Sixth 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, 6-10 June 2016

International Committee of the Red Cross (ICRC) Statement

Thursday, 9 June 2016

Mr. Chairman,

The International Committee of the Red Cross (ICRC) would first like to thank you for the opportunity to present its views in this Meeting, where it brings its perspective as a humanitarian organization mandated to protect and assist the victims of armed conflict and other situations of violence.

Every day in its operations, the ICRC is confronted with the devastating consequences for civilians of inadequate controls on the availability of small arms and light weapons (SALW). In many parts of the world, SALW are too easy to obtain and armed violence is pervasive as a result of the misuse, diversion and illicit circulation of these weapons. As recognized in the preamble of the Programme of Action on SALW, the illicit trade in SALW “undermines respect for international humanitarian law [and] impedes the provision of humanitarian assistance”. Furthermore, the proliferation of SALW prolongs armed conflicts and even after conflicts have ended, civilians continue to face the risk of being injured, killed or displaced by weapons-related violence.

Together with the Arms Trade Treaty (ATT), the Programme of Action on SALW is part of a global framework of instruments aimed at reducing the high human cost of the poorly controlled availability of SALW and other conventional arms.

The ICRC encourages States to continue to improve the control, storage, registration and tracing of SALW as called for by the Programme of Action. Such measures are critical to prevent the diversion of weapons to the illicit market. The ICRC also encourages States to include the control of corresponding ammunition within the scope of the Programme of Action, as does the ATT. Indeed, the uncontrolled proliferation of ammunition fuels brutal armed conflicts, wanton armed violence and the consequent suffering of civilian populations. Therefore, controlling the supply of ammunition should also be a priority, and the ICRC urges that this be reflected in the outcome document of this Meeting.
Apart from the threat to the physical security of civilians, armed violence can have significant socio-economic impacts through damage or destruction to property and productive assets with serious and prolonged effects on well-being and survival of communities by diverting funds away from health, education, and other social sectors. This interrelationship between sustainable development and the reduction of illicit arms flows has been recognized by the 2030 Agenda for Sustainable Development.

Mr. Chairman,

The ATT has laid the foundations for a global system of controls on the transfer of conventional weapons, including SALW, with a view to reducing human suffering. By forbidding transfers when there is a defined level of risk that war crimes or serious violations of international human rights will be committed, the ATT subjects arms transfer decisions to humanitarian considerations and concerns. Importantly, States Parties are also required to address and prevent the risk of diversion of conventional arms. In this respect, the commitments made by States in the Programme of Action complement the ATT’s diversion-prevention measures and should be rigorously implemented.

The ATT’s provisions on international cooperation and assistance, including the commitment to establish a trust fund for States parties, may open up significant avenues for cooperation and information-sharing on several activities covered by the Programme of Action such as the improvement of domestic legislation, effective management of stockpiles, or disarmament, demobilization and reintegration programmes.

The ATT is generating expectations regarding the behaviour of all States and, faithfully implemented together with the Programme of Action, it will have a significant impact on reducing illicit and uncontrolled arms flows. To this end, the ICRC encourages the adherence of all States to the ATT.

Within the limits of its mandate and with its expertise in IHL, the ICRC offers assistance to States regarding the implementation of arms transfer criteria based on respect for IHL, as required by the ATT, regional arms transfer instruments, and the goals of the Programme of Action, as well as the universal obligation to ensure respect for IHL. For this purpose, the ICRC's Practical Guide on Applying International Humanitarian Law in Arms Transfer Decisions, which will soon be updated, provides a useful tool for States.

It is critical that States undertake capacity-building efforts to ensure that all armed and security forces use weapons in strict compliance with IHL and human rights law. Such efforts should be seen as an integral part of their implementation of the Programme of Action. In this respect, the ICRC continues providing practical support to States for the training of armed and security forces and police officers, and also promotes respect for IHL by non-State armed groups. Indeed, full respect for the law will go a long way to protecting civilians and reducing suffering in armed conflicts and other situations of violence.

Thank you.