



Moving ahead on small arms control: A focus on the 2006 Session of the UN First Committee¹

by Sarah Parker²

This analysis focuses on the activities of the 2006 UN First Committee³ as it relates to the issues of conventional weapons, in particular small arms and light weapons control and its implications for multilateral processes to address the arms trade and reduce gun violence. Based on interviews with disarmament diplomats and civil society representatives who attended the meeting, it provides insights into behind-the-scenes negotiations, as well as a broader analysis of the value of First Committee resolutions in the context of global policy making on small arms.

The First Committee is one of six committees of the UN General Assembly (UNGA). The official theme of the First Committee is ‘Disarmament and International Security’ and it is essentially charged with an annual stock-take and reality check of matters related to disarmament and international security. It meets every year in October, after the UNGA General Debate, for a 4-5 week session and includes general and thematic debates. Numerous resolutions are debated and adopted, on matters such as nuclear disarmament and the test-ban treaty, the prevention of an arms race in outer space, fissile materials, biological and chemical weapons, missiles, as well as conventional weapons, small arms, landmines, and the functions and operations of various disarmament bodies.

A similar analysis of the 2005 First Committee session's work was produced by the HD Centre in December 2005.⁴ Together, both papers form the picture of a forum whose complementary nature to the UN process on small arms is increasingly recognised and utilised by both states and civil society. One major breakthrough in 2005 was the Dutch-sponsored resolution highlighting the links between small arms control measures and sustainable development. In 2006, the First Committee allowed states to circumvent blockages in the consensus-bound UN process on small arms to revive the system of Biennial Meetings of States, and to move forward on the issue of international arms transfers. The level and quality of civil society participation has also been steadily increasing since 2004 – it will be interesting to observe whether the trend is confirmed at the 2007 session.

¹ The HD Centre would like to thank all those government officials and individuals from NGOs for their comments and input into this paper.

² From the Human Security and Small Arms Programme at the Centre for Humanitarian Dialogue, see www.hdcentre.org (small arms) for a full listing of projects, resources and publications.

³ See www.un.org/ga/60/ for more on the General Assembly and its various committees and procedures, and for more detailed information on the role of the First Committee and the importance of First Committee resolutions see *Small arms control: A focus on the 2005 Session of the UN First Committee* by Mireille Widmer and Cate Buchanan at <http://www.hdcentre.org/datastore/Small%20arms/UN%20Process/2005FirstCommittee.pdf>

⁴ The paper can be accessed at <http://www.hdcentre.org/datastore/Small%20arms/UN%20Process/2005FirstCommittee.pdf>.

The negotiating environment

The 2006 session was a particularly important one for the small arms process following the failure of the 2006 UN conference to review implementation of the Programme of Action on small arms⁵ (Review Conference) to agree an outcome document.⁶ While in the UN process on small arms any progress was blocked by the rule of consensus, at the First Committee states were able to vote and thus overcome those blockages.

In 2006 the First Committee was chaired by Ambassador Mona Juul of Norway, who is the first woman to chair the First Committee. The atmosphere of the debates was generally considered to be less confrontational than that of previous years, with more consensual positions.⁷ Ambassador Juul is reported to have consulted carefully with all participants, and to have taken a considered, confident approach to the management of the First Committee.⁸ She also confirmed and enhanced the role of civil society in the First Committee, facilitating the improved participation of NGOs in the informal meetings of the Committee.

The recent inability of the 2006 UN conference to review implementation of the Programme of Action on small arms⁹ (Review Conference) to agree an outcome document left states with a determination not to have another failure on their hands, and a feeling that they have a collective responsibility to carry the small arms process forward. Indeed, there was certainly a sense that there was more chance of progress on conventional weapons issues generally in contrast to other disarmament areas, especially nuclear. On the other hand, it was clear that the United States were not averse to isolation on practically all small arms issues, opposing all major operational resolutions.

First Committee Resolutions

A number of resolutions at the 2006 session are of importance for small arms control.¹⁰ The most relevant are discussed below including: the resolution on the Illicit Trade in Small Arms and Light Weapons in all its aspects and the resolution seeking to establish an arms trade treaty. Other points of discussion included proposals to convene a fourth special session of the General Assembly on disarmament, and support to the Regional Centres for Peace and Disarmament in Africa (Togo), Asia and the Pacific (Nepal), and Latin America and the Caribbean (Peru).

The Illicit Trade in Small Arms and Light Weapons in all its aspects - Key sponsors: Japan, South Africa, Colombia (A/C.1/61/L.15/Rev.1 (A/RES/61/66)) also referred to as the ‘omnibus resolution’

This resolution, which has been tabled annually since 2001, encourages initiatives for successful implementation of the Programme of Action on Small Arms and the

⁵ The 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)

⁶ See *The UN Review Conference on small arms control: Two steps backwards?* by Cate Buchanan at http://www.hdcentre.org/datastore/Small%20arms/ISS_Article.pdf for more information on the outcome of the Review Conference.

