

Department for Disarmament Affairs
Reports of the Secretary-General

Small Arms

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NOTE

This publication is being issued in the framework of the United Nations Disarmament Information Programme as a handy, convenient and attractive reference tool containing three reports of the Secretary-General dealing with small arms.

It is being published as a contribution to the preparations for the International Conference on the Illicit Arms Trade in All Its Aspects, planned for the year 2001.

The publication, which is a continuation of the *DISARMAMENT Study Series*, should serve as a valuable addition to the reference section of public and university libraries, permanent missions, research institutes and specialized non-governmental organizations. It is hoped that the publication of the three reports in this form will reach a much larger readership than would three discrete reports of the United Nations in official document form.

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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Report of the Panel of Governmental Experts on Small Arms
(A/52/298)

FOREWORD BY THE SECRETARY-GENERAL

Readily available and easy to use, small arms and light weapons have been the primary or sole tools of violence in almost every recent conflict dealt with by the United Nations. In the hands of irregular troops operating with scant respect for international and humanitarian law, these weapons have taken a heavy toll of human lives, with women and children accounting for nearly 80 per cent of the casualties. Thus, the mandate given by the General Assembly in its resolution 50/70 B to report on the phenomenon of small arms was especially timely, drawing much-needed attention to what has become a priority concern in efforts to rid the world of the scourge of war and the burden of armaments.

While not by themselves causing the conflicts in which they are used, the proliferation of small arms and light weapons affects the intensity and duration of violence and encourages militancy rather than a peaceful resolution of unsettled differences. Perhaps most grievously, we see a vicious circle in which insecurity leads to a higher demand for weapons, which itself breed still greater insecurity, and so on.

Some of the most protracted armed conflicts in the world at present are those in which a recurring cycle of violence, an erosion of political legitimacy and a loss of economic viability deprive a State of its authority to cope with either the causes or the consequences of an excessive accumulation, proliferation and use of small arms. Effective measures against small arms would address both ends of that spectrum.

Towards that end, the Panel of Governmental Experts has prepared a pragmatic and results-oriented report, for which I am very grateful. The members of the Panel, deeply committed to the task entrusted to them, devoted more than their expertise: they financed their own field work which they viewed as essential for gaining a better understanding of several affected countries and subregions. The specific concerns of the subregions visited and the appeals contained in the appendices to the Panel's report merit prompt consideration.

In its report, the Panel recommends a set of practical measures to reduce the weapons already in circulation and to prevent future accumulations. The unanimity with which the Panel made those proposals deserves equally strong endorsement by the General Assembly.

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Letter of transmittal dated 7 August 1997 from the Chairman
of the Panel of Governmental Experts on Small Arms addressed
to the Secretary-General

I have the honour to submit herewith the report of the Panel of Governmental Experts on Small Arms. The Panel was appointed by you in pursuance of paragraph 1 of General Assembly resolution 50/70 B of 12 December 1995.

In April 1996 you appointed, on the basis of equitable geographical representation, the following governmental experts:

Mr. Zulkifil bin Adnan
First Secretary
Permanent Mission of Malaysia to the United Nations
New York, N.Y., United States of America

Dr. Herbert Lee Calhoun
Senior Foreign Affairs Specialist
Bureau of Multilateral Affairs
Arms Control and Disarmament Agency
Washington, D.C., United States of America

Mr. David de Clerq
Department of Foreign Affairs
Ottawa, Canada

Ambassador Mitsuro Donowaki
Ambassador and Special Assistant to the
Minister of Foreign Affairs
Tokyo, Japan

Major Hugo Sigfredi Velasquez Hernandez
Fourth Logistical Department of the Joint Military Staff
San Salvador, El Salvador

Ambassador Dr. Mahmoud Karem
Deputy Assistant Foreign Minister for Disarmament
Ministry of Foreign Affairs
Cairo, Egypt

Mr. Prasad Kariyawasam
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Ministry of Foreign Affairs
Bamako, Mali

Mrs. Graciela Uribe de Lozano
Disarmament Coordinator
Ministry of Foreign Affairs
Bogota, Colombia

The report was prepared between 24 June 1996 and 18 July 1997. During that period, the Panel held three sessions in New York: the first from 24 to 28 June 1996, the second from 21 to 31 January 1997 and the third from 7 to 18 July 1997. The Panel also met at Tokyo, from 26 to 28 May 1997, at the invitation of the Government of Japan.

The Panel wishes to express its appreciation for the excellent support which it received from members of the Secretariat. It expresses its thanks to the Director of the Centre for Disarmament Affairs, Mr. Prvoslav Davinic. Its special appreciation goes to Mrs. Swadesh Rana who served as the Secretary of the Panel, and to the consultant, Dr. Ed Laurance.

I have been requested by the Panel of Governmental Experts, as its Chairman, to submit to you, on its behalf, the present report, which was adopted unanimously.

(Signed) Mitsuro Donowaki
Chairman of the Panel of
Governmental Experts on Small Arms

I. INTRODUCTION

1. The General Assembly, in paragraph 1 of resolution 50/70 B of 12 December 1995, entitled "Small arms", requested the Secretary-General to prepare, with the assistance of a group of qualified governmental experts, a report on:

(a) The types of small arms and light weapons actually being used in conflicts being dealt with by the United Nations;

(b) The nature and causes of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade;

(c) The ways and means to prevent and reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons, in particular as they cause or exacerbate conflict.

2. In paragraph 2 of the resolution, the Secretary-General was requested to seek the views and proposals of Member States, to collect all other relevant information and make them available for consideration by the panel of governmental experts. The Assembly also requested the Secretary-General, in the preparation of the report, to pay particular attention to the role of the United Nations in this field and to the complementary role of regional organizations.

3. In April 1996, the Secretary-General appointed, on the basis of equitable geographical representation, a panel of governmental experts from 16 countries: Belarus, Belgium, Canada, Colombia, Egypt, El Salvador, Finland, Germany, the Islamic Republic of Iran, Japan, Malaysia, Mali, the Russian Federation, South Africa, Sri Lanka and the United States of America.

4. The Panel held three sessions in New York, from 24 to 28 June 1996, from 20 to 31 January 1997 and from 7 to 18 July 1997. The Panel also met at Tokyo from 26 to 28 May 1997, at the invitation of the Government of Japan.¹

5. The Panel took account of the replies received from Member States in response to Assembly resolution 50/70 B.² It reviewed the conclusions and findings of other United Nations bodies and groups concerned with issues related to small arms, within their areas of jurisdiction.³ It assessed the relevant information collected by the Secretariat from the research community. It heard presentations by scholars and other invitees on the subjects covered by paragraph 1 of Assembly resolution 50/70 B.⁴

6. The mandate entrusted to the Panel was carried out without prejudice to the positions taken by Member States on, or the importance allocated by them to, the priorities accorded to nuclear disarmament, weapons of mass destruction and conventional disarmament. Anti-personnel

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landmines constitute a category of small arms and light weapons. The issue is, however, being addressed in other forums. The Panel, therefore, agreed to avoid duplication of effort and different approaches by excluding anti-personnel landmines from its deliberations.

