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Making Global Public Policy:  
The Case of Small Arms  
and Light Weapons

Edward Lurance  
Rachel Stohl

December 2002

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## The Small Arms Survey

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## Contents

<b>Acronyms and abbreviations</b>	v-vi
<b>About the authors</b>	vii
<b>Acknowledgements</b>	vii
<b>Summary</b>	viii-ix
I. Introduction	1
<b>A. Small arms as a GPP issue</b>	1
<b>B. A framework for analysis</b>	2
II. Action so far	4
<b>A. The period preceding the UN Small Arms Conference (1995–99)</b>	4
<b>B. The UN Small Arms Conference (January 2000–July 2001)</b>	5
1. Policy measures and tools	5
A. GENERAL MEASURES	5
B. PUBLIC POLICY TOOLS	6
I) Marking and tracing	6
II) Regulating the trade in small arms	6
III) Brokering	7
IV) Surplus weapons and destruction	7
V) Stockpile management and security	7
VI) Information exchange and transparency	8
2. Follow-up	8
<b>C. Towards implementing the <i>Programme</i></b>	9
1. States take stock	9
A. MEETINGS TO TAKE STOCK	9
B. SPECIFIC POLICY INITIATIVES BY STATES	10
I) Further development of policy tools	10
II) The UN Firearms Protocol	11
C. FORMAL MECHANISMS	11
I) Adoption and implementation of the OSCE Document on Small Arms and Light Weapons	11
II) The Stability Pact for South East Europe	11
D. OTHER FORUMS	12
2. Institutionalizing the <i>Programme</i>	12
A. THE UN SECURITY COUNCIL	12
B. THE UN GENERAL ASSEMBLY	13
C. TAKING CONCRETE ACTION—THE UN SECRETARIAT	13
I) The UN Department for Disarmament Affairs	13
II) Coordinating Action on Small Arm	14
III) The Office for the Coordination of Humanitarian Affairs (OCHA) and the Inter-Agency Standing Committee (IASC)	14
IV) The UN Department for Political Affairs (UNDPA)	14
V) Regional Centres for Peace and Disarmament	14

D. TAKING CONCRETE ACTION—UN SPECIALIZED AGENCIES	15
I) The UNDP	15
II) The World Health Organization	16
III) The UN Institute for Disarmament Research (UNIDIR)	16
IV) The UN High Commissioner for Human Rights (UNHCHR), the UN Children's Fund (UNICEF), and the UN Development Fund for Women (UNIFEM)	16
V) The Centre for International Crime Prevention (CICP) of the Office for Drug Control and Crime Prevention (ODCCP)	17
E. CIVIL SOCIETY	17
I) Advocating the use and implementation of policy tools developed in the <i>Programme</i>	19
II) Raising awareness	20
III) Networking	21
IV) Guides to action	21
V) Programmes and service delivery	21
VI) Advocacy	21
VII) Monitoring	22
VIII) Linking small arms to other issues	22
III. Global management of the small arms problem	24
<b>A. The UN Small Arms Conference: A first step in developing a GPP framework?</b>	24
1. Positive outcomes	25
2. Shortfalls	25
<b>B. A GPP framework on small arms</b>	26
1. A full range of actors	26
2. Agenda setting and the framing of issues	28
3. Organizational collaboration and partnering	28
4. The emergence of coalitions and major actors	30
A. THE US	30
B. THE EUROPEAN UNION	31
C. CHINA	32
D. THE ARAB STATES	32
E. A BLOC OF DEVELOPING COUNTRIES?	32
5. The transformation of intentions into stated goals, norms, commitments, and eventually specific policies and programmes	33
6. Small arms as a multi-dimensional and multi-disciplinary problem	33
7. Increased pressure for transparency	35
8. Norms to guide the development and implementation of policy	36
9. Compliance, non-compliance, and monitoring	38
IV. The way forward	41
<b>A. Evidence of an emerging GPP framework</b>	41
<b>B. The future of GPP and small arms</b>	42
1. Moving beyond the First Committee	42
2. Alternative futures	43
Endnotes	45
Bibliography	47

## Acronyms and abbreviations

<i>Bamako Declaration</i>	<i>Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons</i>
BASIC	British American Security Information Council
BICC	Bonn International Center for Conversion
CASA	Coordinating Action on Small Arms
CDC	Centres for Disease Control and Prevention
CICP	Centre for International Crime Prevention
CPR	Bureau for Crisis Prevention and Recovery
DFID	UK Department for International Development
ECOWAS	Economic Community of West African States
EPG	Eminent Persons Group
EU	European Union
<i>Firearms Protocol</i>	<i>Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, Supplementing the United Nations Convention against Transnational Organized Crime</i>
French Coalition	French Coalition to Control Arms Transfers
FC	<i>Framework Convention on International Arms Transfers</i>
GPP	global public policy
GRIP	Groupe de Recherche et d'Information sur la Paix et la sécurité (Group for Research and Information on Peace and Security)
IANSA	International Action Network on Small Arms
IASC	Inter-Agency Standing Committee
ICBL	International Campaign to Ban Landmines
IGO	intergovernmental organization
<i>Inter-American Convention</i>	<i>Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials</i>
Interpol	International Criminal Police Organization
IPPNW	International Physicians for the Prevention of Nuclear War
ISS	Institute for Security Studies
MAG	Manufacturers Advisory Group
MERCOSUR	Mercado Común del Sur (Southern Common Market)
<i>Model Regulations</i>	<i>Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition</i>
<i>Nairobi Declaration</i>	<i>Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa</i>
NGO	nongovernmental organization
OAS	Organization of American States
OAU	Organization of African Unity
OCHA	Office for the Coordination of Humanitarian Affairs
OECD	Organisation for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe
<i>OSCE Document</i>	<i>OSCE Document on Small Arms and Light Weapons</i>
<i>Plan of Action</i>	<i>Plan of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects</i>

PrepCom	Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
<i>Programme</i>	<i>Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects</i>
Project PrepCom	Preparatory Committee for a Global Campaign on Small Arms and Light Weapons
<i>RIP</i>	<i>Combating the Proliferation of Small Arms and Light Weapons: Regional Implementation Plan for South East Europe</i>
SAAS	Small Arms Action Service
SADC	Southern African Development Community
SALW	small arms and light weapons
SIPRI	Stockholm Institute for Peace Research
TAE	Transformação de Armas em Enxadas (Arms into Ploughshares)
UNDDA	UN Department for Disarmament Affairs
UNDP	UN Development Programme
UNDPA	UN Department for Political Affairs
UNECOSOC	UN Economic and Social Council
UNGA	UN General Assembly
UNHCHR	UN High Commissioner for Human Rights
UNHCR	UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNIDIR	UN Institute for Disarmament Research
UNIFEM	UN Development Fund for Women
UNSC	UN Security Council
UN Small Arms Conference	UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
USAID	US Agency for International Development
WFSA	World Forum on the Future of Sport Shooting Activities
WHO	World Health Organization

## About the authors

**Edward J. Laurance** is a Professor of International Policy Studies at the Monterey Institute of International Studies. He has been involved with the global problem of small arms and light weapons (SALW) since its appearance on the global agenda in 1994. He is the author of numerous articles and reports on small arms, including *The New Field of Micro-Disarmament: Addressing the Proliferation and Buildup of Small Arms and Light Weapons* (BICC, 1996), a report for the Carnegie Commission on Preventing Deadly Conflict entitled *Light Weapons and Intra-State Conflict: Early Warning Factors and Preventive Action* (<<http://www.ccpdc.org>>, July 1998), and *Tackling Small Arms and Light Weapons: A Practical Guide for Collection and Destruction* (2000) published in five languages and found at <<http://www.bicc.de>>. From January 1998 to May 1999 he was the administrator of the Preparatory Committee for a Global Campaign on Small Arms and Light Weapons, an Internet community of NGOs that evolved into the International Action Network on Small Arms (IANSA). From May 1996 to August 1997 he served as the consultant to the UN Panel of Experts on Small Arms, and from October 2000 to July 2001 he was the UN consultant to the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. He has been a member of the International Advisory Committee of the Arms Division of Human Rights Watch since 1993, and serves on the International Advisory Board of Small Arms Survey in Geneva since its inception in 1999. Professor Laurance graduated from the United States Military Academy in 1960, serving in Vietnam. He received an MA in Political Science from Temple University in 1970, and in 1973 received his PhD in International Relations from the University of Pennsylvania.

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vii

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## Summary

In the *Programme of Action*, agreed at the July 2001 UN Small Arms Conference, national governments adopted a wide-ranging set of commitments which, if implemented, would aid greatly in preventing and reducing the negative impacts of these weapons. In an extensive review, this paper reveals that states, intergovernmental organizations (IGOs), and nongovernmental organizations (NGOs) have taken up this challenge in a broad series of meetings, programmes, and policies. Individual states are enacting new laws, building needed capacity, and funding projects in affected states. UN agencies are engaged in various activities in support of the *Programme*, while the UN Secretariat is carrying out the tasks assigned to it in this document. At the same time, regional IGOs are taking action loosely based on the *Programme*. And NGOs, both global and local, have embarked on specific programmes and awareness-raising initiatives, empowered by the mandate contained in the *Programme*.

The authors go beyond the description of these events to assess the extent to which action on small arms can be analysed in terms of a global public policy framework that has been applied to other global problems, such as pollution, HIV/AIDS, nuclear proliferation, and anti-personnel landmines.

Spurred on by the UN Small Arms Conference, a wide-range of actors, including states, IGOs, and NGOs, is now engaged in the process of raising awareness, developing norms and policy tools, and implementing policies and programmes at all levels—local, national, regional, and global. These actors have all contributed to agenda setting to date, although it is less certain that they will all participate in agenda-setting during the next phase of policy development, as the current security focus in respect of small arms makes for restricted policymaking. The experience of organizational collaboration and partnering is mixed. At the local level, national governments from both donor and affected states, IGOs, and NGOs—both local and transnational—have demonstrated they can collaborate effectively. On the other hand, due to the primacy of the national security dimension to date, much more could be done to develop the collaboration and partnering required to implement truly global and multidimensional policies.

In just a few years, a marked indifference to, or denial of, the global nature of the small arms problem has given way to a situation where the generation of policy involves a process not unlike the political bargaining one finds within states. We also see operational programmes and policies being developed and implemented at various levels. However, recognition of the multidimensional and multidisciplinary nature of the small arms problem remains weak. In the run-up to the UN Small Arms Conference, this point was emphasized, particularly by the NGO community, which made the case for action based on specific thematic mandates, including development, crime, public health, and human rights. Yet, while the multidimensional nature of small arms impacts have been amply demonstrated, this has been inadequately reflected in the global policy arena. At the global level, IGOs and NGOs are addressing the issue from a variety of perspectives. But, for the most part, they act in isolation. In many cases, they compete with each other for funding, and have yet to form a functioning coalition that is typical of a truly global approach.

The need for effective transparency has not been met in any meaningful way. States at the UN Small Arms Conference consistently rejected those measures which would have provided transparency and openness. Civil society has begun to try to close this gap, but ultimately it is governments that must provide the data that will enable a truly functioning global public policy framework to emerge. There

is some evidence that norms have begun to emerge. The *Programme's* Preamble recognizes certain basic principles that can begin to be used to shape public policies to address the small arms problem. There is also consensus on at least six basic policy tools that are needed to tackle the problem—representing an emerging set of norms that will eventually shape the behaviour of states, IGOs, and NGOs. Finally, actors addressing the small arms problem have begun to address the question of compliance. Activity is now underway to develop mechanisms to monitor state compliance with the *Programme*. Moreover, in those areas of global small arms policy which are more developed—specifically, UN arms embargoes—efforts to improve compliance are well advanced.

The paper concludes with the observation that while the efforts made to date are encouraging and must continue, they are taking place within a context dominated by the procedures and culture of the First Committee of the UN General Assembly. This makes full participation by all actors difficult and points to the need for complementary structures which will support work and coalition-building that is more inclusive and multidimensional. Enhancing the Coordinating Action on Small Arms (CASA) mechanism and finding other ways for the UN agencies and Secretariat to coordinate their small arms work would bring real benefits. Nevertheless, there are limits to a purely inter-governmental approach, even one involving IGOs. A broader range of actors, especially those from civil society, will need to be more involved if the emerging global public policy framework on small arms is to take full flight—thus ensuring that the very important 'first step' taken in the *Programme of Action* is not the only step.



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## I. Introduction

More than a year has passed since the international community chose to document and formally address the growing global problems associated with the increased proliferation, availability, and misuse of small arms and light weapons (SALW). In the *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (Programme)* (UNGA, 2001b), agreed to at the July 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Small Arms Conference), national governments adopted a wide-ranging set of commitments that, if implemented, would greatly aid in preventing and reducing the negative impact of these weapons.

As we describe in section II of this paper, states, intergovernmental organizations (IGOs), and NGOs have taken up this challenge in a wide-ranging set of meetings, programmes, and policies. Individual states are enacting new laws, building needed capacity, and funding projects in states affected by the problem. UN specialized agencies (including the UN Development Programme (UNDP) and the World Health Organization (WHO)) are engaged in various activities in support of the *Programme*, while the UN Secretariat is carrying out the tasks that this document assigns to it. At the same time, regional IGOs (including the Organization of American States (OAS) and the Organization for Security and Co-operation in Europe (OSCE)) are taking action loosely based on the *Programme*. And NGOs, both global and local, have embarked on specific programmes and awareness raising initiatives, empowered by the mandate in the *Programme*.

Page 1

A key step in the follow-up to the UN Small Arms Conference will be taken towards the end of 2002, when the First Committee of the UN General Assembly (UNGA) meets to develop an agenda and process for the 2003 biennial meeting. As recommended in the *Programme*, the biennial meeting will give states an initial opportunity, under UN auspices, 'to consider the national, regional and global implementation of the Programme of Action' (UNGA, 2001b, sec. IV.1(b)).

This paper examines the wide range of activities now under way to deal with the problem of small arms, and asks one basic question: To what extent do these activities come to terms with the *global* nature of the small arms problem? In other issue areas, such as global warming, HIV/AIDS, trade, and refugees, actors at all levels are collaborating to produce what this paper will term 'global public policy' (GPP). What the paper attempts to ascertain is whether similar collaboration exists with regard to the development of a GPP framework to deal with the problems presented by SALW.

### A. Small arms as a GPP issue

The UN Small Arms Conference took place after a decade in which, as we have seen, a variety of global problems emerged and were tackled by means of well-developed frameworks for the making of GPP. As with the issues referred to above (such as global warming and HIV/AIDS), in the security realm the problems of nuclear proliferation and anti-personnel landmines are also being addressed at the global level. How does the international response to the problems presented by small arms compare? Specifically, has the activity and knowledge generated in the context of the UN Small Arms Conference resulted in this issue being dealt with in a similar fashion?

Much of the run-up to the UN Small Arms Conference involved a process of awareness raising, in which the nature of the trade in these weapons, along with their negative effects, was documented and a wide variety of policy options produced. A series of UN panels of experts and regional governmental meetings, together with research and publicity by a growing network of NGOs, preceded the final deliberations on a draft *Programme* in early 2001. In essence, this work revealed that, while the negative effects associated with these weapons occur at state level, the problem was global in scope and could not be tackled without a global approach. Perhaps most importantly, the trade in these weapons, whether legal or illicit, was international in its reach. Disparity in the laws and policies of states helped fuel the illicit component of this trade. Many also saw the impact of small arms in global terms—whether in relation to public health, the protection of human rights, or the adherence to international humanitarian law. The lack of capacity of many affected states to deal with the impact of small arms also pointed to the need for a global assistance effort. And the absence of concerted regional action on small arms in such key areas as the Middle East and Asia meant that a global approach was needed.

The UN Small Arms Conference was part of a system of UN conferences that was well established by the mid-1990s. Writing in 1996, former UN Secretary-General Boutros Boutros-Ghali described these conferences as:

something new and different. They are linked. They are cumulative. They foster global consensus on interlocking global issues. They generate specific commitments. And they provide a comprehensive framework for international action in fields that are drastically affected by the negative side of globalisation (Boutros-Ghali, 1996, pp. 88–9).

Page 2

Prior to and even during the UN Small Arms Conference, many states viewed the small arms problem as one of national—or at most regional—scope. Yet the final *Programme* made it clear that the problem also had to be addressed at the global level, documenting not only the global nature of the problem in its Preamble, but also calling for a host of international assistance and monitoring measures.

