

Issues Before the UN's High-Level Panel—
Small Arms and Light Weapons

March 29-30, 2004

Sponsored by



The Stanley Foundation



Arden Conference Center
Harriman, New York

The Challenges

On November 4, 2003, the United Nations Secretary-General Kofi Annan announced the creation of a High-Level Panel on Threats, Challenges, and Change to assess the principal threats to international peace and security in the 21st century and to recommend changes to improve the effectiveness of international institutions like the United Nations in responding to those threats. The panel consists of 16 eminent international figures and is scheduled to release its report in December 2004. The Stanley Foundation and the United Nations Foundation, working in partnership, have convened groups of prominent scholars and practitioners to sharpen the issues for the secretary-general's panel. On March 2-3, 2004, the two foundations brought together experts at the Arden Conference Center in Harriman, New York, to focus on the threat posed by the proliferation of small arms and light weapons and how the international system can better address this threat at the United Nations, within multilateral agencies and NGOs, and at regional and national levels.

The 2001 United Nations Conference on the Illicit Trade of Small Arms and Light Weapons in All its Aspects produced the Programme of Action (POA), a consensus document containing norms and policy recommendations for how various actors should address the problem of small arms and light weapons. In 2006 the United Nations will once again host a conference to follow up on the progress of implementing the agenda from 2001. Discussions on the issues for the next conference have already begun, including debate over whether to include agreements for legally binding measures, brokering, marking and tracing, export controls, civilian possession, nonstate actors, and legal and illicit gun flows. Many say that the POA has yet to be fully implemented and others are eager for stronger language and more action.

The role of the United Nations has been crucial thus far, yet further implementation depends on local and national actors. As regional and subregional organizations begin to take ownership of the issue—and NGOs undertake more action at local, regional, and international levels—the United Nations' coordinating and consultative role may take on greater significance.

Small Arms: A Multifaceted and Multilayered Issue

Small arms is a cross-cutting issue with a rightful place on several distinct international agendas: arms control and proliferation, international crime, terrorism, human rights, conflict prevention, post-conflict reconstruction, public health, and development and poverty reduction. Each of these rubrics comes with its own set of tools and therefore different prospects for progress. Arms control and disarmament efforts, for instance, tend to focus on negotiated documents, whereas post-conflict recovery and peacekeeping work at an operational level on the ground. The basis in the UN Charter for the organization's involvement, one participant pointed out, is the Article 26 charge to establish "a system for the regulation of armaments." Most participants also agreed that small arms should not be viewed as a cause in itself but rather as an obstacle to the achievement of human rights, security, and good governance. One key is to focus on those who use small arms to spread violence and the channels through which the weapons move rather than on the existence of the weapons. Several people cautioned against using the landmines campaign as an analogy because, unlike with landmines, banning all small arms is not the goal.

Building on the Programme of Action

Participants agreed that the 2001 UN Programme of Action, whatever its limitations, provides a very useful basis for addressing the problem of small arms, though participants also warned against complacency. The POA is a case in point for the value of nonbinding political agreements. One participant said the POA enjoys a strong sense of ownership among UN member states because they struggled over it and the final document reflects what they want to do about the problem. In contrast, another participant described the legally binding Vienna Protocol as “virtually dead in the water.”

That said, two particular areas—arms brokering and the marking and tracing of weapons—seem ripe for a binding set of standards. The former would aim directly at the individuals who are delivering small arms to warlords and other rogue elements. Under a new convention, individual weapons would be tagged with a serial number and tracked as they are shipped across international borders.

Conference attendees discussed the relative merits of an international registry of legally certified arms brokers versus a focus on a more limited number of illegal brokers. At the intergovernmental level, the UN’s Counter-Terrorism Committee—a Security Council-authorized committee of member states coordinating governmental action to track individuals and arms and financial flows—could be a model. Several participants stressed that arms embargoes against particular parties or countries are among the most important tools, but only if there is effective enforcement.

The Regional and National Levels

National government ownership of and commitment to efforts are crucial. One participant suggested three tests to determine the seriousness of governmental commitment: (1) whether governments will spend their own money, (2) whether they will involve multiple ministries in the effort and appoint a national focal point that is effective in engaging other ministries, and (3) whether they accept or encourage NGOs to be engaged. The importance of involving a range of government ministries was stressed. For instance, if illegal arms traffickers are to be held fully accountable under the law, then the prosecutor must be involved in small arms issues. National militaries should also account for old weapons, including any slated for destruction, when they upgrade with new ones.

