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## Small arms

### Note by the Secretary-General

By its resolution 52/38 J of 9 December 1997, the General Assembly requested the Secretary-General to prepare a report, with the assistance of a group of governmental experts to be nominated by him in 1998 on the basis of equitable geographical representation, (a) on the progress made in the implementation of the recommendations of the report on small arms (A/52/298, annex) and (b) on further actions recommended to be taken, to be submitted to the General Assembly at its fifty-fourth session.

Pursuant to that resolution, the Secretary-General has the honour to submit to the Assembly the above-mentioned report, prepared with the assistance of the Group of Governmental Experts on Small Arms.

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# Report of the Group of Governmental Experts on Small Arms

## Foreword by the Secretary-General

Small arms and light weapons are the weapons of choice in many contemporary conflicts. This is particularly the case in internal conflicts involving insurgent militias fighting government forces. Small arms are widely used in conflicts in which a high proportion of the casualties are civilians, and in which violence has been perpetrated in gross violation of international humanitarian law. This has led to millions of deaths and injuries, the displacement of populations, and suffering and insecurity around the world.

Hundreds of thousands of children have been among the victims of small arms and light weapons, or have been exploited as participants in conflicts in which these arms are used. Although accumulations of such weapons by themselves do not cause the conflicts in which they are used, their easy availability tends to exacerbate and increase the lethality of conflicts and obstruct development and relief assistance efforts. Such availability has also endangered the lives of United Nations peacekeepers, humanitarian aid workers and non-governmental partners. While regions such as Africa and the Americas have been affected more than others, the proliferation of small arms and light weapons knows no boundaries.

The United Nations has played a leading role in raising awareness and understanding of the excessive and destabilizing accumulation and transfer of small arms and light weapons, and in promoting international efforts to address this problem. In 1995, the General Assembly requested the Secretary-General to prepare a report with the assistance of a panel of experts on the nature and causes of such accumulations and transfers and on ways and means to prevent and reduce them. In its 1997 report (A/52/298, annex), the Panel of Governmental Experts on Small Arms found that virtually every part of the United Nations system is dealing with the direct and indirect consequences of recent armed conflicts fought mostly with small arms and light weapons.

The report of the Panel acted as a catalyst to place the issue of small arms and light weapons firmly on the international agenda, and the United Nations has continued to encourage and support all efforts to address the wide-ranging problems posed by such weapons. In December 1997, the General Assembly requested me to prepare, with the assistance of a group of governmental experts, a report on the progress made in the implementation of the recommendations of the 1997 report, and on further actions recommended to be taken.

The Group of Governmental Experts on Small Arms has prepared, and adopted by consensus, a substantial and well-considered report that helps to carry forward the work of the United Nations in preventing and reducing the excessive and destabilizing accumulation of small arms and light weapons. I am very grateful to the members of the Group for their conscientious and constructive work.

It is my hope that the quality of the report of the Group, and the unanimity with which it is presented by the members of the Group, will be recognized by a strong welcome and endorsement by the General Assembly. In the lead-up to the international conference on the illicit arms trade in all its aspects, the Group's report is an important contribution to the development of an international consensus on ways and means to effectively combat and prevent illicit arms trafficking and transfers of small arms and light weapons.

# Letter of transmittal dated 3 August 1999 from the Chairman of the Group of Governmental Experts on Small Arms addressed to the Secretary-General

I have the honour to submit herewith the report of the Group of Governmental Experts on Small Arms. The Group was appointed by you in pursuance of paragraph 5 of General Assembly resolution 52/38 J of 9 December 1997.

In April 1998, you appointed, on the basis of equitable geographical representation, the following governmental experts:

Maria Angélica Arce de Jeannet
Minister, Permanent Mission of Mexico to the United Nations
New York

Lieutenant Colonel Rabah Bekhti
Commandement de la Gendarmerie nationale
Ministry of Defence
Algiers

Lieutenant Colonel François-Xavier Bourges
Special Assistant, Department of Strategic Affairs, Security and Disarmament
Ministry of Foreign Affairs
Paris

Herbert L. Calhoun
Senior Foreign Affairs Specialist
Department of State
Washington, D.C.

Mitsuro Donowaki
Ambassador and Special Assistant to the Minister for Foreign Affairs
Tokyo

Carlos dos Santos
Permanent Representative of the Republic of Mozambique to the United Nations
New York

Marcelo Della Nina (First session)
Third Secretary
Mission of Brazil to the European Union
Brussels

Mark E. Gaillard
Non-Proliferation, Arms Control and Disarmament Division
Department of Foreign Affairs and International Trade
Ottawa

Alaa Issa (Third session)
First Secretary, Cabinet of the Foreign Minister
Ministry of Foreign Affairs
Cairo

Mahmoud Karem (First and second sessions)
Deputy Assistant Foreign Minister for Disarmament Affairs
Ministry of Foreign Affairs
Cairo

Pyotr G. Litavrin
Head of Division, Department for Security and Disarmament Affairs
Ministry of Foreign Affairs
Moscow

Bennie J. Lombard
Deputy Director
Directorate, Non-proliferation and Disarmament
Department of Foreign Affairs
Pretoria

Oleg Loptenok
Head of the External Policy Planning Department
Ministry of Foreign Affairs
Minsk

Luiz Filipe de Macedo Soares (Second and third sessions)
Ambassador of Brazil to Norway
Oslo

André Mernier
Ambassador and Permanent Representative of Belgium to the Conference on Disarmament
Geneva

Janaka B. Nakkawita
Ambassador and Deputy Permanent Representative
Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations
New York

Hamid Baeedi-Nejad
Head, Disarmament Department
Ministry for Foreign Affairs
Tehran

Johan Nordenfelt
Ambassador for Disarmament
Global Security Department
Ministry for Foreign Affairs
Stockholm

Pasi Patokallio
Ambassador of Finland to Israel and Cyprus
Tel Aviv

Lieutenant Colonel Spencer Phua (Second and third sessions)
Deputy Director (Defence Studies)
Ministry of Defence
Singapore

Colonel (GS) Wolfgang Richter
Armed Forces Centre for Verification
Head of the Treaty on Conventional Armed Forces in Europe and Intermediate Nuclear Forces Treaty Division
Geilenkirchen, Germany

Yuri Sterk (Second and third sessions)
Director, North Atlantic Treaty Organization, Western European Union and Security Issues Directorate
Ministry of Foreign Affairs
Sofia

Graciela Uribe de Lozano
Coordinator of Disarmament Affairs
Ministry of Foreign Relations
Bogota

Emil Valev (First session)
Director, United Nations and Disarmament Department
Ministry of Foreign Affairs
Sofia

Sir Michael Weston KCMG CVO
Former Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the Conference on Disarmament
Tunbridge Wells, United Kingdom of Great Britain and Northern Ireland

Jiagu Xiang
First Secretary
Permanent Mission of the People's Republic of China to the United Nations
New York

Major Yoke Chuang Yong (First session)
Head, Policy Research Branch
Ministry of Defence
Singapore

The report was prepared between 26 May 1998 and 30 July 1999. During that period, the Group held three sessions: the first in New York from 26 to 30 May 1998; the second at Geneva from 22 to 26 February 1999; and the third in New York from 21 to 30 July. The Group also met at Tokyo, from 7 to 9 September 1998 and from 31 May to 3 June 1999, at the invitation of the Government of Japan, and at Geneva, from 18 to 20 February 1999, at the invitation of the Government of Switzerland.

The Group wishes to express its appreciation for the excellent support that it received from the members of the United Nations Secretariat. It expresses its thanks to the Under-Secretary-General for Disarmament Affairs, Jayantha Dhanapala, Swadesh Rana, Chief, Conventional Arms Branch, and David Biggs, Political Affairs Officer, Conventional Arms Branch, Department for Disarmament Affairs. Its special appreciation goes to the consultant, Owen Greene.

I have been requested by the Group of Governmental Experts, as its Chairman, to submit to you, on its behalf, the present report, which was adopted unanimously.

(*Signed*) Mitsuro **Donowaki**
Chairman of the Group of
Governmental Experts on Small Arms

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# I. Introduction

1. Pursuant to General Assembly resolution 50/70 B of 12 December 1995, a panel of governmental experts on small arms was established in April 1996. Its task was to assist the Secretary-General in the preparation of a report on: (a) the types of small arms and light weapons actually being used in conflicts being dealt with by the United Nations; (b) the nature and causes of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade; and (c) the ways and means to prevent and reduce the excessive accumulation and transfer of small arms and light weapons, in particular as they cause and exacerbate conflict. The report, transmitted to the General Assembly at its fifty-second session (A/52/298, annex), addressed each of those issues and was endorsed by the Assembly in its resolution 52/38 J of 9 December 1997.

2. In paragraph 5 of the above-mentioned resolution, the General Assembly requested the Secretary-General to prepare, with the assistance of a group of governmental experts, a report on the progress made in the implementation of the recommendations of the previous report on small arms and further actions recommended to be taken, which would be submitted to the General Assembly at its fifty-fourth session. The two questions are considered in sections III and IV, respectively, of the present report.

3. By resolution 52/38 J, the Assembly endorsed the recommendations contained in the 1997 report on small arms, and called upon all Member States to implement the relevant recommendations to the extent possible and where necessary in cooperation with appropriate international and regional organizations and/or through international and regional cooperation among police, intelligence, customs and border control services.

4. Further, the Assembly requested the Secretary-General to implement the relevant recommendations contained in the report and to seek the views of Member States on the report and, in particular, on the recommendation concerning the convening of an international conference on the illicit arms trade in all its aspects, in time for consideration by the Assembly at its fifty-third session.