## B. A framework for analysis

The study of how a series of problems appeared on the international agenda in the 1990s has led to the elaboration of a GPP framework. This is useful not only in describing the management of these problems, but also in underlining the new global reality of multiple sectors and types of actors, and the need for global and regional institutions and mechanisms to deal with the problems. This paper will develop a framework for the making of GPP, which builds on the approach taken by a team from the Carnegie Endowment for International Peace in its book entitled *Managing Global Issues* (Simmons and de Jonge Oudraat, 2001), which assessed 16 issue areas, including the landmine problem, but not SALW. The work of Reinicke (1998) was also instrumental in developing the framework used in this paper.

What is global public policy or GPP? Most analysts view it as a manifestation of global governance. Rosenau defines governance as the use of ‘mechanisms for steering social systems toward their goals’ (Rosenau, 1999). Global governance is required when dealing with global problems. Such governance:

takes place through laws, norms, markets and architecture, not necessarily or exclusively the field of action of governments alone but rather in association with one

another, with multinational bodies, with corporate and sometimes academic research entities and with NGOs. Such collective activity, structured or improvised, produces governance, sometimes without governmental authority (Keohane and Nye, 2000, p. 12).

In examining how GPP is made, it should be emphasized that national governments remain central to the resolution of global problems—whether acting unilaterally, bilaterally, or in the context of the IGOs that they have created. Yet this ‘club model of multilateral cooperation’ (Keohane and Nye, 2000, p. 26) has proved to be inadequate in tackling many global issues (Keohane and Nye, 2000, pp. 26–32). The small arms problem, in particular, will not be resolved through the negotiation of a single treaty, but instead through a more complex system of global public policy-making.

The box below offers a snapshot of the GPP framework that will be applied in sections III and IV of this paper. Action taken to date on the small arms problem—reviewed in section II—will be assessed in section III in terms of the framework, the central question always being: ‘To what extent does this action fit in with the GPP framework?’ While several elements of global public policy-making are now taking shape in the area of small arms, important deviations from the model are also evident. Many of the approaches, tools, and mechanisms being used by actors at all levels fit poorly with what is needed to deal with small arms as a global problem. Existing structures are often unable to provide the extensive multi-level, multi-dimensional co-ordination that is required to deal with complex global issues. In the final section of the paper (section IV), we will consider the prospects for future action on the small arms issue, including the likelihood that effective GPP can be fashioned in this area.

#### Basic elements of a GPP framework

1. Global public policy-making involves a **full range of actors**, extending beyond national governments and the international organizations they create. Such actors include NGOs, businesses, media, and individual experts who collaborate and interact to create the knowledge used in policy-making.
2. **Agenda setting and the framing of issues** are critical components of such policy-making, and are increasingly practised by the full range of actors.
3. **Organizational collaboration and partnering** are equally crucial to the development of effective policies to deal with global social problems.
4. **Coalitions and major actors** emerge, as in domestic public policy systems, taking positions on the applicability and utility of specific policy tools at the regional and global levels, and on the structures within which GPP should be made and implemented.
5. **Intentions are transformed** into stated goals, norms, and commitments, and eventually into specific policies and programmes.
6. Global social problems are **multi-dimensional and multi-disciplinary**.
7. There is increased pressure for **transparency**.
8. **Norms** emerge to guide the development and implementation of policy.
9. **Compliance, non-compliance, and monitoring** become central issues. A system of monitoring and information collection and management develops to track compliance with binding or non-binding rules or goals. Some actors do not comply, causing other actors in the system to react with a variety of tools, e.g. incentives, technical assistance, diplomacy, public naming and shaming, economic sanctions, and military force.

## II. Action so far

Before assessing the applicability of the GPP framework to small arms, we will first review the wide range of actions taken by various actors since the mid-1990s, when the issue first appeared on the global stage. Our objective in this section is not to exhaustively catalogue everything that has happened, but rather to provide enough data so that we can subsequently evaluate the various actions and activities that have arisen in terms of the GPP framework.

### A. The period preceding the UN Small Arms Conference (1995–99)

In January 1995, then-UN Secretary-General Boutros Boutros-Ghali presented his *Supplement to an Agenda for Peace* (UNGA, 1995a) on the occasion of the 50<sup>th</sup> anniversary of the founding of the United Nations. In the section of the report dealing with arms control and disarmament, he was the first major world figure to sound the alarm in relation to a new global threat: the spread and misuse of SALW. After noting the considerable progress that had been achieved since 1992 on dealing with the problem of weapons of mass destruction, he chose:

to concentrate on what might be called ‘micro-disarmament’. By this I mean practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands. The contemporary significance of micro-disarmament is demonstrated by the enormous proliferation of automatic assault weapons, anti-personnel mines and the like (UNGA, 1995a, paras 60–61).

Page 4

Within two years, the UN had commenced the process of holding a global conference to address this new global challenge, with the recommendation in 1997 by the UN Small Arms Panel that a conference on the illicit small arms trade should be held.<sup>1</sup>

Once the formal path to a UN conference on small arms had been determined, actors and processes outside the UN began to shape GPP on this issue. Think-tanks and the academic community took up their traditional role of providing governments and international organizations with information that they could use to address the problem. Even those states that had not paid much attention to the issue soon had to address it, as the UN began to ask for the views of member states on the problem, and on what the future Conference should try to accomplish. The NGO community was much slower to react. In 1992, when the problem first surfaced, there were only two NGOs addressing it. Only 12 were engaged in work on small arms in January 1998 when the Preparatory Committee for a Global Campaign on Small Arms and Light Weapons (Project PrepCom) launched its web site. Nevertheless, by the time the formal Conference process got under way in February 2000, the number of NGOs working on the small arms problem was over 200, with many of these operating under a new umbrella group, the International Action Network on Small Arms (IANSA).

It was in various regions of the world that states first began to fashion public policy, recognizing that small arms problems occurring within a state could not be resolved by the government of that state acting alone. In November 1997, members of the OAS signed *the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials* (*Inter-American Convention*) (OAS, 1997), complemented by the 1998 *Model Regulations for the*

*Control of the International Movement of Firearms, Their Parts and Components, and Ammunition (Model Regulations)* (OAS, 1998). In Africa, the ECOWAS *Declaration of a Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa* (ECOWAS, 1998) was signed in October 1998, while the Southern Africa *Regional Action Programme on Light Arms and Illicit Arms Trafficking* (SADC, 1998) was prepared in May 1998. The EU enacted a *European Union Code of Conduct on Arms Exports* (EU, 1998a) with specific export control criteria, as well as a *European Programme for Preventing and Combating Illicit Trafficking in Conventional Arms* (EU, 1997) and a *Joint Action* on small arms (EU, 1998b).<sup>2</sup>

## B. The UN Small Arms Conference (January 2000–July 2001)

The preceding initiatives can collectively be seen as the first elements of a framework for global governance. A full range of actors was engaged in agenda setting and negotiating specific policy responses to the proliferation and misuse of SALW. Nevertheless, for many years, the issue was not addressed as a global one, even though there was overwhelming evidence that the circulation and negative consequences of these weapons, both legal and illicit, were truly global in scope. An exception was the UN *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, Supplementing the United Nations Convention against Transnational Organized Crime (Firearms Protocol)* (UNGA, 2001a), developed from 1999 to 2001 as a global, but narrow, transnational anti-crime mechanism. Various attempts to expand this mechanism—to encompass, for example, state to state arms transfers—were rejected.

In fact, measures to stem small arms proliferation depended on a consensus that the problem was indeed global, a consensus that did not emerge prior to the UN Small Arms Conference. While some progress had been made at the regional level, there were still key regions that lacked a regional framework, and for whom global efforts were therefore critical. It was in this context that the UN Small Arms Conference was held.

There have been many assessments of the UN Small Arms Conference. Some of these were presented in the immediate aftermath of the Conference, while other, more analytical, critiques were made months later.<sup>3</sup> As we have already stated, this paper will review the major accomplishments and short-falls of the Conference for the specific purpose of assessing the extent to which it contributed to the building of a GPP framework for small arms.

The *Programme*, adopted at the end of the UN Small Arms Conference, goes some way towards globalizing action on small arms. Firstly, and perhaps most importantly, this consensus document reflects worldwide agreement that the problem is multi-dimensional and global. The *Programme* also contains specific measures or policy tools for implementation by national governments, regional organizations, international organizations, and civil society. In addition, the *Programme* establishes a minimal follow-up process, ensuring that the issue will stay on the international agenda until at least 2006.

## 1. Policy measures and tools

### A. GENERAL MEASURES

Participating governments committed themselves, in political terms, to a series of measures, most of which are relatively concrete. Some of these were agreed to in the early stages of the Conference, while others were only finalized in its final hours. The measures contained in the final *Programme*

aimed at the national level include the following: enacting and enforcing relevant laws; establishing national co-ordination agencies responsible for policy guidance, research, and monitoring of efforts to tackle small arms; identifying groups and individuals engaged in illegal small arms-related activities; taking responsibility for all small arms held and issued by the state, including effective tracing measures for them; and developing and implementing disarmament, demobilization, and reintegration programmes (UNGA, 2001b, sec. II, paras 2–23).

Two of the commitments made by states at the regional level are: encouraging, where appropriate, negotiations for legally binding instruments aimed at preventing, combating, and eradicating the illicit small arms trade; and establishing subregional or regional mechanisms—in particular transborder customs co-operation and networks—for sharing information among law enforcement, border control, and customs control agencies (sec. II, paras 25, 27).

Global measures include: co-operating with the UN system to ensure the effective implementation of Security Council arms embargoes; encouraging states and the World Customs Organization, as well as other relevant organizations, to enhance co-operation with the International Criminal Police Organization (Interpol) to identify groups and individuals engaged in the illicit small arms trade; and encouraging relevant international and regional organizations and states to facilitate the appropriate co-operation of civil society, including NGOs, in activities related to the management and control of small arms (sec. II, paras 32, 37, 40).

## B. PUBLIC POLICY TOOLS<sup>4</sup>

Public policy, in general terms, is that process whereby actors in the system bargain and negotiate specific policies and programmes designed to alleviate a social condition of concern. Given the analytical focus of this paper on public policy, it is useful to examine the specific policy clusters or tools that were (and were not) negotiated before and during the UN Small Arms Conference. As will be seen, many of these measures and tools are in fact crucial in tackling the small arms problem. Of course, some are more developed than others. Modalities of implementation also tend to be vague. However the policy tools contained in the *Programme*, if seriously implemented, would accomplish the overall objective of reducing the negative effects of these weapons.

### *i) Marking and tracing*

States agreed to language calling for a unique, appropriate, and reliable marking on each small arm as part of the production process (sec. II, para. 7) in order to facilitate the tracing of such weapons by authorities. They also agreed to keep accurate records, as well as to strengthen their ability to co-operate in identifying and tracing illicit small arms in a timely and reliable manner (sec. II, paras 9, 36). In section III of the *Programme*, states and regional and international organizations are encouraged to provide assistance in building capacity, to examine new technologies that may help in the implementation of the programme, to facilitate technology transfer in the area of tracing, and to co-operate with one another in tracing illicit SALW, particularly by strengthening mechanisms based on the exchange of relevant information (sec. III, paras 6, 10–11).

### *ii) Regulating the trade in small arms*

In section II of the *Programme*, states agreed to ‘establish or maintain an effective national system of export and import licensing or authorization, as well as measures on international transit, for the transfer of all small arms and light weapons, with a view to combating the illicit trade in small arms and light weapons.’ Further, they agreed to ‘put in place and implement adequate laws, regulations

and administrative procedures to ensure the effective control over the export and transit of small arms and light weapons, including the use of authenticated end-user certificates and effective legal and enforcement measures.' While there are no export control criteria in the *Programme*, states did agree to 'assess applications for export authorizations according to strict national regulations and procedures... consistent with the existing responsibilities of States under relevant international law' (sec. II, paras 11–12).

*iii) Brokering*

In section II of the *Programme*, states acknowledge the need to address the problem of arms brokering by agreeing:

[t]o develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering. This legislation or procedures should include measures such as registration of brokers, licensing or authorization of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State's jurisdiction and control (sec. II, para. 14).

In addition, states undertake to 'develop common understandings of the basic issues and the scope of the problems related to illicit brokering in small arms and light weapons' (sec. II, para. 39). In section IV, paragraph 1(d) of the *Programme*, states agree to 'consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons.'

*iv) Surplus weapons and destruction*

Extensive discussion took place at the Conference on the importance of reducing surplus stocks in order to prevent and reduce the negative impact of small arms. While the *Programme* does not insist on the destruction of surplus weapons, it does call for their 'responsible disposal, preferably through destruction' (sec. II, para. 18) and urges the provision of 'assistance in the destruction or other responsible disposal of surplus stocks of unmarked or inadequately marked small arms and light weapons' (sec. III, para. 14). The *Programme* also encourages the public destruction of surplus weapons and the voluntary surrender of small arms in co-operation with civil society and NGOs (sec. II, para. 20). States could not agree on criteria for determining what constitutes a small arms surplus. However, section II of the *Programme* commits states to 'regularly review... stocks of small arms and light weapons held by armed forces, police and other authorized bodies and to ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified' (sec. II, para. 18).

*v) Stockpile management and security*

States recognize the importance of stockpile management by agreeing, in section II of the *Programme*, to 'establish adequate and detailed standards and procedures relating to the management and security' of official stocks (sec. II, para. 17). In the regions, states are encouraged 'to promote safe, effective stockpile management and security' and 'to implement, where appropriate, regional and subregional mechanisms in this regard' (sec. II, para. 29). As with other policy tools agreed at the national level, the provision of capacity building assistance is encouraged along with '[r]egional and international programmes for specialist training on small arms stockpile management and security' (sec. III, paras 6, 8).

vi) *Information exchange and transparency*

One of the most important policy tools in the area of small arms is that of making the legal production, trade, and use of these weapons more transparent in order to illuminate the illicit trade that is responsible for most of the negative effects. This issue was discussed extensively, and many proposals were tabled early on in the Conference negotiations. While in the final *Programme* states do not move very far on the issue, they do agree to provide relevant information on the illicit trade (sec. II, para. 23). In addition, measures to enhance transparency are encouraged at the regional level (sec. II, para. 31), as is the voluntary exchange of information on national marking systems (sec. III, para. 12). The UN Department for Disarmament Affairs (UNDDA) is also requested 'to collate and circulate data and information provided by States on a voluntary basis' (sec. II, para. 33).

## 2. Follow-up

In addition to developing specific policy tools, participants at the UN Small Arms Conference also addressed the question of a process or framework within which these tools would be enacted, coordinated, monitored, and further developed. During the meetings of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PrepCom) and throughout the Conference, views diverged widely on how formal such an architecture should be. This was reflected in the struggle to reach consensus on the relevant section (IV) of the *Programme* (Small Arms Survey, 2002, pp. 227–9). Yet the final *Programme* does incorporate the beginnings of a process by which the full range of actors can begin to tackle the small arms problem at all levels:

- States agree to convene a conference no later than 2006, the date and venue to be decided by the 58<sup>th</sup> session of the General Assembly in 2003. This conference will review progress on implementation of the *Programme* (sec. IV, para. 1(a)).
- Biennial meetings are to be held 'to consider the national, regional and global implementation of the Programme of Action' (sec. IV, para. 1(b)).
- Section III, para. 18 of the *Programme* urges all actors 'to develop and support action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with' the illicit small arms trade.
- A UN study on 'the feasibility of developing an international instrument to enable States to identify and trace in a timely and reliable manner illicit small arms and light weapons' is to be undertaken (sec. IV, para. 1(c)).
- A paragraph of the section dealing with follow-up provides a mandate for all actors—not only national governments—to contribute to the implementation of the *Programme*. Specifically, it encourages 'the United Nations and other appropriate international and regional organizations to undertake initiatives to promote the implementation of the Programme of Action'. It further encourages 'non-governmental organizations and civil society to engage, as appropriate, in all aspects of international, regional, subregional and national efforts to implement the present Programme of Action' (sec. IV, para. 2).
- Finally, as noted above, a rudimentary reporting system is established by requesting the UNDDA 'to collate and circulate data and information provided by States on a voluntary basis and including national reports, on implementation by those States of the Programme of Action' (sec. II, para. 33).

### C. Towards implementing the *Programme*

The section of the *Programme* dealing with follow-up provides a mandate for the full range of actors involved in addressing the small arms problem to either begin or accelerate work on the problem. In addition, provision is made for the actors to meet again, at the very least, in 2003 and 2006. Governments are urged to 'consider further steps to enhance international cooperation'. The UN, international, and regional organizations are encouraged 'to undertake initiatives to promote the implementation of the Programme of Action'. Civil society is also encouraged 'to engage, as appropriate, in all aspects of efforts to implement the *Programme*' (sec. IV). This part of the paper will describe how various actors have responded to this mandate since the UN Small Arms Conference ended in July 2001.

