

1. INTRODUCTION

Illicit trafficking, proliferation and misuse of small arms and light weapons (SALW) is now widely recognised to be a major source of insecurity and human suffering across much of the world. Not only are they associated with over 500,000 deaths and millions of injuries each year, but they also escalate and exacerbate conflicts, obstruct achievement of peace and good governance and undermine efforts to promote development. The problems are complex and cut across many spheres of international and public policy-making, including peace and security, arms control and disarmament, crime prevention and control, humanitarian assistance, human rights protection, post-conflict reconstruction and peace-building, and development.

To be effective, international responses to prevent and reduce illicit trafficking, proliferation and misuse of SALW need to be comprehensive in scope and involve all stakeholders at a combination of local, national, regional and international levels. In recent years, a number of national, regional and international agreements and initiatives have been launched to address these problems. Most prominent amongst all of these is the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA).

Agreed at the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (2001 UN Conference on Small Arms), held on 9–20 July 2001, the PoA now stands as the main global agreement establishing norms, measures and programmes to prevent SALW proliferation. It is complemented and reinforced by the UN Firearms Protocol, also agreed in 2001, and a range of regional agreements and international programmes. But the PoA provides the minimum global standards and framework with which all of these other agreements and programmes should develop.

It is now two years since the PoA was agreed. The first Biennial Meeting of States (BMS) on the PoA will take place in July 2003, to consider progress towards its implementation. Although it is unrealistic to expect full implementation at this stage, it is important to review experience so far.

1.1. REPORT SCOPE

The present report aims to provide an initial review of progress towards implementation of the PoA, as a contribution to considerations at the Biennial Meeting and to wider efforts to take stock of progress so far and identify strengths, weaknesses and priorities for the future. It outlines and assesses progress towards implementation of the PoA, drawing on data gathered from 156 countries and analysing relevant national, regional and international processes.

The scope of the report is extensive. However, it does not aim to be fully comprehensive: time and resources do not permit us to aim at this at this stage. Rather, it aims to provide a broad and reliable overview, illustrate experiences across each of the regions, and identify emerging strengths and weaknesses. 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 propose 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 donor assistance in order to rationalise donor contributions at the national, regional and global levels, and to identify areas in need of donor support and areas of possible duplication;

- Outlines a range of different partnerships between civil society groups, governments, and regional and international bodies; and
- Enhances understanding of the issue areas requiring further research.

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

The Biting the Bullet (BtB) Project team (Saferworld, International Alert and the University of Bradford) and the International Action Network on Small Arms (IANSA) plan to prepare similar, and hopefully more comprehensive, reviews of progress towards implementation of the PoA in 2005 and 2006, in advance of the second BMS in 2005 and the Review Conference in 2006.

1.2. REPORT FRAMEWORK

Section 2 outlines the Programme of Action and the various regional and other multilateral initiatives relating to the illicit trade in SALW in all its aspects and examines areas of complementarity and divergence.

Section 3 begins with an overview of existing policy and practice relating to the key PoA commitments, covering 156 states, which is illustrated in three substantial tables and is accompanied by explanatory text and observations.

The second part of Section 3 contains a more detailed analysis of national and regional implementation on a region-by-region basis (see Section 3.2), which includes the positive role of NGOs and civil society in the process. This part is illustrated by 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, with particular emphasis placed on international and regional cooperation and assistance. It covers:

- Marking and tracing illicit SALW;
- Criteria for licensing transfers of SALW, and transfers to non-state actors;
- Developing controls on arms brokering activities;
- Dealing with existing stocks, i.e. stockpile management, disarmament, weapons collection and the destruction or other disposal of surplus and collected arms; and
- International cooperation 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. The final part of Section 3, on international cooperation and assistance, also includes an examination of existing and emerging international assistance structures.

Section 4 then draws on the information outlined in Section 3 to analyse and assess progress towards implementation and lessons learned. It identifies successes, areas of emerging best practice, lessons learned and evidence of successful partnerships. It also analyses areas of weakness, including gaps between policy and implementation, in order to identify challenges and priorities.

Section 5 of the report outlines some key conclusions and recommendations for future action by states to implement the PoA.

1.3. CRITERIA FOR SELECTING CASE STUDIES

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

- That there should be a good 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; and
- That the researchers who were able to contribute to producing the case studies had high levels of expertise and knowledge of SALW issues and the capacity to produce reliable and verified information.

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 156 countries, including in-depth analysis of 25 country case studies. The research for this report was primarily conducted by the BtB project members, in close cooperation with over 100 contributors from around the world, many of whom are existing members of IANSA.

During the research phase of this project, research workshops were held in four regions: in Lima, Peru (for Latin America – hosted by the UN Regional Centre for Peace and Disarmament in Latin America and the Caribbean (UNLiREC)); Lilongwe, Malawi (for Africa – organised in partnership with the Institute for Security Studies (ISS) in South Africa, the Malawi Human Rights Commission and IANSA); Colombo, Sri Lanka (for South Asia – co-hosted by IANSA and South Asia Partnership International); and Amman, Jordan (for the Middle East – organised jointly with the American Friends Services Committee (AFSC)). These brought together representatives of civil society organisations and experts to discuss various aspects of the implementation of the PoA in these regions.

Project partner organisations 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 BtB project partners, IANSA members and others.

The research contained in this report is wide-ranging and extensive. However, it does not claim to provide a complete picture of implementation. There are several factors that prevent this, which include the following:

- 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. It appears that the proximity of the BMS has stimulated activity in many states. This report was completed in May 2003. Since this time, some states have undoubtedly made progress in implementation that is not reflected here.

However, despite these qualifications, BtB 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 an unprecedented compilation of information and analysis on implementation of the PoA;
- 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 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; and
- 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 BtB and IANSA hope will contribute to further progress in future years, and to the development of further measures to tackle SALW misuse and proliferation.

It is envisaged that this report is the first of several that will be produced to support future Biennial Meetings of States and the 2006 UN PoA Review Conference. In future editions of this report, it is expected that its scope – in terms of the number of states' progress towards implementation contained within it and the depth of the analysis – will be enhanced.