EU joint reply in response to UNGA Resolution 74/60

"The illicit trade in small arms and light weapons in all its aspects"

The EU is committed to international cooperation and assistance to counter the illicit trade in small arms and light weapons (SALW) as a means to achieving many of the goals of the Sustainable Development Agenda, including those relating to peace, justice and strong institutions, poverty reduction, economic growth, health, gender equality, safe cities and in particular, Sustainable Development Goal 16 on significantly reducing illicit arms flows. In this regard, in January 2020 the EU decided to become a supporter of action 22 of the UN Secretary-General’s Agenda for Disarmament, to secure excessive and poorly maintained stockpiles as a means to addressing the excessive accumulation and illicit trade in conventional weapons.

Since its adoption in 2001 the EU has been supporting cooperation and assistance to third countries for the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (SALW) in All Its Aspects. The majority of assistance projects supported by the EU have a focus on voluntary civilian disarmament campaigns, collection and destruction of surplus SALW and ammunition, physical security and stockpile management for SALW and ammunition, capacity building for marking, record keeping and tracing, and support for law enforcement against arms trafficking. The projects’ activities are led by an integrated approach, including support for legislation, institutional capacity building, implementation, training, awareness raising, physical rehabilitation, promotion of international standards, and support for monitoring and enforcement capacities. Most of these projects have a regional scope and are implemented with the help of regional organizations. In Africa, the EU works together with the African Union, ECOWAS, UNREC, and RECSA. In Europe, the EU works via the Organization for Security and Cooperation in Europe (OSCE) and the South Eastern and Eastern Europe Clearing House for the Control on SALW (SEESAC) that is part of UNDP. In Latin America, the EU has worked with the Central American Program for the Control of SALW (CASAC), UNLIREC and is working with the Organisation of American States (OAS). The EU is also supporting the League of Arab States in the fight against the illicit trade in SALW in cooperation with Interpol and the World Customs Organisation.

The EU also financially supports activities of the UN Office for Disarmament Affairs (UNODA) in support of gender mainstreamed policies, programmes and actions in the fight against small arms trafficking and misuse, in line with the Women, Peace and Security Agenda and Sustainable Development Goal 5.

Other projects enable capacity building for arms export control, which is crucial in preventing SALW from falling into the wrong hands. The EU supports States, at their request, to strengthen their arms transfer control systems with a view to implementing the Arms Trade Treaty (ATT), which has evident synergies with the UN Programme of Action on SALW. The activities under the project take place across the globe and include assistance for drafting legislation, training and sharing of best practices among export control professionals.

Since 2011 the EU has been supporting INTERPOL’s Illicit Arms Records and Tracing Management System. iArms is an electronic platform that facilitates information exchange and investigative cooperation between law enforcement agencies.
Since 2013 the EU has also been supporting iTrace, a global reporting mechanism on illicit SALW and other illicit conventional weapons and ammunition in conflict affected areas implemented by Conflict Armament Research. This project aims to track and trace illicit SALW and ammunition by means of in-field research in conflict-affected regions, where local law enforcement agencies often lack the capacity to trace. The patterns of trafficking and diversion that are exposed by iTrace serve to increase the effectiveness of arms control measures such as export control and stockpile management.

The EU also supports the implementation of the UN Firearms Protocol in cooperation with the United Nations Office on Drugs and Crime (UNODC). The project's activities are focussed on supporting the drafting of legislation and capacity building for law enforcement, including training for investigation and prosecution of firearms trafficking. In the context of this project, UNODC published its Firearms Study that describes trafficking and diversion cases across the globe.

The EU supports EL PAcCTO, the first EU cooperation programme in Latin America that covers the whole penal chain: police, justice and the penitentiary system which covers all 18 Latin American countries eligible under the Development Cooperation Instrument. A workshop on combatting arms trafficking was held in Mexico in 2019.

EU SALW-control assistance also supports peer-to-peer exchange. The EU is facilitating cooperation between Member States' law enforcement agencies and their counterparts in the neighbourhood. The EU has set up a network of law enforcement personnel from Member States that focus on the fight against firearms trafficking by organised crime. This network, called EMPACT Firearms, meets regularly to exchange information and experiences and develops activities in order to achieve pre-set goals. EMPACT-firearms is engaging in peer-to-peer activities and capacity building in the context EU-outreach to countries in the neighbourhood.

As indicated in the EU Strategy against illicit firearms, small arms & light weapons and their ammunition, that was adopted by the Council of the European Union on 19 November 2018, the EU commits to continue supporting cooperation and assistance for the implementation of the UN Programme of Action, with a focus on regional cooperation, and to participate in and support coordination with other donors.

On the 7th Biennial Meeting of States of the UN programme of Action on SALW (BMS7):

- BMS7 should agree on an annex to the International Tracing Instrument to ensure its effectiveness and applicability in the light of developments in SALW manufacturing, technology and design, focussing on modular and polymer frame firearms. If BMS7 does not adopt a global standard on how and where to mark modular firearms, then this kind of firearms risks becoming untraceable as a result of diverging marking practices. The EU and its Member States have been flagging this issue since BMS4 in 2010, already ten years ago. The problem is real and well documented. All stakeholders, including law enforcement agencies and industry, have flagged it since many years.
- The EU supports BMS7 discussing increasing the measurability of the impact of cooperation and assistance in SALW control.
- BMS7 should also pay attention to addressing illicit SALW in conflict-affected areas, inter alia by reiterating the call for the involvement of UN and regional peace support
- Operations in the collection, recording, tracing and destruction of illicit SALW and their ammunition, and support national capacities to track and trace the origins of illicit SALW and ammunition in conflict situations.

- BMS7 should promote the exchange of information between states on identified diversion in order to expose and cut off arms trafficking channels, and in order to improve the capacity for risk assessment in the context of arms export control.

- The prevention of diversion of small arms to unauthorised actors constitutes an undeniable link between the PoA and the Arms Trade Treaty. The EU deplores that some states deny this link, thereby remaining blind for the synergies between the PoA and the ATT. The EU would like to see BMS7 recognise that the implementation of the PoA is supported by synergies with international instruments with similar objectives such as the Arms Trade Treaty and the UN Firearms Protocol.

- BMS7 should underscore the importance of a gender sensitive approach to SALW control, acknowledge the differing impacts of armed violence on women, men, girls and boys, and promote the role of women in implementation of the PoA and gender awareness in SALW control actions as a condition for their effectiveness.

- BMS7 should call for increasing capacities to monitor and enforce arms embargoes, inter alia by supporting the work of UN panels that monitor arms embargoes.

- BMS7 should reiterate the important role played by regional organisations in implementing the PoA as well as for the involvement of researchers, civil society and industry in PoA related activities in general.

- BMS7 should confirm that, in line with the 2030 Agenda, sustainable development cannot be realised without peace and security and that peace and security will be at risk without sustainable development and that curbing the illicit trade in SALW and ammunition is crucial in this regard.

- BMS7 should address the issue of illicit manufacture through illicit reactivation of deactivated firearms and the illicit conversion of blank firearms, by considering the establishment of an international standard for irreversible deactivation and a standard for manufacturing norms for blank firearms, with a view to rendering impossible this source of illicit firearms.

- The EU deplores that the addition of the prevention, combatting and eradication of the illicit trade in ammunition to the scope of the PoA did not reach consensus at the 2018 Review Conference of the PoA. Given this situation, we welcome the 2020 GGE meetings in the context of UNGA Resolution 72/55 of December 2017 and we look forward to an outcome that is geared towards the implementation of safe and secure management of ammunition with a focus on preventing diversion and unintended explosions.