While the UN role in convening and helping to develop norms and operational practices is critical, further progress on small arms and light weapons will depend on the efforts of member states and regional and subregional organizations. One participant reported that some regions have adapted parts of the POA to their agendas and have generated their own additional items for implementation. In the subregion of Southern Africa, governments have in fact agreed on a legally binding protocol, which has garnered nearly enough signatures to go into force; governments in East Africa are also negotiating their own set of norms. In order to coordinate regional efforts across borders and exchange information on best methods, one participant suggested that regional focal points be designated to take the lead. Participants also emphasized that those countries most affected by small arms should be given a more prominent role on the issue, perhaps by forming a caucus within the United Nations.

The Critical Role of NGOs. The UN POA in 2001 served as a galvanizing force for NGOs, and since then NGOs have become all the more integral to the progress on small arms. Because of their access to regional and national levels, where implementation takes place, NGOs play a crucial role in connecting those efforts to the international agenda. That said, NGOs have at times had to step in and compensate for lack of government capacity, for instance in compiling information. NGOs and governments thus both need support to complement one another in their respective roles.

Items on the Small Arms Agenda

Disarmament, Demobilization, and Reintegration Efforts. The participants agreed that disarmament, demobilization, and reintegration (DDR) efforts need to increase substantially. DDR programs address the small arms problem at the ground level and in the context of “live” conflicts. Such efforts must also be applied more broadly, not just for ex-combatants but also for women and the larger community; one participant spoke of efforts in Africa that emphasized *demobilization of societies*. Indeed, DDR has been identified as one of the top eight priorities for Africa in the New Partnership for Africa’s Development (NEPAD). Nor should DDR programs be undertaken only in the post-conflict phase; rather, efforts should also be preventive with a focus on curbing the supply and demand for these weapons before violence erupts.

DDR and the broader issue of employment and sustainable livelihood in the world’s poorest countries are challenges that are interwoven with many of the problems on the high-level panel’s agenda and should therefore be prominent in the panel’s report. In weak, conflict-ridden states providing combatants and those susceptible to recruitment with better economic prospects is key to sustainable stability. Similarly, security sector reform and rehabilitation of societies is important in building confidence so that people feel secure enough to give up their guns.

As a practical matter, destruction of arms and ammunition that are collected is an important area where efforts must be increased. Participants discussed a case in Serbia where stockpiles of weapons have been collected and are sitting around waiting to be destroyed, which leaves them vulnerable to falling into the wrong hands. In this case, donors are awaiting the assent of the host government. One participant noted the lack of coherence in DDR efforts, since DDR has been divided over such a vast number of UN and international agencies, and suggested that the World Bank take on prevention and the United Nations’ work on the post-conflict efforts as part of peacekeeping.

Legal and Illicit Flows of Small Arms. Participants warned against viewing legal and illicit flows of small arms as separate and easily distinguishable. The legal trade in small arms supplies the illicit trade, with dangerous consequences once they come into the hands of those who want to destabilize a society. As one participant put it, “Hopefully this reality will be a less controversial idea in 2006 than it was in 2001.”

While small arms are bound up with the broader issues of conflict and state failure that the high-level panel is expected to address as key 21st century threats, no easy assumptions can be made about the links between small arms networks and other criminal networks. Participants noted that connections between small arms traffickers and international terrorists were difficult to

prove and had only been established in one known instance. However, some participants highlighted a potential link between small arms and weapons of mass destruction (WMD), which may share the same networks, clients, or pipelines.

Research and Information. Several participants spoke of the need for more information on small arms activities. They said that without a good baseline of data—what efforts have been undertaken and what problems are being raised—formulating strategies and plans of action is very difficult. Gathering the data and doing the research is on the agenda of the Department of Disarmament Affairs; however, doing so requires the cooperation of national-level authorities. Currently, governments report to the United Nations on their implementation, but the lack of clear and effective reporting standards has resulted in reports that are often uncritical and not very useful. One solution is to include government officials during the needs assessment process, not only so that they feel ownership for the implementation but also to ensure better information-gathering. The UN Department of Disarmament Affairs chairs the Coordinating Action on Small Arms (CASA), which is working on creating a database that contains information on the small arms activities of all of the agencies. One participant applauded this idea because “the weakness of the UN system is that there is no analytical capability within it” and that making the raw information accessible would allow others to do the necessary analysis.

