

1: INTRODUCTION

For decades, small arms and light weapons (SALW) such as pistols and Kalashnikov combat rifles have been used to kill and injure people across the world on a massive scale. While international arms control and disarmament efforts were directed elsewhere, to nuclear, chemical and biological weapons and major conventional arms, SALW proliferation was relatively uncontrolled. These portable but lethal weapons were produced in their hundreds of millions, and traded across the world to regions in conflict, warlords and criminals, as well as to armies, police and civilians under licence. They have helped to escalate, prolong and intensify wars, undermine development, and heighten levels of violent gun crime.

In the 1990s, international awareness of the seriousness of SALW proliferation grew rapidly. Local, national and regional initiatives to tackle aspects of the problem were launched. However, it has important global dimensions. Comprehensive and sustained international action is required effectively to prevent, combat and reduce excessive availability and uncontrolled flows of SALW.

In 2001 an international agreement to prevent, combat and reduce illicit trafficking, proliferation and misuse of small arms and light weapons (SALW) was finalised at a special UN Conference.¹ The result of years of pressure and negotiation, it was designed to provide a comprehensive set of politically-binding commitments to address the issue in its complexity.

This agreement – the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects² (hereafter referred to as the PoA) – contained a wide range of important international commitments for States, as well as for the UN and other relevant international and regional organisations. It is complemented and reinforced by the UN Firearms Protocol,³ also agreed in 2001, and a range of regional agreements and international programmes.

In 2003, the Biting the Bullet Project team (International Alert, Saferworld, and University of Bradford) and IANSA published the first comprehensive and detailed examination of progress towards implementing the PoA.⁴ Although the agreement was only two years old, it was important to examine the extent to which governments had started to implement their commitments and to identify emerging lessons, problems and opportunities. In brief, it found that the implementation process had overall got off to a promising start in many respects, though it was still far from actually making any real impression upon the problems associated with SALW proliferation.

The PoA is now almost four years old. It is time to examine progress towards implementation again, now that the international community has had more time to achieve substantial results. Participants in the PoA are due to meet at the UN in New York in July 2005, at the second Biennial Meeting of States (BMS) to consider progress in implementing the PoA. A year later, in July 2006, the first UN Review Conference for the PoA is due to take place, and provides the first opportunity to formal opportunity for participants to critically examine performance in implementation and debate possible revisions. It is important that these conferences, and all concerned people and organisations around the world, have reliable information on progress.

¹ The UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York, July 7 – 20, 2001.

² Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Document A/CONF.192/15) <http://disarmament.un.org:8080/cab/poa.html>

³ Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts, Components and Ammunition supplementing the UN Convention against Transnational Organised Crime, Resolution Adopted by the UN General Assembly 55/255, 8 June 2001 <http://www.iansa.org/un/un-firearms-protocol.pdf>

⁴ Biting the Bullet project and IANSA, *Implementing the Programme of Action 2003: action by states and civil society*, Biting the Bullet/IANSA, London, June 2003.

1.1 AIMS OF THIS REPORT

This Report aims to provide a comprehensive review of progress towards implementation of the PoA, as a contribution to considerations at the 2005 BMS and preparations for the 2006 UN Review Conference. It outlines and assesses progress towards implementation of the PoA, drawing on data gathered for over 180 countries and analysing relevant local national, regional and international processes.

This report has a wide and ambitious scope. However, it does not aim to be fully comprehensive: time, resources and available information do not permit this. Rather it aims to: provide a relatively comprehensive, analytical and reliable overview; illustrate implementation experiences across each of the regions; identify emerging strengths and weaknesses; and assess overall performance in implementing the PoA.

It draws on a range of illustrative data and:

- examines national implementation by states, with case studies focusing in some depth on countries that are representative of particular aspects of progress, or obstacles to progress, in order to assess progress and help to identify ways and means of enhancing implementation
- illustrates links between different thematic areas contained in the PoA and identifies possibilities for linking complementary international, regional and bilateral initiatives
- examines progress in developing and using partnerships to promote implementation including partnerships between government and civil society; between aid donors and recipients, and through regional organisations and agreements
- enhances understanding of the issue areas requiring further research
- analyses progress towards implementation and the implications for the PoA and its future development.

The report aims to serve as a resource for states, regional and international organisations, civil society groups and experts.

1.2 REPORT FRAMEWORK

The structure of this report is quite straightforward. Section 2 outlines the Programme of Action and the various regional and other multilateral initiatives relating to the illicit trade in small arms and light weapons (SALW) in all its aspects, and highlights areas of complementarity and divergence.

Section 3 is by far the largest in the report. It examines the policies, programmes and measures relating to implementation of PoA commitments that states and others have developed and implemented in the last four years, focusing particularly on activities since 2003. The first part consists of an overview of countries' existing policies and practices relating to the key PoA commitments, covering over 180 states. The second part of Section 3 contains a more detailed analysis of national and regional implementation on a region-by-region basis. It includes evidence on the roles of NGOs and civil society in the process.