#### 1. States take stock

As the *Programme* was not legally binding, states have some discretion in determining how best to move the small arms agenda forward. Since July 2001, there have been a number of follow-up meetings to discuss *Programme* implementation. They have involved a combination of government and international agency representatives, along with NGO participants. These meetings have typically explored a framework for developing small arms initiatives, partnerships, and co-operation within regions and subregions, as well as at the global level.

##### A. MEETINGS TO TAKE STOCK

European states and NGOs held a post-UN Small Arms Conference meeting on 5–6 October 2001 in Brussels, Belgium. It aimed to look at what the European Union response should be to the Conference, specifically to the *Programme*. The mixed state-NGO meeting was followed by an NGO working meeting. A regional seminar for Latin America and the Caribbean was held on 19–21 November 2001 in Santiago, Chile to evaluate and consider follow-up to the Conference. States discussed ways in which the region could work to implement aspects of the *Programme*, and called upon the richer states of the region to provide financial assistance for this purpose. Working groups examined specific actions for strengthening legal norms on small arms, preventing small arms-related violence, developing regional and subregional co-operation and co-ordination, and utilizing and working with the OAS, UN, and civil society. States also encouraged OAS states to ratify the 1997 *Inter-American Convention*, to apply the 1998 *Model Regulations*, and to sign and ratify the 2001 *Firearms Protocol*.

In Costa Rica, on 3–5 December 2001, a conference entitled Dimensions of the Control and Regulation of the Traffic of Arms focused on implementing the *Programme*. Hosted by the Arias Foundation, the meeting was sponsored by the Governments of Costa Rica, Canada, and Finland. It featured the President of the UN Small Arms Conference, Ambassador Camilo Reyes, and produced a set of recommended actions for national and regional implementation in Central America (IANSA, 2002b, p. 7).<sup>5</sup>

An African conference on the implementation of the *Programme* was held on 18–21 March 2002 in Pretoria, South Africa. Participants in the conference included representatives from 41 African countries, 29 countries from the Organisation for Economic Co-operation and Development (OECD), three observer countries, eight international and regional secretariats, and 33 NGO representatives. The conference examined the *Programme*, as well as the Organization of African Unity's (OAU) *Bamako Declaration* (OAU, 2000), in order to determine how national, subregional, and international implementation processes could be supported by both OECD and African countries.<sup>6</sup>

These meetings—only a sample of which has been presented here—took place within a regional context, and to a great extent utilized existing regional structures to ‘regionalize’ the *Programme*. By contrast, a meeting held in Tokyo on 23–25 January 2002 for the purpose of assessing the outcome of the UN Small Arms Conference and determining ways of implementing the *Programme* was global in nature. In total, 47 representatives from 32 governments and 32 representatives of organizations and research institutions from all regions took part. The meeting served to reinforce the linkage between small arms proliferation and terrorism, drug trafficking, organized crime, and other illicit activities. The ‘Chairperson’s Summary’ of the meeting characterized the *Programme* as ‘a common basis from which different States and regions could move forward at a speed appropriate to their desires, needs and capacities. The Programme of Action empowers States and regions to decide what aspects of the issue to prioritize’ (Japanese Ministry of Foreign Affairs, 2002). It was an important indicator of the challenges that lie ahead in moving toward more effective co-ordinated action on the small arms problem at the global level.

## B. SPECIFIC POLICY INITIATIVES BY STATES

### i) Further development of policy tools

As we described earlier, the *Programme* developed by consensus a set of basic policy tools that, if implemented at the state, regional, and global levels, would begin to make a dent in the small arms problem. Some of these tools received more support than others, and are fairly well developed in the *Programme* (e.g. stockpile security). Others were more controversial, with their development as effective instruments put off to the post-Conference period. Among these were transparency and export control criteria. What is the record to date in the further development of these policy tools?

Compared to most other policy tools developed in the *Programme*, there was agreement that the problems associated with small arms could not be solved until states could identify the sources of illegal weapons being imported into and used in their territories. To this end, the UN *Firearms Protocol* legally commits participating states to develop clear standards of marking and record-keeping of firearms, and to co-operate in tracing firearms associated with transnational crime and criminal trafficking. States agreed to a series of steps on marking and tracing in the *Programme* that reflected this consensus. However, no consensus could be reached on how this would be accomplished. There was no agreement on the crucial elements of a standard global marking system or the kind of co-operative mechanisms that should be developed at the global level. These issues were referred to a UN panel for study.

The resulting UN Group of Governmental Experts on Tracing Illicit Small Arms and Light Weapons held its first session in Geneva on 1–5 July 2002. Established pursuant to section IV, para. 1(c) of the *Programme*, the group is ‘to examine the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons’ (UNGA, 2001d, para. 10). At its first session, the 23-member group elected Ambassador Rakesh Sood of India as its chairperson, and identified the technical and political issues it will examine in the next phase of its work. The group will hold two more meetings in 2003, before reporting to the UN General Assembly at the latter’s 58<sup>th</sup> session in 2003–04 (UN, 2002a, 2002b). The UN Secretary-General has also expressed support for the development of an international marking and tracing instrument (UN Security Council (UNSC), 2002).

During the run-up to the Conference and at the Conference itself, France and Switzerland put forward a series of proposals for such a global marking and tracing arrangement. However, these proposals were

rejected at the Conference and, as of August 2002, their future remains uncertain, pending the outcome of the UN experts' study. (Other work in the area of marking and tracing will be described in the section on civil society on p. 19, below.)

This experience is quite typical of the other policy tools. As of August 2002, states had not begun to work seriously on their further development. For example, the *Programme* contains only broad guidelines on exports, specifying that states will 'assess applications for export authorizations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law' (UNGA, 2001b, sec. II, para. 11). This is a far cry from the well-developed export control criteria proposed by the EU and Canada, and to which OSCE states have already committed themselves. A conference dedicated to developing such criteria, based on 'relevant international law', would be useful, but has not taken place. States appear to have put the further development of these tools, along with other problem areas such as transparency, on hold pending the 2003 biennial meeting.

#### ii) *The UN Firearms Protocol*

At the UN Small Arms Conference, some states suggested that the *Programme* and the UN Firearms Protocol be more closely linked.<sup>7</sup> Instead, states preferred to see how the protocol evolved in terms of practical implementation. As of September 2002, 43 states had signed the protocol (a notable exception being the US), but only three had ratified it: Bulgaria, Burkina Faso, and Mali.<sup>8</sup> Clearly, then, this global mechanism has not received much attention from states since the end of the Conference.

### C. FORMAL MECHANISMS

#### i) *Adoption and implementation of the OSCE Document on Small Arms and Light Weapons*

The OSCE adopted the *OSCE Document on Small Arms and Light Weapons (OSCE Document)* in November 2000 (OSCE, 2000). The *OSCE Document*, a politically binding agreement, is comprehensive in nature and contains such supply-side obligations as export controls. It calls on states to exchange information on national small arms policy. As a result—in what has been the most far-reaching use made by states of the transparency tool in this area—the OSCE conducted a first information exchange on small arms in 2001. An assessment was commissioned for the first exchange, and a workshop held to discuss the results on 4–5 February 2002. This led to the development of a reporting template for the second information exchange on small arms, conducted in June 2002. The 2002 exchange included information on imports and exports, destruction, surpluses, and seizures of SALW, as well as stockpile management and security procedures. The OSCE's Conflict Prevention Centre is also working to facilitate implementation of the *OSCE Document* in Central Asia.

#### ii) *The Stability Pact for South East Europe*

The adoption of the November 2000 OSCE Document and the conclusion of NGO seminars in the region fostered the November 2001 Stability Pact for South East Europe *Combating the Proliferation of Small Arms and Light Weapons: Regional Implementation Plan for South East Europe (RIP)* developed by the Office of the Co-ordinator of the Stability Pact (Stability Pact, 2001). The *RIP* calls for action on small arms in the following areas: preventing and combating illicit trafficking; supporting disarmament, demobilization, and reintegration; security sector weapons management; transparency and accountability; public awareness; legislative and administrative capacity; and collection, storage, and disposal programmes. The *RIP* also established a Stability Pact Regional Clearing House for SALW Reduction in Belgrade under the auspices of the UNDP.

The *RIP* further resulted in the formation of a Regional Steering Group that will monitor progress, review priorities, co-ordinate projects, and promote operational co-operation between countries.

#### D. OTHER FORUMS

Prior to the UN Small Arms Conference, states, IGOs, and NGOs with representation in Geneva began an informal process of meeting and sharing ideas about how to move forward on small arms issues. This process played an important role in the preparation for the UN Small Arms Conference by allowing participants the opportunity to gather informally beforehand and discuss the issues that would be negotiated at the Conference. Several drafts of the *Programme* were circulated and discussed at these meetings, as early as the time of the first PrepCom, with some of this language surviving in the consensus *Programme*. These same actors are continuing this process by focusing on ways of advancing *Programme* implementation, with experience in this area being shared among participants.

### 2. Institutionalizing the Programme

In the period following the UN Small Arms Conference, UN bodies, departments, and agencies have begun work to back up the decisions taken there, in effect institutionalizing the *Programme*.

#### A. THE UN SECURITY COUNCIL

The first such action occurred on 31 August 2001, when the President of the Security Council, from Colombia, made a statement summarizing what the UNSC had agreed as a result of its two meetings on the subject of small arms on 2 and 31 August. He noted:

with grave concern that the destabilizing accumulation and uncontrolled spread of small arms and light weapons in many regions of the world increases the intensity and duration of armed conflicts, undermines the sustainability of peace agreements, impedes the success of peace-building, frustrates efforts aimed at the prevention of armed conflict, hinders considerably the provision of humanitarian assistance, and compromises the effectiveness of the Security Council in discharging its primary responsibility for the maintenance of international peace and security (UNSC, 2001).

He also called on the Secretary-General to provide more information to the UNSC on situations being addressed by its members (UNSC, 2001).

In September 2002, the UN Secretary-General released the requested report to the Security Council, stating that small arms represent 'one of the key tasks of the Security Council' (UNSC, 2002). The report recommends that the Security Council call upon states to: support efforts for the development of an international marking and tracing instrument; provide technical and financial support to the Interpol Weapons and Explosives Tracking System; assist the Secretariat in establishing a small arms advisory service; and enforce Security Council resolutions on embargoes and sanctions. The report also urges the Security Council to develop strategies to address the link between the illicit small arms trade and the illicit exploitation of natural resources, and recommends that the financing of disarmament, demobilization, and reintegration programmes be strengthened. The report also highlights the need for states to enhance transparency in armaments, including through participation in the UN Register of Conventional Arms (UNSC, 2002).

## B. THE UN GENERAL ASSEMBLY

In the latter part of 2001, the First Committee took up the issue of approving or ratifying the work of the UN Small Arms Conference. Colombia, Japan, and South Africa co-sponsored a draft resolution that listed the highlights of the *Programme*. The final UNGA resolution, 56/24V (UNGA, 2001d), had 57 co-sponsors. Its operative paragraphs confirmed the 2003 and 2006 follow-up meetings, encouraged all actors to implement the *Programme*, and asked the Secretary-General to convene a panel of experts to study the feasibility of developing an international marking and tracing instrument. The resolution also requested the UNDDA (a part of the Secretariat) to collate and circulate data and information provided by states on a voluntary basis, including national reports, on the implementation by those states of the *Programme* (UNGA, 2001d).

Resolution 56/24V was passed on 24 December 2001 without a vote. It should be noted that the debate on this resolution was minimal, given the amount of attention given to other issues in the wake of the 11 September terrorist attacks on the US. The US, in its First Committee remarks, did not mention SALW. And Resolution 56/24V did not affirmatively adopt the *Programme*, but rather 'welcomed' the adoption by consensus of the *Programme* in its Preamble. In a further sign that the *Programme* was as far as some states were willing to go, Egypt raised objections to the resolution on *Assistance to States for Curbing the Illicit Traffic in Small Arms and Collecting Them* (UNGA, 2001e), sponsored each year by Mali and finally adopted in 2001, as language on civil society and moratoriums went beyond both the *Bamako Declaration* and *Programme* texts. Although Egypt did not block the eventual adoption of Resolution 56/24V, its objection pointed to the fragile consensus that exists on many of the issues covered in the *Programme*.

## C. TAKING CONCRETE ACTION—THE UN SECRETARIAT

### i) *The UN Department for Disarmament Affairs*<sup>9</sup>

The *Programme* and follow-up General Assembly Resolution 56/24V gave the UNDDA key roles in pursuing co-ordinated action on small arms. The UNDDA acts as a clearing-house through which countries can communicate details of their efforts to implement the *Programme*, provides technical and substantive support, and responds to requests for fact-finding missions on the impact of small arms on vulnerable societies. Since July 2001, the UNDDA has conducted fact-finding, assessment, and advisory missions in Argentina, Brazil, Cambodia, Guinea-Bissau, Kenya, Niger, Papua New Guinea, Peru, Sri Lanka, and Togo.

In addition, the UNDDA has conducted training programmes on small arms for state signatories of the 15 March 2000 *Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (Nairobi Declaration)*, co-organized and participated in conferences in Africa, Asia, Latin America and the Caribbean, and Europe, and has assisted with weapons collection and destruction programmes. Moreover, the UNDDA undertook a six-month initiative with The Hague Appeal for Peace, from 6 December 2001 to 5 June 2002, to create a programme on disarmament education. This programme, *Peace and Disarmament Education: Sustaining Weapons Collection and Preventing Violence*, supports small arms collection programmes, facilitates long-term training, and develops 'peaceful alternatives to guns and violence for youth and the community at large' (UNGA, 2002).

The UNDDA is seeking to establish a new unit called the Small Arms Advisory Service (SAAS). The main purpose of this unit will be 'to enhance the effectiveness of the Coordinating Action on Small

Arms (CASA) mechanism' so as 'to better assist Member States in the implementation of the Programme of Action'. The specific objectives of the SAAS are to 'ensure optimal coordination and harmonization' of UN activities, provide relevant information, and provide advisory services to member states and to UN agencies as requested (UNDDA, 2002).

*ii) Coordinating Action on Small Arms (CASA)*

CASA is an initiative of the UN Secretary-General, a mechanism to facilitate discussion and co-ordination that was begun in 1998 in order to 'enable the Organization [the UN] as a whole to bring a holistic and multidisciplinary approach to this complex and multifaceted global problem' (UNGA, 2002). CASA, currently made up of 17 UN departments and agencies, has held several meetings to facilitate information exchange within the UN since the July 2001 Conference. A working group was established in April 2002 to prepare a report on small arms activities within the UN system, for publication at the end of 2002. In the past, CASA has not always been very active or effective, but it appears that UN agencies are reinvigorating the body so that it can play its part in facilitating the implementation of the *Programme*.

*iii) The Office for the Coordination of Humanitarian Affairs (OCHA) and the Inter-Agency Standing Committee (IASC)*

The OCHA is a key actor in the Reference Group on Small Arms, created by the IASC. The group's main objective is to raise 'the profile of the humanitarian dimension of the threat posed by the proliferation of illicit small arms and light weapons' (UNGA, 2002). For this purpose, it has developed a Humanitarian Programme of Action on Small Arms.

*iv) The UN Department for Political Affairs (UNDPA)*

The UNDPA's role in small arms has been to promote

arms limitation as an essential element in conflict prevention and peace-building by including arms control in the mandates of special representatives or envoys dispatched to areas in or emerging from conflict, and by involving UN peace-building support offices in specific activities to combat the illicit traffic in small arms and light weapons (UNGA, 2002).

It provides background briefings and leadership profiles, supports weapons collection and destruction programmes, and works with governments to control the importation, distribution, and use of small arms.

*v) Regional Centres for Peace and Disarmament*

On 31 July 2001, the Togo-based United Nations Regional Centre for Peace and Disarmament in Africa organized a workshop for small arms experts, senior security personnel from the states who signed the *Nairobi Declaration*, UN disarmament experts, and officials from civil society organizations specializing or involved in practical disarmament. A training curriculum for armed and security personnel in the control of SALW was agreed.

The United Nations Regional Centre for Peace Disarmament and Development in Latin America and the Caribbean, based in Lima, Peru, has also been conducting activities in support of the *Programme*. In November 2001, it organized a seminar in Santiago, Chile, to develop a practical post-Conference agenda (IANSA, 2002b, p. 11).