Nonstate Actors. The 2001 conference was not able to reach agreement on the role of non-state actors in the illicit small arms market, and participants doubted the issue will be ripe for consensus in 2006.

Recommendations

- The panel should view the small arms issue in the context of other priority issues of global security, such as failed and weak states, terrorism, WMD networks, and arms flows. Small arms may be a fruitful subject for the panel since the issue involves threats that are felt more acutely by the South while also being an issue of concern for the North; it therefore may not be as controversial as other threats to security.
- The focus of efforts to address small arms should be on the uses and flows of weapons, not merely their existence, since small arms and light weapons are not destabilizing in and of themselves. Support should be given to new convention covering arms brokering and the marking and tracing of weapons.
- Arms embargoes should be viewed as a key tool in the fight against small arms proliferation and ways should be found to strengthen them. New mechanisms should be developed for monitoring and enforcement, including the prosecution of or other sanctions against the most egregious violators.
- The panel should call on all involved to ensure the success of the 2006 follow-up conference. The conference should, among other things, provide for an ongoing process.

- The countries that are most affected by the scourge of small arms and light weapons should be more involved in the debate. They have much to contribute but have lacked a prominent role at these forum.
- The panel should also recommend creation of new positions in the UN system to galvanize attention to the scourge of small arms. A special representative of the secretary-general could provide sustained focus and leadership on the problem, just as Olara Otunnu has done for children in armed conflict. A special rapporteur could document the many dimensions of the problem and any progress. And a goodwill ambassador could generate public attention.
- The United Nations can serve a coordinating and consultative role on the issue by organizing interregional action, putting pressure on regions where the small arms issue has not gained traction, and overseeing and guiding international efforts. It can also open issues for civil society in countries where small arms issues would otherwise not be on the national agenda.

Conclusion

As with many challenges that confront the world community, small arms and light weapons are a cross-cutting problem that highlights the blind spots of the international system and international organizations in confronting issues with overlapping causes, symptoms, and consequences. Such issues pose a challenge to the high-level panel and to policy practitioners to develop methods that include a variety of actors at many levels yet are also focused and coordinated enough to be effective. Small arms and light weapons continue to pose a grave threat to human security in the world and will not go away without impetus from the highest levels and stronger unity of effort, including among civil society organizations. The United Nations is naturally the body under which the development of comprehensive strategies can be fashioned and where the efforts should be coordinated. It should be given the support and resources to be able to do so.

Participants

Chair

Richard H. Stanley, President, The Stanley Foundation

Rapporteur

Minh-Thu Pham, Research Assistant, United Nations Foundation

Participants

Kathi L. Austin, Director, Arms and Conflict Project, University of California, Berkeley

Loretta Bondi, Director, Cooperative Security Program, Center for Transatlantic Relations, The Paul H. Nitze School of Advanced International Studies, The Johns Hopkins University

Josephine Bourgois, Junior Expert, Viva Rio, Brazil

Tarun Chhabra, Research Staff, UN Secretary-General's High-Level Panel on Threats, Challenges, and Change

Virginia Silvia Isabel Gamba de Potgieter, Director, SaferAfrica, South Africa

D. Austin Hare, Program Associate and Project Coordinator, United Nations and Global Security Initiative Programs, United Nations Foundation

Joao Bernardo Honwana, Chief, Conventional Arms Branch, Department of Disarmament Affairs, United Nations

Jo L. Husbands, Director, Committee on International Security and Arms Control, The National Academies

Richard G. Kidd, Acting Director, Office of Weapons Removal and Abatement, Bureau of Political Military Affairs, US Department of State

Thomas J. Leney, Director of Programs, United Nations Foundation

Martha E. Mantilla, US Representative, Gamma Idear Foundation, Colombia

Johanna Mendelson-Forman, Senior Program Officer, Peace, Security and Human Rights, United Nations Foundation

Denis Fernando Mizne, Executive Director, Instituto Sou da Paz, Brazil

Michael von Tangen Page, Manager, Security and Peacebuilding Program, International Alert

Rebecca Peters, Director, International Action Network on Small Arms, United Kingdom

David Shorr, Program Officer, The Stanley Foundation

Rachel J. Stohl, Senior Analyst, Center for Defense Information

The Stanley Foundation Staff

Loren Keller, Writer/Editor

Susan R. Moore, Conference Management Associate

Affiliations are listed for identification purposes only. Participants attended as individuals rather than as representatives of their governments or organizations.

