation among law enforcement agencies
16. The porous nature of borders presents a significant challenge to fighting the illicit trade in SALW.15 States have emphasized the need to enhance cooperation and coordination among customs, border control and police authorities, within and among States, to identify and seize SALW illegally traded by air, sea and land.

17. Experience has shown that regional workshops, training programmes and joint exercises can improve implementation. For example, a roundtable convened by UNLIREC and the Trinidad and Tobago for law enforcement officials of Caribbean States in June 2012 agreed on a number of approaches to strengthen border controls to combat the illicit trade in SALW.16 Regional organisations, networks and UN regional disarmament centres should be

12 Decision by the Pacific Islands Forum Regional Security Committee in June 2012.
13 Statement by New Zealand on behalf of the Members of the Pacific Islands Forum at the Preparatory Committee for the Second UN Review Conference of the PoA, 19-20 March 2012.
14 Proposal by the Pacific Islands Forum Regional Security Committee in June 2012.
16 Building on a similar meeting in Lima in 2011, the roundtable asked UNLIREC to develop a catalogue of tools to address sea-borne illicit trafficking in SALW, ammunition and explosives, complete a mapping exercise to assess States capacity and needs, complete a discussion paper on
encouraged to convene practical meetings for experts to promote cooperation, information and best practice sharing, and regional solutions among customs, border protection, police and judicial authorities.

18. States, regional organisations, and networks and UN regional disarmament centres should take advantage of the benefits from cooperation and the sharing of tools with international organisations such as the World Customs Organisation, Interpol and UNODC.

**Measuring implementation and progress**

19. Many States have emphasised that we collectively need a better picture of what constitutes effective implementation of the UNPoA – that is, what is required to implement the UNPoA commitments and what is being done well. Exploring successes and best practice would assist to promote implementation. As a corollary to this, enhancing understanding of where implementation can be strengthened - what can be done better – would allow States to focus their efforts on those areas needing improvement. Over the coming review cycle, implementation of the UNPoA should be strengthened by building an improved ability to monitor and evaluate, including at the regional level. Regional organisations, networks and UN regional disarmament centres can play a role in building national capacity to monitor and evaluate implementation, including by integrating indicators into project proposals, requests for assistance and national reports.

**Regional cooperation as a topic for the next review cycle**

20. One means of further exploring how to develop and leverage regional cooperation mechanisms and cross regional cooperation would be to dedicate one Biennial Meeting of States or a Meeting of Governmental Experts in the next review cycle to this issue.

developing a sub-regional specialized maritime IITC, and develop a joint national and/or regional action plans outlining rules of engagement for cooperation to combat sea-borne illicit trafficking in SALW.