⁷ Personal communication with Geneva-based government officials, November 2006.

⁸ Personal communication with Geneva-based government officials, November 2006.

⁹ The 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)

¹⁰ For the full list of all First Committee resolutions agreed or otherwise go to: www.acronym.org.uk/un/2005unfc.htm; For final GA approved go to <http://disarmament2.un.org/vote.nsf> and also www.reachingcriticalwill.org/political/1com/1com05/res/resindex.html

International Tracing Instrument¹¹ and encourages the sharing of information and best practices on implementation.

This was a revised version of the resolution submitted at the 60th Session in 2005. Amendments included references to the establishment of a Group of Government Experts (GGE) on illicit brokering and acknowledgement of the failure of the Review Conference to conclude a final report. Most importantly, the resolution stipulates that a Biennial Meeting of States to consider implementation of the Programme of Action shall be held no later than 2008, thus clarifying the ambiguity arising as a consequence of the failure of the Review Conference to agree an outcome document and formalise a follow-on process. Effectively some review process of the Programme of Action will continue.

It also elaborated commitments with respect to implementation of the International Tracing Instrument, calling on states to implement the Instrument by providing the Secretary-General with the names and contact details of national points of contact and information on national marking practices. It also encourages them to include information on their implementation of the Instrument in their national reports and stipulates that consideration of implementation of the Instrument will be held within the framework of the 2008 Biennial Meeting of States.

Interestingly, two provisions were omitted from the revised version of the resolution that was ultimately adopted. The first was a provision that states submit their national reports “at least on a biennial basis”. The reference to ‘biennial’ reporting was ultimately removed, probably because the Programme of Action itself does not stipulate when or how often states should submit reports, but merely that they do so, albeit ‘on a voluntary basis’. Furthermore, as pointed out by Iran and Egypt, reporting on a biennial basis is required under the International Tracing Instrument,¹² which also stipulates that such reports ‘may’ form part of a state’s national report on implementation of the Programme of Action.¹³

The second provision related to a new clause encouraging states to share information on national experiences relating to best practices. The initial drafting stipulated they should share best practices “in the field of tackling both supply and demand factors” in the implementation of the Programme of Action. The text ultimately adopted omits the reference to supply and demand factors possibly to ensure that information on a wider range of issues is shared, including transfer controls, but also possibly in response to objections by those states for whom ‘demand’ factors are contentious.¹⁴

There was some dissatisfaction that the resolution did not go far enough, and the EU and Switzerland declined to co-sponsor the resolution because their proposed amendments were rejected. Switzerland had proposed a preambular paragraph inspired by the 2006 *Geneva Declaration on Armed Violence and Development*¹⁵, while Finland, on behalf of the EU, had proposed two new preambular paragraphs. The first noted the continued exchange of views on national and regional practices

¹¹ International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons agreed in June 2005.

¹² Paragraph 36

¹³ Personal communication with a Geneva-based diplomat, November 2006.

¹⁴ Operating paragraph 10

¹⁵ Over forty countries have committed to work towards implementation of this document, agreed in June 2006. Signatories include Afghanistan, Australia, Austria, Bulgaria, Brazil, Canada, Chile, Costa Rica, El Salvador, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Indonesia, Ireland, Jamaica, Japan, Jordan, Kenya, Republic of Korea, Lebanon, Liberia, Mali, Mexico, Morocco, Mozambique, New Zealand, Nigeria, Norway, Papua New Guinea, Senegal, Slovenia, South Africa, Sri Lanka, Sweden, Switzerland, Thailand, the Netherlands, Timor Leste, United Kingdom. The full text is available at: <http://content.undp.org/go/newsroom/june-2006/governments-agree-to-armed-violence-reduction-measures-en>.

and lessons learned relating to national control on transfers. The second encouraged the continued integration of efforts to prevent, combat and eradicate the illicit trade in small arms into relevant national and local plans and strategies.

The resolution was adopted by a vote of 172 in favour to 1 against (United States), with no abstentions. In fact, although it is usually adopted by consensus, it received the largest margin of approval of any resolution ever voted in the First Committee, indicating the overwhelming support for continuation of the UN small arms process.

Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms – Key sponsors¹⁶: Argentina, Australia, Costa Rica, Finland, Japan, Kenya and UK (A/C.1/61/L.55 (A/RES/61/89))

This resolution calls for the Secretary-General to seek the views of Members States on the feasibility and draft parameters of a legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, as well as to establish a GGE on the issue to commence work in 2008.

