



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Final Declaration
IV Annual Meeting of Representatives
Parliamentary Forum on Small Arms and Light Weapons
Chamber of Representatives, Uruguay
9-10 November 2006

Gathered in the Chamber of Representatives of Uruguay, Montevideo, during the 9th to 10th of November 2006, we Parliamentarians from Argentina, Belgium, Costa Rica, the Dominican Republic, the East African Community, El Salvador, Germany, Guatemala, Kenya, Mozambique, Panama, Paraguay, Senegal, Sierra Leone, Spain, Sweden, Tanzania, Uruguay, and Venezuela, *celebrated* the Fourth Annual Meeting of Representatives of the Parliamentary Forum on Small Arms and Light Weapons;

Expressing our deep concern for the human suffering caused by armed violence and the proliferation of small arms and light weapons, as well as by the profoundly negative impact of armed violence on human development;

Affirming that combating the proliferation and misuse of small arms and light weapons requires adoption and implementation of coherent and comprehensive strategies on all levels directed towards all strands of the problematique;

Recalling that the access to ammunition is a necessary condition for using all weapons, and *clarifying* therefore that ammunition are considered included, for all the effects of our work, in the definition of small arms and light weapons;

Reaffirming the importance of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, its full and unconditional implementation, and the establishment of comprehensive follow-up mechanisms within the United Nations system;

Applauding the Inter-Parliamentary Union for the adoption of its resolution on the Role of Parliaments in Strengthening Control of Trafficking in Small Arms and Light Weapons and their Ammunition during its 114th Assembly in Nairobi, Kenya, May 2006;

Taking note of the most recent developments on the regional levels in Africa, Latin America and Europe, and *underlining* the Forum's firm commitment to promote and implement regional institutions and instruments;

Acknowledging the fundamental work of organizations from Civil Society on the issues of small arms and light weapons, while *stressing* that the Forum is an expression of the possibilities for co-operation between Parliaments, Parliamentarians and Civil Society on these issues, as well as with Governments and International Organizations;

Asserting the importance of an increased Parliamentary engagement in the prevention of armed violence and the proliferation of small arms and light weapons, and *assuring* our determination to promote sustainable human security and a culture of peace by taking action in this field;

Celebrating that the Forum, in accordance with its guiding principle and objectives for enlarging its membership base, now counts with further Parliamentary members from Latin America, Africa and Europe;

Agreeing that the Forum has developed into a functional entity and the vehicle for our common strive, reflected by its enlargement, its project implementation, its continued and timely international projection, as well as the manifest commitment of the Forum and its members – while realizing its activities – to address, adhere to and develop the peace and security agenda related to the prevention of armed violence and small arms and light weapons control;

Adopted the following Final Declaration:

The United Nations Process on Small Arms

We Parliamentarians *affirm* that the United Nations process on small arms and light weapons is fundamental for the global and international community's work in the field of small arms, and that the UN process shall continue to lay the ground for measures needed to deal effectively with both the supply and demand of such arms. We *consider* that all such measures should include, as a minimum, implementation of existing instruments, in particular the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

While regretting that an outcome document could not been adopted at the 2006 Conference to Review Progress Made in the Implementation of the Programme of Action, we *clarify* that the Programme remains legally in force and politically valid, providing a useful and enabling framework for international, regional and national activities to curtail small arms trafficking. We Parliamentarians particularly *celebrate* that the First Committee, with a resounding vote, could agree on a follow-up mechanism for the Programme of Action.

In virtue thereof, we Parliamentarians *take upon ourselves* to support the full and effective implementation of the Programme of Action in our respective countries, *inter alia* through supporting existing National Commissions or their establishment, reforming or adopting national legislation, raising awareness on the subject, and ratifying, if applicable, the relevant international instruments, notably the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, which complements the United Nations Convention against Transnational Organized Crime (United Nations Firearms Protocol), and the Instrument to Enable States to Identify and Trace Illicit Small Arms and Light Weapons.

