



PARLIAMENTARY FORUM  
ON SMALL ARMS AND LIGHT WEAPONS

## Arms Control Mechanisms in the Middle East:

*“UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects” and “The Arms Trade Treaty”*

**Beirut, Lebanon, 11-13 February 2015**

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Salam Aleikum

Allow me to express my sincere appreciation to the Permanent Peace Movement in Lebanon and the German Federal Foreign Office for organising this timely conference about Arms Control Mechanisms in the Middle East.

This is a region heavily marked by conflicts and uncontrolled proliferation of arms. We are meeting in Lebanon, who has experienced severe consequences of violence the last decades, who is alone receiving more refugees from Syria than all Europe together at the moment. Still we meet here, because Lebanon a comparatively secure and safe place in the region.

The mechanism of power sharing in Lebanon, of how to make different religions, cultures and peoples living together, has proven strong when the challenges has grown beyond control in the neighbourhood. Hence, I believe this is the place also to discuss mechanisms for arms control.

My tasks today, is to contribute to this important dialogue with some reflections on the role of parliamentarians in relation to the UN PoA, the ITI and the ATT.

Dear friends,

**The Parliamentary Forum** is a global network of parliamentarians dedicated to the prevention of small arms and light weapons' proliferation and the promotion of disarmament and armed violence reduction and prevention. The Forum is an organisation for and of parliamentarians and as such is directed and run by its members, with support from a secretariat based in Stockholm.

The Forum was founded in 2002 in the Spanish Congress and today it joins 230 parliamentarians from 80 countries in Africa, Latin America, North America, Europe and the Middle East and attracts politicians from all political factions – right, left and centre.

It provides a space for parliamentarians to debate, join forces, and contribute to the advancement of the small arms and armed violence reduction agenda. Over the years the Forum has contributed to strengthen the legislative framework for SALW control, increase the understanding of SALW violence and the development of best-practices on SALW violence reduction and prevention.

One of the most recent areas of **work for the Forum is the Middle East and North Africa** region where work began in early 2011 and where the Forum today has an emerging membership base and we have held seminars on a yearly basis. The president of the Forum is MP Ala Talabani, from Iraq and our General Assembly was held at the Parliament of Jordan in November last year.

The Forum aims to promote active parliamentary presence and monitoring of international processes as well as parliamentary oversight of the instruments once in place.

The Forum actively participates in UN meetings at international, regional and sub-regional levels to foster parliamentarians' initiative in following up on UN processes – to sensitize parliamentarians and make their voices heard. We have noted that parliamentarians are often an under-utilized resource in the promotion and effective implementation of international instruments such as the ATT, UNPoA and the ITI.

### **Arms Trade Treaty**

Forum members from Latin America and Africa and the Middle East have for long time voiced a strong wish to improve the dialogue with their colleagues in producing countries.

As a result of this dialogue, the Parliamentary Forum has taken a strong stand in favour of and been a firm supporter of the process towards an Arms Trade Treaty, ATT, which was finally adopted by the UN General Assembly on 2 April 2013 and entered into force 24 December 2014.

The ATT is a major achievement and offers a tool to parliamentarians worldwide to improve international standards and praxis to coop with the negative effects of arms transfer.

Such a change of practice will have a major impact in arms producing countries who are not working within, more far reaching, national or regional rules or codes of conduct. However, also European countries, who have been working within the common position of the EU, will benefit from the ATT.

According to the ATT, the state parties are prohibited to export items which could be used in genocide, crime against humanity, grave breaches of the Geneva Conventions from 1949 or attacks directed against civilians. However, state parties, when issuing licenses, are also obliged to assess the potential that the export of arms will:

- Contribute to or undermine peace and security
- Facilitate a serious violation of international humanitarian law or human rights law
- Facilitate an offence related to terrorism or transnational organized crime

- Mitigate risk in relation to confidence building measures
- Facilitate serious acts of gender-based violence or violence against women and children

The ATT is in fact more far-reaching than most national legislations and regional frameworks, and will provide a very helpful tool for parliamentary oversight of arms transfer.

One immediate consequence of the Arab Spring was an increased interest from parliamentarians in European countries to have a closer look on how to improve the parliamentary oversight of arms transfer.

In several countries, parliamentarians have looked for mechanisms to improve the oversight and find a practice which takes the same concerns expressed in the ATT more seriously. E.g. the UK Parliament have formed a Committee of Committees, involving the concerns of all related standing committees - Defense, Foreign Affairs, Development and Trade – in a more comprehensive process to evaluate the licenses in a more critical approach. In Sweden the Parliament is looking at adding criteria on democracy.

From the Parliamentary Forum we have decided to initiate an improved dialogue between European Parliamentarians, to better share good practices and contribute to improved European harmonization. We had our first meeting of that kind in the German Bundestag at the end of November in 2013.

It is our understanding that we have the needed examples of responsible practices and the elements for new international standards in line with the expectations expressed in the ATT in Europe, however fragmented over the continent. Hence we are seeking a harmonization in which all these best practices are brought together to make a norm for every exporting country.

