Third 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 July 2008

Note verbale dated 9 July 2008 from the Permanent Mission of Brazil to the United Nations addressed to the secretariat of the Third Biennial Meeting

The Permanent Mission of Brazil to the United Nations presents its compliments to the secretariat of the Third 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 and has the honour to request, on behalf of the Common Market of the South (MERCOSUR) and associated States (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of)), that the attached document be circulated as a working document of the Meeting.
Annex to the note verbale dated 9 July 2008 from the Permanent Mission of Brazil to the United Nations addressed to the secretariat

Elements prepared by the Working Group on Firearms for the position of MERCOSUR and associated States at the third Biennial Meeting of States

The Working Group on Firearms (GTA) has prepared the following elements for the position of MERCOSUR and associated States at the Third Biennial Meeting of States. This document also reflects the input of MERCOSUR and associated States at the related preparatory meeting of Latin American and Caribbean States.

• MERCOSUR and associated States support the Chairman-designate’s suggestion to conduct the third Biennial Meeting along the lines set out in his letters of 29 February 2008 and 30 May 2008.

• MERCOSUR and associated States believe that the process set out in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects should continue; to that end, consideration should be given to follow-up mechanisms that are not on a “case-by-case” basis but are automatic to some degree.

• First theme: International cooperation and assistance and national capacity-building

We welcome the facilitation-related work assigned to Colombia under this theme.

We stress the importance of international cooperation and assistance and national capacity-building as cross-cutting themes of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Accordingly, it is essential to identify, in each area of the Programme of Action to be discussed at the third Biennial Meeting, the challenges (needs) and opportunities (strengths, including the potential for training through regional centres) facing States members of MERCOSUR and associated States, so that assistance and cooperation can be steered towards them, with a view to the gradual adoption of measures and procedures to ensure the effective implementation of the Programme of Action at the national, regional and global levels.

We call on States and international organizations to move forward in implementing specific programmes aimed at promoting international cooperation and assistance, national capacity-building and information exchange and at developing the actions called for in section III (in particular, paragraphs 3, 5 and 8) of the Programme of Action.

International cooperation and assistance must not be made conditional upon the submission of national reports.

• Second theme: Illicit brokering in small arms and light weapons

We reiterate our support for the conclusion of a legally binding international instrument to regulate this area. Furthermore, we ask for consideration to be given
to the recommendations of the Group of Governmental Experts established pursuant to General Assembly resolution 60/81 (document A/62/163 and Corr.1). In that regard, the recommendation relating to international cooperation on sharing of information is particularly important.

• **Third theme**: Stockpile management and surplus disposal

We consider that discussions on this issue should start from the basic premise that the definition of adequate stockpiles and the determination of surplus levels is the prerogative of the competent national authorities of each State.

We are in favour of addressing this issue from the perspective of international cooperation and assistance and national capacity-building in the area of small arms and light weapons stockpile management and security, in the context of the provisions contained in section II, paragraphs 17 and 18, and section III, paragraph 8, of the Programme of Action.

We stress the importance of international cooperation and assistance in respect of stockpile security, location and destruction.

• **Fourth theme**: International Tracing Instrument

We reiterate our support for a legally binding international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, in all their aspects.

We stress the importance of international assistance on marking and record-keeping, and international cooperation on tracing.

We welcome the holding of regional seminar on the implementation of the International Tracing Instrument organized by the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC).

• **Fifth theme**: Priority issues or topics of relevance in the illicit trade in small arms and light weapons in all its aspects and implementation challenges and opportunities in order to improve and strengthen implementation of the Programme of Action in the future (see resolution 62/47, paragraph 8)

We consider it important to analyse and discuss the following issues, inter alia:

– The fact that the Programme of Action’s title refers to the illicit trade in small arms and light weapons “in all its aspects” means that it also applies to munitions and explosives. Addressing all aspects of the trade is, therefore, one of the challenges remaining for the Programme of Action’s effective implementation.

– Dissemination of information on national and regional progress in preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, as established in section II, paragraph 23, of the Programme of Action.

– Enhancement of the cooperation of civil society, including the private sector, in the implementation of the Programme of Action, as established in section II, paragraphs 40 and 41 in order to promote dialogue and a culture of peace.
– Mainstreaming of a gender and age perspective in the implementation of the Programme of Action, so as to ensure that consideration is given to the most vulnerable sectors of society.

– Establishment of effective systems for the verification of end-user certificates, as an appropriate tool for preventing the diversion of small arms and light weapons.

– Development of an international framework for authentication, reconciliation and standardization of end-user certificates, in line with the recommendation of the Secretary-General.

In general, we agree with the Secretary-General’s assessment that the non-legally binding nature of the Programme of Action is an obstacle.

• **Outcome of the Third Biennial Meeting**

  MERCOSUR and associated States support a concrete outcome in the form of a consensus document. If this is not possible, the outcome document should take the form of a Chairman’s summary.