This landmark resolution was tabled following growing pressure from civil society. Indeed, states came very close to agreeing language on the issue during the discussions that took place during the Review Conference. The co-authors circulated a version of the resolution among states several months prior to the First Committee meeting and held 2 separate, open lunchtime meetings during the Committee to discuss the draft.

The revised version of the resolution produced following the consultations included the following amendments:

1. Exclusion of a reference to ‘unrestrained’ arms transfers, which several governments thought could be misinterpreted;
2. Inclusion of references to human rights and humanitarian law (a major concern of civil society) in the preamble. Although states were divided as to whether or not the latter issue was covered by international humanitarian law and the Geneva conventions, since there was no real objection to the reference, it was felt that it was better to include it than not;
3. A change of the title to better reflect the intent of the resolution. The co-authors were divided on whether to call it a resolution on an ‘Arms Trade Treaty’ or a resolution on ‘common international standards for the import, export and transfer of conventional arms’. Ultimately, they decided on an amalgamation of the two to clarify the intent of the resolution; and
4. Language calling for the Secretary-General to seek the views of Member States on an Arms Trade Treaty and to submit a report to the General Assembly.

This latter amendment created some controversy as several states felt that there was a contradiction between this paragraph (operating paragraph 2 (‘OP2’)) calling for consultations and OP3, which called on the Secretary-General to establish the GGE. It was felt that the creation of a GGE premeditates the outcome of the consultations, and

¹⁶ The resolution was ultimately co-sponsored by 116 governments:

that the decision to form a GGE was “prescriptive” and “premature”, and should come *after* the consultations with states, as is the traditional practice.¹⁷

As a consequence of this reaction, separate votes were taken on OP 2 (establishment of a GGE) and OP 3 (assistance to the Secretary General for the GGE). Results on the vote on OP2 were: 133 in favour, 1 opposed, and 26 abstentions, and for OP3: 133 in favour, 1 opposed, and 24 abstentions.

Interestingly, although the inclusion of a consultation process represents a ‘compromise’ on the part of the resolution’s sponsors, its practical effect is to enhance the follow-on process to the resolution. Presentation of a report of the consultation process at the 62nd session of the General Assembly and the consultation process itself will ensure that the issue remains ‘live’ over the coming months, rather than – potentially – losing momentum until the GGE is actually established in 2008. It is also worth noting that several states that were expected to oppose the resolution eventually abstained.¹⁸

In total, 139 governments voted in favour of the resolution, with 1 country (United States) voting against it and 24 abstentions (including, notably, China, the Russian Federation and most Middle Eastern countries).

On 6 December 2006 the resolution was affirmed by the General Assembly. The votes in favour of the resolution increased to 153 states.

Problems arising from the accumulation of conventional ammunition stockpiles in surplus – Key sponsors: France and Germany (A/C.1/61/L.26 (A/RES/61/72))

This resolution calls on the Secretary-General to establish a GGE to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus, to commence work no later than 2008, and to transmit the report of the GGE to the General Assembly for consideration at its sixty-third session.

This resolution was first introduced at the 60th Session in 2005. The crucial amendment is the request that the Secretary-General establish a GGE on ammunition. This is a particularly important development for the small arms process since the Open-Ended Working Group on Tracing Small Arms and Light Weapons failed to include ammunition within the scope of the International Tracing Instrument, despite many states arguing that ammunition is implicitly covered by the Programme of Action and, in any case, crucial to international efforts to address the small arms problem.

It is important to note the difference between the process contemplated by this resolution, and the approach taken by the GGE on ammunition and explosives that reported to the General Assembly in 1999, recommending the establishment of an advisory group and a database on ammunition and explosives (neither of which have been activated). The 1999 approach was linked to the Organisation for Security and

¹⁷ China, Cuba, Jamaica, Iran, Libya (on behalf of Bahrain, Comoros, Djibouti, Egypt, Iraq, Oman, Qatar, Saudi Arabia, Somalia, Syria, UAE and Yemen) and Pakistan expressed this view.

¹⁸ Zimbabwe and Micronesia, for instance.

Co-operation in Europe (OSCE), with a focus on ascertaining what states possessed in terms of surplus stockpiles of ammunition. The focus of the current process is not to determine what states *have*, but how they deal with their ammunition stockpiles with a view to gathering experience on what states have been doing to avoid leakage and looking at how other states can benefit from that experience.