D. TAKING CONCRETE ACTION—UN SPECIALIZED AGENCIES

Despite the minimal role that the UN specialized agencies played in the drafting and negotiating of the *Programme*, some have been quick to seize the opportunities provided by those parts that invite them to contribute to small arms work.

i) *The UNDP*

Nowhere has the response been more prominent than in the UNDP's Bureau for Crisis Prevention and Recovery (CPR), where a special organization dealing with the small arms problem had been created prior to the UN Small Arms Conference. The UNDP has many large-scale activities on small arms, with a greater budget and more personnel than any other UN agency or department. The UNDP has been involved in the small arms issue for several years, with the Security First focus on Mali and the Albanian weapons-for-development effort as flagship projects. In the wake of the UN Small Arms Conference, the UNDP is making up for the lack of consensus on how to address the relationship between the availability of small arms and development, a topic too sensitive to be included in the *Programme*. While the press and many NGOs complained about the outcome of the UN Small Arms Conference, the UNDP jumped at the mandate it saw in the *Programme*.

Unburdened by the politics of consensus, the UNDP's mission statement on small arms is one of the clearest on record:

Where guns dominate, development suffers. Schools close, shops close, commerce stops, and the local economy grinds to a halt. Buildings are destroyed, bridges are blown up, and whatever development there has been, is gone. Private investment dries up and development organizations can't operate. Even after the shooting stops, there is no security. People can't return to their homes or a normal life... UNDP's main mission is to promote development. Where small arms prevent development, UNDP's key concern is to provide programmes that reduce the demand for guns, and offer other avenues toward security, sustainable livelihoods, and development opportunities (UNDP, 2002).

In one of the few examples of a truly global funding mechanism, the UNDP has established a UNDP Trust Fund for Support to Prevention and Reduction of the Proliferation of Small Arms. Belgium, Canada, the Netherlands, Norway, Switzerland, and the UK have contributed to this fund. Through it, the UNDP undertakes to employ a comprehensive approach to the small arms problem, which includes support for small arms collection and destruction programmes, the building of national and regional capacity for small arms removal, and training (UNGA, 2002).

The UNDP presently has programmes in Albania, the Republic of the Congo (Brazzaville), the Solomon Islands, Kosovo, and now Niger, which involve the collection and destruction of weapons, while at the same time promoting development objectives. New UNDP small arms programmes are planned for Haiti, the Balkans, Somalia, and Sierra Leone. An example of a long-term peace-building approach involving small arms is the project Strengthening Mechanisms for Small Arms Control, which has just started in El Salvador. Although peace accords ended a civil conflict there almost ten years ago, the country is still awash with weapons. To generate the right conditions for a national disarmament plan, governmental, non-governmental, and civilian organizations will undertake a series of actions aimed at increasing legal restrictions on the proliferation of small arms and developing a broad awareness campaign focused on discouraging the possession and carrying of firearms.

ii) *The World Health Organization*

The WHO made a statement at the UN Small Arms Conference (WHO, 2001b) and introduced a report, *Small Arms and Global Health* (WHO, 2001a). Taking its cue from the *Programme*, the WHO is engaged in several concrete actions.<sup>10</sup> Firstly, it will conduct a multi-national study that will compile and analyse available data on injuries and deaths caused by SALW, beginning with pilot programmes in Mozambique and Brazil, and eventually carrying out surveys in at least ten countries for which data is currently unavailable. Reports will describe the global, regional, and national burden of firearm-related injuries, including the types of injuries, the circumstances of their occurrence, the demographic characteristics of their perpetrators and victims, and their social and economic impact.

The WHO will also conduct national and regional seminars using accumulated research as a basis for planning interventions. A further aim is to improve the research capacity of local collaborators and researchers in the low-income countries surveyed. Here the WHO is partnering with the governments involved and with the research NGO Small Arms Survey in Geneva.

iii) *The UN Institute for Disarmament Research (UNIDIR)*

The UNIDIR currently has a project on peace-building, focused on West Africa, designed to strengthen civil society in controlling SALW. To date, countries involved in this project include Guinea, Liberia, Mali, and Sierra Leone. In late 2002, the UNIDIR will launch the project *Lessons Learned from Weapons Collection Programmes*. With reference to the experiences of Albania, Cambodia, Congo (Brazzaville), Mali, and Papua New Guinea, the project will 'use participatory monitoring and evaluation techniques to involve the beneficiary communities directly in the assessment of past programmes, and learn relevant operational lessons' (UNGA, 2002).

In early 2002, the UNIDIR and the Small Arms Survey initiated a *Study on the Scope and Implications of a Tracing Mechanism for Small Arms and Light Weapons*. Four technical papers were commissioned on various aspects of this issue, along with an overview paper, all scheduled for completion in late 2002.

iv) *The UN Commissioner for Human Rights (UNCHR), the UN Children's Fund (UNICEF), and the UN Development Fund for Women (UNIFEM)*

In its decision 2001/120 of 16 August 2001, the Sub-Commission on the Promotion and Protection of Human Rights of the UNCHR decided to 'entrust Ms Barbara Frey with the task of preparing... a working paper on the question of (a) the trade and carrying of small arms and light weapons; and (b) the use of such weapons in the context of human rights and humanitarian norms for consideration at its fifty-fourth session' (UNECOSOC, 2002, p. 3). In May 2002 this working paper was completed and published with the title *The Question of the Trade, Carrying and Use of Small Arms and Light Weapons in the Context of Human Rights and Humanitarian Norms* (UNECOSOC, 2002). This paper provides a 'preliminary examination of violations of international human rights and humanitarian law related to the availability and misuse of small arms and light weapons' (UNECOSOC, 2002, p. 3). Frey will serve as a Special Rapporteur for two years, further developing this working paper.<sup>11</sup>

UNICEF delivered a statement during the UN Small Arms Conference (UNICEF, 2001), and in the year since has stepped up its small arms work in partnership with other UN agencies and NGOs. UNICEF has initiated a three country pilot study on *Children in Armed Conflict* in Angola, Colombia, and Sri Lanka, examining the role played by small arms in these countries and the need for more specific information on that role. In addition, UNICEF has begun a four-country pilot project called *Disarming Children and Youth: Raising Awareness and Addressing the Impact of Small Arms*, which

will take place in Kosovo, Somalia, Southern Sudan, and Tajikistan. This project will collect information on the knowledge of youth about small arms and their behaviour and attitudes towards them, and build the awareness of communities and policy-makers in these countries. UNICEF is also working with the WHO and the Centers for Disease Control and Prevention (CDC) in the US to encourage health surveillance on small arms-related injuries, particularly those to children. UNICEF remains an active participant in both CASA and the IASC Reference Group on Small Arms, and has provided information to the UNDDA *Study on Disarmament and Non-Proliferation Education*. UNICEF is also working with the UNDP to create an advocacy document on creating awareness around gun destruction activities.

During the May 2002 UN Special Session on Children, UNICEF hosted two small arms-related events. One focused on youth campaigning on small arms, while the other was a high-level strategy meeting that resulted in a plan of action on small arms. UNICEF has also provided material and financial assistance to international and regional NGOs confronting the problem of small arms in affected countries and has partnered with NGOs including IANSA, International Physicians for the Prevention of Nuclear War (IPPNW), Viva Rio, the Institute for Security Studies (ISS), and the Small Arms Survey. UNICEF's small arms exhibit 'Taking Aim at Small Arms' has been shown throughout Europe and can also be consulted on the UNICEF web site: <<http://www.unicef.org>>. UNICEF has reprinted over 10,000 copies of the brochure 'No Guns Please... We are Children' in three languages. It is also combining its landmines work with its small arms efforts, and has prepared an advocacy kit on both classes of weapons for release in the second half of 2002.

UNIFEM has participated in efforts to stem the proliferation of small arms through targeted awareness raising campaigns. In two areas of Albania—Elbasan and Diber—UNIFEM generated a public awareness campaign targeted at women and youth, and organized a conference of over 200 women entitled Women of Diber Say No to Guns, Yes to Life, Yes to Development. UNIFEM also conducted a survey on the impact of weapons on women in two project areas and three non-project areas. UNIFEM's activities are not limited to Albania, however. In Somalia, it is co-ordinating with the Iida ('celebration') Women's Development Organization on a weapons collection and destruction project.

v) *The Centre for International Crime Prevention (CICP) of the Office for Drug Control and Crime Prevention (ODCCP)*

The CICP's main role on the small arms issue is promoting ratification of the UN *Firearms Protocol*. For this purpose, it has 'held a series of interregional, regional and subregional meetings to inform officials and experts about the new instruments, discuss ratification requirements, and identify specific requirements for technical assistance' (UNGA, 2002). Once the *Firearms Protocol* is more widely ratified, the CICP will work on implementation assistance.

E. CIVIL SOCIETY

No aspect of the recent experience of addressing global issues has received more attention than the increasing role of civil society in the making of GPP. Phrases such as 'power shift' and 'the new superpower' are used to describe the impact that civil society has had in shaping global policy outcomes. As indicated previously, the problems associated with small arms came onto the global agenda just as this new phenomenon was reaching its peak in terms of actual activity, as well as image. It should be remembered that the NGO coalition, IANSA, came into being in August 1998, close on the heels of a successful campaign waged by the International Campaign to Ban Landmines (ICBL). Indeed, many of the initial members of IANSA were also active in the ICBL.

Given this reality, states developing the *Programme* were confronted early on with the challenge of integrating civil society into the making of GPP on small arms. By the start of the UN Small Arms Conference process in early 2000, it was clear to all involved that civil society could not be ignored. Its members had been conducting extensive research for several years, and as a result had produced a wide body of knowledge on the causes and consequences of the proliferation and misuse of small arms, as well as extensive policy recommendations on how to solve the problems associated with these weapons. Much of this material was posted on the web sites of Project PrepCom and eventually IANSA, which launched its web site, <<http://www.iansa.org>>, in May 1999.

There were several focal points for integrating civil society into the process. Firstly, as states developed the issue through the UN system, NGOs were invited to make presentations and in some cases hold dialogue with states at the various experts panel meetings. Secondly, there was the question of how civil society would be integrated into the three Conference PrepComs and the final negotiating session in July 2001. In the end, NGOs made their presence felt in the form of presentations, briefings, and publication displays immediately outside the venues for these meetings at the UN. They also had significant interaction with state delegations, and in a few cases served on national delegations. Access to the meetings themselves was, however, limited to one morning session on 16 July 2001 of five-minute NGO presentations, representing both those supportive and critical of global action on small arms.<sup>12</sup>

The final *Programme* (UNGA, 2001b) recognizes the role of civil society in several places, for example, where states undertake to:

encourage the relevant international and regional organizations and States to facilitate the appropriate cooperation of civil society, including non-governmental organizations, in activities related to the prevention, combat and eradication of the illicit trade in small arms and light weapons in all its aspects, in view of the important role that civil society plays in this area (sec. II, para. 40)

and

[f]urther encourage non-governmental organizations and civil society to engage, as appropriate, in all aspects of international, regional, subregional and national efforts to implement the present Programme of Action (sec. IV, para. 2 (c)).

The analysis of civil society's role in addressing global problems is extensive.<sup>13</sup> A consensus list of these roles has emerged. As one example, Simmons' (1998) list of roles includes advocacy, information gathering and analysis, information dissemination, the generation of ideas and recommendations, a monitoring and watchdog role, service delivery, mediation/facilitation, and financing and grant-making. The Biting the Bullet Project lists five main functions for NGOs in the follow-up phase of the *Programme*: raising awareness, acting as catalysts and intermediaries for implementation, providing expertise, providing primary research, and assisting in policy development (2002, p. 35).

Florini concludes her study with the following assessment:

If the previous six chapters make any one thing clear, it is this: the growing attention to transnational civil society is not mere hoopla. It reflects a real, and considerable, increase in the number and effectiveness of transnational nongovernmental networks. The power of transnational civil society manifests itself at virtually every stage of policy making, from deciding what issues need attention to determining how problems will be solved to monitoring compliance with agreements (2000, p. 211).

Is this also the case in the small arms area? To what extent has civil society performed these functions in the post-UN Small Arms Conference period with specific reference to the problems relating to small arms? The following, selective review of NGO activity will attempt to cast some light on these issues.<sup>14</sup>

*i) Advocating the use and implementation of policy tools developed in the Programme*

Given that NGOs played a key role in developing the public policy tools that emerged in the Programme, it comes as no surprise that civil society continues to advocate that governments implement these tools. The following activities can be identified.

**Marking and tracing:** As mentioned earlier, the Small Arms Survey is partnered with UNIDIR in a project to explore the scope and implications of a tracing mechanism for small arms. The Groupe de Recherche et d'Information sur la Paix et la sécurité (GRIP) has developed a *Model Convention on the Marking, Registration and Tracing of Small Arms and Light Weapons* (Berkol, 2002). This sets out comprehensive, detailed obligations in these different areas and provides for the establishment, under UN auspices, of an international agency responsible for small arms tracing operations. As of August 2002, a draft document had been prepared.

The Manufacturers Advisory Group (MAG) of the World Forum on the Future of Sport Shooting Activities (WFSA) has held three workshops dealing with the issue of the marking of firearms: in Brescia, Italy (1999), Sardinia (2000), and Naples (2002). The reports resulting from these workshops contain recommended standards for marking, along with commitments for future action, in both cases by industry. As of August 2002, MAG, composed of trade associations and individual companies from the US and Europe, is developing a work plan to give effect to these commitments and promote compliance with industry-generated recommendations and standards.

The Paris Process was launched by the Eminent Persons Group (EPG) at a meeting in Paris in June 2001. A second meeting is planned for November 2002 in Geneva. This initiative aims to promote dialogue between industry, NGOs, and governments with a particular focus on the issue of industry self-regulation (IANSA, 2001b, p. 2).

**Regulating the trade in small arms:** At the UN Small Arms Conference it was the developed countries, especially the EU, that urged the rest of the world to adopt strict export control criteria modelled on criteria adopted by the EU itself. Similarly, many European civil society groups—including the major NGOs, the British American Security Information Council (BASIC), International Alert, and Saferworld—continue to advocate the use of export controls as the key to controlling illicit and/or destabilizing trade in small arms. The French Coalition to Control Arms Transfers (French Coalition) is also starting a campaign, the aim of which is to 'stop all transfers of arms where there is a clear risk that they may facilitate violations of human rights or international humanitarian law' (French Coalition, 2002). *The Framework Convention on International Arms Transfers (FC)*, a revamped version of the former Arias Code of Conduct, is being promoted by a group of NGOs based in different regions. The FC sets out normative export criteria based on states' current obligations under international law (Commission of Nobel Peace Laureates, 2002).

**Brokering:** Given the focus on export controls of both the EU and OSCE, it is not surprising that European NGOs continue to advocate the control of brokers in the EU and Central and Eastern European countries through various seminars, publications, and campaigns. In addition, the Washington-based NGO Fund for Peace, in conjunction with several international lawyers, has developed

a *Model Convention on Arms Brokering and the Suppression of Unlicensed Arms Brokering* to guide states in the development of legislation on this issue. Its provisions include a broad definition of brokers and brokering, a registration system, licensing requirements for each transaction concerning weapons and defence services, a system of incentives and disincentives to encourage responsible behaviour on the part of brokers, a range of penalties for violators, transparency and information exchange measures, and enforcement mechanisms (Fund for Peace, 2001).

**Weapons destruction and the reduction of surplus stocks:** NGOs continue to push for the use of this policy tool and have been full partners with states in a variety of weapons collection and destruction events in countries around the world. During July 2002, various groups organized weapons destruction events in Argentina, Brazil, Cambodia, Ghana, Guatemala, Kenya, Mozambique, South Africa, and Thailand. In Brazil, Viva Rio has emphasized the value of public destruction events in changing the culture of violence, and has recently produced a film describing how this can be done.<sup>15</sup> In addition, IANSA has awarded grants to several NGOs that wish to plan and execute such programmes.

**Information exchange and transparency:** In the post-Conference period, IANSA has developed into a fully-fledged network through which information and data on all aspects of the small arms issue are shared in several languages. In some cases, NGOs are usurping the role of governments by investigating and publishing data on small arms imports and exports. For example, Viva Rio has a formal arrangement with the municipal government of Rio de Janeiro to develop a database on all seized weapons and publish the manufacturing country of origin. The Small Arms Survey has published its second yearbook containing much new data on various aspects of the small arms issue: industrial production, stockpiles, and exports. It is assuming the role that the Stockholm Institute for Peace Research (SIPRI) played during the Cold War, when states did not make public any information on their arms exports or imports. The work of civil society in developing transparency and information exchange is serving as a model for states interested in developing such policy tools at the regional and global levels.

