

## Measuring Illicit Arms Flows: SDG Target 16.4

In September 2015 UN member states adopted the 2030 Agenda for Sustainable Development, which replaced the Millennium Development Goals (MDGs) (2000–15) with a set of 17 Sustainable Development Goals (SDGs) and 169 targets. While reaffirming core MDG aims, such as poverty reduction and the promotion of health care and education, these SDGs and targets tackle a much broader range of factors driving underdevelopment, including violence and insecurity (UNGA, 2015a).

SDG 16 explicitly links development to peace and security,<sup>1</sup> with Target 16.4 making the weapons component of this relationship clear: ‘By 2030, significantly reduce illicit . . . arms flows.’<sup>2</sup> In contrast to the MDGs, but in line with other inter-governmental processes and independent research,<sup>3</sup> the 2030 Agenda thus clearly connects development with peace, security, and arms control. Yet if the aim of reducing illicit arms flows in order to promote sustainable development is clear, translating this statement of good intentions into concrete reality is another matter.

This Research Note examines some of the challenges and opportunities involved in implementing Target 16.4, focusing on the arms flow indicator agreed by the UN Statistical Commission in March 2016.

### Indicator 16.4.2

Given the concealed nature of the illicit arms trade, limited information is available on the types, quantities, and value of illicit arms circulating worldwide.<sup>4</sup> How, then, to measure reductions in illicit arms flows in accordance with Target 16.4? In March 2016 the UN Statistical Commission agreed on an indicator for Target 16.4—Indicator 16.4.2—that focuses on seized weapons:

*Proportion of seized small arms and light weapons that are recorded and traced, in accordance with international standards and legal instruments (UN Statistical Commission, 2016, para. (d); IAEG-SDGs, 2016a, p. 58).<sup>5</sup>*

While Indicator 16.4.2, like all the indicators agreed by the commission, is ‘subject to future

technical refinement’ (UN Statistical Commission, 2016, para. (d)),<sup>6</sup> measures such as the seizure, recording, and tracing of small arms—together with marking, a prerequisite for tracing—will undoubtedly be central to reducing illicit arms flows in line with Target 16.4.

At an early stage states identified these measures as essential elements in the fight against illicit small arms, first in the context of the legally binding UN Firearms Protocol (UNGA, 2001a), and subsequently in the form of the politically binding UN Small Arms Programme of Action (PoA) (UNGA, 2001b) and International Tracing Instrument (ITI) (UNGA, 2005). States parties to the Firearms Protocol have undertaken to seize illicit firearms (UNGA, 2001a, art. 6), while governments have committed to mark, record, and cooperate in tracing firearms/small arms under all three instruments.<sup>7</sup>

SDG follow-up and review processes are to ‘build on existing platforms and processes’ (UNGA, 2015a, para. 74(f)), including, in the case of the three global instruments discussed above, reporting. In practice, however, national reporting for the three instruments is patchy.

Reporting for the Firearms Protocol is grounded in its parent convention and resolutions adopted by the convention’s Conference of the Parties (see UNGA, 2000, art. 32; COP, 2014, Resolution 7/1, para. 8). The UN Office on Drugs and Crime (UNODC) has also developed several tools designed to support Firearms Protocol reporting and the gathering of information on illicit firearms.<sup>8</sup> Yet neither existing Firearms Protocol reports nor the data states provided for the 2015 Firearms Study (UNODC, 2015) meets the aspirations of Indicator 16.4.2 for comprehensive (global) information on the proportion of seized small arms that are recorded and traced.<sup>9</sup> Nonetheless, UNODC’s mandate to continue gathering information on illicit firearms trafficking (COP, 2014, Resolution 7/2, para. 14), coupled with its likely role as the ‘custodian agency’ for Target 16.4, should allow it to support Indicator 16.4.2 follow-up, possibly in conjunction with enhanced Firearms Protocol reporting.<sup>10</sup>

