National Implementation of the
UN Small Arms Programme of Action and the
International Tracing Instrument:
An Analysis of Reporting in 2009-10
(Interim Version)

Presentation at the Fourth Biennial Meeting of States on the
UN Programme of Action on Small Arms
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Good morning excellencies, ladies and gentlemen. I'd like to start by thanking the chair for the opportunity to share the Small Arms Survey's findings with respect to the national reports submitted in 2009 and 2010, so far.

Copies of the report are available at the back of the room and on the Small Arms Survey website. I should emphasise that this is an interim report only, and includes national reports posted on the website of the Office of Disarmament Affairs by 6 May 2010. A final report will be prepared later in the year, which will include any additional 2010 report submitted after 6 May.

This analysis of national reports was prepared to feed into the discussions at this biennial meeting, and therefore focuses on the themes identified for consideration. The report is divided into 4 parts. Part I provides a statistical overview of reporting trends. It also contains the findings of a survey we carried out to verify the contact details provided for national points of contact. Part II presents information on two of the themes for this biennial meeting: preventing and combating the illicit trade across borders and international cooperation and assistance. Part III analyses reporting under the International Tracing Instrument, and Part IV provides some general conclusions and findings.
I should just point out that the interim report does not contain an analysis of the other theme identified for this biennial meeting – strengthening follow up to the Programme of Action – because almost no states included information on this topic in their national reports. The final report will contain information on this theme based on the discussions that take place this week.

Starting with some general statistics, as at 6 May this year, 151 UN Member States plus one Permanent Observer to the UN (the Holy See) had submitted national reports since 2002. 41 states have never submitted a national report. Annex 1 of the report on page 70 includes a table of reporting by states in each year.

It is clear that reporting activity has been most intense in 2003, 2005 and 2008 – the years when biennial meetings have been held. There was also a smaller spike in 2006, the year the Review Conference was held.

2009 saw the lowest level of reporting ever with only 9 states reporting. This could mark the beginning of a shift towards biennial as opposed to annual reporting by states, as was encouraged during the third biennial meeting of states and reflected in the outcome document of that meeting. And by the 6th of May this year, 66 states had submitted reports.

In part I of the interim report we have also included findings from a study we conducted earlier this year with respect to national points of contact. States have undertaken to establish national points of contact to liaise on their implementation of the Programme of Action.

Most states have included contact details for their national points of contact in their national reports over the years. They are compiled on the PoA Implementation Support System website. We wanted to verify the information in order to assess whether it is accurate, and to determine how easily they can be reached.

We attempted to contact a total of 151 national points of contact by email and/or telephone over a 6 week period. We were able to confirm the existence and identity 52 national points of contact. So just over a third of the national points of contact listed. The final report will include the results of any further responses we receive and other follow-up we conduct, but the initial results of the study are disappointing given the important role national points of contact play in PoA implementation.
Moving on to the thematic section of the report, and starting with what states said about Preventing and combating illicit trade across borders, information provided by states in their national reports on this issue has been divided into two main sections in the report: the first describes some of the challenges identified by states in this area (such as porous borders and lack of capacity at border posts), and the second details some of the measures and responses states have adopted to enhance customs and border controls at the national and transnational level.

Some of the measures taken at the national level included:

- National legislation and penalties for arms smuggling;
- Enhanced border measures including: reducing the number of border crossings so arms can only be transported across the border at designated crossings.
- Carrying out physical inspections of cargo, including x-raying cargo or taking samples
- Notification – some states reported they require advance notification of arms that are being imported or exported, and that information required may include the means of transport, the route and the exit location of the arms
- Other states reported that they ensure that shipments of arms in their territory are escorted by police until they reach the end-user (or border crossing if they are in transit to another country)

In terms of the transnational measures taken to address customs and border controls, states gave details of cooperation activities that have taken place, including:

- Trans-border exercises among countries
- Exchange and sharing of timely information (intelligence, judicial, financial)
- Sharing of expertise and training including teaching investigative techniques to customs officials and police
- Cooperation with INTERPOL.