#### ii) *Raising awareness*

As previously noted, it was civil society that played the major role in informing the international community of the consequences of the proliferation and misuse of SALW. Despite the fact that some of these consequences (e.g. violations of human rights and international humanitarian law) were ignored by states when developing the *Programme*, awareness of this problem, generated by human rights and humanitarian NGOs, was real. In the post-Conference period, this work continues, albeit at a slower pace than in the run-up to the Conference. The *IANSA Newsletter* continues to publish articles by NGOs illustrating the humanitarian impact of small arms (e.g. IANSA, 2002c). The Small Arms Survey has also supplied information and analysis of the humanitarian impacts of small arms—including fatal and non-fatal injuries, forced displacement, and declining access to services.

An international meeting of human rights, humanitarian, development, and health organizations took place in Nairobi, Kenya on 18–20 November 2001. The goal of the meeting was to develop a strategy for action for the humanitarian community on small arms. While the conference report arguably constitutes the most thorough presentation to date of the humanitarian approach to the small arms problem (*Small Arms and the Humanitarian Community: Developing A Strategy for Action, 2001*), little was agreed at the conference in the way of a unified approach and, for the most part, human rights and humanitarian organizations have been stymied in their efforts to elevate concern for these issues beyond the level achieved at the UN Small Arms Conference.

*iii) Networking*

A major effort is under way within civil society to increase the number of NGOs addressing small arms issues and to enhance their capacity to collaborate and partner. IANSA has expanded its web site for this purpose and increased its membership to over 400 NGOs in 71 countries. When IANSA members met during the UN Small Arms Conference, one of their major decisions was to increase capacity in regions and subregions for networking and building partnerships. This has been taking place, mainly through the distribution of funds provided by the UK's Department for International Development (DFID) to specific NGOs in the regions (IANSA, 2002c, pp.1–3). These grants have been principally aimed at regions where networks did not exist, the result being a major increase in the number of NGOs now involved in small arms work. To date, the various activities of these subregional and regional networks have ranged from holding organizational meetings to the development of a new Spanish/Portuguese web site by Viva Rio called Desarme for NGOs in the Mercado Común del Sur (MERCUSOR, i.e. Southern Common Market) subregion (Viva Rio).

*iv) Guides to action*

Developing agreed practical guides for action in addressing the small arms problem is always problematic for states operating in a UN environment, given the need for consensus. Civil society, on the other hand, is more free to develop such guides, and work of this nature has continued apace in the post-Conference period. International Alert and Saferworld are collaborating on a *Small Arms and Light Weapons Resource Manual*, which will integrate the experience of NGOs from all regions (see Urhquart, 2002). Join Together, a Boston-based NGO dedicated to promoting gun control in the US, has produced an Action Kit entitled 'How Communities can Take Action to Prevent Gun Violence.' It provides facts and information about gun violence and suggests some important action steps that parents, youth, and educators can take to help make communities safer (Join Together, 2002). As part of its Help Desk for Practical Disarmament, the Bonn International Center for Conversion (BICC) has also put online, in four languages, its guide entitled *Tackling Small Arms and Light Weapons: A Practical Guide for Collection and Destruction* (BICC, 2001).

Page 21

*v) Programmes and service delivery*

Unlike other issue areas where NGOs have become contractors for governments and international organizations (such as development, humanitarian relief, and HIV/AIDS), for the most part, public policy on small arms has not yet developed to the point where NGOs are carrying out programmes that address small arms-related problems in concrete terms, the focus of most NGO 'projects' being awareness raising and networking. However, there are some examples that demonstrate the potential for NGOs to more fully participate in actual programme delivery. In Tanzania, a national action plan is well developed with many local NGOs serving in an implementing role (Saferworld-SaferAfrica, 2002). Another example is the work of NGOs during weapons collection and destruction programmes. Usually, programmes of this type use NGOs for awareness raising and enhancing weapons turn-in rates, while governments are normally responsible for accounting for, storing, and disposing of turned-in weapons. Exceptions include Viva Rio, which has played a much more operational role in weapons destruction, given the lack of capacity of the Rio de Janeiro police force. The NGO Transformação de Armas em Enxadas (TAE, i.e. Arms into Ploughshares) of Mozambique also continues its project for the collection of small arms in exchange for tools, quite independent of governments.

*vi) Advocacy*

As we indicated previously, many NGOs are advocating the use of specific policy tools by governments. Beyond this, little advocacy or campaigning has taken place at the regional or global levels. In

the main, the NGO community qua community has not pushed governments to step up action to alleviate the problems associated with small arms. Yet IANSA has enhanced its potential for such a role by appointing a director who will 'provide strategic and dynamic leadership to a network of NGOs so that they may have a real impact on saving lives and stopping gun violence' (IANSA, 2002b, p. 23). This is an important step for IANSA, which since its founding has eschewed any advocacy role for their secretariat. Representatives of the IANSA secretariat have begun to represent civil society at regional intergovernmental conferences, and IANSA will lead a week of action in July 2003, in the lead-up to the first biennial meeting. The IANSA leadership is also considering moving the secretariat to Geneva in order to enhance its collaboration and interaction with governments and IGOs implementing the *Programme*.

#### vii) *Monitoring*

Given that states participating in the UN Small Arms Conference specifically rejected all proposed plans to monitor compliance with the *Programme*, this would seem to be an ideal role for NGOs. IANSA has a built-in network spanning 71 countries, with the potential of imitating the ICBL, which produces the *Landmine Monitor* each year for purposes of tracking compliance with the landmine ban treaty (ICBL). However, as of August 2002, IANSA had made no decision to do so. The London-based Biting the Bullet Project coalition has proposed a monitoring project for a select number of countries.

#### viii) *Linking small arms to other issues*

As with monitoring, the states participating in the UN Small Arms Conference did not agree to any specific measures that recognized the multi-dimensional nature of the small arms issue. This has created another gap resulting from the national security/arms control environment in which the Conference took place. Civil society has in fact continued its work in this area, with many NGOs moving forward to make the link between the proliferation and misuse of small arms and a wide array of negative impacts. The IPPNW has a large project on small arms. In September 2001, they hosted a major international conference entitled *Aiming for Prevention: International Medical Conference on Small Arms, Gun Violence and Injury* (see IPPNW, 2001). The IPPNW has also conducted seminars on the small arms problem in Africa and is a partner in the UNDP small arms programme in El Salvador.

The Centre for Humanitarian Dialogue in Geneva, Human Rights Watch, and Amnesty International continue to raise awareness of the link between misuse of small arms and violations of human rights and international humanitarian law. The University of Minnesota Human Rights Program—directed by Barbara Frey, author of the UN-commissioned human rights study discussed above (Frey, 2002)—held a conference in February 2002 entitled *Arms Availability and Human Rights*, bringing together leading scholars, practitioners, and advocates from the fields of human rights and small arms.

The IPPNW and Physicians for Social Responsibility held their 15<sup>th</sup> Annual World Congress in Washington, DC on 3–5 May 2002. Two panels dealt with small arms at the conference, one examining the impact of small arms on public health, and the other highlighting the link between small arms and terrorism. Pro-gun-control groups in the US have also publicized the ease with which criminals and terrorists can obtain guns at uncontrolled weekend gun shows.

The Program on Global Security and Co-operation of the New York-based Social Science Research Council held a workshop in Washington, DC in February 2002 with participants from the fields of international politics and international law, along with practitioners involved in addressing the small

arms problem. The workshop looked at how an agonizing problem of human security—the pervasive violence perpetrated by organized groups using SALW—may or may not be amenable to legal remedies. The workshop's agenda proceeded from the development of law and the movement to regulate small arms to a re-examination of the scope of the problem and a look at existing and future possibilities for regulation, including comparative regime design.

### III. Global management of the small arms problem

After having reviewed, in the previous section of the paper, a wide range of policy action on the small arms problem, the primary purpose of this section is to analyse this activity in terms of the GPP framework presented in the paper's introduction. Yet, before applying the framework, it is useful to consider how the UN Small Arms Conference, in and of itself, contributed to the development of such a framework.

#### A. The UN Small Arms Conference: A first step in developing a GPP framework?

As we indicated earlier, the UN Small Arms Conference took place after a decade during which a series of global problems was addressed by means of well-developed systems for the making of GPP. Was the Conference proof that the problems associated with SALW were being addressed in a similar fashion? How does it compare to the other conferences held by the UN during the 1990s on other global issues? Was it a first step towards a GPP framework or merely an opportunity for states to make political declarations devoid of real intent to address the problem in operational terms?

Page 24

While there is no standard format for these conferences, certain commonalities have emerged, which the UN Small Arms Conference appears to reflect (Fomerand, 1996). A typical conference involves the UN Secretariat (e.g. the UNDDA), a decision-making political body (e.g. the First Committee of the General Assembly), various UN agencies (including UNICEF and the UNDP), national focal points that promote activities related to the conference at the national level (e.g. foreign ministry officials), the media, and NGOs.

The specific objectives of the UN Small Arms Conference were only gradually delineated and not formally agreed to until the Conference itself. Yet the problems associated with SALW were of the same type as those taken up in other conferences. Thus, the 1997 Panel of Governmental Experts on Small Arms was asked to report on the following aspects:

- The types of small arms and light weapons actually being used in conflicts being dealt with by the United Nations;
- The nature and causes of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade;
- The ways and means to prevent and reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons, in particular as they cause or exacerbate conflict (UNGA, 1995b, para.1).

In fact, this information was exactly what was needed to develop public policy on the small arms issue.

One way of evaluating the extent to which the UN Small Arms Conference contributed to the development of a GPP framework is to look at its accomplishments in comparison to UN conferences on other global issues. Recent studies have produced lists of costs and benefits arising out of attempts made to resolve specific global problems through UN conferences (Fomerand, 1996; Schlecter, 2001). The activities italicized in the following section represent those aspects of such conferences

that, where present, enhanced the development of a GPP framework, and are also discernible results of the UN Small Arms Conference.

### 1. Positive outcomes

- The UN Small Arms Conference, with its emphasis on international co-operation and assistance, provided numerous *opportunities for mobilizing national and local governments and NGOs to take action*.
- Some of the national measures *establish international standards and guidelines for national policy*, and introduce baselines for increasing the co-ordination and harmonization of national laws and policies, thus limiting the regulatory gaps regularly exploited by illicit arms traffickers.
- The Conference served as a forum where *new proposals* on such issues as brokers, marking, and weapons collection and destruction *were debated and consensus sought*. It generated an international debate on the small arms issue and forced states to go on record with their views on the causes and consequences of the phenomenon, as well as on the action they supported.<sup>16</sup> Those governments and NGOs wanting to move forward on the issue now have a much better idea of which countries might be part of any coalition that could provide the necessary leadership in the next few years. The Conference provided a process in which governments made specific commitments and will now report on their progress in implementing these.
- One of the Conference's major achievements, especially during the preliminary preparatory phase between 1996 and January 2000, was the *creation, dissemination, and sharing of knowledge of small arms as a global problem*. This information took several forms, including the two reports of the expert panels, the extensive exchange of views among states on the issue during the Conference process, and the many policy recommendations developed by civil society.
- The Conference certainly *raised popular and elite consciousness*. It also generated two weeks of high-level international media attention and as such raised awareness of the various dimensions of the small arms issue. This aspect of the Conference should not be underestimated, and may prove to be one of its most important legacies.
- The Conference *mobilized public and official attention to and support for particular issues*. Despite the arms control and disarmament focus of the Conference, many states pointed out that small arms have a wide range of negative effects in civilian society. All states participating in the Conference were thus confronted with the multi-dimensional nature of the threat that they pose.
- The Conference *developed support for specific responses to global problems*. For example, the collection and destruction of weapons, surplus or otherwise, is now embedded in the consciousness of all states thanks to the majority's insistence on strong support for this tool in the *Programme*.
- Finally, the UN Small Arms Conference helped to *build partnerships* amongst civil society groups and between NGOs and government delegations—partnerships that will be crucial for future efforts to address the different dimensions of the small arms problem.

### 2. Shortfalls

One hope of many of the stakeholders in the Conference process was *to overcome the compartmentalization of the UN*, an approach typified by the First Committee of the UN General Assembly. Some states tried to achieve this by proposing that some of the PrepComs, or the Conference itself, be held outside of New York. However, the one strong non-New York alternative, Geneva, did not gain majority support, despite an offer of financial support from Switzerland for countries not represented in the city. The result was a Conference well contained within the arms control framework. Although, by the time of the Conference, NGOs were fully active on small arms issues, they could not be

considered partners in the process of shaping the *Programme*. UN agencies were similarly shut out of the process—though both groups had brief opportunities to present their views to Conference participants. One of the biggest causes of disappointment for many at the Conference was that, despite broad recognition that the issue was multi-dimensional, members of governmental delegations tended to be specialists in only one aspect of small arms—that relating to national security. States wishing to limit the development of a programme that they feared would constrain their ability to use arms as they saw fit squashed attempts to integrate other dimensions of the problem.

The UN Small Arms Conference did not succeed in achieving the higher order goals realized in many other UN conferences. For example, in some conferences, *the moral force of the UN was brought to bear on the relevant problem*, addressing it in moral terms. This was not the case with the UN Small Arms Conference, despite the hope of a few governments and NGOs that their testimony would bring condemnation. The Conference was designed to prevent such an outcome, since from the beginning a consensus document was the goal. This is why human rights abuses and violations of international humanitarian law were never debated on the Conference floor, not even in closed session.

Since this was the first ever global conference among states on the small arms issue, it could not be expected that it would result in concrete measures for *monitoring and early warning*. Nevertheless, since the Programme does contain a significant number of agreed national measures, along with a follow-up process that starts in 2003, this goal may well be reached in the post-Conference environment.

Page 26

By the time of the first PrepCom in February 2000, it was clear to almost all participants that the Conference would not directly result in *meaningful, especially legal, mechanisms* for coping with the global problem. This is in fact the case, with this type of work left to the follow-up process.

## B. A GPP framework on small arms

While the UN Small Arms Conference fell short in several critical areas, the preceding assessment provides some evidence of an emerging GPP framework. Using the nine elements of the framework that were introduced in the box in section I of this paper, we will now consider the extent to which action on small arms has evolved within this framework in the period following the July 2001 Conference. Each element is briefly defined, using examples from issue areas other than small arms. This is followed by an assessment as to whether and how the action on small arms described in section II of the paper has contributed to the emergence of a GPP framework. Elements of the framework that are missing or underdeveloped in the case of small arms will also be identified.

### 1. A full range of actors

Analysts of GPP agree that policy-making that addresses global problems must include the full range of actors beyond national governments and the international organizations they create. These include NGOs, business, media, and individual experts, all of whom collaborate and interact to create the knowledge used in policy-making. So one crucial test of a GPP framework is that all of the actors who can implement policies to alleviate the relevant problem are actually engaged.

The evidence indicates that national governments played a major role in bringing the small arms problem to light and developing policy tools to deal with it, initially acting almost exclusively within a regional or UN context. This contrasted sharply with the anti-personnel landmines case, where

states pushing for a treaty abandoned the UN process when the latter proved unfruitful and formed a coalition with the umbrella NGO, the ICBL.

Regional organizations were also key actors in the evolution of a GPP framework on small arms. For example, in the years preceding the UN Small Arms Conference, formal operational measures were adopted by the OAS and EU. In addition, many regional organizations met prior to the Conference in order to develop positions on small arms (Small Arms Survey, 2002, pp. 209–16). In the post-Conference period, these same organizations continue to develop policies addressing this issue.

Many UN organizations and specialized agencies appear to have been empowered by the Conference to fully engage in policy work on small arms. The UNDP, UNICEF, and the WHO stand out in this regard. The UNDDA has also begun to fulfil the tasks assigned to it in the *Programme*. This work includes an attempt to resurrect the moribund CASA.

One of the most compelling pieces of evidence that the small arms problem is being addressed within a GPP framework is the important role civil society is now playing in this process. No facet of the emerging GPP frameworks is receiving more attention from scholars than this actor (Florini, 2000; Keck and Sikkink, 1998; Simmons and de Jonge Oudraat, 2001). NGO involvement was slow to develop in the case of small arms for several reasons. One was that the complexity of the issue precluded a simple solution, such as that underpinning the ICBL. The second reason was the fact that many of the NGOs best placed to contribute to the resolution of the small arms problem were already engaged in the campaign against landmines. Nevertheless, by the time of the UN Small Arms Conference, NGOs had organized themselves under the umbrella of IANSA. The Conference itself further enhanced their experience with and involvement in this issue (Small Arms Survey, 2002, p. 217; Batchelor, 2002).

The evidence presented in section II of the paper reveals that, despite the initial lag in their activity on small arms, NGOs in the post-Conference period have been fulfilling a broad range of functions at a level similar to their counterparts in other issue areas. These include advocacy, information gathering and analysis, information dissemination, the generation of ideas and recommendations, a monitoring and watchdog role, service delivery, mediation/facilitation, and financing and grant-making.<sup>17</sup> These same NGOs have operated at all levels—community, subnational, national, regional, and global—and have targeted the full range of actors in the larger GPP framework.