In regards of a possible brokering instrument, we Parliamentarians *express* our strong belief that such an instrument should be comprehensive and legally binding, and our commitment to closely follow the developments within the United Nations Group of Governmental Experts on the subject. We likewise *ratify*, with a view to the UN small arms conference in 2008, our intention to support every initiative taken before that conference in regards of brokering, amongst others the proposals forwarded within the Transfer Control Initiative.

As Parliamentarians we *corroborate* the importance of information exchange and transparency on all issues concerning public security, particularly in the realm of small arms and light weapons control. Specifically, we *take note* of the fact that the follow-up mechanisms to the Programme of Action have resulted in an increased exchange of information at all levels, allowing more accurate and periodical identification of deficiencies, specific requirements and challenges for the implementation of the Programme of Action. We nonetheless *confirm* that there is a need for further information on parliamentary experiences in this regard. Therefore, we Parliamentarians *commit* to co-operate with the Parliamentary Observatory of the Forum in its compilation and diffusion of information about the parliamentary work in the field of small arms and light weapons, while encouraging Governments and other interested to approach the Forum and its Observatory to inform on the Parliamentary work, ours and others, for implementing the Programme of Action.

We Parliamentarians are *convinced* that Civil Society participation at the United Nations small arms and light weapons conferences and meetings, particularly participation from the International Action Network on Small Arms and its member organizations, have decidedly contributed to achieve further advancements of the international agenda for control over small arms and light weapons. We will therefore continue to *support and advocate* for Civil Society participation at the referred conferences and meetings.

International Arms Transfers

The Forum, through us its Members, *acknowledge and support* the initiative known as the Arms Trade Treaty as a key instrument for reaching and ensuring responsible international commerce of arms and weapons, *emphasising* that the full respect for international law and its timely codification and development – related to disarmament, arms control and non-proliferation issues – are guiding principles of the international community, fundamental for the strive for peace, respect for human rights, and sustainable development. We therefore *welcome* the most recent developments within the First Committee of the UN General Assembly, and fully support the adopted resolution “Towards an arms trade treaty: establishing Common international standards for the export, import and transfer of conventional arms”.

On that note, we *express* our strong belief that a child rights perspective be reflected in the future process on an Arms Trade Treaty, demanding, *inter alia*, unconditional and complete observance in that process of the obligations arising from the Optional Protocol to the Convention of the Rights of the Child concerning the Participation of Children in Armed Conflicts.

We also *reaffirm* the need to target ammunition, in every attempt at regulating international transfers of small arms and light weapons, including those unfolding within the General Assembly’s First Committee, since this is, ultimately, the perhaps most effective way of controlling the misuse of small arms that are already in circulation.

We further *stress* the importance of the contribution that the parliamentary and inter-parliamentary work can bring to the discussions on the Arms Trade Treaty, and that this should be recognised and manifested. For the purpose of reaching this goal, we *commit to* carrying out activities in our respective Parliaments, in order that those Governments, who have not done so, announce their support to the Treaty initiative. As Members of the Forum, we further *commit to* perform leadership in this regard assuming, amongst others, the task of advocating in our respective national Parliament support for the Arms Trade Treaty, as well as exchanging information with the Forum and its Members on initiatives undertaken in our national Parliaments in favour of the Treaty initiative.

We Parliamentarians further *consider* that, since control over international arms transfers are essential for international peace and security, democratic control measures over transfers needs to be mainstreamed, *convinced* also that Parliaments have both an obligation and opportunity to assure the establishment and well-functioning of such democratic control measures. Consequently, we Parliamentarians *shall*, with due regard to our respective constitutional order, work for improved Parliamentary control of international arms transfers. We *underscore* that such control can comprise the following measures: scrutiny of treaties on transfer issues before their ratification; adoption of legislations concerning transfers that criminalize illegal traffic of small arms, codify the relevant international obligations and enhances transparency; realizing periodic or ad hoc Parliamentary audits; control of budget items in regards of research and development and acquisitions of small arms and light weapons; establishing targeted taxation on transfers; consideration and debate of annual Government reports on transfers; establishment of special Parliamentary transfer councils or commissions, permanent or ad hoc; realizing interpellations, Parliamentary questions and public hearings on specific transfer issues; and, awareness-raising activities, such as participation in campaigns for transfer control.