This is one example how parliamentarians can make a difference, by working together from different countries, they can offer tools for improvements to each other and be able to look at the situation in the own country from outside the box.

Without any doubt, sovereign states have the right to self-defence, making legal arms trade necessary. However, we must acknowledge that both legal arms trade as it is regulated now and illegal circulation of weapons, fuel armed conflicts all over the world which reminds us that the trade in weapons must be stronger regulated.

The total proliferation of arms is far beyond the legitimate need and the major problem might not be how to handle weapons once they are in possession, but how to address the issue that there are simply too many of them in the first place.

## **UNPoA**

The UN Programme of Action provides the framework for activities to counter the *illicit* trade in small arms.

Insurgents, armed gang members, pirates and terrorists can all multiply their force through the use of unlawfully acquired firearms. The PoA therefore focuses on marking, record keeping and tracing,

stockpile management, collection and destruction of illicit weapons, cross border SALW proliferation as well as arms brokering. At the national level it puts in place SALW control structures, training and capacity building.

Again, the PoA includes and highlights various parliamentary tasks, such as legislative measures and awareness-raising on the issue of small arms and light and parliamentarians have important role in checking that their governments are indeed implementing the PoA effectively.

Due to the challenges involved in the implementation of the Programme of Action, the Forum has deemed it essential that parliamentarians are aware of the importance of the programme and its potential. High priority has therefore been given to have strong parliamentary presence during the Biennial Meetings of States of the UNPoA.

Numerous seminars have been organised and held as side events to the biennial BMS. The Forum has ensured parliamentary presence in the process by every year sending a delegation of member parliamentarians and support staff, to make the voices of parliamentarians are heard.

Over the years the Forum has also encouraged national delegations to these conferences to include parliamentarians in the official delegation. Although still moderate in numbers, the method has proven most successful in terms of parliamentary involvement and contributions.

In relation to the PoA, at the Forum we have also began to explore the overall topic of gun violence as a public health issue, including impacts on victims; how armed violence is affecting health care systems and the delivery of medical care around the world; how the medical community and government bodies and leaders can work more closely on addressing this issue through the PoA; research, education and legislative initiatives to prioritize.

In this task we are bridging the gap in dialogue among the parliamentary, health, and security sectors.

We have seen a need of improving harmonization between WHO national focal points and SALW commissions, providing specific recommendations for multi-sectoral community armed violence prevention initiatives and fostering North/South collaborative armed violence prevention efforts. Parliamentarians can serve as interlocutors in this dialogue as well as ensuring the legal framework is in place for effective communication between the sectors.

## **ITI**

Tracing conventional arms and SALW is one of the cornerstones of disarmament instruments, and provides states a chance to investigate and find the origin of any illegal armament found in conflicted and violence affected regions, allowing governments to impose sanctions, elevate marking standards, avoid diversion, develop and apply better policies to tackle illicit trade.

For Parliamentarians, tracing is a useful instrument in which they also have an important role in its timely and correct implementation. Parliamentarians can, besides providing the adequate legal framework, use it to coordinate with the government, organise public hearings, follow up on the implementation process and have an oversight role over the arms trade in their country.

Internationally, the ITI also provides an important tool for legislators as a well-functioning tracing system by definition requires international agreement and harmonization, because most transactions involve more than one country.

Parliamentarians also have a role in ensuring the capacity is in place for effective tracing. The more countries that are involved -collecting and sharing data - the more effective tracing will be as weapons easily cross borders. This is currently not the case as some states fail to collect or share data. Problems are often related to lack of resources. While some equipment is expensive and out of reach for some states – small improvements in data collection can have a positive effect. There may also be legislative obstacles which need to be looked at in order to improve tracing systems. Parliamentarians can thus have a key role in allocating resources as well as examining and reforming national legislation to facilitate tracing - nationally and internationally.

Dear friends,

Mahatma Gandhi once said: *“There is no way to peace, peace is the way!”*

Regulating the illicit trade and proliferation of small arms in the Middle East Region, will not in itself solve the political conflicts of the region. However, it will allow for more sophisticated mechanisms of conflict resolution to work.

For parliamentarians in the region, this is not only a priority, but also an achievable political task, as it involves all parliamentary tools. It includes a proper parliamentary oversight of governments, for stockpiling, fulfilling legislation and regulating existing arms forces including the police. It includes the ability to introduce new legislation, but also to ratify international treaties. It includes proper budget allocation to customs, police and other involved authorities.

But most important, it includes the responsibility for raising public awareness and for the regular democracy to work.

And democracy is the most important tool for peace, as stated by the German philosopher Immanuel Kant in his famous essay Perpetual Peace:

*“If the consent of the citizens is required in order to decide that war should be declared, nothing is more natural than that they would be very cautious in commencing such a poor game, decreeing for themselves all the calamities of war.”*

I thank you for your attention.