One type of actor that should normally be involved in global public policy-making, but which has not yet surfaced in an effective way, is the private sector, e.g. the small arms industry. As we previously noted, a coalition of NGOs supporting the use of guns in sporting activities presented their views at the UN Small Arms Conference. During the run-up to the Conference, several meetings were also hosted by industry—especially on the issues of marking and the definition of SALW. However, many of the recommendations made at these gatherings, typically developed by and for industry, have yet to be put into operation, though as of August 2002, the MAG of the WFSA is developing a work plan for this purpose. In many other global issue areas, including child labour and the environment, industries have banded together to create comprehensive codes of conduct and collaborative efforts with public actors. This is not yet the case for small arms.

## 2. Agenda setting and the framing of issues

'The near-monopoly once held by the most powerful states—singly or together—over the content and direction of the international agenda is less and less assured' (Simmons and de Jonge Oudraat, 2001, p. 665). There seems to be a consensus that in a GPP framework, the setting of agendas for global problems is now shared by the full range of actors. Most often cited in this regard are global environmental policy and the landmines issue. How true is this for small arms?

Because civil society was slow to contribute to the making of GPP on small arms, it was left to states operating in the context of the UN system to take the lead in defining the problem as a global one and developing the outlines of an initial conference. But once IANSA got under way, its members began to contribute significantly on all fronts, including the presentation of concrete policy options. Noteworthy in this regard are the 15 policy briefings developed by the Biting the Bullet Project coalition.

Many important policy tools in the small arms area did not originate with states. For example, the general support that now exists for weapons collection and destruction has its roots in the many voluntary weapons collection and buy-back programmes developed by civil society starting in the mid-1990s. When governments, regional organizations, and the UN and its specialized agencies began to employ this instrument, most of the experience and lessons learned came from civil society (Faltas and DiChiaro, 2001, p. 7). Civil society has also played the leading role in documenting the negative impact that small arms have outside the narrow confines of national security—for example, on development, human rights, and public health. Since UN member states decided the small arms problem mainly involved national security and arms control, and would consequently be dealt with within the framework of the UN General Assembly's First Committee, it was up to NGOs and international organizations to develop policy initiatives that covered all the dimensions of the problem. For example, the UNDP, operating independently, was able to focus on the negative effects small arms have on development, a connection that governments operating within the UN process were unable to make.

Although actors other than states have played important roles in agenda setting on small arms to date, it is not yet clear whether this will continue in the post-Conference period. There is at present no structure for setting priorities among policy tools and levels of action (local, national, regional, and global). Moreover, the states that negotiated the *Programme* specifically rejected the notion that the follow-up process should provide for the development of new and/or revised policies and programmes. Typically, the full range of actors has greatest input into agenda setting when the relevant issue first emerges onto the international stage. This becomes more difficult once the actual work begins.

## 3. Organizational collaboration and partnering

In the 'club model' of global governance, which managed most global problems prior to the 1990s (see above), collaboration and partnering took place only within a well-defined structure. Normally operating under a treaty-based set of norms and within the framework of IGOs, states were the only meaningful actors, while the rules concerning their collaboration were well developed. This began to change in the 1990s for several reasons. Firstly, many more states had entered the various 'clubs', and 'powerful nations increasingly found themselves challenged by assertive coalitions of lesser states' (Simmons and de Jonge Oudraat, 2001, p. 4). Secondly, as we noted above, global issues became more

complex and technical, creating a need for specialist knowledge—often located outside governments—in addressing them. On environmental matters, for example, NGOs and independent experts became involved in policy-making, since only a few states possessed the knowledge and capacity to make effective policy on their own.

As a result of this increase in the complexity of issues and the number of actors involved, renewed emphasis has been placed on organizational collaboration and partnering. It is difficult to find much reference to the concept of ‘partnerships’ just five years ago. Today it is a primary focus of almost all groups of actors tackling global problems. For example, the web site of the UN High Commissioner for Refugees (UNHCR) features a section on ‘partners’. Here one can access ‘the key operational guidelines designed to support effective partnerships at the field level in refugee and displacement situations’ (UNHCR, 2002). Organizational partnering is now considered a skill that is the subject of workshops around the world. Thus, the US Agency for International Development (USAID) publishes a *User’s Guide to Intersectoral Partnering* covering such topics as ‘Reasons to Enter into an Intersectoral Partnership’, ‘Benefits’, ‘Potential Results’, ‘Factors Conducive to Intersectoral Partnerships’, and ‘Factors to Consider when Starting an Intersectoral Partnership’ (USAID, 1998).

How prevalent is such partnering among actors addressing the small arms problem? Even prior to the UN Small Arms Conference, the full range of actors was gaining experience in the type of collaboration and partnering that has become the hallmark of the modern GPP framework. For example, in El Salvador in 1996, a group of businesses, tired of losing money because of rising gun violence, started a voluntary weapons collection programme that was sanctioned by the government, which in turn passed new legislation to make it possible for citizens to turn in military weapons.

The UN Small Arms Conference afforded relevant actors a more formal setting in which to collaborate. The results were mixed. NGOs were allowed to attend some of the Conference’s sessions, were provided with space in the UN building for meetings and briefings, and were given space to display their materials and exhibits. On 16 July 2001, NGOs were given three hours in which to present their views. NGOs also held briefings on a broad range of small arms topics during the two weeks of the Conference. Governments engaged with NGOs in a variety of ways. Some provided special briefings for NGOs. Other countries, such as Canada, regularly met with selected NGOs to enlist support for proposals and get NGO feedback on Conference developments. In a few cases, NGO representatives served on national delegations.

In the post-Conference environment, there have been some examples of genuine partnering. For instance, the UNDP weapons reduction programmes, such as the one in El Salvador, normally involve national governments, international and regional organizations, and NGOs from multiple sectors. The Geneva Process also involves close collaboration between NGOs, governments, and international organizations. A certain level of trust has developed that allows the sharing of information across organizational boundaries. The several regional conferences held on implementing the *Programme* also included the full range of actors, although there was still a tendency for governments to meet together behind closed doors.

Nevertheless, organizational collaboration and partnering on small arms has some way to go before it can be considered a functioning element of a GPP framework. Post-Conference attempts to convince industry to develop voluntary codes of conduct or participate as partners in developing a marking and tracing regime have stalled, mainly due to a lack of previous interaction and the feeling by most NGOs

that industry is part of the problem, not the solution. NGOs that focused on the human rights and humanitarian effects of small arms, feeling left out of the *Programme*, have collaborated less with IANSA. These organizations are tending to go their own way in support of the FC.

While the UNDDA is attempting to resurrect CASA, the latter continues to fall far short of a truly collaborative effort. Within the area of humanitarian affairs, the Reference Group on Small Arms of the IASC has done little since its presentation of an action plan at the UN Small Arms Conference. During the Conference, many states indicated they wished to do more to integrate the UN Firearms Protocol into the larger framework being developed in the *Programme*. Yet, this idea, rejected in July 2001, continues to languish for lack of support. These are just a few illustrations of how the small arms problem, multi-dimensional though it may be, is so often addressed dimension by dimension. This is often also reflected in the work of IGOs. Despite paying lip service to the need to work together, compared to other global issues such as AIDS, IGOs dealing with the small arms problem remain in competition for funds and have mostly used the rise of the small arms issue to increase their activities at the expense of the collaboration and partnering needed to come to grips with the problem.

#### **4. The emergence of coalitions and major actors**

It is not enough that a full range of actors be able to participate, notably in agenda setting. When it comes to deciding how to address the problem at hand, a GPP framework must also provide for a process of political bargaining among key coalitions and actors. As we previously noted, one sign that there was no GPP framework on small arms prior to the UN Small Arms Conference was the fact that the majority of states, NGOs, and IGOs had no position on the issue at all. Did this change as a result of the Conference?

The UN Small Arms Conference process obviously provided the setting for coalitions to emerge on the small arms issue. In the absence of any other global meeting in the period since July 2001, the coalitions developed at the Conference can be assumed to remain intact and will undoubtedly continue to play an important role in the emerging GPP framework on small arms.

##### **A. THE US**

The US is the world's largest arms exporter and maintains some of the most sophisticated arms export regulations (the Arms Export Control Act), end-use monitoring systems (the Blue Lantern Program), and arms brokering laws (the 1996 amendment to the Arms Export Control Act). As such, the US will be an important force in the development of a GPP framework on small arms. This has certainly been the case in terms of providing examples of national laws and policies designed to alleviate problems arising from small arms exports and misuse. However, the US has not played a leading role in the development of global norms and measures. From the outset of the UN Small Arms Conference process, the US took a tough and uncompromising stance on many issues.<sup>18</sup>

Before the Conference began, the US objected to its cost, claimed that it duplicated other multilateral efforts, and asserted that—aside from the criminal aspects of the issue being dealt with in the UN *Firearms Protocol*—the small arms problem could basically be dealt with at the regional level. Once the Conference was under way, the US worked to restrict the topics covered by citing other forums where such issues were being addressed. The US also argued that the focus on small arms control at the global level diverted attention away from more serious matters, such as a lack of good governance, terrorism, and other root causes that most of the time, in the US view, trumped the small arms issue.

The US did concede that there were some benefits to be gained. According to the US, these included mobilizing national governments to take action, and establishing international standards in areas such as export controls that reduced opportunities for illicit arms traffickers. But beyond this, the US did not share the enthusiasm of many other states regarding the potential for the UN Small Arms Conference to prevent and reduce the illicit trade in small arms in all its aspects. This was particularly true when it came to the task of setting norms and anything else that smacked of a legally binding commitment. The US and others criticized the first draft of the *Programme* as being too legalistic and containing too many global mechanisms. The US preference, made clear prior to the Conference itself, was for model legislation, especially in the area of brokering. The US also opposed any proposals for mechanisms that would serve to monitor compliance by states with agreed measures.

The post-Conference behaviour of the US has mirrored its conduct at the Conference. The Bush administration has been highly reluctant to take part in multilateral efforts, and relies instead on unilateral or bilateral initiatives to address small arms issues. The US continues to fund and support national and bilateral assistance programmes for reducing the numbers of legal and illicit weapons in circulation—including destruction programmes and structured technical and financial assistance. Yet the 11 September attacks on the US have had a sobering effect on its role in addressing the global small arms problem. Any lingering hope that the US would step up its involvement in this area has in fact disappeared after the attacks. Perhaps most worryingly, independent observers have documented an increase in exports of US weapons to states that are known violators of human rights in the period following 11 September (Human Rights Watch, 2002; Gabelnick, 2002). This obviously opens the door to other states to relax their export policies in the name of combating terrorism.

## B. THE EUROPEAN UNION

The EU and EU associated countries have been instrumental in pushing the small arms agenda forward, and will continue to play a major role in the development of global small arms norms, policies, and programmes. During the run-up to the UN Small Arms Conference, EU countries adopted policies that were far out in front of others.<sup>19</sup> These documents and agreements contained firm commitments to several policy tools that were seriously watered down in the final *Programme*, including export control criteria, transparency, and a significant role for civil society.

In December 2000, in advance of the second PrepCom, the EU finalized a *Plan of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (Plan of Action)* (EU, 2000) designed to influence the text of the final *Programme*. The *Plan of Action* included those items that had been key elements in prior EU action on small arms, mentioned earlier in the paper, such as:

- a strong commitment to international humanitarian and human rights law;
- linking security and development;
- restrictive national legislation and procedures that include criminal sanctions against the illicit possession of small arms;
- support for regional and subregional moratoriums;
- transparency of legal arms transfers;
- universal standards for the marking of weapons;
- regional and subregional codes of conduct to control and restrain arms exports; and
- capacity building in support of national and regional actions (EU, 2000).

At the UN Small Arms Conference, the EU relied on its Plan of Action when negotiating the final *Programme*. Along with Canada, it supported the inclusion of strong international commitments, where these were consistent with regional and national policies. The EU also pushed for an agreed set of export control criteria. The *Plan of Action* and now the *Programme* will continue to guide EU strategy on small arms and focus EU action on the issue.

#### C. CHINA

China, one of the world's largest small arms producers, was also strongly opposed to a comprehensive programme of action like the *Programme*, especially one covering legal small arms transfers. This remains the case, making China a difficult player in many multilateral efforts to control small arms. At the UN Small Arms Conference, China adamantly opposed any mention of transparency and oversight. Nor did it support the creation of legally binding instruments to manage small arms. China also sought to limit NGO participation at the Conference, opposed any reference to human rights violations in the *Programme*, and argued against any language that would limit the ability of countries to legally export or re-export weapons. China also wanted the importance of regions and regional measures minimized. The behaviour of China at the Conference was not surprising, as it had also played a similar role during negotiations for the UN *Firearms Protocol*, when it prevented a consensus from going forward on a universal marking system. China's position on marking was only strengthened at the Conference. Rather than moving in the direction of a globalized system, Conference participants only agreed to establish an experts panel on marking and tracing.

#### D. THE ARAB STATES

The Arab group of states developed a co-ordinated position in advance of the UN Small Arms Conference, which resulted in unified positions in many critical areas. It has repeatedly resisted global policies that dictate small arms action at the regional level, arguing that this should be left to individual governments. Beyond regional issues, this group of states also opposes transparency efforts, has spoken out against a moratorium on small arms acquisition, and does not favour international standards on destruction. As in other issue areas, the Arab-Israeli conflict shaped the group's position on small arms. For example, during the third PrepCom, Arab states wanted to substitute all references to 'excessive and destabilizing accumulations' with the much narrower concept 'illicit trade', because they believed the former term had implications for the conflict with Israel. For the same reason, during the Conference itself, the Arab group of states was concerned about references to humanitarian situations.

#### E. A BLOC OF DEVELOPING COUNTRIES?

On arms control issues generally, developing countries, with little capacity for indigenous defence production, jealously guard their right to acquire weapons. With few exceptions, these states did not support measures that would have interfered with this right in the final *Programme*. Although the UN Small Arms Conference, as a whole, did not degenerate into an opposition of developing countries versus developed countries, there was a significant divide along these lines on such measures as export and re-export controls, indicators of weapons surpluses, and linking the *Programme* to development assistance (the prospect of conditionality). Few, if any, developing countries supported these measures, but they were the major focus of the EU, the US, Japan, and other industrialized countries. Yet there was no such divide on most issues debated at the Conference, including marking and tracing, civilian ownership, weapons destruction, and monitoring mechanisms for the *Programme*. In pushing for action on these and other issues, Canada, the EU, Norway, and Switzerland were supported by a number of affected states from Africa, Asia, and Latin America.

In summary, although coalitions were initially slow to form, once the process of the UN Small Arms Conference commenced, states were forced to take positions and form blocs around substantive concerns and interests relating to small arms. These coalitions will remain crucial in the negotiating of norms and policies in the evolving GPP framework.

#### **5. The transformation of intentions into stated goals, norms, commitments, and eventually specific policies and programmes**

A GPP framework cannot be said to exist if actors are merely bargaining over declaratory statements. At some point, these intentions must be translated into higher level commitments, becoming norms that guide the actual behaviour of actors in the system, and ultimately result in operational programmes.

As we showed previously, states participating in the UN Small Arms Conference process developed six basic public policy tools that, when implemented, will go a long way towards preventing and reducing the negative effects associated with small arms. These were: marking and tracing; regulating the trade in small arms; brokering; weapons destruction and reduction of surplus stocks; stockpile management and security; and information exchange and transparency. Section II of this paper described a multitude of actual policies and programmes that have been developed and implemented in each of these six areas since the mid-1990s, demonstrating that this aspect of a GPP framework for small arms is developing. Donor states and several regional organizations are providing funding for capacity building in many affected states, while IGOs have initiated programmes and developed partnerships on the ground. For example, the UNDP is engaged in several weapons collection and destruction programmes. The WHO is building capacity for improved surveillance of firearm-related injuries in Brazil and Mozambique. Public awareness programmes have also been developed by all actors in the system.

Page 33

Yet it is the work of NGOs that demonstrates most convincingly that concrete programmes abound at the local level. NGOs have been fully engaged in every kind of task in the small arms area—from public awareness to the delivery of actual services. Voluntary weapons collection programmes were pioneered by NGOs. In some cases, NGOs are performing data collection functions that local police are unable to perform (e.g. Viva Rio in Brazil). Most of these programmes could not proceed without funds from states and IGOs, meaning that the full project cycle of needs assessment, implementation, and evaluation is being developed and negotiated between NGOs and their state and/or IGO partners. This process is now taking place at the regional meetings devoted to the question of *Programme* implementation, as well as in other venues, including the Group of Interested States process within the UN system.

