

**I. The establishment, where appropriate, of subregional or regional mechanisms with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders, including trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies**

1. States recognized the urgent need to prevent, combat and eradicate the illicit trafficking in small arms and light weapons across borders due to the harmful effects of those activities on the security of each State, subregion, region and the world as a whole, endangering not only the well-being of peoples but also their social and economic development.

2. States reiterated that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects across borders, in accordance with the sovereignty of States and their relevant international obligations.

3. Furthermore, due to the transnational nature and dimension of this illicit activity, States recognized the value of addressing the illicit trafficking of SALW across borders and their cooperation on this matter through an approach of common responsibility among them with full respect of each States' sovereignty.

4. States also acknowledged that the "porosity of borders", wherever they exist, is an aggravating element of arms illicit trafficking that allows criminals and traffickers to have a free access to armament through them. This traffic may lead to the prolongation of conflicts, exacerbates violence, undermines the internal security and development of States, increases the activities of transnational organized crime, corruption, and has a close link with other criminal activities such as trafficking in drugs and precious minerals as well as terrorism.

5. States pointed out that the geographical nature and the inaccessibility or difficult access to some border areas, including maritime borders, poses challenges and difficulties in controlling cross-border activities, including the illicit trafficking in small arms and light weapons.

6. States emphasized the need to enhance cooperation and coordination among customs, border controls and police authorities, within and among States, in order to make it easier for competent authorities to identify and seize small arms and light weapons illegally traded by air, sea and land.

7. States underlined the need to address the limited means, transfer of technology, human resources and institutional capacity to deal with this problem. Accordingly, States are encouraged to facilitate the transfer of technology for detection and tracing of the traffic in small arms and light weapons, in particular when it is related to drug trafficking, organized crime and terrorism and the traffic of precious minerals.

8. States expressed the importance of several bilateral, subregional and regional instruments, mechanisms and initiatives that refer to this topic, as well as the UN Programme of Action and the Guidelines for International Arms Transfers, as useful means

to prevent, combat and eradicate the illicit traffic on SALW across borders.

### **The way forward**

9. States are encouraged to enact laws, where appropriate or required, and to effectively reinforce laws and regulations in order to strengthen border controls;

10. States should enhance cooperation among national institutions responsible for the effective control of territorial, maritime and air borders, with other national, as well as subregional, regional and international institutions, with a view to preventing, combating and eradicating the illicit trade in SALW in all its aspects;

11. States recommend convening subregional, regional and interregional meetings of their relevant enforcement authorities in order to exchange information, including best practices and lessons learned, in relation to the trafficking of SALW, and to promote the harmonization of legislation, common practices and tools in the prevention of SALW trafficking across borders;

12. States are encouraged to integrate coordinated and adequate procedures and processes for the prevention of the illicit trade of small arms and light weapons in their national border management strategy. This may include, where appropriate, the establishment or strengthening of border control mechanisms, the development of laws, regulations, policies, and practices, as well as the creation or improvement of infrastructure, upgrading equipment, implementing confidence-building measures, development of training programs for personnel, engagement with border communities including by developing programmes for social and economic integration, and joint inter-agency border patrol exercises, among others;

13. States are encouraged to take full advantage of the benefits that cooperation with international organizations can offer, such as the World Customs Organization, the International Criminal Police Organization (INTERPOL), and UN Regional Disarmament Centers, among others;

14. States are encouraged to share among them technical information in order to prevent, combat and eradicate the illicit trade in SALW across borders, and are encouraged to designate a technical contact to facilitate timely cooperation and to carryout joint actions, whenever necessary;

15. States are encouraged to reinforce inter-agency cooperation among customs, border controls, police and judiciary authorities to prevent the illicit trade of SALW across borders. In this context States also stressed the importance to address the issue of illicit trade by air, sea and land.

16. States underline the importance to continue implementing paragraph 27 of Section II of the UN PoA in accordance with the approach of common responsibility among them with full respect of each States' sovereignty.

17. States emphasized that preventing, combating and eradicating the illicit trade of small arms and light weapons across borders merits further analysis, including determining ways

forward to address this challenge, within the UN PoA process.

## **II. International Cooperation and Assistance**

18. States discussed the efforts undertaken by all States to promote information exchange, cooperation and assistance, national experiences, and lessons learned, as well as the role played by international, regional, subregional and civil society organisations in providing assistance to States in building national capacity for the effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. They welcomed the efforts undertaken to date, but highlighted the need for further attention to practical cooperation and assistance to achieve full implementation of the Programme of Action.