5. In considering the latter recommendation at its fifty-third session, the Assembly, by resolution 53/77 E of 4 December 1998, decided to convene an international conference on the illicit arms trade in all its aspects no later than 2001. By the same resolution, it requested the Secretary-General to prepare a report containing his recommendations to be submitted to the Assembly at its fifty-fourth session, with a view to a decision by the Assembly at that session on the objective, scope, agenda, dates, venue of and preparatory committee for such a conference. The Assembly also requested the Secretary-General to take into account his 1997 report on small arms, as well as relevant recommendations to be made in his report to be submitted to the General Assembly at its fifty-fourth session. The relevant recommendations are set out in section V of the present report.

6. In accordance with paragraph 5 of resolution 52/38 J, the Secretary-General appointed, in April 1998, a group of governmental experts from 23 States: Algeria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Colombia, Egypt, Finland, France, Germany, Islamic Republic of Iran, Japan, Mexico, Mozambique, Russian Federation, Singapore, South Africa, Sri Lanka, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

7. The Group of Governmental Experts on Small Arms held three sessions: from 26 to 29 May 1998, in New York; from 22 to 26 February 1999, at Geneva; and from 21 to 30 July 1999, in New York. The Group also met twice at workshops convened at Tokyo by the Government of Japan (from 7 to 9 September 1998 and from 31 May to 3 June 1999), and once at a workshop hosted at Geneva by the Government of Switzerland (from 18 to 20 February 1999). In the course of those meetings, the Group met with academic experts and representatives of non-governmental organizations and industry.

8. The Group took account of the replies received from Member States in response to the requests made by the Secretary-General in pursuance of Assembly resolutions 52/38 J and 53/77 E.[1] It also was briefed and received information from relevant United Nations bodies and other relevant sources.

9. The Group noted the complementarity of its mandate with the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, established by the General Assembly in resolution 53/111 of 9 December 1998. Pursuant to Economic and Social Council resolution 1998/18 of 28 July 1998, one of the tasks of the Ad Hoc Committee would be to elaborate, within the context of a United Nations convention against transnational organized crime, and international instrument to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. A draft protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials, supplementary to the United Nations convention on transnational organized crime currently under consideration by the Ad Hoc Committee, is not expected to apply to State-to-State transactions or

transfers for purposes of national security (A/AC.254/4/Add.2/Rev.1, art. IV). The Group avoided unnecessary overlap with the work of the Ad Hoc Committee, and noted that the mandates of the Ad Hoc Committee and of the Group were both complementary and mutually reinforcing.

10. The mandate entrusted to the Group was carried out without prejudice to the positions taken by Member States on, or the importance allocated by them to, the priorities accorded to nuclear disarmament, weapons of mass destruction and conventional disarmament.

11. In the implementation of all of the recommendations contained in the present report, the principles of the Charter of the United Nations should be fully observed.

## II. Overview

12. Globally, it has been estimated that more than 500 million small arms and light weapons are in existence.[2] They continue to be produced in large numbers, mostly in developed countries, although they are now manufactured in over 70 countries on an industrial scale and in numerous countries as a craft industry.[3] Small arms and light weapons are standard equipment for armed forces and internal security forces in every country. The excessive and destabilizing accumulation and transfer of small arms and light weapons is, however, closely related to the increased incidence of internal conflicts and high levels of crime and violence.[4]

13. Small arms and light weapons[5] have a number of characteristics that make them the weapons of choice in many contemporary conflicts, in particular in internal conflicts and activities involving insurgent forces, criminal gangs and terrorist groups. They are increasingly lethal, are relatively cheap, easily portable and concealable and, in most cases, require minimal maintenance and logistical support and they can therefore be operated relatively easily. In many regions, they are widely available through illegal, as well as legal, channels.

14. Small arms and light weapons have been or are the primary or sole tools of violence in several of the armed conflicts dealt with by the United Nations, in particular where fighting involves irregular troops among the conflicting parties. They are widely used in conflicts in which violence has been perpetrated in violation of domestic law and the norms of international humanitarian law, and in which a high proportion of the casualties are civilians. This has led to millions of deaths and injuries, the displacement of populations, and suffering and insecurity around the world.

15. Of particular concern is the fact that hundreds of thousands of children have been among the victims of small arms and light weapons. By 1999, more than 300,000 children under 16 years of age were estimated to have been exploited as participants in armed conflict using these arms.[6]

16. As noted in the 1997 report on small arms, accumulations of small arms and light weapons by themselves do not cause the conflicts in which they are used. They can, however, exacerbate and increase their lethality. These conflicts have underlying causes which arise from a number of accumulated and complex political, commercial, socio-economic, ethnic, cultural and ideological factors. Such conflicts will not be finally resolved without addressing the root causes.

17. Virtually every part of the United Nations system is dealing in one way or another with the consequences of the armed conflicts, insecurity, violence, crime, social disruption, displaced peoples and human suffering that are directly or indirectly associated with the wide availability and use of these weapons. They thus consume large amounts of the resources of the United Nations, and endanger United Nations personnel and humanitarian relief operations. Moreover, the insecurity associated with the wide availability of small arms impedes or undermines cooperative programmes to promote development, post-conflict reconstruction, and disarmament, demobilization and reintegration of ex-combatants.

18. Among the main factors contributing to the availability of small arms and light weapons is the increase in the number of legitimate producers of such weapons combined with continuing illegitimate arms manufacturing. There are numerous sources of newly manufactured small arms and light weapons located in all regions of the world, in many cases as a result of transfer of technology and manufacturing licences from existing producers. At the same time, a large proportion of the accumulation and flow of small arms and light weapons is constituted by recirculated weapons or arms from existing stockpiles.

19. One factor contributing to the availability of small arms and light weapons in many areas is their earlier supply by cold war opponents. Much of the supply and acquisition of arms in regions of conflict dealt with by the United Nations has been conducted by Governments or by legal entities authorized by Governments. Some States have exercised insufficient control and restraint over transfers or holdings of small arms and light weapons. Moreover, arms supplies associated with foreign interference in areas of conflict are still a feature of current realities. In general, the lines of supply often are complex and difficult to monitor, facilitated

by the relative ease with which transfers of small arms and light weapons can be concealed.

20. The illicit trafficking and circulation of small arms and light weapons throughout the world is not only a major source of insecurity but also impedes socio-economic development. Illicit arms supply networks often involve legal arms purchases or transfers which are subsequently diverted to unauthorized recipients, or leakage from arms storage facilities. Arms brokers play a key role in such networks, along with disreputable transportation and finance companies. Illicit arms trafficking can sometimes be helped by negligent or corrupt governmental officials and by inadequate border and customs controls. Smuggling of illicit arms by criminals, drug traffickers, terrorists, mercenaries or insurgent groups is also an important factor. Efforts to combat illicit arms trafficking are in some cases hampered by inadequate national systems to control stocks and transfers of arms, shortcomings or differences in the legislation and enforcement mechanisms between the States involved, and a lack of information exchange and cooperation at the national, regional and international levels.

# III. Progress made in the implementation of the recommendations of the Panel of Governmental Experts on Small Arms

21. The Group of Governmental Experts on Small Arms reviewed the progress made in implementing each of the 24 recommendations contained in the report of the Panel of Governmental Experts on Small Arms and endorsed by the General Assembly in resolution 52/38 J (A/52/298, chap. V). The recommended reduction measures (A/52/298, para. 79) were aimed primarily at regions of the world in which excessive and destabilizing accumulations and transfers of small arms and light weapons had already taken place. The recommended prevention measures (A/52/298, para. 80) were aimed at preventing such excessive and destabilizing accumulations and transfers from occurring in the future. Since this is an international problem, these prevention measures included measures to be taken by all States and do not only focus on regions emerging from conflict.

22. The Group noted that progress was being made at various levels, through the efforts of: (a) the United Nations; (b) other international forums; (c) regional and subregional organizations; and (d) Member States. Some of these efforts either pre-date or parallel the 1997 report on small arms; others duly take into account the recommendations contained in the 1997 report; while still others reinforce some of those recommendations.

## A. United Nations

23. The Security Council has become closely engaged in reduction and prevention activities, in particular in the context of the implementation of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871–S/1998/318). For example, in its resolution 1196 (1998) of 16 September 1998 the Council expressed its willingness to consider all appropriate measures to assist the effective implementation of United Nations arms embargoes and noted that measures such as inquiries into arms trafficking routes might be relevant. In resolution 1209 (1998) of 19 November 1998, on illicit arms flows to and in Africa, the Council encouraged the Secretary-General to explore means for collection, sharing and dissemination of information on illicit small arms flows and their destabilizing effects, in order to improve the international community's ability to prevent the exacerbation of armed conflicts and humanitarian crisis.

24. By its resolution 1161 (1998) of 9 April 1998, the Security Council requested the Secretary-General to reactivate the International Commission of Inquiry (Rwanda). In its final report, issued in November 1998, the Commission noted with interest the recommendations of the Panel of Governmental Experts on Small Arms and aligned itself with many of the recommendations (S/1998/1096, annex, para. 105).

25. By its resolution 1237 (1999) of 7 May 1999, the Security Council decided to establish two expert panels to collect information and investigate reports relating to the violation of the measures imposed against the União Nacional Para a Independência Total de Angola (UNITA) with respect to arms and related *matériel*, petroleum and petroleum products, diamonds and the movement of UNITA funds as specified in the relevant resolutions and information on military assistance, including mercenaries.

26. The Security Council has also considered the issue of small arms in the context of recent statements by the President of the Council. In the statement issued on 12 February 1999 on the protection of civilians in armed conflict (S/PRST/1999/6), the Council noted the deleterious impact of the proliferation of arms, in particular small arms, on the security of civilians, including refugees and other vulnerable populations. In the statement issued on 8 July 1999 on

maintenance of peace and security and post-conflict peace-building (S/PRST/1999/21), the Council expressed serious concern that in a number of conflicts, armed fighting among various parties or factions continued despite the conclusion of peace agreements by the warring parties and the presence of United Nations peacekeeping missions on the ground. The Council recognized that a major contributory factor to such a situation had been the continued availability of large amounts of armaments, in particular small arms and light weapons, to conflicting parties.