7. In accordance with paragraph 1 (c) of Assembly resolution 50/70 B, the Panel concentrated its attention on the actual role of small arms and light weapons in exacerbating armed conflicts being dealt with by the United Nations.

8. The Panel decided to focus its attention on small arms and light weapons manufactured to military specifications, in view of the work currently being undertaken by the Commission on Crime Prevention and Criminal Justice on firearm regulation for the purpose of crime prevention and public health and safety. Duplication of United Nations efforts should be avoided as much as possible. The Chairman of the Commission's Expert Group on Firearm Regulation, Mr. James Hayes, briefed the Panel on the work of the Commission on 8 July 1997. The Panel endorses the draft resolution recommended by the Commission for adoption by the Economic and Social Council, entitled "Firearm regulation for the purpose of crime prevention and public health and safety".⁵

9. To gain a better insight and clearer understanding of the problems created by the accumulation, proliferation and use of small arms in various regions, the Panel agreed to undertake inter-sessional work. As a result, the Panel organized three regional workshops to discuss the characteristics unique to each region and areas of common concern. The information collected at the workshops provided a major input to the preparation of the present report.

10. The first regional workshop was held at Pretoria, from 23 to 25 September 1996. It was financed from a voluntary contribution made by the Government of Japan. Logistical and administrative support was provided by the Department of Foreign Affairs of South Africa. Persons invited to participate in the workshop included those from the International Commission of Inquiry (Rwanda) and the Advisory Mission on the Proliferation of Light Weapons in the Saharo-Sahelian subregion. Also invited were government officials and individual experts from Sierra Leone, Somalia, Mozambique, Namibia, Swaziland and Zimbabwe. In addition, 7 of the 16 members of the Panel participated in the workshop (the experts from Belgium, Finland, Germany, Japan, Mali, South Africa and the United States of America). The joint appeal on small arms, issued at Pretoria on 25 September, appears in appendix I.

11. The second regional workshop was held at San Salvador on 16 and 17 January 1997. The workshop was financed from voluntary contributions made by the Governments of Belgium, Canada, Finland, Germany, Japan and the United States of America. The Ministry of Foreign Affairs of El Salvador provided administrative and logistical support. Participants in the workshop included officials from the United Nations Support Unit in El Salvador, the Organization of American States and the Caribbean Association of Commissioners of Police.

Also invited were government officials and individual experts from Colombia, El Salvador, Guatemala, Nicaragua, Panama and the United States of America. In addition, eight members of the Panel participated (the experts from Belgium, Canada, Colombia, El Salvador, Finland, Japan, Malaysia, and the United States of America). The statement on small arms, issued at San Salvador on 17 January, appears in appendix II.

12. The third regional workshop was held at Kathmandu on 22 and 23 May 1997. With South-West Asia as its focus, the workshop was financed from a voluntary contribution made by the Government of Japan. The Ministry of Foreign Affairs of Nepal provided administrative and logistical support. Invitees from Bangladesh, India, the Islamic Republic of Iran, Nepal, Pakistan, the Russian Federation and Sri Lanka participated. In addition, nine members of the Panel participated (the experts from Belgium, Canada, Colombia, Egypt, Finland, Germany, Malaysia, Sri Lanka and the United States of America). A call upon Afghanistan was made jointly by all the invitees from the subregion and appears in appendix III.

II. OVERVIEW

13. In the position paper of the Secretary-General entitled "Supplement to An Agenda for Peace" (A/50/60-S/1995/1), it is noted that while there are some agreed global norms and standards against weapons of mass destruction, there are no such norms or standards that can be used in reducing the excessive and destabilizing accumulation of small arms and light weapons. These are the weapons increasingly used as primary instruments of violence in the internal conflicts dealt with by the United Nations, they are responsible for large numbers of deaths and the displacement of citizens around the world, and they consume large amounts of United Nations resources.

14. The excessive and destabilizing accumulation and transfer of small arms and light weapons is closely related to the increased incidence of internal conflicts and high levels of crime and violence. It is, therefore, an issue of legitimate concern for the international community. Groups and individuals operating outside the reach of State and government forces make extensive use of such weapons in internal conflicts. Insurgent forces, irregular troops, criminal gangs and terrorist groups are using all types of small arms and light weapons. The illicit trafficking in such weapons by drug cartels, criminals and traders in contraband goods has also been on the increase.

15. Small arms and light weapons have been or are the primary or sole tools of violence in several of the armed conflicts dealt with by the United Nations, particularly where fighting involves irregular troops among the conflicting parties. Many of these conflicts have inflicted heavy casualties on the people involved. The vast majority of the casualties have been civilians, mostly women and children. It was estimated that, by 1996, over 35 million people in 23 countries throughout the world were at risk of facing civil strife either owing to ongoing humanitarian crises or as a result of a slow recovery from past ones.⁶

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16. Irrespective of their duration or level of violence, many such conflicts were or are being fought in populated areas, without concern for established norms of international law. In contrast to disciplined regular armed forces, irregular forces tend to make no distinction between a combatant and non-combatant. Irregular forces are equipped with whatever type of weapon they can acquire. Less expensive than major conventional weapons, ready to use without extensive prior training, particularly against civilians, and fit for transport on a person, pack animal or light vehicle, small arms and light weapons are often the weapons of choice in such situations.

17. Accumulations of small arms and light weapons by themselves do not cause the conflicts in which they are used. The availability of these weapons, however, contributes towards exacerbating conflicts by increasing the lethality and duration of violence, by encouraging a violent rather than a peaceful resolution of differences, and by generating a vicious circle of a greater sense of insecurity, which in turn leads to a greater demand for, and use of, such weapons.

18. A particularly disturbing feature of current conflicts is the participation of children. By 1988, as many as 200,000 children under the age of 16 were estimated to have participated in conflicts in 25 countries.⁷ Since then, the situation may even have worsened. In the case of protracted conflicts, entire generations of children have been affected.

19. Among the worst affected victims of recent conflicts fought primarily with small arms and light weapons are the inhabitants of some of the poorest countries in the world. Particularly vulnerable are multi-ethnic societies with a history of tension among groups. Also at risk are countries emerging from long wars of national liberation and confronted with the task of reintegrating former combatants into civil society. In many instances, weapons procured at an earlier stage for purposes of national liberation have become available for the violent overthrow of new Governments by insurgent forces or terrorists, or for acts of criminality for personal gain.

20. In one way or another, virtually every part of the United Nations system is dealing with the direct and indirect consequences of recent armed conflicts fought mostly with small arms and light weapons. Some of the most intractable armed conflicts being dealt with by the United Nations are those in which a recurring cycle of violence, an erosion of political legitimacy and a loss of economic viability have deprived a State of its authority to cope either with the causes or the consequences of the excessive accumulation, proliferation and use of small arms and light weapons.

21. The full extent of the destabilizing consequences of an excessive accumulation, proliferation, transfer and use of small arms and light weapons is only beginning to be assessed. In the process of negotiating and implementing peace accords to end armed conflicts, the United Nations has learned valuable lessons about the high priority that must be given to weapons-related issues. Among them are experiences with the imposition by Member States of

United Nations embargoes in conflict situations; the retrieval, collection and disposal of weapons; the reintegration into society of former combatants; and the training of personnel for the maintenance of law and order. An encouraging lesson drawn from the recent United Nations experience is the willingness of local communities in some States to volunteer in uncovering, collecting and destroying small arms that are unaccounted for.

