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**Third United Nations Conference to Review
Progress Made in the Implementation of the
Programme of Action to Prevent, Combat and
Eradicate the Illicit Trade in Small Arms and
Light Weapons in All Its Aspects**

New York, 18–29 June 2018

Working paper submitted by the European Union

European Union position

On 28 May 2018, the Council of the European Union adopted the following conclusions on a European Union position on combating the illicit trade in small arms and light weapons, in the light of the Third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

1. The Council notes that the illicit trade in small arms and light weapons continues to contribute to instability and armed violence, thwarting sustainable development and crisis management efforts, further destabilizing entire regions, the States therein and their societies, fuelling armed violence and organized crime and amplifying the impact of terrorist attacks. The Council is therefore committed to preventing and curbing the illicit trade in these arms and weapons and in their ammunition, as well as to promoting accountability and responsibility with regard to their legal trade.
2. The Council considers the Programme of Action to be the universal framework to counter the threat posed by illicit small arms and light weapons and supports its full and effective implementation at the national, regional and global levels.
3. The Council welcomes the Third Review Conference, held in New York from 18 to 29 June 2018, which represents an opportunity to review the progress of the implementation of the Programme of Action. The Council considers that the Third Review Conference ensure the relevance and increase the effectiveness of the Programme of Action.
4. The Council recalls that, on 3 April 2017, it adopted Council Decision (CFSP) 2017/633 in support of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, supporting actions towards a successful and relevant outcome of the Third Review Conference through a series of thematic symposiums and regional conferences, and other activities.
5. The European Union will contribute constructively to a meaningful and definitive consensus outcome of the Third Review Conference while seeking to



ensure that the following key objectives are reflected in the outcome document of the Conference:

(a) Recognize that the implementation of the Programme of Action is supported by synergies with international instruments that include similar objectives, such as the Arms Trade Treaty and the 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, *inter alia*, on reporting obligations;

(b) Add the prevention, combating and eradication of the illicit trade in ammunition to the scope of the Programme of Action;

(c) Acknowledge that, in line with the 2030 Agenda for Sustainable Development, development cannot be realized without peace and security and that peace and security will be at risk without sustainable development and that curbing the illicit trade in small arms, light weapons and ammunition is crucial in this regard;

(d) Recognize the differing impacts of armed violence on women, men, girls and boys, and promote the role of women in the implementation of the Programme of Action and of gender awareness in actions relating to small arms and light weapons control as a condition for their effectiveness;

(e) Take action to preserve and increase the effectiveness of the Programme of Action and its International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, in the light of developments in small arms and light weapons technology, design, manufacture and trade. In relation to this, the European Union is especially concerned that the growing trend of small arms with a modular design, and the absence of a global standard for how and where to mark these weapons, risks the gradual undermining of the capacity to trace the weapons. In order to enable and preserve the capacity to trace modular small arms and light weapons, the Third Review Conference must agree on a process, with a view to reaching a consensus on the marking of these weapons;

(f) Promote the systematic tracing of seized illicit small arms and light weapons, the exchange of information among competent agencies at the national, regional and global levels, in accordance with national legislation, and the use of this information to identify and stop diversion;

(g) Underline the role of responsible arms export control practices in preventing and combating the illicit small arms and light weapons trade, including by means of assessing the risk of diversion prior to granting export licences;

(h) Support activities relating to the control of small arms and light weapons in conflict-affected areas through an increased role for United Nations and regional peace support operations, considering, on a case-by-case basis, the inclusion of assistance for arms embargo monitoring and stockpile management when defining their mandate;

(i) Highlight the role of the Programme of Action in the fight against terrorism. The effective implementation of the Programme of Action contributes to thwarting the acquisition of small arms and light weapons by terrorists, thus reducing the potential impact of their attacks;

(j) Provide support for the important role played by regional organizations in implementing the Programme of Action, as well as for the involvement of researchers, civil society and industry in activities relating to the Programme of Action in general.

An explanation of the objectives of the European Union for the outcome of the Third Review Conference is contained in the following paragraphs.

6. The European Union supports the reference, in the outcome document of the Third Review Conference, to the following documents:

(a) Outcome documents of the intersessional meetings of the Programme of Action (the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, in 2014, and the Sixth Biennial Meeting of States, in 2016);

(b) Report of the Secretary-General on the illicit trade in small arms and light weapons in all its aspects ([A/71/438-A/CONF.192/BMS/2016/1](#)) and on small arms and light weapons ([S/2017/1025](#) and [S/2015/289](#));

(c) Report of the Secretary-General on recent developments in small arms and light weapons manufacturing, technology and design and implications for the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons ([A/CONF.192/BMS/2014/1](#));

(d) Security Council resolutions on small arms and light weapons (resolution [2117 \(2013\)](#), resolution [2220 \(2015\)](#) and resolution [2370 \(2017\)](#));

(e) Security Council resolutions on women and peace and security (resolution [1325 \(2000\)](#) and subsequent resolutions), containing, in this regard, a special reference to resolution [2242 \(2015\)](#), in which the Council specifically encouraged empowering women through efforts related to the prevention, combating and eradication of the illicit transfer, and the destabilizing accumulation and misuse of small arms and light weapons;

(f) Security Council resolution [1612 \(2005\)](#) on children and armed conflict;

(g) Organization for Security and Cooperation in Europe documents on small arms and light weapons.