It is clear from national reports that international and regional organizations play an important role in facilitating cooperation in this area.

Finally, on this issue, the report includes information on assistance and capacity building in this area

- Equipment needed
- Funding provided
- Technical expertise
Moving on to the 2nd theme identified for this biennial meeting International cooperation and assistance, information pertaining to this topic has been divided into assistance-related activities (including assistance required, assistance received and assistance provided); and Cooperation-related activities.

I’m not going to go into detail about what types of assistance are most frequently requested or provided, or the nature of cooperation activities that are reported. Rather I want to just make a few general observations and raise a few queries that appear relevant to this week’s discussions on cooperation and assistance.

The first observation is that, although national reports are an opportunity for states to communicate their needs for assistance, relatively few states do so. About a third of the states that reported in 2010 so far reported on assistance needs. But given that only 66 states reported, this is not a high number.

The Office for Disarmament Affairs is developing an online reporting tool that does include questions regarding assistance desired, and this will be linked to the ‘matching needs and resources’ database that has been established.

Another observation is that states typically provide selected examples of assistance provided or received, rather than comprehensive overviews. Also, few reports provide details of the year when an assistance activity was implemented, its duration or the cost of the activity, and some simply report that assistance for capacity building to address small arms was provided. All of this makes it a bit hard to get a comprehensive overview of assistance and cooperation activities.

Finally, many states describe the assistance activities they have engaged in or contributed to, but almost none give any assessment or information regarding the perceived impact the assistance had, or the output of the project.

I think these observations raise a number of questions regarding how states are communicating their cooperation and assistance needs and resources in practice:
To what extent are states that are in a position to provide assistance actually consulting the national reports of potential recipients to determine priority needs?
In practice, how do states that have received financial and technical support communicate their needs to donor states? How do donor states become aware of projects they wish to fund? And what role do international, regional, and non-governmental organizations play in linking the two?

Part III of the report contains the analysis of reporting on the INTERNATIONAL TRACING INSTRUMENT. This is in a separate section of the report to reflect the fact that reporting on the ITI is a separate and distinct commitment to reporting on implementation of the PoA.

States have undertaken to report on their implementation of the International Tracing Instrument every two years, and for this year's biennial meeting, states were encouraged to submit one integrated report containing information on their implementation of the Programme of Action and the International Tracing Instrument.

At the time of writing this report, only 23 states had submitted a separate report on their implementation of the International Tracing Instrument. An additional 20 states at least mentioned the International Tracing Instrument in their national reports (although in some instances it consisted merely of a mention that they were part of the negotiations).

By the time of the third biennial meeting in 2008, 48 states had submitted separate reports on their implementation of the International Tracing Instrument. During my presentation then I made the prediction that the number of reports on implementation of the Instrument would improve dramatically before the next BMS, as states become increasingly familiar with the instrument.

This is clearly not the case, and by mid-2010, fewer states have reported under the ITI than in the first year of reporting in 2008.

This section of the report is divided into subsections according to the commitments under the International Tracing Instrument, and provides statistics on how many states reported under each commitment, plus a description of the activities they reported on.

Details are concentrated in the areas of marking (particularly at the time of manufacture) and record-keeping. In many other areas covered by the ITI, information has been submitted rarely or with little detail.
In conclusion, reporting since the last biennial meeting of states has been relatively weak. No doubt additional reports will be submitted for 2010, and the final report will take account of these reports. That said, if we are moving towards biennial reporting, it would obviously be optimal if states would submit reports before the biennial meetings.

As I mentioned earlier, the Office of Disarmament Affairs is developing an online reporting tool that will encourage states to provide much more detail regarding their implementation and allow them to simply update information rather than having to submit entire reports each year or every two years. This should help ease the reporting burden and improve the quality and detail of the information provided, allowing us an even better glimpse of implementation efforts through national reporting.

Thank you