

## Advancing implementation of the Programme of Action on the illicit trade in small arms and light weapons (PoA)

1. The PoA cycle of meetings is secured for a new six-year period (BMS7 2020, BMS8 2022, RevCon4 2024).
2. UN meetings should be organized in such a way that they serve the broadest interest most effectively and their outcomes add measurable value.
3. Until now, UN PoA meetings have been primarily platforms for the **exchange of information on good practices**, and for **negotiating substantive global progress**.

### *A. Exchange of information on good practices*

4. Exchange of information on good practices in PoA implementation can add value if the information provided is consistently evaluated, selected, and – where relevant – integrated by others in their national practices. But it is unclear if delegations come to PoA meetings with the objective to actively and consistently collect information on good practices in other countries to incorporate into their own. It is also unclear if States would consider such information collection good use of PoA meetings in the first place.<sup>1</sup>

### *B. Negotiating substantive global progress*

5. In PoA meetings substantive progress has been made, including the successful negotiation of the ITI, and improved attention for the SDGs, new technologies, gender, and more. Still, national and regional implementation challenges often seem too disconnected from the global decision-making process. The added value of BMS outcome documents, measured against the effort States make to negotiate these, is limited.

### **More focus on voluntary, measurable national implementation?**

6. The small-arms issue manifests itself in vastly different ways around the world. Unlike e.g. multilateral agreements on nuclear non-proliferation, the law of the sea, diplomatic practice, customs cooperation, or the weaponization of space, the small-arms issue has mainly incomparable national characteristics. National challenges can be unique combinations of e.g. rampant armed violence, absence of military surplus identification procedures, illicit online sales, inner-city police station storage, craft production, regulation of private security

companies, crumbling military depots, terrorism, maritime smuggling, limited capacity to monitor the transit trade, post-conflict saturation, domestic violence, illicit reactivation of deactivated weapons, piracy, election violence, absence of marking machines, and many more.

7. Therefore, an argument could be made that in the field of small arms, **progress in implementation can only to a limited extent be a concerted, globally coordinated effort**. The PoA should remain the normative framework document providing the broad standards for what needs to be achieved, but **national implementation should drive progress**. The PoA document itself affirms this: meetings are to “consider implementation” (BMSs) and to “review implementation” (RevCons).

8. Thus, **the emphasis in PoA meetings could be more on acknowledging national progress and matching needs with resources to achieve improved implementation, not necessarily on reaching every two years an agreed outcome on detailed substantive ideas that need a global consensus**.

9. Such an approach of focusing the PoA process more on nationally-set goals, less on further elaborating global norms, will also introduce more measurability, in line with the desire to that end formulated by States in previous PoA outcome documents.

### **Apply promising new methods of ‘bottom-up’ multilateral procedure**

10. New developments in multilateralism may be inspirational in adapting the PoA process to better focus on national implementation as it was intended. Most internationally agreed documents – treaties, politically binding agreements – have a **‘top-down’ implementation trajectory**: a set of internationally negotiated commitments covering all States, more relevant for some than for others, and with an expectation that these would be duly implemented nationally. The current PoA process is an example of such an approach.

11. In contrast, a **‘bottom-up’ approach** in goal-oriented multilateralism involves **nationally determined voluntary national targets**, that are communicated to an international secretariat and reported and presented upon in global meetings. The SDGs, with their

<sup>1</sup> Best practices have been at the basis of the ‘Modular Small-arms-control Implementation Compendium’ (MOSAIC): authoritative United Nations actionable guidance on small-arms control. There are now some two dozen

voluntary MOSAIC modules that all state authorities and relevant organizations are free to use. MOSAIC is already in use in well over half of Member States. See [www.un.org/disarmament/salw](http://www.un.org/disarmament/salw).

emphasis on national ownership regarding data collection, and the Paris Agreement on climate change, with its 'intended nationally determined contributions', are good examples.

## Elaborating the concept

### *Setting voluntary targets*

12. Within the PoA process, States could agree that each State commits to making national progress on small-arms control. **Each government would determine itself the type of contribution that it will undertake to combat the illicit trade in small arms;** and it would submit this commitment to the UN Secretariat. Ambition levels would be set in capital, not by an international forum or organization. Because the urgency and the character of the small-arms issue is so diverse around the world, there can be no "right" or "wrong" national ambition level.

13. In a six-year meetings cycle, States could commit to formulate a two-year national target (or targets), that may be reported upon at a next biennial meeting. States could agree to the principle that a subsequent two-year cycle should contain national targets that, in principle, go beyond the previous ones.

### *International assistance*

14. BMS meetings would take stock of, and celebrate, the concrete national contributions to the common goals as formulated in the PoA.

16. National reports would become more functional vehicles for improving implementation. No enforcement mechanism would be necessary.

15. BMS meetings would also zoom in on matching national needs with available resources. The topic of assistance would allow for more focus, as not-yet-reached national targets would direct discussions. Where there would be interest from affected States, informal country-specific committees could support resource mobilization and project coordination.

17. Countries could be encouraged to cooperate and pool their nationally-determined targets, e.g. at the sub-regional level.

18. BMS meetings would not require a negotiated substantive outcome. After six years, a review conference could focus on trends in implementation, based on national data provided by States in their national reports, and focusing on the implications and developments at the global level.

## Way forward

**20. A multilateral approach acknowledging the primacy of domestic decision-making in small-arms control** (as already formulated in the PoA itself) and allowing countries to set their own ambition levels and focus on attaining those, **could energize national**

**action in a stimulating, goal-oriented multilateral environment focused on organizing cooperation and assistance.**

21. Opportunities for international assistance and cooperation would increase due to the expected more concrete character of assistance requests. An element of reflection on regional implementation could be added to the process. Most importantly, **States would experience full national autonomy on the sensitive issue of small-arms control, leading to stronger feelings of ownership towards the PoA process as a whole.**

22. Nothing would prevent the major characteristics of the current PoA process to remain intact. This includes:

- maintaining the Programme of Action as the key framework documents for the process
- continuing the possibility to negotiate at global meetings additional Instruments such as the International Tracing Instrument
- maintaining the six-year cycle of two biennial meetings followed by a review conference
- maintaining the annual 'omnibus resolution' on the illicit trade in SALW as the main vehicle for driving the process
- continuing to work in a setting of politically binding agreement
- Continue valuing the principle of making every effort to reach consensus.

23. Realistically, **the concept could first be discussed in the run-up to BMS7 2020.** It could be piloted in the biennium 2020-2022 and finetuned in the biennium 2022-2024.

24. Subsequently, during the six-year cycle 2024-2030 – the end of which will coincide with the conclusion of the 2015-2030 SDG cycle – **States would be able to show sustained, measurable, self-guided progress, either with or without international assistance, contributing to the implementation of both the PoA and the 2030 Agenda for Sustainable Development.**

25. The Secretariat stands ready to further elaborate on options for improved, voluntary, nationally-guided PoA implementation, for Member States to discuss in the run-up to BMS7 (2020) – and to assist in organizing open, informal consultations in Geneva and New York for States to discuss such options starting in 2019 if they so wish.

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The Secretariat developed this informal food-for-thought paper on the basis of the commitment by States in the PoA to "encourage the United Nations [...] to undertake initiatives to promote the implementation of the Programme of Action" and to "encourage all initiatives to mobilize resources and expertise [...] and to provide assistance to States in their implementation of the Programme of Action" (A/CONF.192/15, IV.2).