22. Given the serious consequences of the problem as described above, this is a promising time to analyse the small arms and light weapons in use in recent conflicts, the nature and causes of their accumulation and transfer, as well as to recommend to Member States, regional organizations and the international community as a whole, particularly as represented by the United Nations, practical measures to prevent and reduce the excessive and destabilizing accumulation and transfer of such weapons, with a view to diminishing their role in exacerbating conflicts.

III. WEAPONS IN USE

23. The mandate assigned by the General Assembly to the Panel was to consider the types of small arms and light weapons actually being used in conflicts being dealt with by the United Nations. It is important to consider the unique characteristics of small arms and light weapons in developing the ways and means to solve the problems caused by their excessive accumulation.

24. Small arms and light weapons range from clubs, knives and machetes to those weapons just below those covered by the United Nations Register of Conventional Arms, for example, mortars below the calibre of 100 mm. The small arms and light weapons which are of main concern for the purposes of the present report are those which are manufactured to military specifications for use as lethal instruments of war.

25. Small arms and light weapons are used by all armed forces, including internal security forces, for, *inter alia*, self-protection or self-defence, close or short-range combat, direct or indirect fire, and against tanks or aircraft at relatively short distances. Broadly speaking, small arms are those weapons designed for personal use, and light weapons are those designed for use by several persons serving as a crew.

26. Based on this broad definition and on an assessment of weapons actually used in conflicts being dealt with by the United Nations, the weapons addressed in the present report are categorized as follows:

- (a) Small arms:
 - (i) Revolvers and self-loading pistols;

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- (ii) Rifles and carbines;
- (iii) Sub-machine-guns;
- (iv) Assault rifles;
- (v) Light machine-guns;
- (b) Light weapons:
 - (i) Heavy machine-guns;
 - (ii) Hand-held under-barrel and mounted grenade launchers;
 - (iii) Portable anti-aircraft guns;¹
 - (iv) Portable anti-tank guns, recoilless rifles;**
 - (v) Portable launchers of anti-tank missile and rocket systems;**
 - (vi) Portable launchers of anti-aircraft missile systems;
 - (vii) Mortars of calibres of less than 100 mm;
- (c) Ammunition and explosives:
 - (i) Cartridges (rounds) for small arms;
 - (ii) Shells and missiles for light weapons;
 - (iii) Mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems;
 - (iv) Anti-personnel and anti-tank hand grenades;
 - (v) Landmines;

¹ These weapons are sometimes mounted.

** These weapons are sometimes mounted.

(vi) Explosives.

27. While small arms and light weapons are designed for use by armed forces, they have unique characteristics that are also of particular advantage for irregular warfare or terrorist and criminal action:

(a) Since weapons in this class are capable of being carried, if a small arm, by one person or, if a light arm, by two or more people, a pack animal or a light vehicle, they allow for mobile operations where heavy mechanized and air forces are not available or are restricted in their capabilities owing to difficult mountain, jungle or urban terrain;

(b) Under these conditions, mortars or mounted anti-aircraft guns sometimes constitute the main armament of light forces, providing them with high firepower that often causes heavy casualties among the civilian population if used indiscriminately;

(c) Light anti-aircraft and anti-tank missile systems not only provide the capability to sustain operations in favourable terrain against forces supported by tanks and aircraft but can also be used by terrorists against civil air traffic with devastating effects;

(d) Since many small arms require a minimum of maintenance and logistics they are suited for protracted operations;

(e) Since they can easily be concealed they are suited to covert actions and transfer;

(f) Since they are less complex and, therefore, normally of lower cost than major conventional weapons, especially if they are used or surplus, they are affordable by actors other than the State.

28. In conflicts dealt with by the United Nations, non-military weapons, that is, those weapons not manufactured to military specifications, such as hunting firearms and home-made weapons, have been used in violent conflicts, terrorism, and the intentional harming of civilian populations. In such cases, and where such weapons are used and accumulated in numbers that endanger the security and political stability of a State, the Panel considered them relevant for the purposes of the present report.⁸

29. Ammunition and explosives form an integral part of the small arms and light weapons used in conflicts. The availability of ammunition is an important independent element, since weapons can be rendered useless without appropriate ammunition. The mass production of modern reliable and effective ammunition requires highly developed and precise industrial tools. It is assumed that all countries producing small arms (more than 70) and light weapons are also

capable of manufacturing the relevant ammunition. In addition, in many regions there is a widespread private production of less reliable ammunition by small enterprises and individuals.

30. Moreover, violence perpetrated through improvised explosive devices has recently exacerbated conflicts and caused severe destruction and death. Even a small quantity of such explosive devices has been used to devastating effect by terrorists and insurgents in various parts of the world. In this context, it has been observed that the unimpeded supply and availability of ammunition and explosives, especially by means of illicit trafficking, compound the effects of the proliferation of small arms and light weapons. Therefore, ammunition and explosives themselves are a cause for concern in conflicts affected by small arms and light weapons.

31. The indiscriminate use of anti-personnel landmines has created a significant global problem well within the mandate of the Panel. Since the international community is, however, addressing this issue in other forums, the Panel agreed to avoid duplication of effort and different approaches by not including anti-personnel landmines in its deliberations.

32. In contrast to anti-personnel landmines, small arms are constructed for and capable of precise direct fire without inherent indiscriminate effects. High civilian casualties in recent conflicts are the result of indiscriminate warfare that deliberately targets the civilian population with whichever weapons are available.

33. New technologies are constantly being developed and applied to small arms and light weapons. Attention needs to be paid to the potential impact of these new developments with respect to their proliferation, accumulation and potential for negative effects in those conflicts dealt with by the United Nations. Particular attention should be given to modern light-missile launchers, together with precision-guided munitions, such as the shoulder-fired surface-to-air missiles that can be used for terrorist attacks against sensitive targets, with devastating effects.

IV. NATURE AND CAUSES OF EXCESSIVE AND DESTABILIZING ACCUMULATIONS OF SMALL ARMS AND LIGHT WEAPONS

A. Nature

34. While there is a growing recognition of problems associated with the proliferation, accumulation and use of small arms and light weapons, there are no globally agreed norms and standards to determine the excessive and destabilizing levels of this class of weapon.

35. A majority of the small arms and light weapons being used in conflicts dealt with by the United Nations are not newly produced. Those weapons which are newly produced come from

many different countries, as illustrated in the data below on the production of assault rifles for the years 1945-1990:⁹

| Name of assault rifle | Number of countries using the weapon | Number of countries manufacturing the weapon | Number of weapons manufactured (millions) |
|-----------------------|--------------------------------------|--|---|
| FN FAL family | 94 | 15 | 5-7 |
| AK family | 78 | 14 + | 35-50 |
| M-16 family | 67 | 7 | 8 |
| H&K G3 family | 64 + | 18 | 7 |

36. The terms "excessive" and "destabilizing" are relative and exist only in the context of specific regions, subregions or States. The mere accumulation of weapons is not a sufficient criterion by which to define an accumulation of weapons as excessive or destabilizing, since large numbers of weapons that are under the strict and effective control of a responsible State do not necessarily lead to violence. Conversely, a small number of weapons can be destabilizing under certain conditions.

