



NARATIVE REPORT FOR THE GOVERNMENT OF AUSTRALIA

Contribution to the UNDP Thematic Trust Fund for Crisis Prevention and Recovery

Sponsorship Programme for the open-ended Meeting of Governmental Experts within the context of UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects, New York, 2011

1. Background

The *UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects*, the UN PoA for short, sets out a comprehensive framework for a coordinated international response to the problems associated with small arms and light weapons. It frames States' primary concern as a determination to reduce human suffering, and encourages States to address the issue from both the supply and the demand perspective.

Over the past decade, the UN PoA has assumed a central role in the international community's actions against the proliferation of illicit small arms and light weapons and progress has been achieved in the implementation of the UN PoA. A number of States have strengthened their relevant legislation to stem the proliferation of illicit small arms at the national level. Also, disarmament, demobilisation and reintegration programmes have been developed to assist affected countries. Some States have integrated small arms action plans into national development strategies.

However, serious gaps remain regarding implementation of the UN PoA at the national level. As noted by the Secretary-General, national reports are often unclear on what the challenges in national implementation are, and how they could be overcome. Fortunately, the UN PoA's suggested measures at the regional level have prompted some promising regional initiatives to curb the illicit trade in small arms, especially from a norm-setting point of view. More efforts are needed however to reflect these initiatives in national legislation and procedures.

Under the UN PoA Member States meet every two years for a Biennial Meeting of States or a Review Conference. In 2009 States decided to convene, additionally, an Open-Ended Meeting of Governmental Experts to address key implementation challenges and opportunities in the UN small arms process. On the basis of extensive and broad-based consultations, **marking, record-keeping and cooperation in tracing** were identified as the core themes for the Meeting of Governmental Experts, together with the cross-cutting themes of national frameworks, regional cooperation and international assistance and capacity-building.

To that effect the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons¹, or the ITI for short, was a central theme to discussions at the

¹ The ITI, adopted by the General Assembly in 2005, was developed on the basis of the 2001 Programme of Action and as noted in the Chair's summary paper of the May 2011 MGE "the ITI is a central tool for assisting States in combating and preventing the illicit proliferation of small arms and light weapons in an effective and concrete manner. Tracing illicit weapons allows States to monitor and disrupt illicit trafficking routes and to identify points of diversion. The Instrument sets out comprehensive and detailed international standards to guide States in their implementation of the three main pillars of marking, record-keeping, and cooperation in tracing. The three pillars are highly inter-dependent: successful tracing depends on adequate

Open-ended Meeting of Governmental Experts on 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, held 9-13 May 2011 in New York. The Instrument encourages cooperation, assistance and capacity-building at the international, regional and bilateral levels to support effective implementation. The UN PoA further emphasizes regional cooperation for tracing purposes, including the strengthening of information exchange mechanisms.

With regards to **marking** participants identified key challenges and opportunities for implementation, exchanged views and shared relevant national experiences and considered practical solutions to overcome common problems. Delegates shared technical information on their national marking practices including on the contents and methods of making. They discussed marking at production phase as well as post-manufacture marking, including the marking of government armed and security force stocks, the marking of weapons found on national territory, and marking at the time of import also noting that recent developments and trends in the manufacture of arms and ammunition and the design of weapons posed additional challenges for marking including the development of weapons families with similar design features which increases the risk of misidentification and the trend towards modularity in weapons design, i.e. the routine changing of major components.

With regards to **record-keeping** it was recalled that key international requirements exist in this area however that the ITI's record-keeping provisions are framed in broad terms, specifying in particular that the choice of methods for record-keeping is a national prerogative. Subsequent discussions deliberated on state experience on the topic of record-keeping in which delegates identified key challenges as well as opportunities for implementation, exchanged views and considered practical solutions to overcome common problems.

