



PARLIAMENTARY FORUM  
ON SMALL ARMS AND LIGHT WEAPONS

**Policy Statement on the Second Review Conference of the Programme of Action<sup>1</sup>**

Board of the Parliamentary Forum on Small Arms and Light Weapons,  
meeting in Erbil, Iraq, on May 26<sup>th</sup>, 2012

In 2001, the UN General Assembly Members States unanimously adopted *the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*<sup>2</sup> (hereafter referred to as the PoA). The PoA is a politically-binding document aiming to promote coordinated international efforts to curtail the illicit trade in SALW and a complementary document to the Firearms Protocol, which entered into force in 2005<sup>3</sup>. States commit to improve their control over the import, export and transfer of SALW in order to prevent these weapons to divert into illegal markets. The PoA includes a number of measures at national, regional and global levels to curb illicit manufacturing and trafficking of SALW.

Among the outlined measures, States are committed to establish a National Commission to coordinate the efforts of all relevant departments, agencies and organisations and establish a Point of Contact through which information can be shared internationally. Furthermore, States are encouraged to harmonise policies at the regional level and strengthen existing regional and sub-regional agreements in relation to small arms. Moreover, States commit to put in place “adequate laws and regulations” to prevent illegal manufacturing and trafficking of small arms, or their diversion to unauthorised recipients. The management of stockpiles on confiscated or collected weapons are also contemplated in the PoA. States are committed to ensure that manufacturers mark all weapons for identification and tracing and that accurate records are kept on the manufacture, holding and transfer of small arms. States are committed to identify and prosecute

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<sup>1</sup> This Policy Statement is a complementary document to the Declaration “Proliferation of SALW – Responsibilities, Challenges and Opportunities for Middle Eastern and North African States” adopted by the Board of the Parliamentary Forum on Small Arms and Light Weapons in Cyprus in 18<sup>th</sup>-19<sup>th</sup> of February, 2011.

<sup>2</sup> A/CONF.192/15

<sup>3</sup> UN Document A/55/255: “The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime”: provides a series of control mechanisms and covers multiple aspects of the small arms issues and is, to this date, a global legally binding instrument addressing small arms. The Firearms Protocol and the PoA require the implementation by states of many of the same measures on small arms including sharing information to facilitate the identification of groups involved in illegal manufacturing and trafficking in arms, maintaining records on the manufacture and trade in arms and establishing effective import and export licensing mechanisms. States that implement the Firearms Protocol are therefore also fulfilling many of their commitments under the PoA.

illegal manufacturers and traffickers. Further, States are committed to meet regularly to report on the progress and to submit national reports on the implementation process. The PoA also entails public awareness, disarmament-demobilisation-reintegration programmes, and international cooperation and assistance to facilitate the implementation of the PoA.

The UN General Assembly adopted, in December of 2005, the *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*<sup>4</sup> (hereafter referred as the ITI) to enhance the implementation of the PoA. The ITI builds upon the Programme of Action<sup>2</sup> and the Firearms Protocol<sup>3</sup> and addresses the marking, record-keeping and tracing aspect of the PoA. On a biennial basis, States commit to report on the implementation of the ITI but this is not to be confused with the national reports States are subject to submit on the overall implementation of the PoA.

The First Review Conference, held in 2006, was the first formal opportunity for the international community to review the progress made on the implementation of the PoA. States examined commitments not implemented, discussed obstacles that hampered implementation and identified recommendations to address these issues. Due to the division between the States supporting a holistic position and those States insisting on a more narrow view with a minimalist conception of the PoA, no decisions could be made and the outcome document of the conference was recognized as an ordinary Conference Room Paper<sup>5</sup>. On a more practical level, the conference highlighted the issue on the quality of national reports where the absence of sufficient details became an obstacle when determining the progress of implementing the PoA.

Through the adoption of the ITI and documents developed by the Biennial Meeting of States (BMS), the Group of Governmental Experts (GGE) and the Meeting of Governmental Experts (MGE), the PoA has significantly raised global awareness of the problems associated with the illicit trade in SALW and facilitated a more coordinated and comprehensive approach to its eradication.

The importance to prevent, combat and eradicate the illicit trade in SALW is again at focus on the international community's agenda this year (2012), when States will meet for the Second Review Conference to discuss the progress made on the implementation of the PoA. Topics put forth by States were reported in the Chair's summary from the Preparatory Committee<sup>6</sup>. Transparency, information exchange, the role and work of an implementation support body, as well as international assistance, are some of the topics that will be further discussed at the conference. The current focus of attention is on improving the efficiency of and to assess the overall status on the implementation of the PoA.