The bulk of consultations on this resolution took place prior to its introduction at the 60th Session last year. The request for the establishment of a GGE was relatively uncontroversial (in comparison to the response to the same request in the context of the ATT resolution) because the consultation of states by the Secretary-General took place following the adoption of the resolution last year.¹⁹

This resolution was adopted with 164 in favour, 1 opposed (United States) and 1 abstention (Japan). On a separate vote taken on operating paragraph (OP) 7, which establishes the GGE, both the United States and Japan opposed, with Japan explaining that it was sceptical about the utility of establishing a GGE at this time, and questioned the decision to expand the UN budget to accommodate it.

Transparency in Armaments – Key sponsor: Netherlands (A/C.1/61/L.38 (A/RES/61/77))

This resolution invites states to provide information on international transfers of small arms when they report to the UN Register of Conventional Arms.

A resolution on transparency in armaments has been put before the First Committee each year since resolution 46/36 L in 1991, which called on the Secretary-General to establish and maintain a Register of Conventional Arms. Whilst previous resolutions have ‘invited’ states to report on transfers of small arms and light weapons between states when they report to the UN Register of Conventional Arms, this year’s resolution invites them to use the recently developed standardised form for reporting transfers of small arms between states, as agreed by the 2006 GGE on the continuing operation and further development of the United Nations Register of Conventional Arms.²⁰ Although reporting on small arms transfers remains voluntary, this is an important step because existing international customs information does not provide reliable information on the quantities of small arms transferred, only the value.

Also new in the draft is a request “to ensure that sufficient resources are made available for a group of governmental experts to be convened in 2009 to review the continuing operation of the register”.

The resolution was adopted as a whole with 141 voting in favour, no opponents and 23 abstentions.

¹⁹ In fact, only 9 States participated in the consultation process. Of these, only 1 was from the European Union (EU), despite the fact the resolution was co-sponsored by the EU, and the key sponsors were France and Germany.

²⁰ See Annexes 1 and 2 of the Report of the 2006 Group of Governmental Experts on the UN Register of Conventional Arms to view the standardised reporting forms for transfers of small arms and light weapons between States: <http://daccessdds.un.org/doc/UNDOC/GEN/N06/468/71/PDF/N0646871.pdf?OpenElement>

Relationship between disarmament and development – Key sponsor: Indonesia (on behalf of NAM) (A/C.1/61/L.8 (A/RES/61/64))

This resolution encourages states to integrate their approaches to development and disarmament.

This resolution was first adopted at the 57th Session of the General Assembly in 2002 (although ‘disarmament and development’ often appeared as a sub-heading in the resolution regarding ‘General and Complete Disarmament’ in preceding years). The 2002 version of the resolution called for the establishment of a GGE to reappraise the relationship between disarmament and development, taking into account the major changes that have taken place since the International Conference on Disarmament and Development, held in 1987. The overarching theme of the resolution is nuclear disarmament. Although the Resolution itself does not specifically mention small arms and light weapons, the 2004 report of the GGE did note that new elements had entered the dynamic since 1987, among the most prominent being the adverse and multifaceted impacts of illicit small arms and light weapons. Specifically, the report noted that: *“In the case of small arms and light weapons, the end of the cold war led to a decline in control over these weapons in many parts of the world, while an upsurge in the frequency and intensity of intra-State conflicts created a staggering demand for them”*.

This resolution was adopted with 169 votes in favour, 1 against (United States) and 2 abstentions (France and Israel).

Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them - Key Sponsor: Mali on behalf of Economic Community of West African States (A/C.1/61/L.25 (A/RES/61/71))

This resolution calls for continuing consideration of the question of assistance to states for curbing the illicit trade in small arms and light weapons at the UN level and acknowledges the most recent accomplishments in the area. It calls on the international community to “provide technical and financial support to strengthen the capacity of civil society organizations to take action to combat the illicit trade in small arms and light weapons” and encourages states and organisations in a position to do so to provide assistance to states for curbing the illicit trade in small arms.

This resolution was adopted by consensus for the ninth year in a row.

Consolidation of peace through practical disarmament measures – Key sponsor: Germany (A/C.1/61/L.37 (A/RES/61/76))

This resolution emphasises the importance of including practical disarmament measures aimed at addressing the problem of the illicit trade in small arms and light weapons in UN-mandated peacekeeping missions in conjunction with disarmament, demobilisation and reintegration (DDR) programmes, with a view to promoting an integrated comprehensive and effective weapons management strategy that would contribute to peacebuilding processes. It also encourages states, including the Group of Interested States in Practical Disarmament Measures, to support the Secretary-General, relevant international, regional and subregional organisations and NGOs in

their disarmament efforts, specifically the collection and destruction of small arms and light weapons, including their ammunition.

This resolution was introduced for the first time by Germany in the First Committee in 1996 and has been submitted biennially since then. This resolution has been adopted by consensus every time and the ever-increasing number of co-sponsors from all regions of the world is proof of the widespread acceptance of the principles contained within it. It is within this context that, in 1997, the Group of Interested States in Practical Disarmament Measures was created.