37. Accumulations of small arms and light weapons become excessive and destabilizing:

(a) When a State, whether a supplier or recipient, does not exercise restraint in the production, transfer and acquisition of such weapons beyond those needed for legitimate national and collective defence and internal security;

(b) When a State, whether a supplier or recipient, cannot exercise effective control to prevent the illegitimate acquisition, transfer, transit or circulation of such weapons;

(c) When the use of such weapons manifests itself in armed conflict, in crime, such as arms and drug trafficking, or other actions contrary to the norms of national or international law.

B. Causes

38. Accumulations of small arms and light weapons by themselves do not cause the conflicts in which they are used. They can, however, exacerbate and increase their lethality. These conflicts have underlying causes which arise from a number of accumulated and complex

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political, commercial, socio-economic, ethnic, cultural and ideological factors. Such conflicts will not be finally resolved without addressing the root causes.

39. There is no single cause for these accumulations and their subsequent transformation into instability and conflict. The variety of different causes is usefully categorized by demand and supply factors, although the distinction between both factors is not always clear-cut and there are grey areas in between. Accumulations are always a combination of both factors but the predominance of either demand or supply varies by subregion and State, as well as by time period.

40. At the global level, internal conflicts have served to attract large numbers of small arms and light weapons. In this context, one factor bearing on the availability, circulation and accumulation of these weapons in many areas of conflict is their earlier supply by cold war opponents. Foreign interference in areas of tension, or conflict by States which pursue strategic or specific regional interests, is still a feature of current realities. Also, alien domination or foreign occupation and violation of the right to self-determination of all peoples in contravention of the Charter of the United Nations, as well as other political and socio-economic inequities, have given rise to conflict.¹⁰

41. Insurgency and terrorism remain as factors in the destabilizing use of small arms, light weapons or explosives. Other factors are drug trafficking and criminality. The link between terrorism and such weapons has been referred to by several international forums.

42. When the State loses control over its security functions and fails to maintain the security of its citizens, the subsequent growth of armed violence, banditry and organized crime increases the demand for weapons by citizens seeking to protect themselves and their property.

43. The incomplete reintegration of former combatants into society after a conflict has ended, in combination with the inability of States to provide governance and security, may lead to their participation in crime and armed violence.

44. In some States and subregions there is a culture of weapons whereby the possession of military-style weapons is a status symbol, a source of personal security, a means of subsistence, a sign of manliness and, in some cases, a symbol of ethnic and cultural identity. By itself, such a culture does not necessarily lead to a culture of violence in which the possession of these weapons connotes political power and a preference for the resolution of conflict by the use of arms. The transformation of a culture of weapons to a culture of violence, resulting in the increasing demand for weapons, most often occurs when a State cannot guarantee security to its citizens or control the illicit activities in which these weapons are utilized. The task of controlling or lowering the level of use of these weapons is made more difficult in a culture of weapons.

45. States have the right to export and import small arms and light weapons. The misuse of that right and the relatively recent awareness of the problems caused by the accumulation of small arms and light weapons have resulted in insufficient recognition being accorded to the need to better control the transfer of such weapons.

46. During the cold war, the increase in licensed production and transfer of technology led to a proliferation of legitimate producers of small arms and light weapons, mainly medium-sized and small enterprises, in an effort by States to become more independent in the production of weapons considered necessary to their security. This led to the search for export markets in order to dispose of surplus weapons. New production of small arms and light weapons has, however, declined owing to a reduction in national defence budgets.

47. Another factor to be considered is the large surplus of small arms and light weapons created by the reduction in armed forces in the post-cold-war period. While a significant portion of these weapons has been destroyed, an unknown number of them has found its way to internal armed conflicts from States that have ceased to exist or lost political control.

48. The problem of the accumulation of weapons is exacerbated by the fact that, during some conflicts, large quantities of weapons were distributed to citizens by Governments, in addition to being obtained from other sources, including illicit transfers. In several instances, self-defence units were formed by Governments and gun possession laws were liberalized. When the conflicts ended, the weapons remained in the hands of citizens and were available for recirculation within the society, in the region and even outside the region.

49. Several United Nations peacekeeping or post-conflict peace-building operations have resulted in the incomplete disarmament of former combatants owing to peace agreements or mandates which did not cover small arms and light weapons disarmament, or to shortfalls in the implementation of mandates because of inadequate operational guidance or resources. Thus, large numbers of surplus weapons became available in the conflict areas for criminal activities, recirculation and illicit trafficking.

C. Modes of transfer

50. Much of the supply and acquisition of small arms and light weapons is legitimate trade which occurs among Governments or among legal entities authorized by Governments.

51. During the cold war and in the current period, States have secretly carried out transfers of small arms and light weapons. Such transfers are not necessarily illicit. Any transfer not approved by the competent authorities in the recipient State could, however, be classified by that State as interference in its internal affairs and therefore illegal.

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52. The supply of weapons to regions of tension and conflict is characterized by a lack of transparency that is due to the characteristics of small arms and light weapons which can be easily concealed during transport.

53. Networks operating internationally and other modes of transfer used for the illicit transfer of a variety of commodities are also used to transfer weapons. The techniques used involve smuggling, concealment, mislabelling and false documentation. To hide financial transactions, use is made of coded bank accounts protected by the secrecy laws of some financial institutions. To transport weapons, various methods are used, such as ships with bogus registration and flags of convenience.

54. Illicit actors in this trade include certain groups in exile and private arms dealers, whose motives may include political support of groups within a country, or drug trafficking and other criminal activities conducted for profit.

55. Several insurgent and armed groups are known to procure weapons and obtain financial support with the assistance of allied groups and organizations based abroad which act as a front and which illicitly traffic in weapons, ammunition and explosives.

56. Criminal elements and groups engaged in armed internal conflict can also acquire small arms and light weapons by: an exchange between groups and among unauthorized persons; theft, robbery or loss of weapons in legal possession; and raids, ambushes and other hostile acts. Often, weapons resulting from legal transfers between Governments end up on the illegal market because of corrupt governmental officials.

D. Illicit trade in weapons

57. Illicit trafficking in weapons is understood to cover that international trade in conventional weapons, which is contrary to the laws of States and/or international law.¹¹

58. Illicit trafficking in such weapons plays a major role in the violence currently affecting some countries and regions, by supplying the instruments used to destabilize societies and Governments, encourage crime, and foster terrorism, drug trafficking, mercenary activities and the violation of human rights.

59. In some cases the illicit supply of small arms and light weapons has occurred because there is no adequate national system of controls on arms production, exports and imports, and because border and customs personnel are poorly trained or corrupt.

60. The differences that exist between the legislation and enforcement mechanisms of States for the import and export of weapons, as well as the lack of cooperation in that area, facilitates

the circulation and illicit transfer of small arms and light weapons. There is also no international convention or agreement that restricts such trade, or a body of rules by which a given transfer can be declared illegal under international law other than the arms embargoes adopted by the Security Council.