27. In March 1998, the Group of Interested States was established in pursuance of paragraph 4 of General Assembly resolution 52/38 G of 9 December 1997 on "consolidation of peace through practical disarmament measures". Since then, the Group has held regular meetings, convened by the Government of Germany, and has provided financial, technical and political support for some practical disarmament projects, in cooperation with the Department for Disarmament Affairs of the United Nations Secretariat, the United Nations Development Programme (UNDP) and other bodies.

28. The *United Nations International Study on Firearm Regulation* was presented to the Commission on Crime Prevention and Criminal Justice in 1997,[7] and subsequently helped to promote the initiation of negotiations for a legally binding instrument to combat illicit firearms trafficking. In January 1999, negotiations began towards the elaboration of an international instrument addressing the combating of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, in the context of the elaboration of a comprehensive international convention against transnational organized crime, in pursuance of Economic and Social Council resolution 1998/18 and of General Assembly resolution 53/111, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for those purposes. It is expected that negotiations for the firearms protocol will be completed by the end of 2000.

29. During its 1999 substantive session, the Disarmament Commission adopted by consensus the report of its third working group on guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N.[8] Several of the guidelines are relevant to measures to address the accumulation and spread of small arms and light weapons and primarily relate to the consolidation of peace in post-conflict situations. They are to be applied on a voluntary basis and with the consent of States concerned.

30. The United Nations has supported a range of measures in West Africa to address problems associated with excessive and destabilizing accumulations of small arms and light weapons. The Department of Political Affairs of the United Nations Secretariat, the Department for Disarmament Affairs, UNDP and the United Nations Institute for Disarmament Research (UNIDIR) have cooperated with the Government of Mali and its neighbours in their efforts to tackle such problems and to implement a proportional and integrated approach to security and development. Since 1997, they have worked with the member States of the Economic Community of West African States (ECOWAS) and States providing development assistance to adopt and establish the Programme for Coordination and Assistance on Security and Development in West Africa, and to facilitate the agreement in October 1998 by ECOWAS member States of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa (see para. 51 below).

31. Within the United Nations Secretariat, the Department for Disarmament Affairs has been designated as the focal point to coordinate action on small arms within the United Nations system. In June 1998, the Coordinating Action on Small Arms mechanism was established for the purposes of consultation, information exchange and priority setting among the United Nations departments and agencies with a comparative advantage in pursuing agreed strategies on small arms. In this context, a range of coordinated activities has been developed, for example, in the areas of public information, weapons collection, and monitoring and reducing the humanitarian impact. In October 1998, the Department created a home page on the Internet devoted to conventional arms, in particular small arms (http://www.un.org/Depts/dda/CAB/index.htm).

32. In the course of various peacekeeping operations, the Department of Peacekeeping Operations of the United Nations Secretariat has acquired considerable experience in the area of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. Using input from various United Nations missions fielded since 1989, the Department produced a major study in July 1999 to provide a coherent framework of general principles, practical guidelines and illustrative experience for the effective planning, management implementation and monitoring of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.

33. On the basis of a request by the General Assembly in its resolution 52/38 J, the Secretary-General in 1998 appointed a group of experts to study the problem of ammunition and explosives in all its aspects. The group's

report was completed in June 1999 and has been submitted by the Secretary-General to the General Assembly for consideration at its fifty-fourth session (A/54/155). In pursuance of resolution 53/77 E of 4 December 1998, in which the Assembly requested the Secretary-General to initiate a study on the feasibility of restricting the manufacture and trade of small arms to the manufacturers and dealers authorized by States, the Department for Disarmament Affairs convened, in late May 1999, a two-day consultative meeting of qualified experts to examine the feasibility of carrying out such a study. The outcome of those consultations is contained in that group's report which is also to be considered by the Assembly at its fifty-fourth session (A/54/160). In pursuance of General Assembly resolution 53/77 T of 4 December 1998, on illicit traffic in small arms, the Department for Disarmament Affairs, in collaboration with the United Nations regional centres for peace and disarmament in Latin America and the Caribbean and in Africa, convened workshops in June and August 1999, as part of the Secretary-General's mandate to conduct broad-based consultations on illicit trafficking in small arms.

34. Acting on a proposal of the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat, a working group of the Inter-Agency Standing Committee of the Administrative Committee on Coordination created, in November 1998, the reference group on small arms to develop a coordinated approach among members of the Standing Committee on the specific humanitarian implications of small arms and light weapons. The Standing Committee, chaired by the Emergency Relief Coordinator, is the main forum for the major humanitarian agencies to ensure inter-agency decision-making in response to complex emergencies. The general objectives of the reference group on small arms are to facilitate the collection of reliable data on the accumulation and spread of small arms and light weapons, and subsequently to develop joint advocacy strategies.

## B. Other international forums

35. In May 1997, the Task Force of the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD) adopted new guidelines on peace, conflict and development, to promote best practices amongst donors in providing support in regions of conflict or to countries emerging from war. In 1998–1999, the Development Assistance Committee embarked on further work to refine and develop an understanding of how to implement these guidelines in order to promote effective assistance to regions emerging from conflict in which there are urgent problems associated with small arms and light weapons proliferation.

36. In November 1997, the World Bank established a post-conflict unit to clarify and facilitate ways in which countries might be assisted technically and financially in the transition from war to peace. The World Bank has supported a number of projects in such countries, including programmes to assist with mine clearance and with the demobilization and integration of ex-combatants. In 1999, the World Bank convened an expert meeting on security and development from 18 to 20 March 1999, and a similar meeting involving its senior management on 29 June 1999, to clarify ways in which the World Bank and other international financial institutions could support programmes to promote a safe and secure environment in conflict-prone countries, so as to facilitate and enable poverty-alleviation and development.

37. From 13 to 14 July 1998, under the auspices of the Governments of Norway and Canada, representatives of 21 States met at Oslo to discuss the problem of small arms and to examine the types of action that might be taken by concerned Governments. The 21 participating States issued a document entitled "An international agenda on small arms and light weapons: elements of a common understanding".

38. On 12 and 13 October 1998, the Government of Belgium hosted the International Conference on Sustainable Disarmament for Sustainable Development at Brussels. Representatives of 95 Governments and over 100 international and non-governmental organizations participated in the Conference. The final document of the Conference, "The Brussels Call for Action", called for an international programme of action on practical disarmament and peace-building (see A/53/681, annex).

## C. Regional and subregional organizations

39. In November 1997, the member States of the Organization of American States (OAS) signed the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (see A/53/78, annex). The Convention came into force in 1998 with the required ratification by two of its signatories, and sets forth a set of substantial measures to combat illicit arms trafficking. The Convention has been reinforced by the adoption by the member States of the OAS Inter-American Drug Abuse Control Commission of model regulations for the control of the international movement of firearms, their parts, components and ammunition.

40. Among others, the OAS Convention has provisions related to definitions, including those of “firearms” and “illicit trafficking”; the adoption of national legal action to establish as criminal offences the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials; requirements, at the time of manufacture of firearms, for appropriate marking of the name of manufacturer, the place of manufacture, and serial number to facilitate their tracing and identification, as well as markings on imported arms and markings on any confiscated firearms; and the exchange among States parties of information on authorized producers, dealers, importers, exporters and carriers of firearms, ammunition, explosives, and other related materials.

41. A workshop on “Illicit Traffic in Small Arms: Latin American and Caribbean issues” was held at Lima, from 23 to 25 June 1999. It was organized by the Department for Disarmament Affairs through the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean as part of the Secretary-General’s mandate under General Assembly resolution 53/77 T to conduct broad-based consultations on illicit trafficking in small arms.

42. Member States of the Common Market of the Southern Cone (MERCOSUR) (Argentina, Brazil, Paraguay and Uruguay) and associated States (Bolivia and Chile) signed, on 24 July 1998, a memorandum of understanding that created a joint register mechanism of buyers and sellers of firearms, explosives, ammunition and related materials.

43. In June 1999, the First Summit Conference of Heads of State and Government of Latin America and the Caribbean and the European Union, held at Rio de Janeiro, Brazil, adopted the Declaration of Rio de Janeiro which declared the special importance of the fight against the excessive and destabilizing accumulation of small arms and light weapons, and their uncontrolled dissemination. The Conference also emphasized, among its priorities for action, that a serious challenge to the international community was raised by the combination of conflicts with uncontrolled dissemination of small arms. In this context, the Conference welcomed the joint action on small arms of the European Union (see para. 48 below), as well as the Inter-American Convention (see paras. 39 and 40 above).

44. The member States of the Organization for Security and Cooperation in Europe (OSCE), working through its Forum for Security Cooperation, are at present formulating a contribution dealing with the problem of small arms and light weapons, to be adopted by the OSCE summit meeting which will be held at Istanbul in late 1999. To this end, the Forum for Security Cooperation has decided to conduct a study of the various proposals relating to small arms and light weapons made by OSCE member States, with the aim of agreeing on a set of specific measures that might be taken. At the same time, the Forum decided to convene a seminar no later than March 2000 to examine the proposed measures.

45. The Euro-Atlantic Partnership Council (EAPC), the political forum of the member States of the North Atlantic Treaty Organization and its Partnership for Peace programme, has included in its 1998–2000 Action Plan the issues of small arms and light weapons. In accordance with the Action Plan, EAPC, in April 1999, established an ad hoc working group on small arms which, in its work programme, has identified three subjects for further detailed study: stockpile management and security; best practices with respect to national export controls; and disarmament of small arms and light weapons in the context of peacekeeping operations.