The PoA encourages states to report on their implementation of the instrument, including ‘information on . . . small arms and light

weapons confiscated or destroyed within their jurisdiction' (UNGA, 2001b, paras. II.23, II.33). This, combined with the ITI requirement to report, among other things, on the implementation of record-keeping and tracing provisions (UNGA, 2005, para. 36), provides a solid foundation for gathering the information that Indicator 16.4.2 calls for. As with the Firearms Protocol, however, actual practice falls well short of what is needed. Despite a recent dip in reporting rates, national reporting on PoA and ITI implementation has become a well-established practice.<sup>11</sup> Yet if one narrows the focus to the kind of information that Indicator 16.4.2 seeks, one finds only partial and sporadic information on small arms seizures in PoA and ITI reports, and little or no information on the recording and tracing of such weapons.<sup>12</sup>

As in the case of the Firearms Protocol, however, various options—and some specific proposals—are available

for strengthening PoA/ITI reporting in line with Indicator 16.4.2. Linkages between the 2030 Agenda for Sustainable Development and the PoA/ITI are up for discussion at the PoA's Sixth Biennial Meeting of States, to be held in New York in June 2016.<sup>13</sup> The UN Office for Disarmament Affairs has also proposed revising its existing PoA/ITI reporting template 'to include information needed to collate data' for Indicator 16.4.2 (IAEG-SDGs, 2016b). As indicated above, such a change would find firm footing in existing PoA and ITI text, although the emphasis the PoA puts on the destruction of seized small arms could give way to a presumption in favour of the retention (and recording and tracing) of such weapons (UNGA, 2001a, para. II.16).<sup>14</sup> While this would be useful for data collection purposes, the best way of ensuring that seized weapons are not diverted back into the illicit market is, in fact, to destroy them.

## Challenges to measurement

Indicator 16.4.2 follow-up faces other challenges. Only seizure information disaggregated by weapon type, model, and the circumstances of the seizure would help to determine whether unusual or new types of equipment have entered illicit markets, identify the transfer routes of specific models, and potentially reveal new flows of illicit arms (De Martino and Atwood, 2015, p. 2). For the same purposes, data on parts, accessories, and ammunition seizures should be distinguished from that on weapons seizures.

Equally important, trafficked weapons constitute only a portion of all seizures. Arms can be seized as a result of their relationship to other types of criminal offence, but also because of administrative violations, such as the lack of a licence or the failure to register a weapon for legitimate purposes of possession, commercial



sale, import, transit, or export (UNODC, 2015, p. 5).

A final challenge associated with the implementation of Indicator 16.4.2 is that it could divert energy and attention from the broader range of existing measures that are just as important to the reduction in illicit arms flows that Target 16.4 calls for. One would normally expect Indicator 16.4.2 to spur the recording and tracing of seized weapons—together with their marking and associated reporting—in line with the Firearms Protocol, PoA, and ITI.<sup>15</sup> Yet this will have only an indirect impact on the underlying objective, expressed in Target 16.4, of reducing illicit arms flows over the next 15 years. Compiling and analysing weapons data, including through successful traces, is an essential diagnostic tool in the fight against the illicit small arms trade, yet other measures, in particular those found in the Firearms Protocol,



Firearms are displayed in a police station in Metz, France, after their seizure by customs officers in a resting area of the A4 motorway, September 2012. © Jean-Christophe Verhaegen/AFP/GettyImages

PoA, ITI, and Arms Trade Treaty (ATT) (UNGA, 2013), act more directly to curb diversion risks and reduce illicit arms flows in accordance with Target 16.4.

## Hitting the target

Drawing on existing norms and processes, Indicator 16.4.2 will undoubtedly facilitate the implementation of Target 16.4 by encouraging the recording and tracing of seized weapons, together with their marking and associated reporting. Yet, as explained above, even if states give full effect to Indicator 16.4.2, this will provide only partial information on illicit arms flows and—crucially—on its own do little to reduce illicit arms flows over time.