Building upon the Programme of Action and the UN Firearms Protocol, the ITI establishes a relatively detailed set of rules governing the issuance of and response to a tracing request. As with record-keeping, the choice of tracing system is a national prerogative, yet the ITI commits States to ensuring they are capable of undertaking traces and responding to tracing requests in accordance with its requirements. Experience and practice was shared and participants discussed how **tracing cooperation** is working in practice, specifically within the framework of the ITI. They shared a range of national experiences, with some emphasizing that weapons tracing was a key investigative tool and illustrating its application to both crime and conflict settings.

2. Objectives

With the objective of successfully meeting to share experiences and practice in states efforts in continuing implementing the *Programme of Action* on a global scale, broad and technically oriented participation - especially that of affected developing countries at the *Meeting of Governmental Experts* - was necessary and enabled by the Australian contribution.

Australia's contribution through a UNDP administered sponsorship programme has previously supported the inclusion of low income Asian-Pacific states at the Biennial Meeting of States and thereby ensured broad participation from the Asia-Pacific continent as a primary objective. Such participation was considered vital also at the MGE to ensure that all affected states were included in the debate and that the process was not overly-represented by northern/higher income states. As such, Australian funding enabled the views, perspectives and contributions of Asia-Pacific and African developing states to be heard at the Open-ended Meeting of Governmental Experts on 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, held 9-13 May 2011 in New York.

marking, record-keeping and international cooperation. Moreover, in accordance with the Instrument, weapons can be traced in all forms of crime and conflict situations."

3. Results

The Meeting of Governmental Experts (MGE) demonstrated the benefits of gathering together technical experts from Member States to share experiences and practices on their efforts to implement the UN PoA and the ITI. The focus of the meeting was on technical implementation and not on the politics that usually accompanies discussions on SALW control. The outcome of the meeting was captured by the Chair in a practical, forward-looking document that will help States in their implementation efforts. As the first meeting of its kind, the MGE was a clear success and raises the question of whether technical meetings of this kind should be continued in the future. This question should be addressed by Member States during their preparation for the forthcoming 2nd UN PoA Review Conference (27 August – 7 September 2012). If it is decided to hold further MGEs, it would be important to ensure that sponsorship programmes continue to focus on facilitating the participation of relevant technical experts from Member States.

The UNDP's sponsorship programme was funded by six (6) governments which ensured the participation of altogether 30 low-income and affected states. The sponsors were Australia (sponsorship of the Central African Republic, the Comoros, Mozambique, Papua New Guinea, Sierra Leone, the Solomon Islands, the Sudan, Tanzania and Zambia); Finland (Botswana, Burundi, Ghana and Guinea Bissau); Hungary (Cambodia, Jamaica and cost share of Mali); New Zealand (Fiji, Kenya and cost share of Mali); Norway (Indonesia, Lao PDR, Philippines, Tajikistan and Vietnam) and Spain (sponsoring Barbados, Cuba, El Salvador, Guatemala, Peru and Trinidad and Tobago). The programme had a vital impact on the MGE by rendering possible the participation of affected Asia-Pacific, African, Latin American and Caribbean developing states in plenaries and discussions.

Financial support of US\$50,646.32 as the balance on the funds from the agreement of AUD 100,000 (equated to US\$89,605.74 received) from the Australian government originally directed towards Biennial Meeting of States enabled the attendance and contribution of delegates from 9 Asia-Pacific and African countries. The contribution was divided between costs associated with round-trip air fare (economy class, most economic route available) to New York, daily subsistence allowance for the period 9-13 May 2011 (5 days of NY standard DSA), and four full terminals.

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Income

Balance from contribution (AUD 100,000 = 89,605.74 USD)	50,646.32
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Expenditures

<i>Sponsorship programme for MGE 2011</i>	
Travel and DSA for participants	46,383.54
Conference facilities	525.00
Miscellaneous	<u>83.22</u>
Total Expenditures	46,991.76

Balance	3,654.56*
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*In accordance with the donor, the outstanding funds will be directed towards ATT Com in 2012.