We Parliamentarians therefore *instruct* the Secretariat of the Forum to take further steps in the development of activities relating to both capacity-building and sensitisation on issues related to international arms transfers, with the purpose of creating increased Parliamentary capacity and engagement on these issues in the above referred terms.

Small Arms and Public Security

We Parliamentarians *affirm* that citizens, our principals, are entitled to feel secure and protected in their daily lives. We *hold the view* that poor quality public security schemes and policies have a negative impact on social cohesion, thus eroding the credibility of public security institutions, impeding human development and frustrating the consolidation of democracy in the world. We Parliamentarians further *sustain* that deficient citizen security aggravates the public demand for small arms, as such undermining any effort on the national, regional and international level to curb their uncontrolled proliferation.

We *assert* our conviction that the proliferation and presence of small arms in the hands of individuals, even when they are legally registered, can constitute a problem in itself, since the easy access to such arms facilitates their deviation to the illegal market and also the resolution of inter-personal conflicts through lethal means, attempts of suicide, accidents, domestic violence, and use by children.

Therefore, we *affirm* that an adequate legal framework cannot be delimited to a mere system of control, but that it should enable and materialize policies directed towards reducing the presence and proliferation of small arms within our societies. We are *convinced* that such a framework should include restrictive requisites in regards of the authorization of licenses, the establishment of effective control measures for targeting illegal firearms, such as forfeiture, campaigns that encourage the voluntary disarmament, prohibition to redesignate forfeited, confiscated or voluntarily handed in to authorities, and that also assures the reduction of surpluses.

As Parliamentarians, we are particularly *concerned* about the involvement of children and youths in armed groups, both in conflict and non-conflict settings, asserting that this is a severe global problem that requires determined and firm parliamentary action that emphasises preventive and socially re-integrative measures.

In view thereof, we Parliamentarians *recognise and confirm* our responsibility and faculties to control and co-govern the public security sector. We *underscore* that parliamentary measures in that regard can include: to analyse and approve public budget items and allocations intended to finance public security schemes and policies; to control and evaluate the politics, organization and performance of Governments and the institutions included in the public security system; to propose, oversee, and reform the relevant domestic legislation that regulate public security; and, to generate social awareness and support, among our citizens and communities, fostering the dialogue with and through the public media, for the policy and ethical positions that are reflected in the referred legislation.

We, the members of the Forum, therefore *decide* that the Forum shall develop further activities, including capacity-building activities, to support our common task for reaching complete and democratic public security. To this end, we *commit to* supporting the Forum in its planned activities and the exchange of information on the subject between Parliamentarians, parliamentary advisors, and civil society representatives, as well as with authorities and Governments. We also *instruct* the Forum's Secretariat to facilitate such exchange of information and to compile and analyze data on Parliamentary initiatives on the subject.

Regional Initiatives

We Parliamentarians *stress* the importance of regional initiatives for small arms control and express our commitment to implement and develop such initiatives in our national and regional Parliaments. We *underscore* that regional initiatives are particularly apposite to translate and channel global commitments, such as the United Nations Programme of Action, the United Nations Firearms Protocol and the Arms Trade Treaty proposal, as well as for supporting national initiatives on the subject areas of the Forum.