19. States noted that assistance includes the provision of resources and expertise, including financial and technical resources, from one country to another with a view to building national capacity for effective implementation of the Programme of Action. States also noted that cooperation includes all forms of joint or coordinated action between two or more States, including the sharing of information and experience, in support of Programme of Action implementation. States noted that cooperation and assistance can take place in a variety of forms, including between donors and recipients and between neighbouring States, as appropriate.

20. States recognized that the primary responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States. They also recognized the need for close international cooperation to prevent, combat and eradicate this illicit trade. While recognizing that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, States recognized the need to encourage increased cooperation and assistance, and called on international partners to build and strengthen capacities in states, upon request, by addressing illicit arms trafficking in a manner which reflects national priorities. States also noted the need to consider ways to assess the effectiveness of cooperation and assistance received and provided in order to ensure implementation of the Programme of Action.

21. States considered steps to enhance understanding of existing tools and mechanisms for addressing assistance needs and for matching needs with available resources. States welcomed the ongoing research of the United Nations Institute for Disarmament Research (UNIDIR), and the further development by the Office for Disarmament Affairs, of the Programme of Action Implementation Support System, including the new reporting template, and the work of the United Nations Regional Centres for Peace and Disarmament. States also welcomed the compilation of national assistance proposals from Member States recently prepared by UNODA and the checklist prepared by UNIDIR to help states identify their needs for assistance. They acknowledged the role these tools and mechanisms have in improving the matching of needs and resources for international cooperation, assistance and national capacity-building in the area of small arms and light weapons. States also emphasised the need for further efforts to identify, prioritise and communicate needs, and

discussed possibilities for such efforts under follow-up mechanisms.

22. States underlined that, while the specific format for presenting assistance needs was the prerogative of States, the value of assistance proposals would be enhanced if they were formulated as concrete projects with measurable goals as part of relevant national plans. It was also emphasized that national reports could be used as a tool for communicating assistance needs and information on the resources and mechanisms available to address such needs; States also recognized the value of assistance to States, upon request, in order to facilitate the preparation of national reports.

23. States highlighted the need to improve inter-agency cooperation, led by their national coordinating bodies, including information-sharing and joint action between law enforcement, intelligence and arms control officials. States also recognized the value of coordination between these agencies in the formulation of project proposals and the mobilization of resources. States recognized the utility of existing international, regional and bilateral mechanisms for facilitating information exchange, identifying and prosecuting groups or individuals, assisting in the prevention of illicit small arms and light weapons brokering and supporting implementation of the International Tracing Instrument.

24. States noted the multidimensional nature of the problem of the illicit trade in small arms and light weapons in all its aspects. In this regard, States recognized the linkages between existing assistance and cooperation projects, and the potential for more such projects, which address multiple challenges, including terrorism, organized crime, trafficking in drugs and precious minerals. States emphasized the essential importance of providing assistance, upon request, to combat the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime and terrorism, and of facilitating the transfer of technologies that would improve the tracing and detection of illicit trade in small arms and light weapons.

25. States also stressed the importance of the development and implementation of public awareness programmes on the problems and consequences of the illicit trade in small arms and light weapons in all its aspects.

### **The way forward**

26. Recognizing that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects and stressing that the provision of international cooperation and assistance, including assistance for national capacity-building, is an overarching theme, essential to the full and effective implementation of the Programme of Action, States are encouraged to promote international cooperation and assistance at the national, bilateral, regional and multilateral level.

27. Recognizing the progress made over the last two years, States affirmed the needs and priorities identified during 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 weapon in all its aspects.

28. Building on these priorities, States also identified the following additional measures:

a) States are encouraged to enhance practical cooperation, by reviewing past and existing international cooperation practices and by further efforts on all aspects of the implementation of the Programme of Action, including joint or coordinated action, among all relevant agencies, including stockpile management, law enforcement, judicial, prosecutorial, investigative, intelligence, border and customs control agencies as well as arms control officials responsible for arms transfer licensing, transit, brokering and transport;

b) States are encouraged to share knowledge and expertise on implementation of the Programme of Action, including in the development of appropriate legislation, regulations and administrative procedures; the development of weapons collection programmes; and strengthening national capacities, including the training of national authorities in areas such as investigative techniques, prosecution, border controls, stockpile management, tracing and the use of marking machines;

c) States that have not yet done so are encouraged to nominate a national point of contact which can act as liaison between States on matters relating to the implementation of the Programme of Action, including cooperation and assistance.

d) States are also encouraged to provide support for national points of contact to ensure they are adequately resourced to undertake their role as liaison between States on matters related to the implementation of the Programme of Action, including cooperation and assistance;

e) States are encouraged to consider ways to enhance cooperation and assistance and to assess its effectiveness in order to ensure implementation of the Programme of Action, including at the Open-ended meeting of governmental experts in 2011 which will address key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance.