61. Accumulations of weapons by means of illicit trafficking are facilitated by a lack of coordination and cooperation among the States involved. In the case of both the recirculation and supply of weapons from outside the region or subregion, efforts to diminish the negative effects of such weapons are hampered by States that will not or cannot cooperate in such basic functions as sharing information regarding illicit trafficking in weapons and coordinating the cross-border seizure and collection of weapons.

E. Regional realities

62. Based on United Nations reports on its peace operations, commissions of inquiry and, most important, the three regional workshops conducted by the Panel, it became clear that there are effects and consequences unique to specific regions, subregions and States.

Africa

63. The African region is confronted with the challenges of both dealing with socio-economic reconstruction in post-conflict societies and containing various internal conflicts. The uncontrolled availability of small arms and light weapons is not only fuelling such conflicts but is also exacerbating violence and criminality. This undermines the State's ability to govern effectively, thereby threatening the stability and security necessary for socio-economic development. Porous borders, lack of resources and the absence of detailed and comprehensive data on the extent of this phenomenon are inhibiting the region's ability to effectively deal with the problem of proliferation.

64. Southern Africa is affected by the supply of small arms and light weapons left over from the conflicts in Mozambique and Angola, as well as licensed weapons being stolen or lost. There is a concern among the States in the region that the availability of these weapons is a major factor in exacerbating crime and armed violence, thereby threatening the consolidation of democracy and security which is needed for sustainable development. The weapons of most concern are, among others, handguns, assault rifles and home-made weapons.

65. Central Africa is dominated by recent internal and ethnic violence and violations of the Security Council arms embargo. The major factor impeding the development of ways and means of dealing with accumulations of weapons in this subregion is the collapse of the State's ability to govern and provide for its national security and the security of its citizens. This is compounded by the extreme levels of poverty in the subregion.

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66. The weapons proliferating and available in West Africa are not newly produced but are left over from several civil wars of the recent past. This proliferation is enhanced by particularly long and unmanned borders. This destabilizing factor has forced some States in the Saharo-Sahelian subregion to ask for and receive United Nations assistance.

Central America

67. The Central American subregion has seen the end of three major domestic conflicts in the past seven years, where the United Nations played a critical role in their conclusion. As one of the major areas of confrontation during the cold war, this subregion was supplied with large numbers of small arms and light weapons which are still in circulation. They remain available for acquisition by criminal gangs and armed groups, despite the encouraging results from several programmes for the collection and destruction of arms.

68. Geographically, Central America is a major transit area for the illicit trafficking in drugs and weapons between North and South America, which produces destabilizing effects for the entire region.

69. The States in Central America have a particular challenge in demobilizing and reintegrating a large number of former combatants into useful and productive roles in society, since much of the crime and armed violence is perpetrated by ex-combatants with the weapons they retained after the conflicts were concluded. As a result of post-conflict peace-building processes, the subregion is marked by demilitarization and the development of democratic Governments which are increasingly able to build the basic institutions that can provide security for citizens of the State and its further economic and social development.

South Asia

70. The problem of excessive and destabilizing accumulations of small arms and light weapons in South Asia was significantly shaped by the war in Afghanistan from 1979 to 1988. During that conflict, both sides in the cold war exported large quantities of both major conventional weapons and small arms and light weapons into the region. Today, Afghanistan is a leading source of unaccounted weapons. The conflict continues and much of the current inflow of weapons is due to illicit deals involving a circuitous network of manufacturers, buyers, suppliers and distributors which are able to operate because of a lack of State authority. There is a lack of cooperation among several States in the region that also contributes to the problems of covert supply and poor controls over small arms and light weapons.

71. Insurgents and terrorist groups, as well as drug traffickers, in the region are also supplied with small arms and light weapons by illicit or covert networks. This region is particularly plagued by illicit trafficking in explosives, especially improvised explosive devices which have

been frequently used in armed attacks. Most armed groups are based overseas and conduct fund-raising abroad for the illicit procurement of arms and for violent acts in the region.¹²

72. In this region, the production of and trafficking in drugs are directly linked to the proliferation and acquisition of small arms and light weapons. This problem, and illicit trafficking in weapons in general, is exacerbated by a lack of either local or international controls of land and maritime borders in certain States of the region.

Europe

73. During the cold war, large numbers of weapons, including small arms and light weapons, were accumulated in Europe. After the end of the cold war in many European States, weapon holdings have been reduced through destruction or cascading. In some instances, the grave weakening or even collapse of State structures, and in particular the dissolution of the Soviet Union, has led to a greater availability of small arms and light weapons that is outside State control. The surfeit of weapons has often aggravated the general feeling of insecurity and, in some cases, fuelled ethnic confrontation and even civil war. The former Yugoslavia and Albania are the worst examples.

74. The above-mentioned developments, combined with serious economic difficulties, have also had an impact on other regions of the world in the form of an increased flow of weapons from sometimes poorly controlled stocks on the territory of some countries of Eastern Europe and of stationed forces in the former German Democratic Republic.

75. Although many European countries reduced weapons production after the end of the cold war, Europe still has significant domestic capabilities for the production of weapons.

76. In some European countries, insurgent movements, terrorist groups and criminal gangs are involved in the illicit use of and trafficking in small arms and light weapons.

Commonalities among affected regions

77. The observations made regarding some regions, subregions and States can be summarized in the following commonalities:

(a) There is an apparent link between the availability of weapons, trafficking in drugs and arms, and the level of violence;

(b) Transfers of weapons are often unchecked owing to inadequate controls over long and porous borders;

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(c) The crime and violence arising from the availability of small arms and light weapons have made it more difficult to conduct development projects and programmes that address the root causes of conflict. This has led to a decline in economic assistance and investment from donors. Also, States must use more of their scarce resources to provide security and relief to the victims of violence;

(d) Illicit trafficking in arms in some regions has violent and destabilizing effects;

(e) Where a culture of weapons exists, it may be more easily transformed into a culture of violence, particularly when tension escalates due to the root causes of conflict;

(f) In some regions, young people are often the victims and perpetrators of violence, particularly where high unemployment and political hostilities exist. They are easily recruited and indoctrinated into violent groups and are more likely to follow a path of violence, even when political hostilities cease;

(g) National efforts to address excessive and destabilizing accumulations of small arms are often insufficient owing to the magnitude of the problem and scarce resources. In many instances, multilateral and regional efforts have been undertaken;¹³

(h) Another reality in some regions is that an adequate level of security is necessary to solve the problems associated with the excessive and destabilizing accumulations of small arms and light weapons;

(i) Most of the States and regions experiencing problems with armed violence stemming from the excessive and destabilizing accumulation and transfer of small arms and light weapons also have problems of poverty and lack economic development. These issues are linked;

(j) In some regions, drug control efforts have increased the demand for small arms and light weapons by both law enforcement authorities and drug traffickers, thereby raising the level of violence.

V. RECOMMENDATIONS

78. The Panel's recommendations are comprised first of measures to reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons in specific regions of the world where such accumulations and transfers have already taken place. These are followed by measures to prevent such accumulations and transfers from occurring in future.