This analysis is followed by substantial global and regional tables indicating policies, procedures and activities corresponding to commitments contained within the PoA.

The third part of Section 3 details progress in implementing key thematic elements of the PoA. It covers:

- National Commissions/Focal Points and National Action Plans
- SALW Transfer Controls, including controls over arms brokering activities
- Enforcing Embargoes
- Marking, Record Keeping and Tracing

- Stockpile Management and Security
- Disarmament and Weapons Collection
- Weapons Destruction
- Transparency and Information Exchange
- International Co-operation and Assistance.

Each of these areas provides an overview of practical progress including international initiatives and processes, regional developments, and progress at the national level. Section 3.3 continues by examining progress in thematic areas that are relevant to the PoA and, for example, that are emphasised in the preamble, but which do not relate to specific PoA commitments. These include:

- Gender
- Civilian Possession
- State Misuse of SALW
- Demand Reduction
- Restricting Transfers to Non-State Actors
- MANPADS
- Ammunition.

Section 4 then draws on the information outlined in Section 3 to analyse and assess progress towards implementation and lessons learned. Whereas Section 3 presents and analyses the measures and policies that have, or have not, been implemented, Section 4 aims to provide an assessment of progress achieved since the PoA was agreed in 2001, drawing a number of conclusions.

Finally, Section 5 of the report presents overall conclusions and recommendations. The latter focus particularly on the implications for preparations for the 2006 UN Review Conference, especially in relation to the possible development, revision or clarification of PoA commitments and creation of mechanisms to strengthen progress in implementation in the future.

1.3 CRITERIA FOR SELECTING CASE STUDIES

As will become clear, Section 3 includes a number of ‘snapshots’ and case studies of progress towards implementation in selected states.

The decision on which states to include as case studies in this report were made on the basis of several criteria. These were:

- that there should be a coverage of all regions of the world
- that the nature of implementation of particular aspects of the PoA in that country were either broadly representative of the region as a whole, or conversely, that implementation of the particular aspect of the PoA selected was considered to be useful for generating lessons learned for understanding the nature and challenges of implementation in the region or of that particular issue area
- that experienced and capable non-governmental local researchers could be identified to contribute to the case study
- the selected cases should take account of the countries selected for similar examination in our 2003 report, so that cumulatively a relatively wide range of states have been covered.

To enrich and widen examination of relevant country activities, in this report we also include a number of shorter and less-comprehensive ‘snapshots’ of aspects of implementation activities in a selection of other countries.

1.4 METHODOLOGY AND PARTNERSHIPS

The extensive research undertaken during the production of this report has included data collected from a wide range of primary and secondary sources, enabling the report to cover over 180 countries, including in-depth analysis of country case studies. The research for this report was primarily conducted by the Biting the Bullet project members (Bradford University, International Alert and Saferworld), in close co-operation with over 100 contributors from around the world – many of whom are members of the International Action Network on Small Arms (IANSA).

Project partner organisations or independent analysts were commissioned to research and provide the information used to prepare the national case studies contained in Section 3 of this report. This was supplemented by further research, secondary data and the expertise of the Biting the Bullet project partners, IANSA members and others.

The research contained in this report is wide-ranging and extensive. Considerable efforts were taken to verify facts and assessments. Governments were invited to provide relevant information further to that provided in their periodic reports on PoA implementation to the UN.

However, the report does not claim to provide a complete picture of implementation. There are several factors which prevent this, which include:

- a lack of transparency in many countries makes it difficult to conduct research on certain aspects of implementation and in some cases verification of information is very difficult
- the scope of the PoA provides significant opportunities for interpreting what constitutes implementation-focused action
- implementation of the PoA is ongoing – this report was completed in May 2005 and doubtless by the time it is published in July 2005, several countries will have produced 'last-minute' updates in time for the 2005 BMS.

However, despite these qualifications, Biting the Bullet and IANSA believe that the report is a valuable contribution to the process of implementation of the PoA and a significant resource for both governments and civil society. The Report authors believe that the report:

- is a major compilation of information and analysis on implementation of the PoA, building on and complementing the similarly comprehensive compilation provided in our 2003 report
- provides an up-to-date review of actions taken since 2001 in implementing the PoA and other regional and sub-regional initiatives aimed at reducing the proliferation and misuse of SALW and the illicit trade in SALW in all its aspects
- enables useful comparative analysis within and between thematic and geographic areas
- provides a contribution to facilitating debate and partnership between governments and civil society on small arms issues
- offers a comprehensive set of learning points and recommendations for full and effective implementation of the PoA, which are based on the experiences of many countries and regions and of those participating in other relevant initiatives, which Biting the Bullet and IANSA hope will contribute to further progress in future years
- provides timely assessments and conclusions of overall progress in implementation to inform agendas and proposals for the preparations for the 2006 Review Conference.

As noted, this report is the second in a series by the Biting the Bullet project and IANSA. It is envisaged (resources permitting) that a third report will be produced in 2006, in advance of the 2006 Review Conference.