This resolution was adopted with 158 votes in favour, 1 opposed (United States) and no abstentions.

The Relevance of First Committee Resolutions

The First Committee serves as a ‘litmus test’ for what and whether issues are ripe for development on the international agenda. In putting resolutions forward, states can obtain a snapshot of how issues are perceived and likely support for progress in certain areas. However, a number of resolutions reappear year after year, often with few or no amendments. An optimist might interpret the reappearance of such resolutions as a means of reminding states of commitments that are important but perhaps not pressing. In reality, however, reminders though they may be, an absence of practical implementation or activity in connection with such resolutions means they are of questionable utility.

The latter observation also highlights the need for sponsoring states to be and remain proactive in their preparation and follow-up to proposed resolutions. It is also essential that they be collaborative in their approach as broad ‘ownership’ of issues is more likely to sustain and promote action. The opportunity to raise awareness and drive progress is lost or at least dampened by the practice some states have developed of simply resubmitting resolutions for adoption. General acceptance of the principles contained in such ‘symbolic’ resolutions may be confirmed, but ‘rubber stamping’ such principles year after year may cause complacency among states regarding those issues (and the process generally).

There have been proposals to reform the First Committee system, in part to put a stop to the practice of submitting symbolic resolutions that have no operational effect. For instance, one of the proposals put forward by Norway, who hosted informal workshops to explore ways to revitalise the First Committee in December 2003 and October 2004, was that such symbolic resolutions that are adopted each year by consensus should be regarded as standing resolutions, until they are challenged, thereby avoiding time wasted tabling them each year. Another suggestion put forward in the draft resolution sponsored by the United States on ‘Improving the effectiveness of the methods of work of the First Committee’ at the 59th Session in 2004, was that such resolutions should only be introduced on a biennial or triennial basis.

The impact of opposition?

The United States opposed all the major resolutions seeking to progress the small arms process, including: the omnibus resolution, the resolution on ammunition stockpiles and the ATT resolution. In the context of the omnibus resolution and the proposal to hold a Biennial Meeting of States in 2008, the United States argued that a follow-on process

beyond the 2006 Review Conference is not contemplated by the Programme of Action. Similarly, in the context of the resolution on ammunition, the United States argue that regulating ammunition is beyond the mandate of the Programme of Action²¹ and is opposed to any measure or reference to ammunition, period.

In the context of the ATT resolution, the United States contends the initiative will be expensive, time consuming, and of limited utility because any final product will inevitably establish standards of the lowest common denominator in contrast to the stringent transfer controls it already has in place. Richard Grenell, US spokesperson, said, “The only way for a global arms trade treaty to work is to have every country agree on a standard. For us, that standard would be so far below what we are already required to do under US law that we had to vote against it in order to maintain our higher standards.”²²

This latter point is an interesting one since the UK, which also asserts it has stringent transfer controls in place, has taken an opposite stance and was indeed one of the lead sponsors of the ATT resolution. The UK sees the ATT resolution as a means of addressing the fact that there are varying standards of controls among states and a lowest common denominator is needed.

It is difficult to determine the impact of US nay-saying on the future of the small arms process and the development of an Arms Trade Treaty in particular. Obviously, work on an ATT can commence in accordance with the resolution, without the US vote, but to be effective such a treaty would need the support of major arms producers such as the US and China and the Russian Federation (who abstained). On the other hand, the negotiation and drafting of an ATT promises to be a long process, with concrete results unlikely to appear before 2010. Undoubtedly, the United States and other sceptics will participate in those deliberations, and there is still time to bring them on board. More worrying would be if states with no intention of adopting such a treaty nevertheless seek to water down its provisions in various rounds of consultations and negotiations.

Increased participation by civil society

In her opening speech Ambassador Juul stressed the importance of civil society participation, noting that: *“We are to embark upon an intergovernmental enterprise. But our ultimate goal is obviously to achieve something that positively will affect civil society. So we will listen to civil society, as custom requires. I am working with the bureau and the secretariat to organise the civil society input as effectively as possible and I trust that all of you will participate in this dialogue later in the month”*.²³

Building on the increased involvement of civil society in the First Committee initiated by Ambassador Luis Alfonso de Alba, who chaired the First Committee in 2004, Ambassador Juul created another ‘first’ in the Committee’s history by allowing NGOs to make presentations, addressing the most controversial current issues before it. In 2005, two civil society representatives presented from the side seats as experts on disarmament education during the ‘interactive session’ on disarmament and non-proliferation education, this year four NGOs²⁴ were allotted a morning session to address the