#### **6. Small arms as a multi-dimensional and multi-disciplinary problem**

One of the major characteristics of the global problems that rose to prominence in the 1990s, along with the GPP frameworks that emerged to deal with them, is that they are multi-dimensional and multi-disciplinary. For example, environmental problems are inexorably linked with development, while the HIV/AIDS epidemic cannot be tackled without also addressing the question of education. In other words, global problems of this type require expertise from a variety of disciplines.

In the run-up to the UN Small Arms Conference, it was civil society and the emerging NGO network that first emphasized the multi-dimensional nature of the threat arising from the proliferation

and misuse of SALW. From IANSA's earliest days, it was clear that the objective reality of too many small arms in the wrong hands and places was creating problems across many dimensions. Following the lead of the ICBL, the problem was presented as a humanitarian one, with the 500,000 deaths occurring annually from these weapons cited as prime evidence. Human rights NGOs stressed that the ready availability of small arms in society was linked to human rights violations. Development NGOs pointed to the direct impact on development resulting from the violence and instability accompanying these weapons. Advocates for the well-being of children noted that in a weapons-abundant environment children not only become physical casualties through death and injury, but also suffer accompanying dislocation. In addition, the phenomenon of child soldiers was being fuelled by the ready availability of lethal, yet user-friendly, military weapons. Public health advocates pointed out that small arms-related injuries qualified as an epidemic and began to treat the problem accordingly. And those concerned with crime, both nationally and transnationally, saw the uncontrolled trade in both legal and illicit arms as a major factor in its increase.

While IGOs made statements at the UN Small Arms Conference as to how the small arms problem affected their particular mandate (e.g. UNICEF spoke of the impact on children), it was not until after the Conference that these IGOs began to develop and fund serious programmes across a broader range of dimensions.

National governments, however, have been slow to accept the multi-dimensional reality of the small arms problem. Since it was the First Committee of the UN General Assembly that took up the issue at the global level, it was predictable that the primary focus for states would be on arms control and traditional national security. The delegations to the Conference were therefore uni-dimensional. This was reinforced by the fact that every state legitimately produces, stockpiles, exports, and/or imports SALW for its own defence and internal security needs. The end result was resistance to recognizing small arms as anything other than a military or security problem.

During the UN Small Arms Conference, some states, prodded by NGOs and IGOs involved with various aspects of the issue, made a major effort to get as many dimensions as possible into the Preamble. One such dimension was the effect on children, suggested by Canada and some African states. Although the US was particularly concerned to limit such references, one did make it into the final *Programme*. Another example was Norway's fight to keep 'health' in the preambular paragraph listing the dimensions of the problem in order to provide a mandate for the WHO to continue to develop its work on this issue. In the end, the Preamble did cover many aspects of the small arms problem, in effect creating additional legitimacy for a broader range of international and non-governmental organizations—in addition to national governments—to take action on this issue (UNGA, 2001b, sec. I, paras 2, 5, 6, 15).

In developing an effective GPP framework to deal with small arms as a multi-dimensional problem, two shortfalls must be addressed. First, there remain several aspects of the issue that have been ignored at the state level, including, most notably, the human rights and humanitarian dimensions. As indicated elsewhere in this paper, a combination of factors has led to the down-playing of the humanitarian aspects of the small arms problem to date. As was demonstrated in both the efforts to ban anti-personnel landmines and to establish the International Criminal Court, focusing on the humanitarian aspects of a global social issue enhances the prospect of a greater number of governments signing on.<sup>20</sup> And yet, some 15 months after the July 2001

Conference, there is still nothing resembling an effective coalition of states, IGOs, and NGOs with this focus. Also, despite the work of such IGOs as the UNDP,<sup>21</sup> most states pay only lip service to the link between small arms and development. This is especially true of developing countries, who do not want their development priorities dictated or shaped by policies designed to control or manage the small arms problem.

Another overlooked dimension is the responsibility of states not to misuse these weapons. Human rights groups have widely criticized the UN Small Arms Conference because human rights were not addressed. In fact, no state ever proposed any resolutions on preventing or reducing the misuse of these weapons. This may be because most of the NGOs creating the knowledge base on this issue are focusing on the arms transfers aspect. This approach typically involves the naming and shaming of states, private suppliers, and other individuals who supply weapons to those who subsequently misuse them.

Early in the process of developing the *Firearms Protocol*, the United Nations Economic and Social Council's (UNECOSOC) Commission on Crime Prevention and Criminal Justice adopted *Criminal Justice Reform and Strengthening of Legal Institutions: Measures to Regulate Firearms*. It encouraged states to consider regulatory approaches to the civilian use of firearms that included 'appropriate penalties and/or administrative sanctions for offences involving the misuse or unlawful possession of firearms' (UNECOSOC, 1998, para. 5(b)). What is missing are efforts that would specify what constitutes misuse or, at least, have states commit to draw up such specifications at the national level. While many states have national laws in this area, many of the most affected states either lack the necessary legislation or have little capacity or will to enforce such laws. The current emphasis on arms transfers overlooks the reality of the millions of small arms, already in the hands of states and non-state actors, that are being misused on a daily basis.

Page 35

States remain reluctant to take a multi-dimensional approach to the small arms issue, with very few governments integrating departments and ministries from the various policy areas into the overall national effort to address the problem. A second challenge is to develop a structure or architecture in which these various areas can be combined at the international level. While many meetings continue to be held at the regional and global levels, participants, especially those representing governments, are mostly specialists in arms control and national security. To date, the only global forum dealing with small arms on a regular basis is the First Committee of the UN General Assembly, a situation that does not auger well for the development of an effective GPP framework for small arms. There is every reason to believe that the 2003 biennial review meeting, to be held under the auspices of this same forum, will see the same arguments raised again by the same delegations with the same narrow national security and arms control focus. A preview of this may have been the Tokyo meeting in January 2002. The usual set of issues were debated, mainly among governmental arms control experts, without resolution, and with NGOs and IGOs very much on the margins (Japanese Ministry of Foreign Affairs, 2002).

## 7. Increased pressure for transparency

In order for a GPP framework to be fully functional, transparency is needed. Without knowledge of the causes and effects of small arms proliferation, and of the programmes and policies being carried out at all levels, it is unlikely that the broad range of actors critical for success can be brought into the mix. In addition, organizational collaboration and partnering cannot take place at the many levels required when states, NGOs, or IGOs do not inform others of their activities or of the data

upon which these activities are based. In essence, transparency and openness provide the glue that holds the GPP framework together.

Action to date reflects a very mixed record on transparency. As described earlier in the paper, the Programme makes only tentative steps towards greater transparency. Efforts by the EU to initiate a more robust global transparency mechanism, which would have seen states reporting on their small arms exports and imports, failed. Nor was any mention of transparency retained in the final *Programme* Preamble, in contrast to the first draft, which had stated

that enhanced openness and transparency and improved information exchange on small arms and light weapons would contribute greatly to confidence-building and security among States, including a better understanding of the illicit trade in small arms and light weapons (UNGA, 2000, Preamble, para. 16).

This paragraph was dropped in the second draft.

Although the *Programme* contains little in the way of transparency measures, it is important to note that there is increasing transparency in the context of the broader GPP process. For example, the first two editions of the *Small Arms Survey* (2001 and 2002) have produced a host of data, much of it made available by states, enterprising NGOs, and international organizations. The situation is not unlike that of the Cold War, when the Stockholm Institute for Peace Research launched its annual Arms Trade Register. It was not until 1992 that the international community agreed to create the UN Register of Conventional Arms. The monitoring of compliance with *Programme* commitments may further serve to increase transparency. However, the continuing insistence by many states on treating the problem as one of national security does not bode well for developing the level of transparency and openness needed for an effective GPP framework.

## 8. Norms to guide the development and implementation of policy

One indicator of an evolving and functional GPP framework is a set of rules, guidelines, principles, and standards that begins to guide the actions of states, international organizations, and NGOs as they address the relevant issues. With global problems such as HIV/AIDS or global warming, the full range of actors has begun to codify what needs to be done and the best way of achieving this. As a result, although actors adopt a variety of approaches to fit local situations, an emerging set of norms or guidelines indicates what states and others *should* do to solve the problem.

What is a global norm? One definition that has found broad acceptance is 'a standard of appropriate behaviour for actors with a given identity' (Finnemore and Sikkink, 1998, p. 891). A related concept is that of 'institutions', which have been defined as a 'relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations' (March and Olsen, 1998, p. 948). It is important to distinguish between norms and behaviour. Norms are shared assessments of what is 'right', statements of what states and other actors in the GPP arena 'should' do, and not necessarily descriptions of how they behave. Have such global norms emerged to guide the behaviour of the actors making GPP on small arms?

The first place to look is the UN Small Arms Conference and the *Programme* that it produced. It is important to note that, just three years before the Conference, there was little consensus on any aspect of the global small arms problem. States were behaving as if there were no norms. Clearly,

the Conference has changed this. There are now rudimentary norms and measures that states have agreed should be followed. The Preamble of the *Programme* established agreed causes and consequences of the problem, the basic *existing* norms and principles that should guide states, and the objectives of the Conference itself. To cite two examples, the Preamble established (or restated) the primacy of (some)<sup>22</sup> international law, along with the norm that each state has the right to manufacture, import, and retain SALW for its self-defence and security needs. There was serious debate on the provisions of the Preamble during the negotiations on the *Programme*. (This is because where certain proposals fall by the wayside during a UN conference, at a minimum the Preamble guides further action by the international community after the conference is concluded.) It should also be noted that, prior to the Conference, many states argued that the negative effects of small arms were principally the result of such root causes as poverty and inequality. By approving a consensus *Programme*, states concluded that focusing on the tools of violence is as important as root causes.

During the Conference, many states still maintained that the small arms problem was solely of a national or, at most, regional nature. Yet even a cursory reading of the *Programme* reveals its global nature. And measures such as weapons collection were dismissed as idealistic and ineffective just a few years prior to the Conference. Not only has the Conference endorsed this policy tool, but it is now widely used throughout the world. Despite the well known shortfalls of the Conference, the fact is that states agreed to begin employing a wide range of policy tools designed to prevent and reduce the negative effects of SALW.

At the Conference, states were forced to address normative questions, and, as we indicated earlier, responded by approving many guidelines and principles that resemble norms, even though they do not call them 'norms'. Further evidence that states were developing norms was demonstrated by their rejection of some norms as either unacceptable or premature (e.g. transparency). Those that were adopted seem stronger in this light.

The debate at the UN Small Arms Conference saw some norms emerge despite the fact that, in some cases, consensus could not be reached because of the opposition of one or two states to particular norms. The best example would be the norm that states 'should consider the prohibition of the unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes, such as automatic guns'<sup>23</sup> (e.g. assault rifles and machine guns). This was contained in the *Report of the Group of Governmental Experts on Small Arms* (UNGA, 1999, para. 120), and represents the norm that many states agree to. Evidence of such agreement occurred in the survey of firearm regulations that took place as part of the preparations for the *Firearms Protocol* (UNGA, 2001a). This norm appeared in all of the drafts of the *Programme*. The fact that the US objected to the norm and prevented a formal consensus on it does not mean that it does not exist. The US has for a long time conformed to this norm with laws severely restricting the possession of military weapons by civilians.<sup>24</sup> And the norms that are available for such regime building go beyond those that could be agreed in a political process that demands consensus.

In sum, the UN Small Arms Conference served to begin the codification of a set of norms and principles that forms the basis for the next phase of making GPP to prevent and reduce the illicit trade in SALW in all its aspects. On the other hand, the *Programme* does not contain many key norms, and those that it does contain are not legally binding. Therefore, norm development emerges as a key priority for post-Conference action by all actors. Finnemore and Sikkink have developed the concept of a multi-stage 'norm life cycle'. The first stage is norm emergence, where 'norm entrepreneurs' attempt

to convince a critical mass of states ('norm leaders') to embrace new norms. Arguably, this is what started to develop at the UN Small Arms Conference with respect to the causes and consequences of the negative effects of small arms, and in some policy areas. The second stage identified by Finnemore and Sikkink is the 'norm cascade', where norm leaders attempt to socialize other states to become 'norm followers'. A combination of factors leads to success in this regard, including 'pressure for conformity, desire to enhance international legitimation, and the desire of state leaders to enhance their self-esteem' (Finnemore and Sikkink, 1998, pp. 895–905). This second stage must play out in the full range of venues, not just the UN, where norm development in the case of small arms may have reached its peak.

This is not to say that the UN is irrelevant. The norms developed in the *Programme*, however weak and general, have the strength of global consensus behind them. At the political level, states may be held accountable and pressure may be applied to conform, as we discuss in the next section. But the UN is not the only channel through which norms can be developed and promoted. One key alternate example is the Ottawa Process, which emerged out of a failure within the UN framework to meet the demands of a humanitarian-based campaign waged by a coalition of states, IGOs, and NGOs to ban anti-personnel landmines. The first test of the UN's role in an effective GPP framework will be the 2003 biennial meeting to review *Programme* implementation. Should the same lack of transparency and acceptance of the multi-dimensional nature of the problem prevail, a coalition of those willing to develop an alternative approach may be the result. The report of the Group of Governmental Experts on Tracing Illicit Small Arms and Light Weapons will also be important. If states producing this study do not produce a consensus going beyond the *Programme's* refusal of a legally binding global mechanism, it may spark action outside the UN framework.

Page 38

Another issue arising with respect to norm development is whether such norms should be legally binding, or pitched at some level below this. The Carnegie *Managing Global Issues* study gives many examples of voluntary standards being very effective in shaping state and NGO behaviour: 'The binding nature of a bargain does not necessarily ensure its effectiveness, and voluntary rules or standards occasionally prove highly effective' (Simmons and de Jonge Oudraat, 2001, p. 677). Actors in the small arms area should consider such approaches to norm development.

At some point, this combination of developing legal instruments and norms may lend itself to the development of a framework convention comparable to the *Framework Convention on Climate Change*.<sup>25</sup> An early draft of the *Programme* contained calls for such a framework convention, with elements including: definitions; objectives; norms and principles; commitments; voluntary information exchange; research; education, training, and public awareness; and a process for the adoption of protocols. Negotiating such a convention in the current climate would be difficult, but not necessarily because of the subject matter. Many of the elements listed above were decided at the UN Small Arms Conference. At some point in the future, if progress towards developing a GPP framework on small arms is hindered by the same obstacles that were encountered at the Conference, a coalition of willing states might take the option of a framework convention forward.

## 9. Compliance, non-compliance, and monitoring

Most persuasive in determining whether a functioning GPP framework on small arms is in place is evidence that states, IGOs, and NGOs are behaving in accordance with developing norms and agreed public policy tools. Essential in this regard is an effective monitoring system that allows the behaviour, policies, and programmes of the full range of actors to be made known and assessed in

relation to agreed norms and policies. The progress of states in implementing the *Programme* will first be considered at the 2003 biennial meeting. In the meantime, some actors have developed matrices reflecting the implementation of *Programme* measures. The US, for example, has developed a matrix that highlights all US government action on small arms in the context of the *Programme*. Similarly, at a 3–5 December 2001 conference in San José, Costa Rica, participants developed a framework for use by OAS countries in their implementation of the *Programme*. Combining the provisions of both the *Programme* and the OAS *Inter-American Convention* (OAS, 1997), it lists specific commitments, the groups responsible for their fulfilment, and the relevant national and regional activities that may serve as a ‘basis for the later development of concrete and detailed national plans of action’ (IANSA, 2001c). The UNDDA has also begun to gather data on the national points of contact that states agreed to establish in the *Programme*. Other international organizations, along with civil society, will equally be active in monitoring *Programme* implementation.

Arguably, a system of monitoring has begun to emerge, although its exact contours remain hazy. Many suggestions for monitoring were made at the UN Small Arms Conference, but none of these were approved—with the exception of the relatively weak provision for information collection/dissemination by the UNDDA. Developing a monitoring tool in a First Committee environment may well face opposition, as was the case with the development of the UN Register of Conventional Arms. The only reporting forms that were ever developed were for export and import information. Attempts to develop an additional form for the voluntary reporting of national production failed, as states could not reach a consensus.<sup>26</sup> In fact, the UN General Assembly has a poor record in the development of monitoring systems.

