



## BITING THE BULLET

INTERNATIONAL ALERT | SAFERWORLD | UNIVERSITY OF BRADFORD

### National capacity to implement the PoA

#### Introduction

Between 26 June and 17 July 2006, international governments will meet to review their commitment made five years ago to control small arms and light weapons (SALW). The UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (PoA) was agreed at a UN Conference in July 2001, and is the primary international instrument relating to the controls of small arms and light weapons.

The PoA sets out a range of measures and initiatives to be taken by states' in areas such as: controls on the import, export and transit of small arms (transfer controls); the regulation of arms brokering; stockpile management; addressing the impact of small arms on development; and the marking and tracing of small arms.

The Biting the Bullet project aims to promote effective implementation of the PoA and periodically it produces a "Red Book" analysing progress against the PoA.

The 2006 Red Book concludes that global implementation of the PoA is patchy. Although progress has been made in some areas, action taken so far has not been sufficient to have more than a local or marginal impact on the problems of Small Arms and Light Weapons (SALW) trafficking, proliferation and misuse. Some of the factors contributing to inadequate performance are linked to weaknesses in the PoA itself. This year's conference provides the first formal opportunity to review and strengthen the PoA since it was agreed.

This Biting the Bullet briefing focuses on developing the capacity for implementation of the UN PoA, highlighting progress made by states thus far, and outlining recommendations for further improvements.

#### Recommendations for more effective global implementation of the PoA

- **Integrating national SALW action plans or other SALW reduction and control initiatives into national security strategies and national poverty reduction frameworks.**
- **Increasing support for the development of national capacities to implement the PoA.** A lack of technical and financial resources in many affected states represents a barrier to effective SALW control. Assistance is required to establish national points of contact, national co-ordination agencies and for the creation and implementation of comprehensive national action plans for small arms control in affected countries.
- **Increasing and improving systematic information provided by states in their reports on implementation of the PoA.**
- **Recognising the important role of civil society:** The PoA clearly states the key role that civil society can play in efforts to prevent and combat the

illicit trade in SALW. Despite this, there is an apparent lack of appreciation of this across the world. Governments need to recognise civil society as a legitimate partner in SALW control processes and take steps to improve communication and co-operation with civil society.

## Statistics

Out of a total of **191** UN Member States who signed up to implement the UN PoA:

- **150** states have established an official point of contact to act as a liaison between states.
- **90** states have national co-ordination mechanisms including officially designated national co-ordination agencies or bodies, and other similar mechanisms for coordination on SALW issues within government
- **37** states appear to actively involve civil society in their national co-ordination of action on SALW.
- **20** states have developed national strategies on small arms including comprehensive national action plans, or other active sets of strategies; though some of these are limited in scope.
- **135** states have submitted at least one report on national implementation to the UN DDA

## Implementing the UN PoA agreement

The PoA is a politically binding international agreement by consensus at a high political level. The PoA recommends a number of actions for states to take in order to reduce the trafficking and proliferation of small arms and light weapons (SALW).

The institutional infrastructure required for implementation of the PoA includes:

- establishment of an official national point of contact
- the provision of a report on progress in implementation of the PoA to the UN Department of Disarmament Affairs
- establishment of a national co-ordinating mechanism
- the involvement of civil society in efforts to tackle SALW proliferation

Although not an explicit commitment within the PoA a growing number of states have recognised that developing comprehensive national strategies is the most effective way of making progress in tackling small arms.

## National points of contact

To ensure that states are in a position to communicate with other states and multilateral agencies on the development and implementation of SALW policy, Section II para 5 of the PoA requires states:

“to establish or designate, as appropriate, a national point of contact to act as liaison between States on matters relating to the implementation of the Programme of Action”

To date, **150** states out of 191 have established an official point of contact to act as liaison between states. However, even where a state has designated a NPC, this is not a guarantee that this contact is operational. A substantial number of the points of contact listed by UNDDA do not exist, are out of date or fail to respond to communications. Some states have not established NPCs because of a lack of engagement in the UN PoA process,

a lack of capacity for addressing SALW issues and/or the perception of the illicit trade in SALW as a low domestic priority.