²¹ See Statement by Robert G. Joesph, Undersecretary of State for Arms Control and International Security, at the Review Conference, June 27, 2006 at <http://www.un.org/events/smallarms2006/pdf/arms060627usa-eng.pdf> and the US Department of State Fact Sheet, Bureau of Political-Military Affairs, Washington, DC, June 9, 2006 at <http://www.state.gov/t/pm/rls/fs/67700.htm#faqs>

²² See the article by Rachel Stohl for the Center for Defense Information *UN to consider arms trade treaty – US opposes* at : <http://www.isn.ethz.ch/news/sw/details.cfm?ID=16928> (16/11/06) and Wade Boese *Arms Trade Treaty Effort Endorsed* at http://www.armscontrol.org/act/2006_12/ArmsTradeTreaty.asp

²³ See: http://www.norway-un.org/News/NewsArchive/20060724_firstcom.htm for full text of statement.

²⁴ Merav Datan (Greenpeace International), Dr. Zia Mian (Professor in the Program on Science and Global Security, Princeton University), Thomas Mason (Executive Secretary of the World Forum on the Future of Sport Shooting Activities), Rebecca

Committee from the podium, on the subject of nuclear issues and small arms and light weapons, respectively.²⁵

A significant interactive debate took place after those presentations, signifying states' willingness to engage in substantive discussions with civil society. It has been clearly established, therefore, that civil society can address the First Committee, and indeed are regarded by some diplomats as a 'lifeline', keeping states aware of substantive issues on the ground.²⁶

Civil society played a particularly important role in the context of the resolution to commence work on an arms trade treaty (ATT resolution), with the Control Arms campaign heavily engaged in raising public awareness and lobbying states to support the resolution. The Control Arms campaign undertook a 'Race for an Arms Trade Treaty', involving a mass marathon to approach all 192 Permanent Missions in 192 minutes seeking their support for the ATT resolution. The results of the marathon were displayed outside the conference room, enabling delegates to monitor increasing support for the resolution. Many delegates took an active interest in the progress of the campaign and were impressed by its impact.²⁷ The success is reflected in the fact that the campaign is credited with bringing at least 10 states on board in terms of the final list of co-sponsors.²⁸ NGOs are also believed to have persuaded some states that were planning to vote against the resolution to abstain.²⁹

The success of the ATT resolution illustrates how partnerships between states and civil society can enhance multilateral processes including the First Committee. States should view civil society as a resource not only on substance, but also on processes of multilateral diplomacy itself. The relationships and networks NGOs have established can help states increase their outreach via alternative mechanisms. This may prove especially useful where states do not want to be perceived as dominating or bullying on sensitive issues – provided NGOs do not end up attracting the same criticism.

Conclusion

Despite, considerable disappointment expressed at the failure of the Review Conference to agree an outcome document, states do not appear to have lost heart or interest in the small arms control process. Although consensus was not reached on the omnibus resolution, there was overwhelming support for the continuation of the UN small arms process through adoption of the omnibus resolution, which confirms the next biennial meeting of states will be held in 2008; the resolution on ammunition calling for a GGE was adopted – almost by consensus; the much anticipated resolution to commence work on an arms trade treaty was adopted by an overwhelming majority; and the growing trend of increased participation by civil society promises further collaboration between civil society and states in the small arms process.

Several issues will deserve to be closely monitored at the 2007 session of the First Committee. Firstly, the Secretary-General's report on his consultation process on the ATT resolution will be presented, and states will be expected to reaffirm the mandate of a GGE on the issue to commence work in 2008. Also due to commence work no later than 2008

Peters (Director of the International Action Network on Small Arms (IANSA)), and Member of IANSA from the Democratic Republic of the Congo, Charles Nasibo

²⁵ See: <http://www.reachingcriticalwill.org/political/1com/timetable.pdf> for indicative timetable.

²⁶ Personal communication with a Geneva-based diplomat, November 2006.

²⁷ Personal communication with a New York-based diplomat, December 2006

²⁸ Personal communication with a Geneva-based diplomat, November 2006.

²⁹ Personal communication with a New York-based diplomat, December 2006

is the GGE on conventional ammunition stockpiles in surplus. As noted earlier this process will enable states emphasise the importance of tackling ammunition availability and transfers along similar efforts on small arms control.

