

THE GENEVA PROCESS ON SMALL ARMS & THE NEW YORK SMALL ARMS FORUM

Summary Report of Joint Meetings held at the Second Biennial Meeting of States to Consider Implementation of the UN Programme of Action on Small Arms and Light Weapons

UN Headquarters, New York

14 and 15 July 2005

1. Background

The Geneva Process on Small Arms and the New York Small Arms Forum are independent, informal initiatives that share a common goal – to promote implementation of the 2001 UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapon in All its Aspects (PoA). Both initiatives place a strong emphasis on engaging governments, international organisations and NGOs in their ongoing work and strive to promote active exchange and discussion between these constituencies, all of which have important roles to play achieving the objectives set out in the PoA.

The New York Small Arms Forum and the Geneva Process have been sharing information with one another for some time now on the work that they have been carrying out in their respective settings. There also exists an open, standing invitation for participants in each initiative to participate in the meetings of the other when ever they are able to do so.

2. Purpose and nature of the seminars

During the second Biennial Meeting of States (BMS2) to consider implementation of the PoA, which was held at UN Headquarters in New York on 11-15 July 2005, the Geneva Process and the New York Small Arms Forum built upon their existing cooperation by jointly organising two informal brainstorming meetings to examine substantive and procedural issues related to preparations for the 2006 conference to review implementation of the PoA, scheduled to take place in New York on 26 June – 7 July 2006.

The seminars took place on the margins of BMS2 and were held in an informal atmosphere to encourage the freest possible exchange of views. Participants in the Geneva Process on Small Arms and the New York Small Arms Forum, as well as all other participants in BMS2, were invited to participate in the discussions. A total of 111 representatives of 32 governments, 6 UN or International Organisations, and 26 NGOs participated in the seminars (see list on page 5).

The first seminar, held on Thursday July 14, was chaired by H.E. Ambassador Luis Alfonso de Alba, Permanent Representative of Mexico to the United Nations, Geneva. It focused mainly on substantive issues for consideration in the run-up to the 2006 review conference. The second seminar, held on Friday July 15, was chaired by H.E. Mr. Sylvester E. Rowe, Deputy Permanent Representative of Sierra Leone to the United Nations, New York. It focused mainly on procedural considerations and strategies in the run-up to the 2006 review conference.

The following section presents a summary of the discussions that took place in both meetings without attributing specific points to individuals. The purpose is to give an overall sense of the discussions on both days and to highlight areas of convergence on which follow up will be necessary.

3. Substantive Issues

a) *Priority areas for action*

Information was shared on a number of initiatives aimed at developing ideas on how to strengthen the global small arms regime at the 2006 review conference, in particular those undertaken by the Centre for Humanitarian Dialogue¹ and the Biting the Bullet project.² In the general discussion, the sentiment was repeatedly expressed that, although the text of the PoA need not be modified, the 2006 review conference should move beyond its broad generalities to being more specific about its implementation and more focused on a range of issues that have emerged as priorities. These include:

- i) Setting an overarching goal of reducing gun violence
- ii) Transfer controls, including transfers to non-State actors
- iii) Preventing misuse, including national regulation of small arms ownership
- iv) Strengthened focus on demand, including reform of the security sector
- v) Establishing an Open-ended Working Group to negotiate an international instrument on brokering rather than, as is currently being proposed, a Group of Governmental Experts to “examine further steps.” It was argued that this issue is “ripe” and UN Member States should move faster on it.
- vi) Stockpile security and management (including ammunition) could be the subject a process similar to what has happened on the issues of tracing and brokering.
- vii) Providing assistance to the victims of firearm violence: It was pointed out that UN action on the prevention, combating and elimination of kidnapping, for example, includes a strong focus on providing assistance to victims of kidnapping and that this should also be case when it comes to UN action on small arms.
- viii) The different impacts of firearm violence on women and men and implications for policy development
- ix) Developing more effective disarmament, demobilisation and reintegration (DDR) and weapons for development programmes. Integrating community-based disarmament into poverty eradication strategies and specifying the development and human rights linkages of small arms proliferation and misuse.
- x) Placing ammunition squarely back in the small arms control equation
- xi) Strengthening the enforcement of end user agreements

Some disappointment was expressed that the Biennial Meetings of States had not been as productive as they could have been in developing common positions among States on such issues. The importance of having groups of states begin as soon as possible to transform some of these ideas into effective work processes was stressed.