### **National Coordinating mechanisms**

The establishment of a national co-ordination agency is a key institutional requirement of the PoA. These agencies are critical to ensure policy co-ordination between government departments and agencies responsible for action on SALW and overseeing the review of legislation for the control of SALW. They should have members from all government departments with an interest in tackling SALW including, for example, those with responsibility for Foreign Affairs, Home Affairs, Defence, Development, the Environment, Gender, Youth and Health. However, **less than half** of the Member States have established one. This low level of implementation is disappointing since it suggests that only a third of states have the requisite institutional infrastructure for internal SALW policy co-ordination and full PoA implementation.

The reasons behind the failure of over 100 states to take action in this respect depend on the particular internal and regional situations of the states in question. For example, in Europe SALW proliferation is not a pressing domestic issue for many states hence there is less onus on these governments to make internal SALW policy co-ordination a major priority. In Asia, the Americas and parts of Africa, capacity issues and/or a lack of substantive engagement with the PoA process are undoubtedly at the root of states' failure to establish a national co-ordination mechanism. At the same time there is often a link between high levels of donor engagement and the establishment of an effective national co-ordination agency.

### **Civil society engagement**

Civil society involvement in national co-ordination mechanisms can provide invaluable insight into the SALW problem and support for efforts to prevent, combat and eradicate the illicit trade. However, civil society involvement in national co-ordination mechanisms is not widespread with **less than a quarter** of states including civil society representation in their national coordination agencies.

Civil society engagement has proven critical in **Kenya**. The inclusion of civil society in the national coordinating agency has helped to dispel previously held perceptions of mistrust between the Kenyan Government and civil society whilst at the same time providing a link to local communities who are directly affected by the proliferation and misuse of SALW. Accordingly, the Kenyan government has found it highly beneficial to include civil society groups within these agencies (either as part of the national commission or as a key partner).

### **National strategies**

Whilst the development of national strategies is not an explicit requirement of the PoA, experience has shown that, to be effective, national co-ordination mechanisms need to develop a clear strategy or action plan for their work. The development of national strategies or action plans can also serve to increase dialogue between stakeholders concerned with the problems of SALW proliferation. However, only **20** states have developed national strategies on small arms.

Where they do exist, national strategies or action plans tend to be relatively comprehensive. For example, the National Action Plans (NAPs) in Kenya, Uganda and Tanzania call for action on a wide range of issues such as: the review and amendment of policy and legislation on SALW; training; public awareness-raising; development initiatives; weapons collection and destruction; and research. Clearly, the development and implementation of national strategies will take many years and will require significant resources and political commitment on the part of the states involved and the international community.

### **Reporting on PoA implementation**

The majority of states have provided at least one report to DDA. For those states that have not reported to DDA, this is a clear indication of a lack of real engagement in the UN PoA process. Whilst it is relatively easy to designate an official as a national point of contact, producing a report requires devoting some time and resources to the issue. In Africa in particular a significant number, **15** out of **48** states, have not reported to DDA. This often stems from a lack of capacity and difficulties in national co-ordination. In this regard whilst UNDP/UNDDA support has been able to assist **25** states with preparing national reports, clearly a much greater level of assistance is required. Moreover, the quality and extent of national reports varies significantly with some states taking the opportunity to provide detailed information on their SALW controls others have failed to provide much insight into states SALW-related policies, legislation and activities.

### **Further information**

- *Implementing the Programme of Action 2006: Action by States and Civil Society*, Biting the Bullet (International Alert, Saferworld and University of Bradford), June 2006
- *Promoting Effective Global Action on Small Arms: Priorities for the 2006 UN Review Conference*, Biting the Bullet Project (International Alert, Saferworld and University of Bradford), January 2006
- *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