Fourth Biennial Meeting of States to Consider 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
New York, 14-18 June 2010

Discussion paper on strengthening of the follow-up mechanism on preventing, combating and eradicating the illicit trade in small arms and light weapons, and preparations for the 2011 Experts Group meeting and the 2012 Review Conference

1. Dedicate specific time to consideration of the programme of action’s follow-up mechanisms

The approach of the Chair-designate is to establish a clear overarching focus on institutional aspects of the programme of action, such as consideration of the programme of action’s existing follow-up mechanisms, which allow States to assess whether the programme of action is being implemented as written. The Chair-designate can deal exclusively with the architecture of the programme of action, with a view to strengthening the programme of action’s framework so that its substantive goals may be better realized.

In order to determine whether implementation of the programme of action has had a measurable impact on the illicit trade in small arms and light weapons, in all its aspects, States must first establish whether it is being implemented as written. To this end, dedicated time must be set aside at the Fourth Biennial Meeting of States to consider existing follow-up mechanisms available to States, and to examine how and whether they need to be strengthened. To date, no dedicated discussion has been undertaken in this regard, and this deficit could inadvertently lead to weaknesses and gaps in the ability of the programme of action to respond to the very issues it is intended to address.
The main follow-up mechanisms agreed upon by States are annual reports, Biennial Meetings of States, and Review Conferences. Each of these mechanisms should enjoy dedicated consideration within the proposed session(s) to ensure that they are functioning as intended and to identify ways in which their respective utility could be improved.

On the issue of annual reports, for example, there should be focus on means and methods of streamlining and synthesizing reporting formats and incoming information, so as to render all reports as informative as possible and improve comparability of reporting.\(^1\) Such work should, of course, take into account work that the Office for Disarmament Affairs of the United Nations Secretariat has been doing in this regard. Discussion could touch upon both programme of action reports and international tracing instruments reports, and should incorporate consideration of the need for universalization of reporting, and analysis of progress made in implementation.

Discussion should also be held on the form and function of biennial meetings. Such a review would help ensure that the meetings provide a formal opportunity to assess the status of implementation and impact of all the aspects of the programme of action. Moreover, these discussions could further address the issue of follow-up on commitments undertaken by States in the outcome documents of previous biennial meetings.\(^2\)

Finally, under this proposal, States would have the opportunity to examine the structure and the mandate of the programme of action in the Review Conferences. This is important not only in terms of the upcoming 2012 Review Conference, but also in terms of all subsequent Review Conferences. To this end, it would be useful to clearly distinguish between the functions and the mandate of the biennial meetings and those of the Review Conferences.

Following the conclusion of implementation discussions at the Fourth Biennial Meeting of States, an appropriate resource person could be tasked with the preparation of a progress report on the status of implementation that reflects the outcome of discussions at the Fourth Biennial Meeting of States and identifies useful tools, mechanisms and/or additional steps that can further strengthen implementation.

As previously stated, the Fourth Biennial Meeting of States should stress the importance of the early designation of the Chair, and encourages the regional group which will designate the Chair of the following meetings in the framework of the programme of work.\(^3\)

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1 See General Assembly resolution 64/50, para. 10.
2 See General Assembly resolution 64/50, paras. 4, 5, 8, 10 and 14.
3 See General Assembly resolution 63/72, para. 11.
2. **Examine mechanisms to evaluate progress and establish a related toolkit**

   In order to assess the extent to which implementation of the programme of action, as written, is effective in preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, concrete and tangible measures could be established to allow for such a diagnosis.

   Nearly a decade after the adoption of the programme of action, the time is right to assess the extent to which the implementation of the programme of action, as written, is effective in combating, eradicating and preventing the illicit trade in small arms and light weapons in all its aspects. Discussion of this topic at the Fourth Biennial Meeting of States would provide a foundation for possible action on this issue at the 2011 open-ended meeting of governmental experts and at the 2012 Review Conference.

   As a first step, States could agree at the Fourth Biennial Meeting of States to consider whether the objectives of the programme of action are being met, and if not, what complementary measures — both substantive provisions and institutional mechanisms — could be adopted to strengthen its effectiveness. The only work to be undertaken at the Fourth Biennial Meeting of States in this regard would be an initial agreement to conduct such a diagnostic. The actual examination of whether the programme of action is delivering as intended could be undertaken at the 2011 open-ended meeting of governmental experts, and the resulting identification, adoption and/or strengthening of complementary and/or existing measures could be dealt with at the 2012 Review Conference, facilitated by the Secretary-General.

   Ultimately, States should have useful and effective tools that serve to identify what needs to be done in fulfilling the goals of the programme of action, how to do it and how to identify when it is done. To date, unfortunately, no context-specific tools have been identified or agreed upon by States. As such, all States should be encouraged to contribute their ideas, information and expertise in this area.

3. **Examine the feasibility of a voluntary sponsorship programme**

   Discussions should be held regarding the feasibility of establishing a voluntary sponsorship programme in order to achieve greater engagement by States in the programme of action process.