46. In June 1997, the Council of the European Union established the Programme for Combating and Preventing Illicit Trafficking in Conventional Arms. Part of this Programme is focused on preventing illicit arms trafficking from or through the European Union itself, while other parts are focused on increasing Union support for such efforts in other regions and on contributing to security and development in regions emerging from conflict.

47. In June 1998, the European Union Code of Conduct on Arms Exports was adopted, which elaborated criteria for licensing transfers of all types of arms and military equipment and established mechanisms for the exchange of information and consultation on these matters among member States of the European Union.

48. On 17 December 1998, the Council of the European Union adopted a legally binding joint action on the contribution of the Union to combating the destabilizing accumulation and spread of small arms and light weapons. The objectives of the joint action are: (a) to combat and contribute to ending the destabilizing accumulation and spread of small arms and light weapons; (b) to contribute to the reduction of existing accumulations of these weapons to levels consistent with the legitimate security needs of countries; and (c) to help those regions suffering from the problems associated with excessive accumulation and spread of small arms to tackle them.

49. The associated States of the European Union and the member States of the European Free Trade Association have aligned themselves with the three above-mentioned actions, and the Government of South Africa has aligned itself with the 1998 joint action on small arms. In implementing these actions, the European Union and its member States have

carried out a variety of activities, including programmes to cooperate with Albania and countries in southern and West Africa in their efforts to address the problems associated with the spread of small arms and light weapons.

50. In Africa, the Organization of African Unity (OAU) adopted a decision on the proliferation of small arms and light weapons in June 1998, stressing the role that OAU should play in coordinating efforts to address the problem in Africa and requesting the Secretary-General of OAU to prepare a comprehensive report on this issue.[9] On 14 July 1999, the Assembly of Heads of State and Government of OAU adopted a decision on the illicit proliferation, circulation and illicit trafficking of small arms and light weapons which, *inter alia*, calls for a coordinated African approach to the problems addressed by the decision, and requested the OAU secretariat to organize a preparatory conference of continental experts on this matter.

51. In October 1998, building on initiatives by the Government of Mali and countries of the Sahara and the Sahel, the Heads of Government of States members of ECOWAS declared a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons, lasting in the first instance for three years.[10] Through cooperation among the United Nations, donors and ECOWAS member countries, the Programme for Coordination and Assistance for Security and Development was developed, and a plan of action for its implementation was agreed upon by ECOWAS Foreign Ministers at Bamako, on 24 March 1999, together with a code of conduct for the implementation of the ECOWAS Moratorium.[11]

52. In southern Africa, bilateral and trilateral cooperation has developed substantially since 1997 on problems related to small arms proliferation and illicit arms trafficking, for example, among South Africa, Mozambique and Swaziland.[12] Such problems are beginning to be addressed within the framework of the Southern African Development Community (SADC), and programmes to enhance subregional cooperation among police, customs and other relevant agencies have been established through the Southern African Regional Police Chiefs Cooperation Organization. In November 1998, the Ministerial Meeting of SADC and the European Union endorsed a southern African regional action programme to tackle light arms proliferation and illicit arms trafficking, developed at a workshop of southern African and European Union officials and experts, which was held near Pretoria in May 1998.

53. In East Africa, operational cooperation among police, customs and border control officials to combat illicit arms trafficking and associated problems has developed significantly among the members of the East Africa Cooperation since 1997.

## D. States

54. According to the information made available to the Group of Governmental Experts on Small Arms, a range of measures and initiatives have recently been taken by States. For example, the Governments of Argentina, Austria, Belgium, Bulgaria, Canada, Finland, Germany, Japan, Mali, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland have all sponsored international workshops or conferences to promote activities on problems associated with small arms proliferation or illicit arms trafficking.

55. A number of countries, including Australia, Belgium, Bulgaria, China, Colombia, Mexico, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, have established or reinforced inter-agency task forces or committees since 1997, so as to enhance coordination within their forces or committees since 1997, and to enhance, within their Governments, coordination of national policy on small arms or illicit arms trafficking issues. The Government of Mali, in cooperation with the United Nations, established precedent-setting programmes to integrate security and development and to collect and destroy arms as part of the implementation of its national peace accord. The Governments of South Africa and Mozambique have, individually and jointly, adopted a range of measures to strengthen controls on small arms, to find and destroy arms caches and to establish voluntary weapon collection programmes. In 1999, a programme of weapons collection and destruction was established in Cambodia, involving two public weapon destruction events in March and June 1999, in which approximately 15,000 weapons were destroyed. In February 1999, the Government of South Africa announced its decision to destroy all surplus small arms in its possession (see A/54/70). These included about 260,000 automatic rifles and several hundred tonnes of ammunition.

56. A number of States have acted to strengthen legal or regulatory controls. For example, the Government of Algeria, in 1997–1998, strengthened its legislation controlling arms and ammunition, through laws and decrees.[13] In Brazil in 1997, a law and decree came into force establishing a national system for registering firearms that are manufactured, imported or sold in the country and, in 1999, the Government sent to Parliament a bill restricting the sale of arms and ammunition.[14] The Government of Belarus introduced new

relevant legislation in 1998.[15] In Bulgaria, two new laws came into force in 1995 and 1998, and a number of regulations were adopted during the period 1994–1998, improving State control on arms manufacturing and trade activities.[16] Similarly, new and more stringent national regulations have recently come into force in China: on the control on guns within the country (October 1996) and on arms exports (January 1998).[17] The Government of China has a policy of destroying all confiscated illicit arms and has recently intensified its efforts in this regard. In 1998, it destroyed about 300,000 such weapons. In 1998, the Government of France acted to reinforce governmental control over military and civilian arms and ammunition, and introduced more rigorous measures regulating the holding of arms by civilians.[18] In the Russian Federation, a new law regulating, *inter alia*, the export of small arms, entered into force in 1998. The Government of the United States of America has taken a number of relevant national measures, including the intensification of controls over exports of firearms, ammunition and explosives to prevent their diversion to illicit purposes, and adopting legislation that tightened controls over arms brokers. All United States citizens, wherever located, and any person subject to United States law, must now register in order to engage in arms brokering activities and any such activities require the prior written approval of the United States Department of State.[19]

## E. Progress made in implementing specific recommendations

57. The Group reviewed the progress made in the implementation of each of the 24 recommendations made by the Panel of Governmental Experts on Small Arms. It noted that most of the recommendations in the Panel's 1997 report, whether they were prevention or reduction measures, were closely related to each other and were potentially mutually reinforcing. They could, therefore, can be more effectively carried out through the coordinated, consistent and sustained efforts of all members of the international community.

58. In general, most of the recommendations in the 1997 report were in the process of being implemented. A few recommendations had been almost completely implemented, while for a few others implementation had not yet begun. The degree of progress with respect to most of the recommendations was encouraging as a whole, but differed according to the nature of each recommendation and to whom it was addressed. In this context, the Group recognized that, while regions may sometimes benefit from the experience of other regions, the experience of one region could not be extended to other regions without taking into account the different characteristics of each region. A brief summary and evaluation of progress made with regard to each recommendation, based on the information made available to the Group, is set out below.

### Reduction measures

**Recommendations 1 and 2**. *The United Nations should adopt a proportional and integrated approach to security and development, including the identification of appropriate assistance for the internal security forces initiated with respect to Mali and other West African States, and extend it to other regions of the world where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently. The donor community should support this new approach in regard to such regions of the world.* (A/52/298, annex, para. 79 (a))

59. While the Group recognizes that there is no agreed international definition of the concept of the proportional and integrated approach to security and development, it has been recognized that situations of insecurity and widespread violence negatively affect development and assistance programmes. For this reason, an approach to development programmes and actions that integrates security concerns may be useful in regions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently.

60. Some international organizations and States providing assistance for development have been implementing the above-mentioned approach at the request of affected States. The Group considers that this practical approach can be useful in some regions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently.

61. The Group believes that the proportional and integrated approach to security and development, while aimed at a secure environment for development, does not in itself imply preconditions on development assistance or grounds for interference in the internal affairs of other States.

62. The United Nations and its agencies were closely involved with the development and adoption of a proportional and integrated approach to security and development with respect to Mali and neighbouring Sahara-Sahel countries, and have supported appropriate assistance for internal security forces in some of these countries. United Nations bodies cooperated in organizing a series of conferences and consultations in West Africa, leading to the establishment of

the Programme for Coordination and Assistance on Security and Development, which is administered by UNDP. The aim of the Programme, in cooperation with ECOWAS, is to support efforts in West Africa to promote security and development in a proportional and integrated way, through the implementation of the related programme of action, and also of a code of conduct for the implementation of the West African moratorium.[11]

63. Since 1997, support has increased substantially among countries and institutions providing development assistance for the proportional and integrated approach to security and development in regions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently. For example, this approach has been explicitly endorsed by the European Union and most major donor countries, and in the Brussels Call for Action issued at the International Conference on Sustainable Disarmament for Sustainable Development. The Development Assistance Committee of OECD has developed guidelines for providing aid in conflict-prone regions that are consistent with this approach. The United Nations Development Programme and numerous donor States have supported the proportional and integrated approach in West Africa.[20] Further, the United Nations administers trust funds established in 1998 to support projects consistent with this approach.[21]

64. Although support in principle for the proportional and integrated approach towards security and development has developed substantially, it has as yet been extended only to a few countries, principally in West Africa. Some States and institutions concerned may need to revise their policies and, where appropriate, carry out institutional or legal reforms to overcome obstacles to the effective implementation of this approach.