7. With regard to consideration of the implementation of the Programme of Action, the European Union supports the inclusion of the following elements in the outcome document of the Third Review Conference:

(a) Promote national implementation through national inter-agency coordination bodies, national plans of action; national points of contact; legislation, including penal clauses, regulations and administrative procedures; and monitoring with regard to the relevant aspects of the small arms and light weapons life cycle, including manufacturing, export control, trade, stockpiling and disposal;

(b) Promote the components of small arms and light weapons in bilateral and interregional security cooperation, including cross-border cooperation and information sharing between law enforcement and customs agencies, in order to curb the illicit trade in small arms and light weapons;

(c) Enhance the role of and empower regional and subregional organizations to assist States in their implementation of the Programme of Action;

(d) Enable and promote the exchange and use of information on identified patterns of illicit trade and diversion, in accordance with national legislation, through web-based databases at the national, regional and international levels, with support for the role of the International Criminal Police Organization (INTERPOL) and the United Nations in this regard;

(e) Promote, in the context of the control of small arms and light weapons exports, the application of end user agreements;

(f) Encourage the application of new technology in small arms and light weapons design that offers opportunities for small arms and light weapons control;

(g) Increase efforts towards physical security and stockpile management, including through the application of new technology;

(h) Improve the exchange of information with regard to seizures of arms, in accordance with national legislation, in order to deal with vulnerabilities and enhance opportunities for investigation and prosecution, with a particular focus on regional cooperation;

(i) Promote and support the implementation of standards and best practices for the handling of small arms, such as the International Small Arms Control Standards, and ammunition, such as the International Ammunition Technical Guidelines;

(j) Promote transparency by encouraging States to share national points of contact for the Programme of Action, to submit their biennial reports on the status of the implementation of the Programme of Action and the International Tracing Instrument, to include small arms and light weapons in their reports for the Register of Conventional Arms and to promote synergies on that matter with other related international instruments;

(k) Address the illicit manufacture and modification of small arms and light weapons and their components, including through craft production, additive manufacturing (three-dimensional printing), the reactivation of deactivated firearms and the conversion of blank firearms;

(l) Promote good practices with regard to deactivation to render small arms and light weapons permanently inoperable and make reactivation physically impossible by, among other things, promoting standards set by Regulation (EU) 2015/2403;

(m) Promote destruction as the preferred option for the destination of surplus small arms and light weapons;

(n) Address the growing importance of Internet and online transactions with regard to the illicit trade in small arms and light weapons and their parts and components;

(o) Address differences in legislation among States that facilitate the illicit trade in and production of small arms and light weapons, including the illicit conversion of blank firearms into functioning ones;

(p) Promote, within their mandate and where appropriate, an increased role for the United Nations and regional peacekeeping operations in the area of illicit small arms and light weapons;

(q) Take issues relating to small arms, light weapons and ammunition into account in post-conflict reconstruction programmes, disarmament, demobilization and reintegration programmes and security sector reform programmes in particular.

8. With regard to consideration of the implementation of the International Tracing Instrument, the European Union supports the inclusion of the following elements in the outcome document of the Third Review Conference:

(a) Ensure the effectiveness of the International Tracing Instrument in the light of developments in the technology and design of small arms and light weapons. In relation to this, the European Union is especially concerned that the growing trend of small arms with a modular design and the absence of a global standard for how and where to mark these weapons risk gradually undermining the capacity to trace the

weapons. In order to enable and preserve the capacity to trace modular small arms and light weapons, the Third Review Conference must agree on a process, with a view to reaching a consensus on the marking of these weapons. This process should lead to a consensus document supplementary to the International Tracing Instrument, such as an annex. Besides an agreement on the marking of the weapons, this document should also reflect other implications of developments in the technology and design of small arms and light weapons, including the increased use of polymers, and developments in marking, record-keeping and tracing. Such a document would ensure that developments in technology and design do not render the International Tracing Instrument less effective;

(b) Promote import marking, as required by the International Tracing Instrument, if possible at the time of manufacture;

(c) Promote the application of new technology for more effective marking, record-keeping and tracing of small arms and light weapons. The Chair's summary of the second Meeting of Governmental Experts, in 2015, contains relevant findings and proposals in this regard;

(d) Strengthen mechanisms for the exchange of information on national marking systems at the time of manufacture, as well as on standard procedures relating to seized unmarked small arms and light weapons;

(e) Promote the national implementation of the International Tracing Instrument through legislation with regard to marking, record-keeping and tracing, and through the drafting of biennial reports, the establishment of national points of contact and the development of national plans of action;

(f) Build capacity for the tracing of illicit small arms, light weapons and ammunition in conflict-affected areas, since it can contribute to the identification and containment of illicit arms flows into conflict zones. This can be done by supporting the involvement of United Nations and regional peace support operations in the collection, recording, tracing and destruction of illicit small arms and light weapons and their ammunition, in accordance with their mandates and, where possible, in cooperation with United Nations expert groups in charge of monitoring United Nations arms embargoes; by supporting the capacity-building of local security and law enforcement agencies for tracing and investigation, in combination with the promotion of the Illicit Arms Records and Tracing Management System (iArms) of INTERPOL and other relevant databases; and by supporting initiatives such as iTrace of the organization Conflict Armament Research.

9. With regard to consideration of international cooperation and assistance, the European Union supports the inclusion of the following elements in the outcome document of the Third Review Conference:

(a) Support the implementation of the Programme of Action through cooperation and assistance with regard to small arms and light weapons control activities;

(b) Assess the impact of the cooperation and assistance that has been provided for the implementation of the Programme of Action and submit the outcome of the assessment to a Biennial Meeting of States in the Programme of Action intersessional process;

(c) Increase the efficiency and sustainability of assistance efforts through improved coordination in cooperation with relevant regional organizations, donors and implementing agencies in full ownership of and, if possible, steered by national plans of action of recipient States;

(d) Support the United Nations Trust Facility Supporting Cooperation on Arms Regulation;

(e) Increase transparency on cooperation and assistance in small arms and light weapons control by agreeing among donors on a global repository where assistance in small arms and light weapons control can be registered.