With regards to the UN process on small arms, the 2007 session of the First Committee will precede the next Biennial Meeting of States (or whatever the meeting is eventually named). The focus and structure of the 2008 meeting is yet to be determined. Although many states are reluctant to have a meeting that resembles the 2003 and 2005 meetings, it is likely that others will insist on adherence to the format of previous Biennial Meetings – debates at the First Committee could provide space to discuss options. It has been the practice during the first cycle of the UN process on small arms to appoint the Chair of biennial meetings at the session of the First Committee immediately preceding it. This practice however does not provide much time for the Chair designate to organise the meeting. A better option would therefore be for states to appoint the Chair of the 2008 Biennial Meeting of States prior to the 2007 First Committee. The UN disarmament calendar provides opportunities to do this. At a minimum, the outcome of the 2008 meeting should throw some light on the possibility of a second Review Conference in 2011.³⁰

Finally, the issue of NGO participation in future sessions of the First Committee will be important. It is likely that the heavy investment by civil society in pushing the ATT resolution through has or will have created an expectation that there will be continued pressure on this issue, which will equate to a strong presence at the 2007 First Committee and beyond.³¹ Certainly the 2006 session of the First Committee has demonstrated the potential contribution of civil society to the process. Growing NGO presence during the First Committee is also an indicator of the increased effectiveness of this body to advance global policy on small arms control in the last few years.

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³⁰ Personal communication with New York-based diplomat, November 2006.

³¹ Personal communication with civil society representative involved in the ATT campaign, December 2006.

General Assembly Resolution: A/RES/61/66

The Illicit Trade in Small Arms and Light Weapons in all its aspects

The General Assembly,

Recalling its resolutions 56/24 V of 24 December 2001, 57/72 of 22 November 2002, 58/241 of 23 December 2003, 59/86 of 3 December 2004 and 60/81 of 8 December 2005,

Emphasizing the importance of the continued and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,¹

Welcoming the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action, Noting with satisfaction regional and subregional efforts being undertaken in support of the implementation of the Programme of Action, and commending the progress that has already been made in this regard, including tackling both supply and demand factors that are relevant to addressing the illicit trade in small arms and light weapons,

Recognizing the efforts undertaken by non-governmental organizations in the provision of assistance to States for the implementation of the Programme of Action,

Recalling that, as part of the follow-up to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, it was agreed that meetings of States should be convened on a biennial basis to consider the national, regional and global implementation of the Programme of Action,²

Reiterating the significance of the adoption of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,³

Recognizing that illicit brokering in small arms and light weapons is a serious problem that the international community should address urgently, and in this regard welcoming the decision of the General Assembly to establish a group of governmental experts to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons,

Taking note of the report of the Secretary-General on the implementation of resolution 60/81,⁴

¹ See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, New York, 9–20 July 2001 (A/CONF.192/15), chap. IV, para. 24.

² Ibid., sect. IV, para. 1 (b).

³ A/60/88 and Corr.2, annex; see also decision 60/519.

⁴ See A/61/288.

Welcoming the fact that the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,⁵ held from 26 June to 7 July 2006, highlighted the importance of implementing the Programme of Action in the activities of the international community to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, beyond 2006,

1. *Encourages* all initiatives, including those of the United Nations, other international organizations, regional and subregional organizations, nongovernmental organizations and civil society, for the successful implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,¹ and calls upon all Member States to contribute towards the continued implementation of the Programme of Action;

2. *Regrets* the fact that the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action was not able to conclude an outcome document;⁵

3. *Calls upon* all States to implement the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,³ among others, through the provision of information to the Secretary-General on the name and contact information of the national points of contact and on national marking practices related to markings used to indicate country of manufacture and/or country of import, as applicable;

4. *Decides* that, as stipulated in the Programme of Action, the next biennial meeting of States to consider the national, regional and global implementation of the Programme of Action shall be held no later than in 2008, in New York;

5. *Also decides* that the meeting of States to consider the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, shall be held within the framework of the biennial meeting of States;

6. *Recalls* that the group of governmental experts, established to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons is to submit a report on the outcome of its study to the General Assembly at its sixty-second session;

7. *Emphasizes* the fact that initiatives by the international community with respect to international cooperation and assistance remain essential and complementary to national implementation efforts, as well as to those at the regional and global levels;

8. *Continues* to encourage all such initiatives, including regional and subregional ones, to mobilize resources and expertise to promote the implementation of the Programme of Action and to provide assistance to States in its implementation;

⁵ See A/CONF.192/2006/RC/9.

9. *Encourages* States to submit national reports on their implementation of the Programme of Action and to include in such reports information on their implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons in accordance with these instruments, and requests the Secretary-General to collate and circulate such data and information provided by States;

10. *Also encourages* States to share information on national experiences relating to best practices in the implementation of the Programme of Action;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixty-second session the item entitled “The illicit trade in small arms and light weapons in all its aspects”.