Canada proposed that a formal research agenda be launched for the Preparatory Committee on best practices related to such issues as transfers, national regulations, appropriate use, small arms as a development issue, and survivor assistance. The goal would be to develop of picture of what is already known, what has already been done, what works, what doesn't, and what kind of lessons can be drawn.

¹ *Missing Pieces: Directions for Reducing Gun Violence through the UN Process on Small Arms Control*. Geneva, Centre for Humanitarian Dialogue, July 2005, <http://www.hdcentre.org/?aid=133>.

² *Promoting Effective Global Action on Small Arms: Emerging Agendas for the 2006 Review Conference*, Biting the Bullet discussion paper. See also *Small Arms and Light Weapons Transfers: Developing Understandings on Guidelines for National Controls and Transfers to Non-State Actors*, Small Arms Consultative Group Process food for thought paper, July 2005.

It was also pointed out that the 2006 review conference would provide the first opportunity of reviewing the implementation of the recently agreed international instrument on tracing small arms and that States should not consider it too early to begin to further strengthen this agreement.

b) *Continuing to generate new knowledge*

The importance of continuing to generate new knowledge on the dynamics of small arms proliferation and misuse was underlined. In particular, the need to more disaggregated data on mortality and morbidity caused by small arms was stressed, as was the need to assess in greater detail the public health impact of small arms proliferation and misuse. In this regard, participants' attention was drawn to the recently launched Research Initiative on Small Arms (RISA), which aims to "engage the full range of social science research methods and techniques across all disciplines, resulting in an increase in published academic research."³

4. Procedural Issues

There was broad recognition of the difficult challenge of transforming the many proposals that have been put on the table into action that would lead to the strengthening of the global small arms regime. Participants highlighted some promising avenues along which to take these proposals forward in the run-up to the 2006 review conference.

a) *On re-opening the PoA*

The argument was made that it could be counterproductive to re-open the PoA for negotiation at the review conference. Some alternative methods of clarifying, elaborating on, and supplementing PoA commitments were proposed, including the agreement of annexes or supplementary documents to the PoA and the launching of new processes to take implementation work forward.

b) *Launching additional action initiatives*

It was argued that, although some work on developing supplementary agreements to the PoA could and should be done before the review conference, a goal should also be to launch work on such supplementary agreements at the review conference itself. This work could be taken forward under the guidance of lead-States or informal open-ended working groups operating with a mandate from the review conference. It was stressed that the informal processes that would be required to begin this work should not be perceived as "hijacking" the issues, but rather as an attempt to build consensus among UN Member States as a whole.

c) *The need to maintain focus*

A note of caution was sounded on the need to maintain a tight focus on issues directly related to the PoA rather than moving too fast to expand the PoA in different directions. The analogy of the Human Rights Commission was used to illustrate how too broad a focus can lead to ineffectiveness.

d) *Developing an implementation plan*

It was suggested that a primary focus of review conference preparation, and work at the review conference itself, should be devoted to developing an "implementation plan" that

³ For more information on RISA, visit <http://www.smallarmsnet.org/risa>.

would be separate from the PoA but that would act as a guiding mechanism and implementation aid.

e) *The importance of a strong Chair*

The importance of having a strong and able Chair to guide the review conference preparatory process and the review conference itself was emphasised. The question was raised as to whether combining the roles of preparatory committee and review conference chair into one person would increase efficiency and continuity. The necessity that the Chair's State should have a strong commitment to the small arms issue and that the Chair should have a clear plan for how to make the review conference work was also emphasised. It was pointed out that, according to current understandings, an African country is expected to chair the preparatory committee and an Asian country is expected to chair the review conference. The suggestion was also made, however, that a Chair from an Eastern European country might be worth considering.

f) *"Joining up" UN work related to small arms*

The importance of creating connections between various aspects of the UN's work related to small arms and light weapons was emphasised. Many of the Committees of the UN General Assembly deal with different aspects of the problem, often in isolation from one another. Efforts should be made to harmonise this work.