79. The Panel recommends the following reduction measures:

(a) The United Nations should adopt a proportional and integrated approach to security and development, including the identification of appropriate assistance for the internal security forces initiated with respect to Mali and other West African States, and extend it to other regions of the world where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently. The donor community should support this new approach in regard to such regions of the world;

(b) The United Nations should support, with the assistance of the donor community, all appropriate post-conflict initiatives related to disarmament and demobilization, such as the disposal and destruction of weapons, including weapons turn-in programmes sponsored locally by governmental and non-governmental organizations;

(c) Once national conciliation is reached, the United Nations should assist in convening an inter-Afghan forum to prepare, *inter alia*, a schedule to account for, retrieve and destroy the small arms and light weapons left unaccounted for in Afghanistan;

(d) In view of the problems stemming from an excess of small arms and light weapons left over from many internal conflicts and the lessons learned from the peacekeeping operations of the United Nations, two sets of guidelines should be developed in order to:

- (i) Assist negotiators of peace settlements in developing plans to disarm combatants, particularly as concerns light weapons, small arms and munitions, and to include therein plans for the collection of weapons and their disposal, preferably by destruction;
- (ii) Provide assistance to peacekeeping missions in implementing their mandates, based on peace settlements;

Former peace negotiators and members of peacekeeping operations of the United Nations should be consulted in the preparation of such guidelines. In this connection, consideration should be given to the establishment of a disarmament component in peacekeeping operations undertaken by the United Nations.

(e) States and regional organizations, where applicable, should strengthen international and regional cooperation among police, intelligence, customs and border control officials in combating the illicit circulation of and trafficking in small arms and light weapons and in suppressing criminal activities related to the use of these weapons;

(f) The establishment of mechanisms and regional networks for information sharing for the above-mentioned purposes should be encouraged;

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(g) All such weapons which are not under legal civilian possession, and which are not required for the purposes of national defence and internal security, should be collected and destroyed by States as expeditiously as possible.

80. The Panel recommends the following prevention measures:

(a) All States should implement the recommendations contained in the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, adopted by the Disarmament Commission in 1996;¹⁴

(b) All States should determine in their national laws and regulations which arms are permitted for civilian possession and the conditions under which they can be used;

(c) All States should ensure that they have in place adequate laws, regulations and administrative procedures to exercise effective control over the legal possession of small arms and light weapons and over their transfer in order, *inter alia*, to prevent illicit trafficking;

(d) States emerging from conflict should, as soon as practicable, impose or reimpose licensing requirements on all civilian possession of small arms and light weapons on their territory;

(e) All States should exercise restraint with respect to the transfer of the surplus of small arms and light weapons manufactured solely for the possession of and use by the military and police forces. All States should also consider the possibility of destroying all such surplus weapons;¹⁵

(f) All States should ensure the safeguarding of such weapons against loss through theft or corruption, in particular from storage facilities;

(g) The United Nations should urge relevant organizations, such as the International Criminal Police Organization (Interpol) and the World Customs Organization, as well as all States and their relevant national agencies, to closely cooperate in the identification of the groups and individuals engaged in illicit trafficking activities, and the modes of transfer used by them;

(h) All States and relevant regional and international organizations should intensify their cooperative efforts against all aspects of illicit trafficking mentioned in the present report that are related to the proliferation and accumulation of small arms and light weapons;

(i) The United Nations should encourage the adoption and implementation of regional or subregional moratoriums, where appropriate, on the transfer and manufacture of small arms and light weapons, as agreed upon by the States concerned;

(j) Other regional organizations should take note, and make use, as appropriate, of the work of the Organization of American States in preparing a draft inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials;

(k) The United Nations should consider the possibility of convening an international conference on the illicit arms trade in all its aspects, based on the issues identified in the present report;

(l) To assist in preventing the illicit trafficking in and circulation of small arms and light weapons, the United Nations should initiate studies on the following:

- (i) The feasibility of establishing a reliable system for marking all such weapons from the time of their manufacture;
- (ii) The feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by States, and of establishing a database of such authorized manufacturers and dealers;

(m) The United Nations should initiate a study on all aspects of the problem of ammunition and explosives.

Notes

¹ At the invitation of the Canadian Council for International Peace and Security, the Chairman and the experts from Belgium Canada, Finland and Germany participated in a workshop on international efforts to constrain light weapons, held at Ottawa on 25 January 1997.

² Replies were received from: Belarus, Colombia, Italy (on behalf of the States members of the European Union), Jamaica, Mexico, Singapore, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

³ The following reports were made available to the Panel: report of the International Commission of Inquiry (Rwanda) (S/1996/195, annex); report of the International Commission of Inquiry concerning Burundi (S/1996/682, annex I); Saharo-Sahelian advisory mission: report on Mali, 1995; report of the Secretary-General on the situation in Somalia (S/1996/42); informal paper of the Disarmament Commission concerning guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991; report of the Secretary-General on measures to regulate firearms (E/CN.15/1997/4 and Corr.1); United Nations Research Institute for Social Development, "The social impacts of light weapons availability and proliferation", (discussion paper No. 59, March 1995); study on ways and means

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of promoting transparency in international transfers of conventional arms: report of the group of experts appointed by the Secretary-General in pursuance of General Assembly resolution 43/75 I of 7 December 1988 (A/46/301, annex).

⁴ A list of persons invited to the regular sessions and inter-sessional workshops of the Panel is given in appendix IV.

⁵ *Official Records of the Economic and Social Council, 1997, Supplement No. 10* (E/1997/30-E/CN.15/1997/21), chap. I, sect. B, draft resolution II. The draft resolution was subsequently adopted by the Council (resolution 1997/28 of 21 July 1997).

⁶ See "Global Humanitarian Emergencies, 1996", paper released by the United States Mission to the United Nations (New York, February 1996).

⁷ See United Nations Children's Fund, *The State of the World's Children, 1996* (Oxford and New York, Oxford University Press, 1996) and the report of the expert of the Secretary-General, Ms. Graça Machel, on the impact of armed conflict on children (A/51/306 and Add.1).

⁸ Home-made weapons, including those referred to as "zip-guns", are simple in design and can be constructed by unskilled people with little knowledge of such weapons. The material used may be found in almost every house or rubbish dump. Any available type of ammunition can be modified to fit these weapons.

⁹ Virginia Hart Ezell, *Report on International Small Arms Production and Proliferation* (Alexandria, Virginia, Institute for Research on Small Arms in International Security, March 1995), p. 9.

¹⁰ As noted, *inter alia*, in paragraph 14 of the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991 (see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42* (A/51/42), annex I); and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993 (A/CONF.157/24 (Part I), chap. III).

¹¹ See paragraph 7 of the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991 (*Official Records of the General Assembly, Fifty-first Session, Supplement No. 42* (A/51/42), annex I).

¹² The Summit Declaration of the South Asian Association for Regional Cooperation held in May 1997 called for international action to prevent the abuse of refugee conventions and to halt activities which help terrorist groups to collect funds for their activities in South Asia.

¹³ These include efforts by the Organization of American States and some States within the Southern African Development Community, and the Framework Treaty on Democratic Security signed by the Presidents of the Central American States in 1995.

¹⁴ *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42 (A/51/42)*, annex I.

¹⁵ The term "surplus" indicates serviceable and unserviceable small arms and light weapons held in stockpiles by military and police forces and the illicit weapons seized by such forces that they no longer need.