f) States are also encouraged to enhance cooperation and increase inter-agency coordination nationally, regionally and internationally, including by using, as appropriate, existing organizations and structures, such as the World Customs Organization and INTERPOL;

g) While reaffirming the primary responsibility of all States for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects, States recognise the role the United Nations as well as regional and subregional organizations can play in assisting States, upon request, in building

capacity to identify, prioritise and communicate assistance needs as well as the potential role of such organisations in following up assistance requests in order to match needs and resources;

h) In order to identify, prioritise and communicate needs and match those with resources, States are encouraged to build on existing mechanisms, such as the enhanced Programme of Action Implementation Support System, and to consider other ways in which needs and resources can be matched effectively and assistance and cooperation can be more effectively coordinated, including exploring opportunities for increasing dialogue between States;

i) In this regard, States encouraged further efforts by the Office for Disarmament Affairs, in the context of the Programme of Action Implementation Support System, to assist States, upon request, in preparing project outlines identifying country-specific needs.

j) In order to better identify donors for these proposals and to increase the visibility of available assistance, States encouraged intensified efforts among all states, international and regional organisations and civil society in order to identify possible matches. States recognised such efforts should complement, support and feed in to existing regional efforts.

k) States encouraged UN Regional Centres for Peace and Disarmament to assist in the matching of regional expertise and resources with regional needs;

l) States and international, regional and subregional organisations in a position to do so should support the development and implementation of public awareness programmes on the problems and consequences of the illicit trade in small arms and light weapons in all its aspects.

### **III. Strengthening of the follow-up mechanism of the Programme of Action, and preparations for the 2011 Experts Group meeting and the 2012 Review Conference**

29. States welcomed the opportunity to discuss the questions of strengthened Programme of Action follow up, as well as preparations for the Open-Ended Meeting of Governmental Experts and the Review Conference, scheduled for 2011 and 2012 respectively.

30. States noted that a series of mechanisms had already been developed for Programme of Action follow up, including voluntary national reporting, biennial meetings of States, review conferences, and the annual General Assembly resolution on the illicit trade in small arms and light weapons in all its aspects. Efforts for

strengthened Programme of Action follow up would necessarily be focused on these existing mechanisms. The Open-Ended meeting of governmental experts scheduled for 2011, and possibly others, also had a potential role to play in this implementation architecture, although adequate prior preparation and the development of pragmatic, action-oriented agendas for these meetings were seen as important factors underpinning their utility to overall implementation efforts.

31. States emphasized the need to ensure continuity and complementarity between these mechanisms, as well as a pragmatic and operationally-driven approach to strengthened Programme of Action follow up.
32. There was a need to clearly define and distinguish the mandates of Programme of Action meetings, and also to link, and ensure the complementarity of, meeting mandates and outcomes, including as part of voluntary reporting on the Programme of Action. States also expressed strong support for the early designation of the Chairperson of UN Programme of Action meetings, along with the early development of meeting agendas in consultation with Member States.
33. States also stressed the fundamental importance of voluntary national reporting to follow up of the Programme of Action, which remains a cornerstone of efforts to assess overall implementation efforts, including implementation challenges and opportunities. States noted that the development of a standardized reporting template by the Office for Disarmament Affairs would enhance comparability among reports. They also noted that shifting the reporting schedule to a biennial basis timed to coincide with biennial meetings of States and review conferences, could prove useful in increasing the number and quality of reports.
34. States also considered the role of the analysis of national reporting in promoting implementation of the Programme of Action, including the identification of implementation challenges and opportunities and the broadest possible dissemination of national experiences and good practices. They welcomed the analysis of national reporting in 2009–2010, presented at the meeting, and noted, further, that tools developed by the Office for Disarmament Affairs (PoA-ISS) and by Member States could also be used to assess progress made in Programme of Action implementation. States encouraged the Office for Disarmament Affairs, in consultation with Member States, to continue to develop the PoA-ISS with a view to further enhancing its utility to national implementation of the Programme of Action.
35. While noting the continued importance of cooperation and assistance to the practical implementation of the Programme of Action, States also noted the need for broad participation at UN Programme of Action meetings, including the provision by those States in a position to do so, on a voluntary basis, of assistance for this

purpose.