Illicit arms have many sources,<sup>16</sup> and a comprehensive approach is needed to identify and act against them. Yet the necessary tools already exist. The PoA, which acts to curb diversion risks across the small arms life cycle, the Firearms Protocol, the ITI, the ATT, and complementary national and multilateral efforts<sup>17</sup> constitute the Target 16.4/illicit arms flows toolkit. Ultimately, success in realizing this aspect of Target 16.4 will depend less on Indicator 16.4.2—its utility notwithstanding—and more on existing arms control initiatives. This will involve assessing their effectiveness in reducing the risk of weapons entering the illicit market<sup>18</sup> and, above all, following through on these initiatives so that they have the impact they are intended to have. ■

## Abbreviations and acronyms

### ATT

Arms Trade Treaty

### ITI

International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

### MDG

Millennium Development Goal

### PoA

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

### SDG

Sustainable Development Goal

## UN

United Nations

## UNODC

United Nations Office on Drugs and Crime

## Notes

- <sup>1</sup> 'Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels' (UNGA, 2015a). See also para. 35 of the same document.
- <sup>2</sup> The full text of Target 16.4 reads: 'By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime' (UNGA, 2015a).
- <sup>3</sup> See UNGA (2015b, para. 1); Geneva Declaration Secretariat (2015, ch. 1).
- <sup>4</sup> Examples of recent research on illicit small arms include Schroeder (2012; 2013; 2014); UNODC (2015).
- <sup>5</sup> Note that the UN Convention against Transnational Organized Crime defines 'seizure' to be temporary in nature, in contrast to 'confiscation', which is permanent (UNGA, 2000, arts. 2(f), 2(g)).
- <sup>6</sup> See also paras. (e) and (f) of the same decision and the IAEG-SDGs Work Plan contained in IAEG-SDGs (2016a, para. 37). As of 30 April 2016, Indicator 16.4.2, together with the other 'global indicators' agreed by the UN Statistical Commission, were awaiting adoption by the UN Economic and Social Council and the UN General Assembly (see UNGA, 2015a, para. 75).
- <sup>7</sup> For more on the three instruments, see Parker with Wilson (2016). As noted there (pp. 58–59), the ITI regulates small arms marking, record keeping, and especially tracing cooperation in the greatest detail.
- <sup>8</sup> See, for example, UNODC (n.d.).
- <sup>9</sup> Regarding the methodological limitations of the 2015 Firearms Study, see UNODC (2015, pp. 85–87).
- <sup>10</sup> IAEG-SDGs (2016b); email correspondence with UNODC, 30 April 2016.
- <sup>11</sup> See Parker and Rigual (2015).
- <sup>12</sup> See Parker and Green (2012, pp. 108, 173, Annexe F).
- <sup>13</sup> See Jamaica (2016a, point 6; 2016b, p. 2).
- <sup>14</sup> The Firearms Protocol also favours the destruction of seized weapons (UNGA, 2001a, art. 6(2)).
- <sup>15</sup> Note that both the Firearms Protocol and ITI leave the tracing of seized weapons to national discretion (UNGA, 2001a; 2005). The Indicator 16.4.2 encouragement of tracing thus improves on the status quo.
- <sup>16</sup> See Alvazzi del Frate and De Martino (2016).
- <sup>17</sup> Regarding subregional and regional activity in this regard, see Berman and Maze (2016).
- <sup>18</sup> See De Martino and Atwood (2015).



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## About the Small Arms Survey

The Small Arms Survey is a global centre of excellence whose mandate is to generate impartial, evidence-based, and policy-relevant knowledge on all aspects of small arms and armed violence. It is the principal international source of expertise, information, and analysis on small arms and armed violence issues, and acts as a resource for governments, policy-makers, researchers, and civil society. It is located in Geneva, Switzerland, at the Graduate Institute of International and Development Studies.

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