The ultimate test of a functioning GPP framework will be how well it deals with actors who are in obvious non-compliance with agreed norms and policy tools, although, given the nascent state of the *Programme*, it is premature to talk about non-compliance. But we can already see actors in the system beginning to employ the full range of tools used to deal with this.<sup>27</sup> Adherence to norms and measures is being promoted through a variety of *incentives*. *Technical assistance* is another tool that is increasingly utilized, especially for such measures as law enforcement. *Diplomacy* of all kinds is also in play, for example in the Experts Group now evaluating the feasibility of a legally binding tracing instrument. *Public shaming* has long been used by NGOs, especially where states fail to control small arms exports or misuse these weapons. *Sanctions*, especially arms embargoes, are being used more often, and the UN has made great strides in the past several years in exposing those states that have not complied with UN Security Council embargoes.

Starting with the biennial meeting in 2003, states, international organizations, and NGOs will begin to face the challenge of dealing with those states that, despite having committed themselves to *Programme* norms and measures, have not complied or even begun to comply with them. The way in which relevant actors respond will have important consequences for the further development of the GPP framework on small arms. Of course, while a few states will probably be in wilful non-compliance, most others will either need more time or else lack the capacity to implement agreed measures. In other cases, imperfect compliance will result from the ambiguity inherent in some of the measures and the latitude this allows individual states in deciding how to implement them. One of the main tasks of all those monitoring compliance will be to distinguish between those actors who are wilfully disregarding agreed norms and policies and those who, while willing to comply, are unable to do so for the kinds of reasons given above. More work must also be done to make *Programme* measures more specific (e.g. introducing export criteria) and to develop a stronger and broader set of norms.

It should also be noted that the process of developing a monitoring system will necessarily involve the type of interorganizational collaboration and partnering that is the hallmark of an effective GPP framework. The full range of actors are contemplating such work and will need to co-ordinate their efforts in that direction.

## IV. The way forward

This paper has described the action that has been taken to address the problems associated with small arms at all levels and by the full range of actors. These actions have been analysed in terms of how closely they reflect nine critical elements that are the hallmarks of a functioning GPP framework. To what extent, then, is the small arms issue being treated in this way? Section III of the paper has demonstrated that a rudimentary GPP framework is indeed emerging, with problems related to small arms beginning to be addressed in the same way as most other global problems. Just as clearly, however, this framework is in its infancy, and will need to be developed in the next few years if any progress is to be made in preventing and reducing the negative impact of SALW.

### A. Evidence of an emerging GPP framework

We recap here the main points made in the analysis in section III, taking each of the nine elements in turn.

*Firstly*, spurred on by the UN Small Arms Conference, a wide range of actors, including states, IGOs, and NGOs, is now engaged in the process of raising awareness, developing norms and policy tools, and implementing policies and programmes at all levels—local, national, regional, and global. *Secondly*, at least during the run-up to the Conference, a full range of actors contributed to the development of options for norms and policy tools—not only states or the IGOs they create. Which actors will participate in agenda setting during the next phase of policy development is less certain, given the current security focus in the restricted policy-making arena of the First Committee. *Thirdly*, the experience of organizational collaboration and partnering is mixed. At the local level, national governments from both donor and affected states, IGOs, and NGOs, both local and transnational, have demonstrated that they can collaborate effectively. On the other hand, due to the primacy of the national security dimension to date, much more could be done to develop the collaboration and partnering required to implement truly global and multi-dimensional policies.

Page 41

*Fourthly*, it is clear that the issue has advanced to the point where states, coalitions of states, and other actors take the small arms issue seriously. In just a few years, the earlier marked indifference to or denial of the global nature of the problem has given way to a situation where the generation of policy involves a process not unlike the political bargaining one sees at the national level. *Fifthly*, we also see operational programmes and policies being developed and implemented at various levels. *Sixthly*, recognition of the multi-dimensional and multi-disciplinary nature of the small arms problem remains weak. In the run-up to the Conference, this point was emphasized, particularly by the NGO community, which made the case for action based on specific thematic mandates, including development, crime, public health, and human rights. Yet, while the multi-dimensional nature of the impact of small arms has been amply demonstrated, it has been inadequately reflected in the global policy arena—specifically, the First Committee of the UN General Assembly. At the global level, IGOs and NGOs are addressing the issue from a variety of perspectives. But for the most part, they act in isolation. In many cases, they compete with each other for funding, and have yet to form a functioning coalition.

*Seventhly*, the need for effective transparency has not been met in any meaningful way. States at the UN Small Arms Conference consistently rejected those measures that would have provided transparency and openness. Civil society has begun to try to close this gap, but ultimately it is governments

that must provide the data that will enable a truly functioning GPP framework to emerge. *Eighthly*, there is some evidence that norms have begun to emerge. The *Programme*, arrived at by consensus, contains a Preamble that recognizes certain basic principles that can begin to be used to shape public policies to address the small arms problem. In addition, consensus was reached on at least six basic policy tools needed to tackle the problem. Such norms, though not legally binding for the moment, should eventually shape the behaviour of states, IGOs, and NGOs. *Ninthly*, actors in the emerging GPP framework have begun to address the question of compliance. Activity is now under way to develop mechanisms to monitor state compliance with the *Programme*. Moreover, in those areas of global small arms policy that are more developed—specifically, UN arms embargoes—efforts to improve compliance are well advanced.

## B. The future of GPP and small arms

### 1. Moving beyond the First Committee

As this paper has shown, the development of GPP on small arms has begun within the framework of the First Committee of the UN General Assembly. Negotiating a set of rudimentary norms and some specific policy tools at the UN Small Arms Conference was a considerable achievement in and of itself, and, as many have noted, an important first step in a longer-term process. The *Programme* provisions for follow-up also give actors an opportunity to develop monitoring mechanisms for evaluating progress in addressing the issue, a crucial element of any GPP framework. However, it is equally clear that the First Committee, with its focus on arms control and national security, cannot be the only venue for a problem that is so obviously multi-dimensional. The security aspect of the issue and the rules of the First Committee also make full participation by all actors in the emerging GPP framework difficult. While, as indicated, this body can make an important contribution to global action on small arms, there is also a need for structures that will support work that is more inclusive and multi-dimensional.

One option would be a reformed UN approach. Most other UN conferences have sought to take the relevant problem outside the framework of any one UN organ. It is one of the major failures of the UN Small Arms Conference that this did not happen here. Many UN agencies are vital to the resolution of this problem, yet at the Conference they were only given as much time to speak as the NGOs (i.e. five minutes each), and were clearly not involved in the development of the *Programme*. Nevertheless, as we described in section II of the paper, their role has been enhanced since the Conference, as donor states have begun to give them funds to carry out work on the ground. While the UNDDA appropriately spearheads UN action on weapons of mass destruction and conventional weapons (e.g. the UN Register of Conventional Arms), it is finding it more difficult to assume such a role in respect of small arms, as its disarmament focus sits uneasily with the problem's multi-dimensional nature. It appears that the UNDDA is aware of this and is consequently taking steps to breathe life back into CASA.

Enhancing CASA and finding other ways for the UN agencies and Secretariat to co-ordinate their small arms work would bring real benefits. Nevertheless, as we indicated earlier in the paper, there are limits to a purely intergovernmental approach, even one involving IGOs. A broader range of actors, especially those from civil society, will need to be involved if the emerging GPP framework on small arms is to take full flight.

## 2. Alternative futures

The main message coming out of the UN Small Arms Conference is that all actors, guided by the *Programme*, must come to grips with the small arms issue if progress is to be made in enhancing development, reducing crime, minimizing death and injury, curbing violations of international humanitarian law, and enhancing prospects for conflict resolution. While acknowledging that root causes remain central to tackling such problems, Conference participants recognized that the potential for success is seriously diminished so long as SALW continue to proliferate at excessive and destabilizing levels. Will the international community succeed in using the *Programme* and its policy tools to achieve the goals it has set for itself? Where will things stand at the time of the 2006 review conference? While firm predictions in this area are obviously unwise, one can identify at least three alternative futures.

*Scenario 1: The status quo is maintained:*

**The first step remains the only step:** In this alternative future, awareness of the negative effects associated with small arms remains at its current level. Norms, measures, and policy tools designed to address the problem remain based on the existing *Programme*, but do not develop any further, due to a lack of consensus in the First Committee. Moreover, the additional regional and global mechanisms that would enhance state compliance with the *Programme* are not enacted or implemented. Nor does any 'coalition of willing states' create an alternative venue for global action. Some states embrace and comply with the policy tools of the *Programme*, but others do not. Individual projects are funded and problems alleviated at a local and national level in some parts of the world, though progress is slow in such regions as Asia and the Middle East. Progress in some areas could also unravel as weapons arrive from regions falling outside the effective ambit of the *Programme*.

Page 43

There are many forces that could produce such an outcome. Other global priorities could eclipse the issue of small arms. These could include the growing effort to combat terrorism, the renewed emphasis on countering the threat from weapons of mass destruction, and conflict in the Middle East and South Asia. As these security threats grow in importance, states could see small arms as being even more essential to defending their national interests. Funding for small arms work could also diminish as donors divert resources to these areas or others, especially in the context of a stagnant global economy.

*Scenario 2:*

**There is a return to the situation pertaining before the status quo:** In this hypothetical future, states willing to move forward on the small arms issue become discouraged, given a lack of demonstrated success in acting at the international level to prevent and reduce the negative effects from these weapons. No system for monitoring compliance with the *Programme* is developed. Funding for capacity building programmes declines, slowing actual work, and with it the interest and involvement of civil society. The UN continues to issue a series of annual reports on small arms generally, and the *Programme* more specifically, but there is little life left in the process. As with the UN Register of Conventional Arms, some states continue to submit data, but there is no other progress. A fully-fledged GPP framework is seen as too cumbersome, involving too many actors, and excessively compromising state sovereignty. Rising security threats lead states to resist transparency on this issue.

The global forces that would help bring about such a scenario are much the same as those mentioned in the previous scenario. A disheartened and unsupported civil society is unable to make the case that the small arms problem is as critical as ever, and thus fails to move states and IGOs to action. The role

of small arms in personal and national security prevails over all other considerations. It is also conceivable that GPP frameworks developed for other global social problems begin to fail, throwing the whole idea of global governance into question.

*Scenario 3:*

**A fully-fledged GPP framework emerges:** In this alternative future, a GPP framework of the kind that has arisen to tackle such problems as global warming and HIV/AIDS evolves in relation to small arms as well. Mechanisms, processes, and additional venues for the development of norms, measures, and policy tools are elaborated, ensuring that all dimensions of the problem are addressed and that all actors remain fully involved, collaborating and partnering at all levels. Monitoring compliance with these enhanced norms, measures, and policy tools becomes easier as states accept the need to deal with the tools of violence, as well as the root causes of such problems as underdevelopment and crime. Civil society actors working on the issue become increasingly numerous and effective in raising awareness of the consequences of inaction, resulting in regional and global campaigns that convince states to act.

The forces that would favour such an outcome include the continued efficacy of GPP frameworks for other global issues, the ongoing involvement of the international community in the solution of regional conflicts, some improvement in the global economy, and a growing acceptance of civil society as a critical partner in the resolution of global problems. The negative effects associated with small arms will also remain—and be seen to remain—at levels that demand effective action.

## Endnotes

- <sup>1</sup> By the time this recommendation was made, UN conferences had already taken place on the environment and development (Rio de Janeiro, 1992), human rights (Vienna, 1993), natural disaster reduction (Yokohama, 1994), population and development (Cairo, 1994), social development (Copenhagen, 1995), the advancement of women (Beijing, 1995), trade and development (Johannesburg, 1996), and human settlements (Istanbul, 1996). It is within this context that the UN Conference on Small Arms took place.
- <sup>2</sup> For further information on these initiatives, see *Small Arms Survey*, 2001, ch. 7.
- <sup>3</sup> Those in the first category include: IANSA, 2001d; Stohl, 2001; and Batchelor, 2001. In addition, half of the Spring 2002 issue of the *Brown Journal of World Affairs* was devoted to the issue of the small arms trade, with three articles focusing on the UN Small Arms Conference. Other in-depth assessments of the Conference include: *Small Arms Survey*, 2002, chap. 5; *Biting the Bullet Project*, 2002; and Krause, 2002.
- <sup>4</sup> The categories from the *Programme* used in this section correspond to those found in *Biting the Bullet Project*, 2002.
- <sup>5</sup> The proceedings in Spanish can be found at <<http://www.arias.or.cr/fundarias/cpr/armasliv/sanjose/index.html>>.
- <sup>6</sup> The full text of the conference report can be found at <<http://www.saferafica.org/Seminar/Conferences.html>>.
- <sup>7</sup> The protocol was adopted by the UN General Assembly on 31 May 2001, just weeks before the UN Small Arms Conference convened its final session (UNGA, 2001a). For the text of the resolution adopting the protocol, including the protocol and interpretative notes, see <[http://www.odccp.org/crime\\_cicp\\_signatures.html](http://www.odccp.org/crime_cicp_signatures.html)>.
- <sup>8</sup> For current information on signatory and ratifying countries, see the web site of the UN Office for Drug Control and Crime Prevention (ODCCP): <[http://www.undcp.org/odccp/crime\\_cicp\\_signatures\\_firearms.html](http://www.undcp.org/odccp/crime_cicp_signatures_firearms.html)>.
- <sup>9</sup> The following sections on the UN agencies involved in small arms actions are based on author interviews with and documents obtained from the UNDDA, July–August 2002.
- <sup>10</sup> '[H]ealth and medical institutions... are urged, as appropriate, to develop and support action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in small arms and light weapons in all its aspects' (UNGA, 2001b, sec. III, para. 18).
- <sup>11</sup> Author interview with Pierre Sob of the office of the United Nations High Commissioner for Human Rights, Geneva, May 2002.
- <sup>12</sup> For a more thorough assessment of the activities of NGOs during the UN Small Arms Conference process, see *Small Arms Survey*, 2002, pp. 217–18; Batchelor, 2002; and *Biting the Bullet Project*, 2002.
- <sup>13</sup> Florini (2000) contains illustrative case studies (including one on the ICBL), describes a set of roles for civil society in global public policy-making, and includes an extensive annotated bibliography.
- <sup>14</sup> There are more than 400 civil society organizations in at least 71 countries working on all aspects of the small arms issue. The analysis that follows is illustrative only, designed to show the level and breadth of activity taking place since the conference. Specific mention of activities in no sense indicates relative importance or effectiveness. The discussion is based primarily on documents posted on the IANSA web site (<<http://www.iansa.org>>), especially the three newsletters published in October 2001 (IANSA, 2001b), February 2002 (2002b), and July 2002 (2002c). The author (Laurance) is also a member of IANSA and receives e-mail updates on the activities of its members. A further source is e-mail correspondence with IANSA co-ordinator Sally Joss on 26 July 2002.
- <sup>15</sup> Author interview with Nivia Bastos-McDaniel, Viva Rio staff, August 2002.
- <sup>16</sup> For details of the statements and positions of the various countries involved, see the *Small Arms Survey's* UN conference database: <<http://www.smallarmssurvey.org>>.

- <sup>17</sup> While many lists of such functions have been developed, one of the most comprehensive is that of Simmons, 1998.
- <sup>18</sup> There was almost unanimous condemnation of the US performance at the Conference. For a particularly clear critique, written by someone with access to the Conference and its players, see Stohl, 2001. See also Small Arms Survey, 2002, p. 219.
- <sup>19</sup> For more information on EU action before the UN Small Arms Conference see Small Arms Survey, 2001 and 2002.
- <sup>20</sup> For a 'Model for Humanitarian Advocacy', see Hubert, 2000.
- <sup>21</sup> The UNDP has in fact led the way in making the link referred to here. See the UNDP publications at <<http://www.undp.org/erd/smallarms/pubs.htm>>.
- <sup>22</sup> Reference to the applicability of human rights and international humanitarian law was specifically rejected as part of the final *Programme*.
- <sup>23</sup> This is the wording that was present in every draft of the *Programme* from February 2001 to the very last day of the Conference (20 July 2001), when it was dropped because of US insistence.
- <sup>24</sup> In the wake of the 11 September terrorist attacks, some US states (e.g. California) began to take action further outlawing civilian possession of the .50 calibre sporting rifle, on the basis that it is a military grade weapon that can be used by terrorists with devastating effect. In December 2001, the US State Department restricted the sale of such weapons to civilians abroad, because of evidence that Osama Bin Laden purchased 25 such weapons in the US in the late 1980s.
- <sup>25</sup> See <<http://www.unfccc.int/resource/conv/conv.html>>.
- <sup>26</sup> The author (Laurance) was a consultant to the group of governmental experts charged with developing such forms in 1994.
- <sup>27</sup> The policy tools mentioned here—*italicized in the text of this paragraph*—are taken from the discussion of a typical GPP system contained in Simmons and de Jonge Oudraat, 2001.

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