### **The way forward**

36. States should make every effort to produce, on a voluntary basis, a comprehensive report on their implementation of the Programme of Action, including implementation challenges and opportunities, every two years, timed to coincide with biennial meetings of States and review conferences.
37. States highlighted the need to include in these reports information on progress made in the implementation of measures adopted in the outcomes of preceding Programme of Action meetings in order to enhance the continuity of the process.
38. States also recognized the need for a comprehensive assessment of progress in the implementation of the Programme of Action, ten years following its adoption, as an input to the 2012 Review Conference.
39. When reporting on their implementation of the Programme of Action, States in a position to do so are encouraged to use the new reporting template prepared by the Office for Disarmament Affairs, which can increase the comparability of reports, facilitate the matching of needs and resources and make it easier for States to provide updated information on implementation.
40. States and other relevant actors with the capacity to do so were encouraged, upon request, to cooperate with and assist other States in the preparation of comprehensive reports on their implementation of the Programme of Action.
41. In order to increase the engagement of States in the Programme of Action process, States were encouraged to consider the timely establishment of a Voluntary Sponsorship Fund through which financial assistance could be provided, upon request, to States otherwise unable to participate in Programme of Action meetings.
42. States recognized that, in order to enhance the coherence and continuity of the Programme of Action implementation process, it would be useful for the schedule of meetings to be standardized to the fullest extent possible, in principle over a six-year period, including one review conference and two biennial meetings of States. States also recommended that the 2012 Review Conference take a decision on the further convening of open-ended meetings of governmental experts.
43. States reiterated the importance of the early designation of the Chairperson of future UN Programme of Action meetings and encouraged the relevant regional group to make this nomination, if possible, one year in advance of the meeting. In order to ensure continuity between meetings, the Chairperson of a UN Programme of Action

meeting could, in consultation with Member States, collaborate with the Chairperson and Chair-designate of the previous and following Programme of Action meetings.

44. States also emphasized the importance of selecting, with the assistance of the Chair-designate, priority issues or topics of relevance well in advance of UN Programme of Action meetings.
45. States recommended that, in addition to international cooperation and assistance, already selected for focused consideration by the General Assembly,<sup>1</sup> one or two priority issues or topics of relevance to the illicit trade in small arms and light weapons in all its aspects be identified well in advance of the Open-Ended Meeting of Governmental Experts, scheduled for 2011.
46. States underlined the need to distinguish the mandates of the biennial meetings of States and the review conferences for the Programme of Action and, in this regard, noted that the latter had a mandate to consider whether the Programme of Action was meeting the objectives States had set for it in 2001.
47. States also recommended that the 2012 Review Conference assess and, as necessary, strengthen the follow up mechanisms of the Programme of Action.
48. States recognized that some of these measures could have budgetary implications that might need to be taken into account.

#### **IV. Other issues, and the identification of priority issues or topics of relevance in the illicit trade in small arms and light weapons in all its aspects and of their implementation challenges and opportunities**

49. During the discussion of agenda item 6(d), without prejudice to the views of other States, some States indicated that in their view certain issues were important to the implementation of the Programme of Action. On some of these issues, other delegations expressed a different opinion. These issues included:
  - a) Ammunition for small arms and light weapons and explosives;
  - b) Strengthening regulatory frameworks for enhanced control of the illicit trade in small arms and light weapons in all its aspects, including capacity-building;
  - c) Illicit manufacturing, including unlicensed manufacturing;
  - d) Responsible civilian possession of small arms and light weapons;
  - e) End-user certification and verification, including standardization;
  - f) Monitoring air and maritime transport, including illicit air transport;
  - g) Prohibiting the supply of small arms and light weapons to non-State

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<sup>1</sup> A/RES/64/50, para. 15.

- actors and terrorists;
- h) Linkages between terrorism, organized crime, trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons;
  - i) Demand and supply issues;
  - j) Linkages between security, armed violence, development and human rights;
  - k) Use of force and firearms by government security forces, including peacekeeping forces, in accordance with international norms;
  - l) Protection of civilians, especially women and children, from armed violence and in armed conflict;
  - m) Addressing the special needs of women, youth, children and vulnerable groups;
  - n) Victim assistance;
  - o) Gender perspective;
  - p) Enhanced cooperation among all stakeholders;
  - q) Enhanced partnerships with civil society and the private sector;
  - r) Assisting and promoting conflict prevention and the pursuit of negotiated solutions to conflicts, including by addressing their root causes;
  - s) Conflict management, peaceful settlement of disputes and respect for international law;
  - t) Combating cultures of violence and impunity.
  - u) Security sector and governance reform;
  - v) Private security providers;
  - w) Transforming the Programme of Action into legally binding form;
  - x) Measuring progress in the implementation of the Programme of Action, including review conferences.

50. Many States emphasized the importance of promoting dialogue and a culture of peace by encouraging, as appropriate, education and public awareness programmes on the problems of the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.