

# Fact or Fiction?

## THE UN SMALL ARMS PROCESS

In a continuing saga, 2010 saw the UN small arms process struggling with its future. On the positive side, the Fourth Biennial Meeting of States (BMS4) produced a substantive outcome document on the implementation of the UN Small Arms Programme of Action (PoA), including detailed text on process issues. The year also witnessed a successful start to UN negotiations on an Arms Trade Treaty (ATT).

Yet some of the failures were striking. Exceptionally low rates of reporting and information exchange in 2010 suggest that UN member states were largely indifferent to the International Tracing Instrument (ITI), five years after its adoption by the UN General Assembly. A decade after the finalization of the PoA, UN member states continued to balk at any form of independent assessment of implementation. They may have something to hide; the Small Arms Survey's examination of the national points of contact (NPCs), which states are supposed to establish under the PoA, indicates that just over one-quarter of the UN membership has functioning NPCs in place.

**The year 2010 saw some positive developments in the UN small arms process.**

The UN small arms calendar for 2011 features a new type of meeting for the PoA: an Open-ended Meeting of Governmental Experts (MGE). The UN General Assembly's broad ('omnibus') resolution on small arms now runs to 31 operative paragraphs. But do all these words—spoken and written—really amount to anything? This chapter reviews the latest developments in the UN small arms process and situates them against the broader canvas of UN discussions on this issue over the past decade. It identifies some of the achievements of that process, while also highlighting several causes for concern. Its principal conclusions include the following:

- UN member states have begun to translate the relatively vague language of the PoA into more specific prescriptions for action.
- The UN small arms process has become increasingly structured, with biennial meetings, expert meetings, and review conferences now scheduled for the PoA.
- A lack of commitment to the PoA and ITI on the part of many states is clear, underlined by the continued inability to agree on any type of formal, independent evaluation of instrument implementation.
- To their credit, UN member states have finally agreed to begin negotiations on legally binding principles designed to underpin the international transfer of conventional arms.
- The ATT negotiations may be facing the same resistance to effective international arms control that the PoA has encountered to date.

Most important, the chapter emphasizes that, a decade after the adoption of the PoA, it is not clear that the UN small arms



**This picture, brought back from a Mount Everest expedition, allegedly shows the footprints of the Abominable Snowman or Yeti, circa 1961.**  
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At the Mariposa border crossing in Nogales, Arizona, US customs and border protection agents search for cash and weapons in the back of a vehicle headed for Mexico, May 2009. © Matt York/AP Photo

process has changed much at ‘ground level’ in terms of concrete implementation. Most of the available information on the implementation of the PoA and ITI comes from national reporting, which is rarely self-critical. Despite encouragement over recent years to share information on ‘implementation challenges and opportunities’, states are providing relatively little information on the difficulties they encounter in giving practical effect to the two instruments—except to note, usually in general terms, a lack of capacity or need for assistance.

Independent evaluations of PoA implementation have consistently pointed to serious weaknesses. Most recently, the Small Arms Survey sought to determine whether information states had provided to the United Nations Office for Disarmament Affairs (UNODA) on their national points of contact for the PoA was accurate and, further, whether the NPCs were operational. The results are not encouraging. The existence and identity of the NPC could be confirmed in only 52 cases—just over one-quarter of the UN membership. The news is worse for the ITI. Although the Tracing Instrument *requires* states to ‘designate

one or more national points of contact’ and communicate this information to the UN, as of mid-January 2011 the UNODA website listed ITI-specific point of contact information for only 18 of 192 UN member states—just under ten per cent of the UN membership.

**It is not clear that the UN process has changed much in terms of concrete implementation.**

There were some modest successes in 2010 at the diplomatic level. The BMS4 outcome document contributed to the operational guidance for PoA implementation that has been developed in recent years. It also sketched out a more elaborate, and potentially effective, follow-up process for the PoA, extending beyond mere reporting to the focused consideration—and assessment—of reporting. Yet these positive results were overshadowed by persistent indications that most UN member states are not following through on their PoA and ITI commitments.

Based on the evidence presented in the chapter—few functioning points of contact for the PoA and ITI, little exchange of information on ITI implementation—it appears that only 50 to 60 states are taking their UN small arms commitments seriously. It is admittedly difficult to draw firm conclusions based on the limited information that is currently available, but the UN membership’s continuing reluctance to embrace independent scrutiny of PoA (and ITI) implementation suggests it has a case to answer. ■