> **Recommendation 3**. *The United Nations should support, with the assistance of the donor community, all appropriate post-conflict initiatives related to disarmament and demobilization, such as the disposal and destruction of weapons, including weapons turn-in programmes sponsored locally by governmental and non-governmental organizations.* (A/52/298, annex, para. 79 (b))

65. In recent years, demobilization and reintegration have received increasing attention in United Nations peace operations. The collection and destruction of weapons have been included in some mandates of United Nations missions on a case-by-case basis, with varying degrees of success.[22] Since 1998, the Group of Interested States (see para. 27 above) has provided support for some practical disarmament projects. It has paid special attention to promoting exchanges of national experience, and provided support to a workshop convened at Guatemala City in November 1998 on experiences in Central America with weapons collection and integration of former combatants into civil society and to a "train-the-trainers" seminar convened in Cameroon from 18 to 20 July 1998. In 1998 and 1999, the Group of Interested States provided political and financial support for a United Nations weapons collection pilot project in the Albanian district of Gramsh, which is aimed at the voluntary surrender of weapons by civilians in exchange for community development assistance. In April 1999, the Disarmament Commission adopted by consensus relevant guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N.[8]

66. The United Nations has thus supported, with donor assistance, a number of post-conflict activities since 1997 relating to disarmament, weapons collection, and safe storage, disposal and destruction of weapons. As experience in Albania, Central America and elsewhere shows, however, the number and scale of such programmes remains small compared with the apparent requirements.

> **Recommendation 4**. *Once national conciliation is reached, the United Nations should assist in convening an inter-Afghan forum to prepare, inter alia, a schedule to account for, retrieve, and destroy the small arms and light weapons left unaccounted for in Afghanistan.* (A/52/298, annex, para. 79 (c))

67. National conciliation has not yet been reached, and so this recommendation could not yet be implemented.

> **Recommendations 5 and 6**. *Two sets of guidelines should be developed to: (a) assist negotiators of peace settlements in developing plans to disarm combatants, and to include therein plans for the collection of weapons and their disposal, preferably by destruction; and (b) provide assistance to peacekeeping missions in implementing their mandates, based on peace settlements. Former peace negotiators and members of peacekeeping operations of the United Nations should be consulted in the preparation of such guidelines. In this connection, consideration should be given to the establishment of a disarmament component in peacekeeping operations undertaken by the United Nations.* (A/52/298, annex, para. 79 (d))

68. The Department of Peacekeeping Operations has substantial experience with ways and means to plan and implement disarmament measures in the context of peace missions. On the basis of experience gained from various

United Nations missions fielded since 1989, the Lessons Learned Unit of the Department produced in July 1999 a document on disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. In substance, the document provides the two sets of guidelines that were recommended to be developed.

69. The above-mentioned document contains principles, practical guidelines and illustrative experiences clarifying how disarmament tasks should be a component of an integrated programme for disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. Disarmament tasks have been included on a case-by-case basis in the mandates of United Nations peacekeeping operations. The Security Council determines the mandate for such operations.

> **Recommendation 7**. *States and regional organizations, where applicable, should strengthen international and regional cooperation among police, intelligence, customs and border control officials in combating the illicit circulation of and trafficking in small arms and light weapons and in suppressing criminal activities related to the use of these weapons.* (A/52/298, annex, para. 79 (e))

70. Since 1997, several regional and subregional organizations have taken measures to strengthen such cooperation, as outlined in section C above, including OAS, MERCOSUR, the European Union, the Euro-Atlantic Partnership Council, OAU, ECOWAS, SADC, the Southern African Regional Police Chiefs Cooperation Organization and East Africa Cooperation. Moreover, there have been a number of initiatives taken by States to strengthen bilateral and trilateral cooperation in these areas, for example, among South Africa, Mozambique and Swaziland, and between Mali and the Niger.

71. There has been significant progress made in several regions and States in implementing the above-mentioned recommendation. At the same time, most such cooperative arrangements are only recently established, and thus remain at an early stage of development and implementation. Although regional circumstances and needs vary, other regions and States may consider establishing similar arrangements. Moreover, as demonstrated by the case of Albania in 1997–1998, the illicit distribution and trafficking of small arms in one country often leads to proliferation of these weapons in neighbouring areas and other regions, and efforts to prevent this are likely to fail in the absence of adequate regional and international coordinated action. Assistance in capacity-building may be required to enable developing countries and countries in transition to participate effectively in such cooperative programmes.

> **Recommendation 8**. *The establishment of mechanisms and regional networks for information sharing for the purposes mentioned in recommendation 7 above should be encouraged.* (A/52/298, annex, para. 79 (f))

72. The establishment of regional networks for information sharing is envisaged as part of the implementation of the OAS Inter-American Convention of 1997 and the European Union Programme for Combating and Preventing Illicit Trafficking in Conventional Arms. The Programme is aimed at encouraging the development of such networks among ECOWAS members. Similarly, the Southern African Regional Police Chiefs Cooperation Organization and East Africa Cooperation aim to encourage the development of such networks in southern and East Africa, respectively.

> **Recommendation 9**. *All small arms and light weapons which are not under legal civilian possession, and which are not required for the purposes of national defence and internal security, should be collected and destroyed by States as expeditiously as possible.* (A/52/298, annex, para. 79 (g))

73. Several States have adopted policies to collect and destroy some or all categories of surplus small arms and light weapons, in particular illegal arms. For example, the Government of China has an established policy to collect and destroy all illicit weapons and has recently intensified its efforts in this regard (see para. 56 above). The Government of South Africa has adopted the policy of routinely destroying confiscated illicit arms and, in 1999, a programme was initiated in Cambodia to collect and destroy illicit weapons. Most States, however, have not yet adopted this recommendation as government policy. The problems posed are of particular concern in regions in, or emerging from, conflict, where the practice of storing or selling such small arms and light weapons instead of destroying them expeditiously still appears to be widespread.

### Prevention measures

> **Recommendation 10.** *All States should implement the recommendations contained in the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, adopted by the Disarmament Commission in 1996.*[23] (A/52/298, annex, para. 80 (a))

74. In their replies to the Secretary-General in pursuance of General Assembly resolutions 52/38 J and 53/77 E, several

States stated that they implement the guidelines adopted by the Disarmament Commission in their arms export control systems. The guidelines contain certain elements which are also reflected in the OSCE Principles Governing Conventional Arms Transfers and the European Union Code of Conduct on Arms Exports. The elements of the guidelines specifically concerned with combating illicit arms trafficking have been implemented through national measures and through regional arrangements among OAS member States, the European Union and associate States, and members of ECOWAS, SADC and East Africa Cooperation (see sect. C above).

75. Numerous Member States have both supported and taken steps to implement the guidelines adopted by the Disarmament Commission.[24] The continuing contribution, however, of arms transfers and unauthorized re-transfers to excessive and destabilizing accumulations of small arms and light weapons, and the scale of the problem of illicit arms trafficking, indicates that there is a need for all Member States fully to implement these guidelines.

> **Recommendation 11.** *All States should determine in their national laws and regulations which arms are permitted for civilian possession and the conditions under which they can be used.* (A/52/298, annex, para. 80 (b))

76. In their replies to the Secretary-General in pursuance of General Assembly resolutions 52/38 J and 53/77 E, some States noted that their national laws and regulations were in accordance with this recommendation. Many States provided detailed information on their laws and regulations for the *United Nations International Study on Firearm Regulation*.[25] This study showed that there are wide differences among States as regards which types of arms are permitted for civilian possession, and as regards the circumstances under which they can legitimately be owned, carried and used. Such wide variations in national laws raise difficulties for effective regional or international coordination. Moreover, many States have yet to determine in their national regulations which arms are permitted or prohibited for civilian possession.

> **Recommendation 12.** *All States should ensure that they have in place adequate laws, regulations and administrative procedures to exercise effective control over the legal possession of small arms and light weapons and over their transfer in order, inter alia, to prevent illicit trafficking.* (A/52/298, annex, para. 80 (c))

77. In their replies to the Secretary-General in pursuance of General Assembly resolutions 52/38 J, 53/77 E and 53/77 T, several States stated they had such controls in place. Several States have recently taken initiatives to strengthen such controls nationally, or as members of regional organizations (see sects. C and D above). Most States Members of the United Nations have not provided information on this matter. The continuing scale of the problem of illicit arms trafficking and possession in many regions shows that further efforts in this area are required.

> **Recommendation 13.** *States emerging from conflict should, as soon as practicable, impose or reimpose licensing requirements on all civilian possession of small arms and light weapons on their territory.* (A/52/298, annex, para. 80 (d))

78. Several countries emerging from recent conflict have made substantial efforts in this regard, including Croatia, El Salvador, Georgia, Mali, Mozambique and South Africa. In many other cases, however, implementation of the above-mentioned recommendation appears to have been of low priority or to have proved beyond the capacity of the relevant authorities. Where licensing requirements have been reimposed, they have sometimes not been sufficiently stringent to place substantial limits on the availability of small arms and light weapons.

> **Recommendation 14.** *All States should exercise restraint with respect to the transfer of the surplus of small arms and light weapons manufactured solely for the possession of and use by the military and police forces.*[26] (A/52/298, annex, para. 80 (e))

79. A number of States provided information to the effect that they exercise restraint with respect to the transfer of all small arms and light weapons, including surplus arms. Some States stated that they exercise particular restraint in relation to transfers of surplus arms. Awareness of this need remains inadequate, however, and some national authorities continue to exercise insufficient restraint.