Specifically, we Parliamentarians will *put emphasis* on supporting the implementation of the following legally binding instruments: the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (1997); the Southern African Development Community Protocol on the Control of Firearms, Ammunition and Other Related Materials (2001); the Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (2003); the Code of Conduct on Central American States Regarding the Transfer of Arms, Ammunition, Explosives and Other Related Materials (2005); the Nairobi Protocol for the Prevention, Control

and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (2006); and, the Economic Community of Western African States Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials (2006). We shall also *give parliamentary follow-up to*, amongst other, the following regional processes: the work of the Regional Centre on Small Arms headquartered in Nairobi (RECSA); the work, within the Common Market of South America, that relates to small arms and light weapons control; the decisions and recommendations, on export, intermediation, stockpile management and national regulation of small arms, adopted both within the Wassenaar Agreement and the Organization for Security and Cooperation in Europe; the work within the European Union, particularly the development of the Code of Conduct on Arms Exports into a legally binding instrument and the future adoption of an EU directive on firearms; the development, within the Organization of American States – Inter-American Drug Abuse Commission, of a Model Regulation on Marking and Tracing; and, the development, within the Latin American Parliament, of a Framework Legislation on Firearms and Ammunition.

We Parliamentarians therefore *take upon us* to promote our Governments' compliance with those instruments and initiatives, and encourage fellow Parliamentarians to join the regional efforts. We likewise *instruct* the Secretariat to support the relevant information exchange and other measures directed at facilitating Parliamentary participation in regional efforts. In that vein, we *underscore* the importance that the Memorandum of Understanding with the Amani Forum and the Cooperation Agreement with the Latin American Parliament both have for consolidating the Forum's commitment to regional parliamentary small arms control and public security, and we *commit to* develop and institutionalize, where appropriate, further partnerships with different regional stakeholders: parliamentary, inter-governmental and from Civil Society, such as the Latin American Coalition for the Prevention of Armed Violence.

In virtue thereof, and having regard to the Forum's increasing membership base, we, the Members of the Forum, *share the view* that regional meetings of the Forum could be a timely way to reflect and foster the Forum's work with regional initiatives.

Of critical importance, we Parliamentarians *register* our concern with regards to the ongoing conflicts in Côte d'Ivoire, Somalia and Sudan. We are particularly *vigilant* about the role of regional and international actors in these conflicts, especially with reference to their supply of small arms and light weapons to the warring parties. In light of one of our objectives of eliminating the proliferation of unregulated and irregular small arms and light weapons, we *call upon* the Governments in the region, the African Union, sub-regional organizations, such as the Inter-Governmental Authority on Development, and the RECSA, as well as other international actors to do all within their power in order to bring the conflicts to a peaceful end.

We, the Representatives and Members of the Forum, unanimously *appoint*: MP Daisy Tourné as new President of the Forum; MP Joseph N'Kaissery as Vice-president of the Forum; and MPs Manuel de Araujo, Roxana Baldetti, Karin Enström, Hans Raidel and Celestino Suárez, as Board Members of the Forum. The Board elect will designate and incorporate a Civil Society representative.

We further *accept* the proposal of the Board to arrange the Forum's Annual Meeting of Representatives on a bi-annual basis – herewith after called the Assembly – allowing for regional meetings to be held there between. Parliamentary representatives of the Forum are encouraged to announce their interest in hosting regional meetings and the 2008 Assembly to the Board and Secretariat of the Forum.

We also *commit to*, when appropriate, advocate for an increase in voluntary financial contributions to the Forum, either from Parliaments or from international donor agencies.

We, the Representatives, Members of the Forum and Parliamentarians, are *honoured to hand* the Parliamentary Award for Arms Control to MP Håkan Juholt, for his deeds in articulating the global parliamentary movement for small arms control.

In the same spirit, we Parliamentarians and Members of the Forum, together with the other participants at the Meeting, *agree* to express our gratitude to the Chamber of Representatives of Uruguay, and particularly MP Daisy Tourné for the impeccable hospitality with which the participants in the Meeting have been attended, as well as express our sincere gratitude for the financial contribution to the meeting made by the Ministry of Foreign Affairs and Cooperation of Spain.