67th plenary meeting
6 December 2006

General Assembly Resolution: A/RES/61/72

Problems arising from the accumulation of conventional ammunition stockpiles in surplus

The General Assembly,

Mindful of contributing to the process initiated within the framework of the United Nations reform to make the Organization more effective in maintaining peace and security by giving it the resources and tools it needs for conflict prevention, peaceful resolution of disputes, peacekeeping, post-conflict peacebuilding and reconstruction,

Underlining the importance of a comprehensive and integrated approach to disarmament through the development of practical measures,

Taking note of the report of the Group of Experts on the problem of ammunition and explosives,¹

Recalling the recommendation contained in paragraph 27 of the report submitted by the Chairman of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, namely, to address the issue of small arms and light weapons ammunition in a comprehensive manner as part of a separate process conducted within the framework of the United Nations,²

Noting with satisfaction the work and measures pursued at the regional and subregional levels with regard to the issue of conventional ammunition,

Recalling its decision 59/515 of 3 December 2004 and its resolution 60/74 of 8 December 2005, by which it decided to include the issue of conventional ammunition stockpiles in surplus in the agenda of its sixty-first session,

1. *Encourages* all interested States to assess, on a voluntary basis, whether, in conformity with their legitimate security needs, parts of their stockpiles of conventional ammunition should be considered to be in surplus, and recognizes that the security of such stockpiles must be taken into consideration and that appropriate controls with regard to the security and safety of stockpiles of conventional ammunition are indispensable at the national level in order to eliminate the risk of explosion, pollution or diversion;

2. *Appeals* to all interested States to determine the size and nature of their surplus stockpiles of conventional ammunition, whether they represent a security risk, if appropriate, their means of destruction, and whether external assistance is needed to eliminate this risk;

¹ See A/54/155.

² A/60/88 and Corr.2.

3. *Encourages* States in a position to do so to assist interested States within a bilateral framework or through international or regional organizations, on a voluntary and transparent basis, in elaborating and implementing programmes to eliminate surplus stockpiles or to improve their management;
4. *Encourages* all Member States to examine the possibility of developing and implementing, within a national, regional or subregional framework, measures to address accordingly the illicit trafficking related to the accumulation of such stockpiles;
5. *Requests* the Secretary-General to seek the views of Member States regarding the risks arising from the accumulation of conventional ammunition stockpiles in surplus and regarding national ways of strengthening controls on conventional ammunition, and to submit a report to the General Assembly at its sixty-second session;
6. *Decides* to address the issue of conventional ammunition stockpiles in surplus in a comprehensive manner;
7. *Requests* the Secretary-General to establish a group of governmental experts to consider, commencing no later than 2008, further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus, and to transmit the report of the group of experts to the General Assembly for consideration at its sixty-third session;
8. *Decides* to include this issue in the provisional agenda of its sixty-third session.

67th plenary meeting
6 December 2006

General Assembly Resolution: A/RES/61/89

Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations, and reaffirming its respect for and commitment to international law,

Recalling its resolutions 46/36 L of 9 December 1991, 51/45 N of 10 December 1996, 51/47 B of 10 December 1996, 56/24 V of 24 December 2001 and 60/69 and 60/82 of 8 December 2005,

Recognizing that arms control, disarmament and non-proliferation are essential for the maintenance of international peace and security,

Reaffirming the inherent right of all States to individual or collective self defence in accordance with Article 51 of the Charter,

Acknowledging the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs, and in order to participate in peace support operations,

Recalling the obligations of all States to fully comply with arms embargoes decided by the Security Council in accordance with the Charter,

Reaffirming its respect for international law, including international human rights law and international humanitarian law, and the Charter,

Taking note of and encouraging relevant initiatives, undertaken at the international, regional and subregional levels between States, including those of the United Nations, and of the role played by non-governmental organizations and civil society, to enhance cooperation, improve information exchange and transparency and implement confidence-building measures in the field of responsible arms trade,

Recognizing that the absence of common international standards on the import, export and transfer of conventional arms is a contributory factor to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable development,

Acknowledging the growing support across all regions for concluding a legally binding instrument negotiated on a non-discriminatory, transparent and multilateral basis, to establish common international standards for the import, export and transfer of conventional arms,

1. *Requests* the Secretary-General to seek the views of Member States on the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, and to submit a report on the subject to the General Assembly at its sixty-second session;
2. *Also requests* the Secretary-General to establish a group of governmental experts, on the basis of equitable geographical distribution, informed by the report of the Secretary-General submitted to the General Assembly at its sixty-second session, to examine, commencing in 2008, the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, and to transmit the report of the group of experts to the Assembly for consideration at its sixty-third session;
3. *Further requests* the Secretary-General to provide the group of governmental experts with any assistance and services that may be required for the discharge of its tasks;
4. *Decides* to include in the provisional agenda of its sixty-second session an item entitled “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms”.

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