> **Recommendation 15.** *All States should consider the possibility of destroying all such surplus weapons.*[26] (A/52/298, annex, para. 80 (e))

80. States continue to adopt a wide range of practices in relation to the disposal of their surplus arms. A number of States have destroyed substantial quantities of surplus arms, including small arms and light weapons. The costs of destruction of small arms and light weapons are normally modest. For example, the Government of Sweden has in place a policy of continuous destruction of surplus small arms, leading to the destruction of some 170,000 arms over the past decade. The Government of Germany has destroyed almost one million small arms (i.e., over 70 per cent of the surplus small arms in the country after reunification in 1990), and the

Government of South Africa has recently decided to destroy all surplus small arms in its possession. Similarly, the Government of the Netherlands adopted a policy in 1998 to destroy all superfluous small arms. Some States, such as the United States of America and the Russian Federation, distinguish between the destruction of confiscated illicit arms and weapons seized from combatants and weapons in police or military stockpiles that are no longer needed.[27]

81. Encouragingly, several States have adopted policies to destroy their surplus small arms and light weapons. However, many States have yet to actively consider adopting a policy of destroying such surplus arms.

> **Recommendation 16.** *All States should ensure the safeguarding of such surplus weapons against loss through theft or corruption, in particular from storage facilities.* (A/52/298, annex, para. 80 (f))

82. Some missions fielded by the United Nations and regional organizations involved in peacekeeping or implementing peace agreements have improved safeguards against loss of surplus weapons from weapon storage facilities. Overall, however, many States with inadequate safeguards have not substantially increased their efforts since 1997 to prevent the loss of weapons manufactured or stored for their military or police forces. In some regions, the loss of such weapons through theft or corruption continues to add significantly to the spread and illicit trafficking of small arms and light weapons, and in some cases may contribute to the circumvention of United Nations arms embargoes.

> **Recommendation 17.** *The United Nations should urge relevant organizations, such as the International Criminal Police Organization (Interpol) and the World Customs Organization, as well as all States and their relevant national agencies, to closely cooperate in the identification of the groups and individuals engaged in illicit trafficking activities, and the modes of transfer used by them.* (A/52/298, annex, para. 80 (g))

83. The International Criminal Police Organization and the World Customs Organization facilitate cooperation among national police and customs authorities in monitoring and combating illicit trafficking activities, including trafficking related to small arms and light weapons. The Interpol Weapons and Explosives Tracking System database (IWETS) is the only existing international database for stolen and recovered weapons. At present, it is used mainly in relation to weapons involved in crime, and could be used in relation to illicit trafficking in small arms and light weapons where data are available. IWETS has recently been put on a more advanced computer database that is electronically available for use by authorized national officials, and Interpol is making provisions to provide relevant software packages and training to developing countries on request.

84. There has thus been some progress made that contributes to implementing the above-mentioned recommendation. There remains, however, great scope for developing wider and more effective cooperation in this area. Many developing countries lack the capacity effectively to use Interpol services, including IWETS. The international customs codes at present used in relation to transfers of small arms and light weapons appear to cover too wide a category of arms and equipment to facilitate the tracking of arms shipments in transit.

> **Recommendation 18.** *All States and relevant regional and international organizations should intensify their cooperative efforts against all aspects of illicit trafficking mentioned in the report of the Panel that relate to the proliferation and accumulation of small arms and light weapons.* (A/52/298, annex, para. 80 (h))

85. The members of OAS, MERCOSUR, the European Union, the Euro-Atlantic Partnership Council, OAU, ECOWAS, the Southern African Regional Police Chiefs Cooperation Organization, SADC and East Africa Cooperation have taken substantial steps to intensify their cooperative efforts against illicit trafficking (see sect. C above).

86. Substantial progress has therefore been achieved in several regions. Regional circumstances and needs vary, but States in other regions that are not yet involved in such cooperative measures might benefit from appropriate regional or international cooperation.

> **Recommendation 19.** *The United Nations should encourage the adoption and implementation of regional or subregional moratoriums, where appropriate, on the transfer and manufacture of small arms and light weapons, as agreed upon by the States concerned.* (A/52/298, annex, para. 80 (i))

87. United Nations departments and agencies played a substantial role in promoting and supporting efforts to establish a moratorium on the importation, exportation and manufacture of light weapons in West Africa. As noted in paragraph 51 above, the Heads of State and Government of ECOWAS declared a three-year Moratorium in October 1998. The United Nations Development Programme is administering the Programme for Coordination and Assistance on Security and Development, which is aimed at supporting the implementation of the Moratorium and

associated efforts to promote security and development in West Africa.

88. The declaration by the ECOWAS Governments of the Moratorium and the measures adopted to implement it were important developments. Implementation of the code of conduct on the implementation of the Moratorium, which is to be adopted in October 1999, will help the international community fully to support the implementation of the Moratorium. Implementation of the Moratorium is expected further to reinforce efforts towards a broad regional programme to tackle the spread of small arms and light weapons and contribute to the consolidation of peace processes.

> **Recommendation 20.** *Other regional organizations should take note, and make use, as appropriate, of the work of the Organization of American States in preparing a draft inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials.* (A/52/298, annex, para. 80 (j))

89. The Convention has been signed by 32 OAS member States since November 1997. It came into force in July 1998 and, by July 1999, had been ratified by seven States (Bahamas, Belize, Bolivia, Ecuador, El Salvador, Mexico and Peru). The Convention attracted much international attention and support. It was subsequently used in preparing the initial draft for negotiations by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on a legally binding international protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials.[28]

> **Recommendation 21.** *The United Nations should consider the possibility of convening an international conference on the illicit arms trade in all its aspects, based on the issues identified in the report of the Panel.* (A/52/298, annex, para. 80 (k))

90. By its resolution 53/77 E, the General Assembly decided to convene an international conference no later than 2001. Matters relating to the conference are discussed in chapter V of the present report.

> **Recommendation 22.** *The United Nations should initiate a study on the feasibility of establishing a reliable system for marking all such weapons from the time of their manufacture.* (A/52/298, annex, para. 80 (l))

91. The United Nations has not yet initiated the above-mentioned study. The Governments of Switzerland and Canada have, however, commissioned studies on this question. The feasibility of ways of reliably marking small arms as an integral part of the production process received detailed attention at the workshop hosted for the Group of Experts by the Government of Switzerland in February 1999, and the Group received expert briefings on the issue. Moreover, the marking of weapons at the point of manufacture is already a requirement of many States and of the OAS Convention, and is being addressed in the negotiations on a draft firearms protocol (see para. 9 above).

> **Recommendation 23.** *The United Nations should initiate a study on the feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by States, and of establishing a database of such authorized manufacturers and dealers.* (A/52/298, annex, para. 80 (l))

92. In paragraph 5 of its resolution 53/77 E, the General Assembly requested the Secretary-General to initiate a study as soon as possible on the feasibility of restricting the manufacture and trade of small arms and light weapons to the manufacturers and dealers authorized by States. In May 1999, the Department for Disarmament Affairs of the United Nations Secretariat convened a consultative meeting of experts (see para. 33 above), which concluded that a study on this topic, expanded also to cover brokers, transportation agents and financiers, was feasible and desirable. A report on these conclusions has been submitted to the General Assembly at its fifty-fourth session (A/54/160).

> **Recommendation 24.** *The United Nations should initiate a study on all aspects of the problem of ammunition and explosives.* (A/52/298, annex, para. 80 (m))

93. In 1998, the Secretary-General appointed a study group of eight experts on the question of ammunition and explosives. This group met three times during 1998–1999, and its report has been submitted to the General Assembly (A/54/155). The Group of Governmental Experts was kept informed of the progress made by the study group, and received copies of the report before its last session.

# IV. Further actions recommended to be taken

94. The Group of Governmental Experts on Small Arms recommends the following further actions be taken by the United Nations, international and regional organizations, and by States.

## A. United Nations

95. The Group recommends that the Security Council take all appropriate measures to ensure the effective implementation of arms embargoes that relate to small arms and light weapons. In this context, the Security Council should consider and follow up any report of violations with a view to ensuring the effective implementation of such embargoes and preventing the illicit transfers of small arms and light weapons that occur in contravention of relevant Security Council resolutions.

96. The United Nations should, with the assistance of Member States in a position to do so (including the Group of Interested States established pursuant to General Assembly resolution 52/38 G), promote and support initiatives to make available systematic information on useful and successful practices and information on available resources with regard to stockpile management, collection and safe storage of small arms and light weapons, and destruction of surplus arms.

97. With respect to the regions and subregions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently, the United Nations should make greater efforts, within its available resources, to extend as appropriate the proportional and integrated approach to security and development initiated and pursued by it in West Africa. In doing so, due consideration should be given to the specific situation of the post-conflict region or subregion.

98. With respect to regions and subregions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently, the Group recommends that the United Nations should support, within its available resources, all appropriate post-conflict programmes related to disarmament, demobilization and reintegration, such as those on the disposal and destruction of weapons.

99. Given the protracted nature of the crisis in Kosovo, the Group recommends that practical disarmament measures should be developed and adopted in Kosovo related to the collection of small arms and light weapons.

100. Noting with concern that the proliferation of small arms and light weapons in affected regions facilitates the exploitation of children in armed conflict, the Group recommends that the United Nations Children's Fund and other relevant organizations should enhance their activities with regard to the special needs of such children in post-conflict situations.

101. The Group takes note of the study on the problem of ammunition and explosives prepared by the study group of experts appointed by the Secretary-General (A/54/155). It encourages the United Nations appropriately to take into account the need to control ammunition and explosives in its activities relating to disarmament, demobilization and reintegration in the context of peacekeeping.

102. The Group notes that there is an expanding body of knowledge and experience on marking small arms and light weapons in effective and reliable ways to lessen the possibilities for criminals and arms traffickers to remove identification markings. The Group recommends that the United Nations should, at an appropriate time, initiate a study on the feasibility of establishing reliable and cost-effective ways of marking all such weapons.