The Stanley Foundation

The Stanley Foundation is a nonpartisan, private operating foundation that strives for a secure peace with freedom and justice by promoting public understanding, constructive dialogue, and cooperative action on critical international issues. Its work takes the form of media programs, educational initiatives, and focused discussions that convene policy professionals, diplomats, and other experts.

Programming is varied and reaches multiple audiences. The foundation convenes conferences and seminars, providing a forum for high-level dialogue among policy professionals, policymakers, and opinion leaders on selected topics in global governance and US foreign policy.

Programs focus on matters including the United Nations and other international organizations, bilateral relations involving the United States, international security issues, global citizenship development, human rights, and global civil society.

The foundation works with a number of partners around the world, including public policy institutions, nongovernmental organizations, schools, media organizations, and others.

The foundation does not make grants.

Most Stanley Foundation reports, publications, programs, and a wealth of other information are instantly available on our Web site: www.stanleyfoundation.org.

The Stanley Foundation
209 Iowa Avenue
Muscatine, IA 52761 USA
563-264-1500
563-264-0864 fax
info@stanleyfoundation.org

United Nations Foundation

The United Nations Foundation (UN Foundation) is an accredited public charity that builds and implements public-private partnerships in support of the United Nations (UN) efforts to address the most pressing humanitarian, socioeconomic, and environmental challenges facing our world today. The UN Foundation also broadens support for the UN and global cooperation through its advocacy and public outreach arm—the Better World Fund.

Created in 1998 with a \$1 billion gift from entrepreneur and philanthropist Ted Turner, the UN Foundation enables others to support UN causes and activities. Now in its seventh year, the UN Foundation champions new models of international partnership among the UN, private sector, nongovernmental organizations (NGOs), the private sector, and government agencies. By leveraging Ted Turner's extraordinary gift, nearly 150 partners have donated an additional \$187 million to UN causes.

The UN Foundation/Better World Fund have invested nearly \$730 million in grants to the UN and its agencies—\$104 million in 2003 alone. UN Foundation grants are designed to help the world's poorest and most vulnerable people as well as protect the most endangered environments.

In addition to being one of the largest nongovernmental funders combating HIV/AIDS globally, the UN Foundation invests in UN agencies, funds, and programs in four areas:

- **Children's Health:** Working with major partners including the World Health Organization (WHO), Centers for Disease Control, United Nations Children's Fund (UNICEF), Rotary International, the Bill and Melinda Gates Foundation, Rockefeller Foundation, and the American Red Cross, the UN Foundation has awarded \$288 million toward the fight against polio and measles as well as other programs enabling children to reach their full potential.
- **Women and Population:** The UN Foundation actively supports the United Nations Population Fund, UNICEF, and WHO, which often work in collaboration to support the needs of adolescent girls. To date, the UN Foundation has awarded more than \$127 million to programs for girls and young women.
- **Environment/Climate Change:** The UN Foundation has invested in the preservation of 50 designated and potential World Heritage sites—the most important habitats for biodiversity conservation in the world—making us the largest private investor in this area. The UN Foundation also invests in renewable and efficient energy for developing countries. In addition, we support UN leadership in advancing the global climate change agenda. Grants awarded in this area total \$134 million.
- **Peace, Security, and Human Rights:** Since 1988, the UN Foundation has awarded more than \$49 million in grants to prevent violent conflict, help rebuild war-torn societies, and respond to the needs of the most vulnerable of civilians—women and children. Examples of programs include demobilizing child soldiers, clearing minefields, and reducing the threat of small arms and light weapons.

United Nations Foundation
1225 Connecticut Avenue, NW, 4th Floor
Washington, DC 20036
202-887-9040
202-887-9021 fax
info@unfoundation.org
Web site: www.unfoundation.org