Mention was made in particular of the Special Rapporteur on small arms in the UN Sub-Commission on the Promotion and Protection of Human Rights. It was suggested that a stand-alone resolution on small arms and human rights could be introduced in 3rd Committee (Social, Humanitarian and Cultural) and that 3rd Committee officials should be included in national delegations to the preparatory committee and review conference.

g) *Leveraging the Millenium+5 Summit*

Any relevant outcomes of the Millenium+5 Summit in September 2005 should be used to maximum advantage to at the review conference to push for tougher global action against small arms proliferation and misuse.

h) *Further integrating NGOs and parliamentarians into the UN small arms process*

The distinctive, tri-sectoral nature of the UN small arms process, which includes governments, civil society and international organisations in a cooperative effort to combat small arms proliferation and misuse, was identified as a very positive aspect of the current process that should be preserved and built upon during the first review of the PoA.

It was recommended that maximum use be made of the recommendations of the *Panel of Eminent Persons on United Nations–Civil Society Relations*⁴ (the Cardoso Panel) in order to further develop the role played by civil society in the UN small arms process.

The argument was made that, when it comes to integrating NGOs in UN processes, important lessons could be drawn from the UN committee currently negotiating an international treaty to codify the rights of people with disabilities, in which NGOs play an active role, including in the drafting process.

The importance of further integrating parliamentarians into the UN process was also emphasised. The next assembly of the Inter-Parliamentary Union, to take place in Nairobi in May 2006, will address the role of parliaments in strengthening the control of

⁴ UN General Assembly document A/58/817, 11 June 2004.

trafficking in small arms and light weapons and their ammunition.⁵ A permanent Parliamentary Forum on small arms already exists,⁶ and more parliamentarians participated in the second Biennial Meeting of States than in the first.

In order allow for the better integration of NGOs and parliamentarians into the PoA review process, it was argued that the rules of procedure that have to date governed the biennial meetings must be overhauled.

i) *Timing and location of further work*

The importance of beginning preparatory work as soon as possible was stressed. It was suggested that the New York Small Arms Forum and the Geneva Process on Small Arms were the best fora to continue working on the issues raised. It was also pointed out that organising these brainstorming meetings had strengthened cooperation between the two groups and had created a strong sense of common purpose.

List of Participating States and Organisations

Governments	UN & IOs	NGOs
1. Argentina	1. European Commission	1. Association For Aid and Relief, Japan
2. Australia	2. International Committee of the Red Cross (ICRC)	2. African Strategy and Peace Research Group
3. Austria	3. UN Department for Disarmament Affairs (UNDDA)	3. Amnesty International (USA and international secretariats)
4. Bangladesh	4. UN Development Programme (UNDP)	4. Christian Council of Mozambique
5. Belgium	5. UN Institute for Disarmament Research (UNIDIR)	5. Centre for Humanitarian Dialogues
6. Bolivia	6. UN Office on Drugs and Crime (UNODC)	6. Council of Licensed Firearms Owners
7. Canada		7. Franciscans International
8. Chile		8. Geneva Forum
9. China		9. Groupe de Recherche et d'Information sur la Paix et la Sécurité (GRIP)
10. El Salvador		10. Group of 78
11. Finland		11. Gun Free South Africa
12. France		12. International Action Network on Small Arms (IANSA)
13. Germany		13. International Peace Research Institute Oslo (PRIO)
14. Guatemala		14. Integrated Forum for Human Rights (Bangladesh)
15. India		15. International Alert
16. Iran		16. International Physicians for the Prevention of Nuclear War (Zambia)
17. Ireland		17. Institute for Security Studies (South Africa)
18. Liechtenstein		18. Norwegian Church Aid
19. Mexico		19. Oxfam (America, GB and international)
20. Netherlands		20. Programme for Strategic and International Security Studies, GISS, Geneva
21. New Zealand		21. Quaker United Nations Office (Geneva & New York)
22. Norway		22. Saferworld
23. Rep. of Korea		23. Small Arms Survey
24. Sierra Leone		24. University of Bradford
25. Slovakia		25. World Council of Churches
26. Slovenia		26. World Forum on the Future of Sports Shooting Activities
27. South Africa		
28. Sweden		
29. Switzerland		
30. Tanzania		
31. UK		
32. USA		

⁵ <http://www.ipu.org/conf-e/114agnd.htm>

⁶ <http://www.parliamentaryforum.org>