103. The Group recommends that the study on the feasibility of restricting the manufacture and trade of small arms and light weapons to manufacturers and dealers authorized by States, requested by the General Assembly in paragraph 5 of resolution 53/77 E, should be completed in time for it to be considered at the international conference on the illicit arms trade in all its aspects, to be convened no later than 2001. It welcomes proposals that such a study be extended also to cover brokering activities relating to small arms and light weapons, including transportation agents and financial transactions. The study should also address the illicit activities in these fields.

104. The Group recommends that the Coordinating Action on Small Arms should continue to coordinate relevant activities within the United Nations system relating to small arms and light weapons, and to provide relevant information to Member States on a regular basis.

105. The Group recommends that the United Nations, in cooperation with regional organizations and Member States where appropriate, should further facilitate appropriate cooperation with civil society, including non-governmental organizations, in activities related to small arms and light weapons, in view of the important role that civil society plays in efforts to raise awareness of and address the problems associated with such weapons. In this context, the Group welcomes the recent expansion of activities on these issues by non-governmental organizations.[29]

## B. Other international and regional organizations

106. The Group recommends that other international and regional organizations engaged in activities related to

development assistance, such as the World Bank and the Development Assistance Committee of OECD, or any other groups of States, should intensify and coordinate their activities with respect to adopting the proportional and integrated approach to security and development in regions of the world where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently, and should keep the United Nations informed in that regard. Due account should be taken of the specific situation of each region or country in question and the cooperation of the Secretary-General should be sought, where appropriate.

107. The Group recommends all other regional organizations to take note and make use, as appropriate, of the experience of the European Union and the Organization of American States in promoting cooperation among their member States in combating illicit arms trafficking and the excessive and destabilizing accumulation and transfer of small arms and light weapons.[30] The Group also recommends all other regional organizations to take note, and make use where appropriate, of measures taken by the Economic Community of West African States,[31] as part of a post-conflict arms control programme which also includes regional cooperation to combat illicit arms trafficking.

108. The Group recommends regional organizations to keep the United Nations informed of their activities relating to the problems associated with small arms and light weapons.

## C. States

109. All States should exercise the utmost restraint in transfers of small arms and light weapons and ammunition to areas in which there are ongoing conflicts, and take all possible measures to prevent the diversion of arms transfers to such areas.

110. In view of the theft of large numbers of weapons from weapons storage facilities in a number of countries, including Albania in 1997, and the subsequent illicit transfer of many of those weapons to neighbouring areas and other regions, the Group recommends that all States should ensure that adequate safeguards are in place to prevent the loss of such weapons through theft, corruption or neglect, in particular from storage facilities.

111. The Group recommends that States in a position to do so should assist other States, at their request, in their efforts to collect and safeguard weapons and to destroy surplus weapons and confiscated or collected weapons.

112. In addition to the provision of assistance for destroying surplus stocks of small arms and light weapons, some States may need and request assistance with industrial conversion, involving the reduction of production capacities for small arms and light weapons and the development of non-military industries to replace them. States in a position to do so should, where appropriate, consider supporting efforts by other States to carry out such conversion processes.

113. States should ensure that they have in place laws, regulations and administrative procedures to exercise effective control over the production of small arms and light weapons within their areas of jurisdiction and over the export, import, transit, or retransfer of such weapons, in order to prevent unauthorized manufacture of and illicit trafficking in small arms and light weapons, or their diversion to unauthorized recipients. Applications for export authorizations should be assessed according to strict national criteria that cover all categories of small arms and light weapons, including surplus or second-hand weapons. Such legislative, regulatory or administrative measures could include the use of authenticated end-user certificates, enhanced legal and enforcement measures, as appropriate, to control arms-brokering activities, requirements to ensure that no retransfer of small arms and light weapons takes place without prior authorization of the original supplier State, and cooperation in the exchange of information on suspect financial activities. States should ensure that they exercise control over all brokering activities performed in their territory or by dealers registered in their territory, including cases in which the arms do not enter their territory.

114. To help address the serious problems of illicit circulation and trafficking of small arms and light weapons, States should enhance international and regional cooperation among law enforcement agencies, customs and border control authorities. To this end, States are encouraged fully to use the facilities of Interpol, in particular through timely and complete provision of information to its IWETS database or to any other database that may be developed. Further, States are encouraged to support Interpol, and to contribute to the extent possible to the development of its capacity to assist States in combating the problem of the illicit manufacture of and trafficking in small arms and light weapons.

115. States that have not yet done so should ensure that manufacturers apply appropriate and reliable markings on small arms and light weapons as an integral part of the production process. These markings should identify the country of manufacture and also provide information that enables the national authorities of that country to identify the manufacturer and serial number, so that the authorities concerned can trace each weapon and cooperate in efforts to

combat illicit arms trafficking and undesirable diversions of arms shipments.

116. All States are encouraged to make available information on the markings they apply to weapons to identify country of manufacture, and to explore the modalities for greater sharing of such information.

117. States should adopt and enforce all necessary measures to prevent the manufacture, stockpiling, export, import, transit or other transfer of any unmarked or inadequately marked small arms and light weapons.[32] All unmarked or inadequately marked small arms and light weapons that have been collected, confiscated or seized should either be expeditiously destroyed or, where appropriate, adequately marked.

118. States are encouraged to integrate measures to control ammunition, where relevant, into prevention and reduction measures relating to small arms and light weapons, taking into account the technical differences between ammunition and weapons. In this context, States are encouraged to review the report by the study group of experts appointed by the Secretary-General on the problem of ammunition and explosives (A/54/155).

119. States that have not already done so should ensure that they have effective legislation, regulations and administrative procedures in place to maintain strict control over the possession, use and transfer of high explosives.[33]

120. States should work towards the introduction of appropriate national legislation, administrative regulations and licensing requirements that define conditions under which firearms can be acquired, used and traded by private persons. In particular, they should consider the prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes, such as automatic guns (e.g., assault rifles and machine-guns).

121. States should promote campaigns, where appropriate with the cooperation of civil society, including non-governmental organizations, to raise the awareness of their populations of the dangers associated with the proliferation of small arms and light weapons and illicit arms trafficking.

# V. International conference on the illicit arms trade in all its aspects

122. The General Assembly, in resolution 53/77 E, decided to convene an international conference on the illicit arms trade in all its aspects no later than 2001. While decisions will be taken by the General Assembly and by the preparatory committee that will in due course be established, the Group was requested by the Assembly in the same resolution to consider issues relating to the objective, scope, agenda, dates, venue and preparatory committee of this conference. In doing so, the Group took account of the views of Member States expressed to the Secretary-General in response to his notes verbales dated 15 April 1998 and 20 January 1999.

123. The Group recommends that the international conference be known as the Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, so as to clarify that the Conference will focus on small arms and light weapons, in conformity with Assembly resolution 53/77 E.

124. In making its recommendations, the Group noted that much of the trade in small arms and light weapons consists of legal transfers to meet the legitimate needs of States for self defence, as embodied in the Charter of the United Nations, and requirements to maintain public security within the rule of law, and the ability to participate in United Nations peacekeeping operations. The principle of the legitimacy of such legal trade should be respected at the Conference, as should all of the principles embodied in the Charter of the United Nations.

## A. Objectives

125. The Group recommends that the objective of the Conference should be to develop and strengthen international efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

126. To this end, the aims of the Conference should be to:

(a) Strengthen or develop norms at the global, regional and national levels that would reinforce and further coordinate efforts to prevent and combat the illicit trade in small arms and light weapons in all its aspects;

(b) Develop agreed international measures to prevent and combat illicit arms trafficking in and manufacturing of small arms and light weapons and to reduce excessive and destabilizing accumulations and transfers of such weapons throughout the world, with particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the proliferation of small arms and light weapons have to be dealt with urgently;

(c) Mobilize the political will throughout the international community to prevent and combat illicit transfers in and manufacturing of small arms and light weapons in all their aspects, and raise awareness of the

character and seriousness of the interrelated problems associated with illicit trafficking in and manufacture of small arms and light weapons and the excessive and destabilizing accumulation and spread of these weapons;

(d) Promote responsibility by States with regard to the export, import, transit and retransfer of small arms and light weapons.

127. Efforts should be made to secure maximum participation in the Conference by representatives of all States and interested international and regional organizations.

128. In accordance with the provisions of paragraphs 125 and 126 above, the Conference should adopt substantive documents related to agreements reached at the Conference. The various measures outlined in those documents could form an integral part of a comprehensive Conference document, for example, an international programme of action.

## B. Scope

129. The scope of the international Conference will be the illicit trade in small arms and light weapons in all its aspects.

130. In this context, the primary focus of attention should be on small arms and light weapons that are manufactured to military specifications (see endnote 5). Other types of firearms used in conflicts may, however, also have to be considered in dealing with the problems in the most affected regions of the world. In this overall context, ammunition should also be considered.

131. With respect to the scope of the term “illicit trade”, the Group recommends that the Conference consider all types of illicit transfers of small arms and light weapons. Further, the Conference should consider the illicit manufacture, acquisition, possession, use and storage of small arms and light weapons, since these are closely linked to illicit transfers of such weapons.

132. As to the meaning of the illicit arms trade in all its aspects, the Group found that aspects of the issue of legal transfers of small arms and light weapons should be considered by the Conference insofar as they are directly related to illicit trafficking in and manufacture of small arms and light weapons. The Group noted that the illicit trade in small arms and light weapons is closely linked to the excessive and destabilizing accumulation and transfer of such arms. The scope of the Conference should therefore not be limited to criminal breaches of existing arms legislation and export/import controls but consideration should be given to all relevant factors leading to the excessive and destabilizing accumulation of small arms and light weapons in the context of the illicit arms trade, including those referred to in the report of the Panel of Governmental Experts on Small Arms.

133. The Group recommends that the Conference consider a broad range of measures to reinforce and further coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons, taking into account section A above and the relevant recommendations contained in chapters III and IV of the present report.