Another important aspect of the PoA is how it relates to other international instruments. As the Arms Trade Treaty<sup>7</sup> (ATT) approaches the final stages of negotiations in 2012, various concerns have been raised regarding how these two instruments complement each other. The scope of the

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<sup>4</sup> UN Document A/60/88

<sup>5</sup> A/CONF.192/2006/RC/9

<sup>6</sup> A/CONF.192/2012/PC/CRP.13

<sup>7</sup> UN Document A/61/89 "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms", adopted at the 67<sup>th</sup> plenary meeting December 6<sup>th</sup> 2006, UN A/64/48 "The Arms Trade Treaty", adopted at the 55<sup>th</sup> plenary meeting, December 2<sup>nd</sup> 2009.

ATT, in terms of type of weapons, could be wider and would include the full range of conventional weapons<sup>8</sup> and potentially ammunition, whereas the PoA focuses on the illicit trade of SALW, excluding ammunition. The ATT would mainly deal with international legal transfers<sup>9</sup> and brokering, while the PoA addresses more activities<sup>10</sup>. The differences in scope and range between the PoA and the ATT prevent them from replacing one another. International transfer controls are solely one aspect of the PoA and the broad range of measures and activities of the PoA function as the sole universal framework on the illicit trade in SALW.

The Parliamentary Forum has consistently been engaging in the control of SALW and supports international instruments such as, the PoA, which aims to combat the illicit trade of these weapons. Furthermore, the Forum considers of outmost importance to highlight the gender aspects in the context of the PoA.

On October 31<sup>st</sup>, 2000, the exclusion of women in peace negotiations was finally taken into consideration when the UN Security Council unanimously adopted Resolution 1325<sup>11</sup>. This resolution encourages advocacy, awareness-raising and steps to be taken to enhance the integration of women in various peace and security processes. Despite the clear linkages, Resolution 1325 does not specifically mention small arms control and the PoA does not mention Resolution 1325. Furthermore, the PoA does not explicitly address women or gender mainstreaming but solely in the context of children and elderly<sup>12</sup>. Gender mainstreaming would contribute to a more effective implementation of the PoA by the inclusion of women's engagement and participation in SALW control initiatives and programmes<sup>13</sup>.

Parliamentarians play a significant role in ensuring the implementation of the PoA. The first step to address the issues of SALW is at the national level. In this sense, they not only have the opportunity but also the responsibility to act.

### *Objectives*

**The Board of the Parliamentary Forum on Small Arms and Light Weapons, meeting in Erbil, Iraq, on May 26th, 2012**

*Recalls* previous Declarations adopted by the Board of the Parliamentary Forum on SALW directly related to the PoA;

*Welcomes* the most recent developments and work within the UN in support of the PoA;

*Calls upon* parliamentarians to encourage their governments to reaffirm their commitments to the implementation of the PoA;

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<sup>8</sup> Conventional weapons, besides SALW and ammunition, include tanks, military vehicles, artillery systems, military aircraft, military helicopters, naval vessels, missiles and missile systems.

<sup>9</sup> International transfers include exports, imports, transits and retransfers.

<sup>10</sup> Sample of the PoA activities: manufacture, marking, record-keeping, cooperation in tracing, stockpile management, surplus ID and disposal, public awareness, disarmament, demobilization, and reintegration programmes.

<sup>11</sup> UN Security Council Resolution 1325 on Women, Peace and Security (S/RES/1325)

<sup>12</sup> A/CONF.192/15 Preamble 6

<sup>13</sup> "Why Women?" by Corey Barr with Sarah Masters, IANSA Women's Network, October 2011.

*Advises* parliamentarians to ensure that their governments reaffirm to the provisions of the ITI so these commitments are fully implemented under national legislation;

*Encourages* parliamentarians to promote the importance of ratifying, if not already done so, the Firearms Protocol;

*Recommends* parliamentarians to promote greater international, and where appropriate, regional efforts to develop common standards to strictly control the activities of those brokering or otherwise facilitating arms transfers between third countries;

*Demands* the mainstreaming of gender aspects when tackling SALW related issues and to make sure women are included in any planned action such as, legislation, policies and programmes;

*Urges* parliamentarians to encourage the establishment of, if not already in place, a National Commission and to nominate a Point of Contact as outlined in the PoA;

*Invites* States to maintain accountability by submitting national reports, as they are the main source of information on the progress of implementing the PoA;

*Further encourages* parliamentarians and governments to adopt, at the national level, legislation and regulations required to combat SALW and harmonising national SALW controls;

*Urges* parliamentarians to ensure that national legislation is matched by the allocation of adequate means for the national authorities, including training and equipment, to ensure the enforcement of national controls;

*Further recommends* parliamentarians to engage actively in efforts to combat the proliferation and misuse of SALW as a key component of national strategies on conflict prevention, peace-building, sustainable development and the protection of human rights;

Encourages parliamentarians to work closely with civil society in their countries and internationally for awareness rising and to mobilize political will;

*Proposes* that parliamentarians exchange with each other and the Forum information on national legislation and policies on SALW control, in order to enhance understanding of controls and to identify existing best practices;

*Mandates* the Forum, its Members and the Secretariat to undertake all necessary activities – capacity-building, awareness raising and advocacy – to ensure that the Forum is, in a knowledgeable way, expresses its full support for the PoA.