APPENDIX I

Joint appeal on small arms, issued at the conclusion of the first regional workshop of the Panel of Governmental Experts on Small Arms, held at Pretoria from 23 to 25 September 1996

1. We, the participants from Africa in the regional workshop held at Pretoria, voice our shared concern over the following consequences of the accumulation, proliferation and use of small arms:
 - (a) Incidents of violence that claim the lives mostly of innocent civilians;
 - (b) Acts of criminality ranging from poaching, cattle-rustling and armed robberies to hijacking and terrorism;
 - (c) The corrosive impact on civil society by the creation of a vicious circle between an acuter sense of personal insecurity and a higher demand for small arms;
 - (d) Competing claims on scarce resources for the provision of immediate relief and rehabilitation to victims of violence, and for investment in long-term socio-economic development;
 - (e) The destabilizing effect on the African region owing to the mass movement of internally displaced people and refugees fleeing from armed conflicts.

2. No single cause can fully explain the recent rise in incidents of violence and criminality resulting from the use of a category of weapons that has existed for decades, if not centuries. Several explanations can, however, be offered:
 - (a) A period of transition from military regimes to democratization, resulting in the easy availability of weapons hitherto belonging to military personnel;
 - (b) A parallel process of state formation and political institution-building in societies experimenting with non-violent instruments of political change;
 - (c) Demographic trends, with a larger number of younger people seeking economic opportunities and resorting to violence to gain attention and access to resources;
 - (d) The successful culmination of national liberation movements, leaving behind arsenals of weapons readily available for purchase, resale and use by individuals and organized gangs motivated by personal profit or greed for power;

(e) Collusion between some private arms dealers and profiteers from the illicit trade in drugs, precious stones and ivory.

3. We see our new democracies facing a twin threat arising from the uncontrolled accumulation, proliferation and use of small arms:

(a) Spill-overs from neighbouring countries, particularly when there is ethnic affinity across national territorial frontiers and people uprooted through violent resort to the same in their efforts to obtain shelter;

(b) The challenge of reintegrating former military personnel into civil society, especially when soldiers trained to fight a war find a common cause with rebels opposed to the establishment of democratic institutions.

4. A failure of the democratic experiment in Africa will not be just sad. It will be chaotic, as it may signify not a return of military regimes but a breakdown of the institution of the State. Believing that the best guarantee for fostering democratic institutions is to build up societal resistance to violence as an instrument of political change, we are ready to contain, control and discourage individual and group resort to small arms. Our porous geographical frontiers and ethnic affinities across national boundaries make it imperative that we adopt collective regional measures to:

(a) Combat arms smuggling, money laundering, stock-stealing, poaching, drug trafficking, vehicle theft and illegal immigration;

(b) Harmonize national legislation in order to ensure that criminals escaping from justice in a country with stringent laws do not find shelter in another country with lax regulations;

(c) Standardize licensing procedures for the possession of arms in order to establish accountability;

(d) Pool relevant intelligence information, police activity and customs controls in order to detect and apprehend the illicit transboundary movement of small arms;

(e) Enter into agreements for extradition.

5. We are fully aware that concentration on small arms as the primary instruments of violence in our societies will not be sufficient unless we simultaneously address and resolve the causes of violence. We resolve to create a future of economic opportunity for our younger population, whose education and upbringing has been disrupted by protracted armed conflicts. We will work

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towards the integration, rather than the alienation, of former combatants and military personnel into civil society. To promote societal resistance to violence, we will rely even more upon our traditional customs of consensus-building.

6. We call upon research institutes and non-governmental organizations to join us in creating public awareness of the direct and indirect consequences of the accumulation, proliferation and use of small arms.

7. We urge the donor community to make provision in their developmental assistance policies for programmes to reintegrate demobilized military personnel into civil society.

8. We seek international expertise in training the trainers to establish vocational and professional institutes for our younger population.

9. We welcome recent initiatives by leading donors to integrate developmental assistance with further support for democratic institutions.

10. We ask the United Nations to ensure that its post-conflict peace programmes include arrangements for the destruction and disposal of weapons and for the trade-off of weapons and equipment for gainful employment.

11. We request the Panel of Governmental Experts on Small Arms to give full consideration to this joint appeal in its deliberations and to append it to the report to be submitted to the General Assembly in pursuance of its resolution 50/70 B.

(Signed)

Mr. Tome Picasso,
Ministry of National Defence, Mozambique

Mr. Hopelong U Ipinge,
Deputy Permanent Secretary,
Ministry of Defence, Namibia

Captain S. H. Norman,
Deputy Minister of Defence, Sierra Leone

General Mohamed Nur Galal,
Somalia

Dr. Timothy L. L. Dlamini,
Principal Secretary,
Ministry of Defence, Swaziland

Major General Michael Nyambuya,
Army Headquarters, Zimbabwe

APPENDIX II

Statement on small arms, issued at the conclusion of the second regional workshop of the Panel of Governmental Experts on Small Arms, held at San Salvador, on 16 and 17 January 1997

1. We, the invitees to the second regional workshop of the Panel of Governmental Experts on Small Arms:

(a) Associate ourselves with the joint appeal on small arms, issued at the first regional workshop, held at Pretoria in September 1996;

(b) Share the concerns over the incidence of increased violence and acts of criminality resulting from the illegal accumulation and use of small arms by individuals and groups.

2. The countries of the Central American region are undergoing a unique experience. Weapons are not manufactured in the region itself but small arms of every conceivable variety are readily available, cheap to buy, easy to conceal and frequently change hands in the region. The geographical location of the region makes it a convenient and much frequented route for the illicit arms trade. Established networks of highly organized gangs dealing in narcotics and weaponry have made the region a favourite haven for money laundering and the investment of drug profits.

3. Arms by themselves do not cause violent conflict. It is economic and social inequities which generate violence. The easy availability of arms, however, undoubtedly affects the intensity, frequency and duration of violence.

4. For decades, the unorganized majority of the civilian population in the region became victim to violence by an organized minority. The region lost hundreds of thousands of human lives and millions of people were displaced.

5. A first step towards reversing the havoc inflicted on the region was the successful conclusion of peace agreements. Ceasefires cannot guarantee lasting peace unless they are accompanied by a determined effort to ensure that the huge surpluses of weapons circulating in the region do not fall into the hands of criminal elements.

6. The process of democratization and demilitarization of the region is by now fairly well established. But the social and political frictions which generated wars in the past are far from being resolved.

7. The countries of the region are now ready to put violent strife behind them and look ahead to an era of uninterrupted peace and prosperity. Now is the time to heal, to rebuild and to rehabilitate. Now is the time to address the underlying causes of the recurring resort to violence. Now is the time to create opportunities for the fullest realization of the most valuable asset of the region, its human resources. Now is the time to reintegrate the former combatants into civil society.
8. We invite the members of the Panel of Governmental Experts on Small Arms to join the efforts of the region to implement programmes for the collection of weapons and develop other initiatives for the gainful employment of former combatants.
9. We urge the United Nations to launch a worldwide campaign to mobilize public opinion and build societal resistance to violence and the proliferation of small arms.
10. We call upon the international community to fully support the implementation and verification of the firm and lasting peace agreement of Guatemala of 29 December 1996.
11. We support a continuation of the dialogue and exchange of experiences between and among regions faced with the tasks of post-conflict peace-building, reintegration of former combatants and immediate measures to curb the accumulation and use of small arms.
12. We commit ourselves to the creation and strengthening of programmes for education for peace and non-violence.
13. We request the members of the Panel to include the present statement in its entirety in the report of the Secretary-General to be submitted to the General Assembly in pursuance of its resolution 50/70 B.