## C. Agenda

134. The Group noted that the items of the agenda of the Conference may be derived from the issues referred to in sections A and B above, taking into account the recommendations offered in chapter IV of the present report, as well as all other issues that the preparatory committee believes that the Conference should consider. The Group expressed its belief that the task of preparing the agenda for the Conference should be carried out by the preparatory committee of the Conference.

135. The Group recommends that, in deciding on the timetable for the Conference, the preparatory committee provide opportunities for presentations by representatives of civil society.

## D. Dates

136. The Group recommends that the Conference take place at an appropriate time in 2001, taking into account the time required to prepare for the Conference and other major international meetings scheduled prior to it.

## E. Venue

137. The Group recommends that the venue of the Conference should be chosen to ensure the widest possible participation of States. The Group welcomed the offer of the Government of Switzerland to host the international Conference, without prejudice to any other offer. The Group recommends that an early decision be taken on the venue in order to facilitate preparations for the Conference.

## F. Preparatory committee

138. The Group considers that at least two sessions of the preparatory committee will be required to prepare adequately

for the Conference. Participation in the sessions of the preparatory committee should be open to all States.

*Notes*

[1] Responses to the requests made by the Secretary-General in pursuance of General Assembly resolution 52/38 J were received from Belarus, Brazil, Bulgaria, Canada, China, Colombia, Côte d'Ivoire, Cuba, Israel, Japan, Jordan, Mexico, New Zealand, Poland, the Republic of Korea, the Russian Federation, San Marino, Singapore, South Africa, Turkey, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States members of the European Union), and the United States of America (see A/53/169 and Add.1–4). As at 30 July 1999, responses to the requests made by the Secretary-General in pursuance of General Assembly resolution 53/77 E had been received from Algeria, Australia, Belarus, Bolivia, Brazil, Canada, China, Colombia, Cuba, Germany (on behalf of States members of the European Union and of the associated and member countries of the European Free Trade Association and European Environmental Agency), the Islamic Republic of Iran, Japan, Jordan, Malta, Monaco, the Russian Federation, Singapore, South Africa, Sri Lanka, Turkey, the United Arab Emirates and the United States of America.

[2] Complete data on the numbers of small arms and light weapons produced and held globally are not publicly available. The information that is available shows, however, that there are almost certainly over 500 million small arms and light weapons around the world. For example, up to 100 million assault rifles were manufactured between 1945 and 1990, as were more pistols, revolvers, rifles and other small arms (see, e.g., Virginia Hart Ezell, *Report on International Small Arms Production and Proliferation*, Alexandria, Virginia, Institute for Research on Small Arms in International Security, March 1995). Approximately 200 million firearms are held by civilians in the United States of America alone (T. Mason, National Rifle Association, July 1997).

[3] The number of countries in which small arms and light weapons are produced on an industrial scale is estimated on the basis of information in unofficial sources, such as T. Gander (ed.), *Janes Infantry Weapons 1997–98*, Janes Information Group, Surry, United Kingdom of Great Britain and Northern Ireland, 1997.

[4] See "Supplement to an Agenda for Peace: position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations" (A/50/60–S/1995/1) and the report of the Panel of Governmental Experts on Small Arms (A/52/298, annex).

[5] The Group followed the practice of the previous Panel of Governmental Experts on Small Arms in its definitions of small arms and light weapons. Broadly speaking, small arms are those weapons designed for personal use, and light weapons are those designed for use by several persons serving as a crew. The category of small arms includes revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine-guns. Light weapons include heavy machine-guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of calibres of less than 100 mm. Ammunition and explosives form an integral part of small arms and light weapons used in conflicts, and include cartridges (rounds) for small arms, shells and missiles for light weapons, anti-personnel and anti-tank hand grenades, landmines, explosives, and mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems.

[6] Executive Director of the United Nations Children's Fund (UNICEF) in "The United Nations takes aim at small arms" (UNICEF press release CF/DOC/PR/1999–26); study on the impact of armed conflict on children, prepared by Graca Machel, expert appointed by the Secretary-General (A/51/306 and Add.1); report prepared by Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict (A/53/482); and the Declaration by the Ministers of Foreign Affairs of the Economic Community of West African States, issued at Bamako on 24 March 1999.

[7] United Nations publication, Sales No. E.98.IV.2.

[8] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex III.

[9] The decision was taken at the sixty-eighth session of the OAU Council of Ministers, held at Ouagadougou, from 4 to 7 June 1998 (A/53/179, annex I, decision CM/Dec.432 (LXVIII)).

[10] For the text of the Declaration of a Moratorium, see A/53/763–S/1998/1194.

[11] The code of conduct is to be adopted by the ECOWAS Heads of State and Government in October 1999.

[12] In particular, a series of "Operation Rachel" cooperative operations involving South Africa, Mozambique and, sometimes, Swaziland, aimed at collecting and destroying weapons in hidden arms caches in Mozambique (see e.g., A/54/64).

[13] Law No. 97.06 was adopted on 21 January 1997 and Decree No. 98–96 was promulgated on 18 March 1998. These establish the law governing, *inter alia*, the manufacture, import, export and trade of military materials, including arms and ammunition, and the conditions for acquiring, possessing, owning and transferring such materials.

[14] Law No. 9437 and Decree No. 2222 entered into force in Brazil in 1997, and established the National System of Arms (SINARM), with the objective of registering firearms that are manufactured, imported or sold in the country. About 1.6 million firearms had been registered with SINARM by July 1999, and about half of the states of the Federation have on-line access to the system. The bill before Parliament is aimed at restricting the sale of firearms and ammunition within the national territory to the armed forces, public security agencies and private security firms established in accordance with the law.

[15] Law No. 130–3 on export control, adopted by the National Assembly of Belarus on 6 January 1998; and Council of Ministers Decree No. 27 of 10 January 1998, on improving State control over the export of special categories of goods,

labour and services beyond the customs territory of the Republic of Belarus.

[16] The law on control of foreign trade activities related to arms, dual-use items and technologies and the law on control of explosives, firearms and ammunition came into force in December 1995 and November 1998, respectively.

[17] "Law of the People's Republic of China on control of guns", promulgated by Order No. 72 of the President of the People's Republic of China, 5 July 1996; "Regulations of the People's Republic of China on the administration of arms exports" promulgated by Decree of the State Council and the Central Military Commission of the People's Republic of China, October 1997.

[18] Decree No. 98/1148 of 16 December 1998 modifying Decree No. 95/389 of 6 May 1993, concerning the implementation of the Decree of 18 April 1939 which governs the control of arms and ammunition in France.

[19] Statement issued by the Department of State on 9 November 1998.

[20] The United Nations Development Programme and the Governments of Belgium, Canada, France, Japan, the Netherlands, Norway, Switzerland, the United States of America and Mali itself all contributed to the Trust Fund to Support the Peace Process in North Mali. Similarly, UNDP, Belgium, Canada, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America have all contributed to the Programme for Coordination and Assistance on Security and Development, and the Governments of Germany and the Netherlands have also contributed resources to West African countries for similar purposes.

[21] These are the UNDP Trust Fund for Support for Prevention and Reduction of the Proliferation of Small Arms, established in November 1998, and the United Nations Trust Fund for the Consolidation of Peace through Practical Disarmament Measures, established in August 1998.

[22] Several United Nations post-conflict programmes have experienced problems relating to incomplete disarmament arising partly from peace agreements and mandates that did not adequately cover small arms and light weapons, or from inadequate operational guidance or resources. See, for example, the UNIDIR Disarmament and Conflict Resolution Project studies on managing arms in peace processes.

[23] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42* (A/51/42), annex I.

[24] For example, new arms export regulations that came into force in China in January 1998 were based on the guidelines adopted by the Disarmament Commission, and the United States of America has a code of conduct embedded in the practices of implementing its Conventional Arms Transfer Policy of February 1995.

[25] United Nations publication, Sales No. E.98.IV.2.

[26] The term "surplus" in this recommendation was used to indicate serviceable and unserviceable small arms and light weapons held in stockpiles by military and police forces and the illicit weapons seized by them that they no longer need.

[27] The Government of the United States of America stated that it seizes and destroys firearms possessed in violation of the law, but because of its constitution and established practices it claims no authority to seize and destroy firearms solely because they are not required for the purposes of national defence and internal security. The present policy in the Russian Federation is that confiscated illicit weapons are normally destroyed (once any associated criminal proceedings have been completed); this policy does not normally apply to the weapons in police or military stockpiles that are no longer needed.

[28] For the text of the draft protocol, see A/AC.254/4/Add.2/Rev.2.

[29] The Group noted that the International Action Network on Small Arms (IANSA), a network of over 200 non-governmental organizations, was established on 14 October 1998.

[30] The experiences referred to here are, in particular, the adoption by the Council of the European Union on 17 December 1998 of a joint action on the contribution by the Union to combating the destabilizing accumulation and spread of small arms and light weapons, and the adoption on 14 November 1997 by member States of OAS of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

[31] The measures referred to here are the adoption and signing on 31 October 1998 by the ECOWAS Heads of State and Government of a Moratorium on the Importation, Exportation and Manufacturing of Light Weapons, combined with the plan of action for the implementation of the Programme for Coordination and Assistance for Security and Development (adopted by the ECOWAS Foreign Ministers at Bamako on 24 March 1999), and the code of conduct for the implementation of the Moratorium, to be adopted by the ECOWAS Heads of State and Government in October 1999.

[32] In this context, adequately marked weapons are those weapons that are at least marked in accordance with the recommendations contained in paragraph 115 of the present report.

[33] In this context, the term "high explosives" refers to explosives produced for military and related purposes, including plastic explosives, as distinct from industrial explosives, such as those used in the mining industry and from improvised or "home-made" explosives (see A/54/155).