Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the national level

The Programme of Action (PoA), in its preamble, recognizes that illicit trade in small arms and light weapons (SALW) sustain conflicts, exacerbates violence, displaces civilians, and fuels crime and terrorism (para. I.5). The PoA also expresses concerns about the devastating consequences of the illicit trade in SALW on children and the negative impact on women and the elderly (para. I.6).

The PoA catalogues various measures to be taken to prevent, combat and eradicate the illicit trade in SALW in all its aspects. Commitments at the national level include:

– to put in place adequate laws, regulations and administrative procedures to exercise effective control over SALW (para. II.2-3), and to establish adequate national coordination mechanisms (para. II.4-5);
– to exercise effective control over the production of SALW, and establish as criminal offence the illegal manufacture of SALW (para. II.2-3);
– to exercise effective control over the export, import and transit of SALW (para. II.11-13, 15);
– to regulate the activities of SALW brokers (para. II.14);
– to destroy all confiscated, seized and collected weapons (para. II.16);
– to ensure, subject to national laws, the effective management of stockpiles of weapons held by armed forces, police, etc. (para. II.17); to regularly review these stockpiles and responsibly dispose of surplus (para. II.18-19).

(a) Laws, regulations and administrative procedures/national and international coordination mechanisms

• Many States have enacted new legislation, amended and strengthened existing legislation

• 168 States have communicated information on their National Points of Contacts (NPC) to the UN Office for Disarmament Affairs (UNODA)

• Further achievements?

Possible issues for consideration

• Developing national action plans on SALW

• Financial, technical and human resources to establish or strengthen and to operate a National Coordination Bodies (NCB)

• Sharing of experiences and lessons learned on the operation of NCB

• Other issues?

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1 UNIDIR analysis of 2008 on national reports 2002-2008.
2 www.poa-iss.org.
3 A/RES/60/68.
4 UNIDIR analysis of 2011 on implementation challenges.
(b) **Control over the manufacturing of SALW**

- Many States have put in place laws/regulations to exercise control over the manufacture of SALW\(^5\)
- Further achievements?

**Possible issues for consideration**

- Challenges posed by the artisanal production of SALW
- Illicit manufacturing, including unlicensed manufacturing\(^6\)
- Other issues?

(c) **Regulate activities of SALW brokers**

- More than 50 States have put in place legal controls on arms brokering\(^7\)
- Further achievements?

**Possible issues for consideration**

- Brokering controls are not in place in the majority of States
- Better use of existing mechanisms with the potential of enhancing international cooperation in enforcing brokering controls and prosecuting illicit activities\(^8\)
- Integrate laws, regulations and administrative procedures into national export control systems\(^9\)
- More attention needed on enforcement and international cooperation,\(^10\) and financing of illicit SALW acquisition\(^11\)
- Other issues?

(d) **Disposal and destruction of confiscated, seized or collected SALW**

- Several projects have been developed by intergovernmental and regional organizations to facilitate the voluntary collection of SALW and the destruction of confiscated, seized or collected SALW\(^12\)
- Further achievements?

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\(^5\) [www.pea-iss.org](http://www.pea-iss.org), national reports.

\(^6\) A/CONF.192/BMS/2010/3 (BMS4 Outcome document), page 15.

\(^7\) A/CONF.192/BMS/2008/3 (BMS3 Outcome document), page 11, II.9.

\(^8\) UNIDIR analysis of 2008 on national reports 2002-2008.


Possible issues for consideration

- Lack of financial resources, equipment, and expertise for collection and destruction of weapons
- Other issues?

(e) Stockpile management and security/Surplus identification and disposal

- Many States established national laws, regulations and administrative procedures\(^{13}\) or reviewed existing management, safety and security measures\(^{14}\)
- Programmes were put in place in many States to identify surplus stocks\(^{15}\)
- Further achievements?

Possible issues for consideration

- Establish adequate stockpile management systems\(^{16}\)
- Need for international assistance to improve the security of SALW stockpiles
- Raising awareness among relevant national authorities\(^{17}\)
- More information needed in national reports on how surplus is determined or what criteria are applied\(^{18}\)
- Other issues?

(f) Other issues?

- Any other issues to be raised by States under the PoA implementation at the national level?

WHICH OF THE ABOVE SUBSTANTIVE ELEMENTS SHOULD BE REFLECTED IN THE PREPCOM OUTCOME DOCUMENT, AND HOW SHOULD THESE BE FORMULATED?

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\(^{13}\) A/CONF.192/BMS/2008/3, page 13, III.22.
\(^{15}\) UNIDIR analysis of 2008 on national reports 2002-2008.
\(^{17}\) A/CONF.192/BMS/2008/3, page 13, III.19.
\(^{18}\) UNIDIR analysis of 2008 on national reports 2002-2008.