   In order to increase the engagement of States in the programme of action process, the Chair-designate could allocate a portion of discussion time to consideration of means and mechanisms for promoting participation in, and ownership of, the programme of action. To this end, it would be useful to explore
the feasibility of establishing a voluntary sponsorship fund, through which financial assistance could be provided to States otherwise unable to participate in programme of action meetings. Such a programme could be based on similar models used within other international instruments. The aims of such a programme could include increasing the participation of least developed countries and affected States, building capacity in these States, ensuring that all relevant perspectives are included in the discussions and outcomes, and generally enhancing ownership and implementation of the programme of action. Moreover, discussions under this item could potentially extend to an examination of how the programme of action Implementation Support System could be used more effectively to achieve the aim of greater engagement by States in the programme of action process.

4. **Build an implementation road map to 2012 and beyond**

   The Fourth Biennial Meeting of States should reserve time towards the end of the meeting to review the outcomes of substantive discussions arising out of proposals number 1 and number 2. Based on these outcomes, States should be in a more informed position to appropriately allocate time and resources for next steps towards the 2011 open-ended meeting of governmental experts, the 2012 Review Conference, and beyond.

Various meetings have already been mandated to take place in the coming years; however, they have not yet been coherently linked, nor has the specific function of these meetings been fleshed out. As such, it will be crucial to pinpoint, through the course of discussions at the Fourth Biennial Meeting of States, inter alia, necessary next steps.

An implementation road map can thus be established through which the time and resources allocated to various upcoming meetings are maximized, by ensuring that the agenda and substance of such meetings directly, tangibly and objectively correspond with the needs of States vis-à-vis implementation. The result of discussions regarding the mandate of the 2012 Review Conference, as referenced under proposal number 1, will be particularly pertinent.

Through the implementation road map, a structured and effective organizational plan can be created to link the substantive work of the various annual meetings of States, supporting the idea of undertaking these discussions within specific sessions dedicated to the 2011 open-ended meeting of governmental experts and the 2012 Review Conference, respectively (which could be interlinked to discussions proposed under proposal number 1), and taking into account that the Biennial Meeting of States will consider the implementation of the programme of action and the Review Conference will review the progress made in its implementation and its structure.

In particular, the outcomes at the Fourth Biennial Meeting of States can provide useful guidance to the upcoming 2011 open-ended meeting of governmental
experts, adding to the topic of international cooperation and assistance and other issues should be considered and are appropriately suited to the expert-level nature of the open-ended meeting of governmental experts, with its corresponding focus on the practical aspects of implementation. This guidance could address, inter alia, outlining next steps towards implementation of the relevant commitments adopted by the Fourth Biennial Meeting of States; developing impact measures further to a diagnosis of the extent to which implementation of the programme of action, as written, is meeting its goals; and laying the groundwork for the 2012 Review Conference, by identifying, in advance, the Chairs of the open-ended meeting of governmental experts and the Review Conference.

Pursuing a Chair-led approach that draws from the information gleaned through a few key previously identified and agreed-upon mechanisms assures continuity between the various programme of action meetings (regional meetings, open-ended meeting of governmental experts, Biennial Meeting of States, Review Conferences, etc.). This is because it would allow for incremental progress based on measurable markers through which gaps become easily identifiable and therefore more easily and logically addressed.

5. Task a suitable resource person with preparing a progress report

In conjunction with the Office for Disarmament Affairs, the United Nations Institute for Disarmament Research and/or others, as appropriate, a suitable resource person could be tasked with preparing a post-Fourth Biennial Meeting of States progress report on the status of implementation that reflects the outcome of discussions on the need to conduct a related diagnosis.

To facilitate the tasks of utilizing the identified monitoring and assessment tools, as well as the implementation road map effectively, States could task a suitable resource person, in conjunction with departments, relevant agencies (Office for Disarmament Affairs, United Nations Institute for Disarmament Research), to continue the responsibility of preparing a progress report on the status of implementation, either in follow-up to the Fourth Biennial Meeting of States or as an agreed-upon outcome document of the meeting itself. At the outset, this stock-taking mechanism would simply reflect the result of the discussions of the Fourth Biennial Meeting of States on the means through which progress can be measured, and the tools that serve this purpose. However, it could potentially further incorporate national reports as the basis upon which such an appraisal is based. The subsequent step of evaluating the nature and the substance of progress could be dealt with at a later juncture, the timing of which could be addressed in the context of the implementation road map.

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4 See General Assembly resolution 64/50, para. 15.
5 This is done on an annual basis in the context of other instruments; we can draw from the experience of those frameworks.
Eventually, such a report could potentially include, on a regular, incremental basis, information provided by States in national reports and statements to programme of action meetings (such as figures on the destruction of surplus, securing national holdings of small arms and light weapons, assistance provided and cooperation in capacity-building and border and Customs control, etc.).