(Signed)

Dr. Daniel Garcia-Pena Jaramillo,
Special Advisor to the President
of the Republic of Colombia

Ambassador Ricardo Castaneda-Cornejo,
Permanent Representative of
El Salvador to the United Nations

Ambassador Fabiola Fuente,
Deputy Permanent Representative of
of Guatemala to the United Nations

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Dr. Angel Antonio Comte Cojulun,
Director-General of National Police of Guatemala

Lieutenant Colonel Nestor Ogilvie,
Chairman, Association of Caribbean
Commissioners of Police, Grenada

Dr. Mario Castellon Duarte,
Minister Counsellor, Permanent Mission
of Nicaragua to the United Nations

Dr. Alejandro Bendana,
Director, Centre for International
Studies, Nicaragua

Dr. Carlos Augusto Herrera Rodriguez,
Superior Public Attorney of the
Republic of Panama, Panama

APPENDIX III

Call upon Afghanistan, issued at the conclusion of the third regional workshop of the Panel of Governmental Experts on Small Arms, held at Kathmandu on 22 and 23 May 1997

1. We, the invitees to the third regional workshop of the Panel of Governmental Experts on Small Arms associate ourselves with the joint appeal issued at Pretoria on 25 September 1996 and the statement signed in San Salvador on 17 January 1997.
2. We share the growing concern among other subregions over the globalization of crime, the transboundary movement of illicit and covert arms trade, and the operational parallelism between contraband drug deals and weapons transfers.
3. Our compelling attention in the subcontinent goes to Afghanistan which epitomizes the destabilizing consequences of the excessive accumulation, proliferation and use of small arms. Afghanistan today is the world's leading centre for unaccounted weapons, with at least 10 million in circulation within the country. Between 550 and 700 of the 1,000 stinger missiles supplied during the 1980s have simply disappeared among the rugged mountainous terrain of Afghanistan and could reemerge anywhere in the subregion or outside it. Roughly one half of the weapons constantly changing hands within Afghanistan arrived there during the cold war, mostly in state-to-state transfers. At present, nearly 60 per cent of the weapons flowing into the country is due to illicit deals involving a circuitous network of manufacturers, buyers, suppliers and distributors operating outside the control of state authority. The domestic manufacture of weapons, once considered a cottage industry in Afghanistan, is no longer as lucrative a trade in view of the cheaper and wider variety of weapons readily available from external sources.
4. The end of the cold war has not taken away the geo-strategic significance of Afghanistan, located at the outer rim of resource-rich Central Asia and a possible conduit for future supply of natural gas to the subregion. Its long, unmanned and porous territorial frontiers provide an easy inlet by which to move, sell or transfer the surplus weaponry from the countries former members of the Union of Soviet Socialist Republics. Its fiercely independent people are inclined and equipped to defend their freedom by resorting to arms when necessary. The easy availability of weapons and ammunition to rival factions in Afghanistan is a disincentive to the peaceful political settlement that is sorely overdue to resolve a two-decade-old conflict. As in other protracted internal conflicts fought with light weapons and irregular forces, civilians are the major victims in Afghanistan. Those who have fled as refugees now number 15 million. Among those who have stayed are another 21.6 million of internally displaced persons.
5. The spillover from the continuing inflow of weapons and ammunition to Afghanistan eats away at the political and social fabric of a subcontinent inhabited by one fifth of humanity.

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Weapons originating in Afghanistan have been used in acts of terror, subversion, criminality and banditry throughout South Asia. Harmonization of state-to-state relations is hindered by the activities of non-state actors operating at times in collusion with organized crime networks and providing financial, ideological or logistical support to each other. An alarming increase in delinquency and drug addiction is threatening to claim the energies and human resource potential of younger population in the subregion flanked by Myanmar, as the largest, and Afghanistan, as the second largest producer of opium in the world. Money raised by the sale of drugs is used to buy weapons to feed insurgencies, fight armed conflicts and commit banditry. The borderlines between political and criminal violence become blurred as precious time is lost in waiting for the overall settlement of long-standing issues which become more entangled as the search continues for a lasting resolution of problems firmly entrenched in history.

6. United in a commonly shared concern for the lives and well-being of the people of the subregion:

(a) We call upon the Panel of Governmental Experts on Small Arms to launch a worldwide campaign to raise global consciousness of the consequences of the inflow to, and outflow of, weapons from Afghanistan;

(b) We urge the United Nations to convene an inter-Afghan forum for the preparation of a strict schedule to account for, retrieve or destroy the weapons left unaccounted for in the country;

(c) We express our earnest hope that bilaterally and severally all countries in the subregion would pool their expertise to monitor, control and apprehend criminal activity related to illicit purchase, sale and transfer of small arms;

(d) We request the Chairman of the Panel of Governmental Experts on Small Arms to append the present call in its entirety to the report of the Secretary-General to be submitted to the General Assembly in pursuance of its resolution 50/70 B.

(Signed)

Brigadier Muhammad S. Anam Khan,
Director General, Bangladesh Institute of
International and Strategic Studies, Dhaka

Rohan Gunaratna (Sri Lanka),
British Chevening Scholar, University of
St. Andrews, United Kingdom of Great Britain and
Northern Ireland

Colonel Nara Bahadur Gurung,
Royal Nepalese Army, Kathmandu

Niaz A. Naik,
Secretary General, Pakistan Security and
Development Association, Islamabad

Jasjit Singh,
Director, Institute for Defence Studies and
Analyses, New Dehli

APPENDIX IV

**Persons invited to the regular sessions and regional workshops
of the Panel of Governmental Experts on Small Arms**

Brigadier Mujamid Alam
International Commission of Inquiry on Rwanda

Mr. Ian Anthony
Project Director, International Arms Trade
Stockholm International Peace Research Institute
Frosunda Solna, Sweden

Mr. Tika Ram Aryal
Under Secretary, Ministry of Defense
Kathmandu

Mr. Rodrigo Avila
Director of National Civil Police
San Salvador

Mr. Durga Prasad Bhandari
Ministry of Foreign Affairs
Kathmandu

Mr. P. Batchelor
Centre for Conflict Resolution
Cape Town, South Africa

Dr. Alejandro Bendaña
Director, Centre for International Studies
Managua

Lieutenant Colonel H. J. Boshoff
Directorate Operations
South African National Defence Force
Pretoria

Supr. W. Brand
Firearms Investigation Unit
South African Police Service
Pretoria

Colonel Peter Brandt
Military Attache
Embassy of Germany in Mexico

Mr. A. Burger
Director
Central Firearms Register
South African Police Service
Pretoria

Dr. Jose Marinero Caceres
Ministry of External Affairs
San Salvador

Mr. Eduardo Calix
Ministry of External Affairs
San Salvador

Ambassador Ricardo G. Castaneda-Cornejo
Permanent Representative of El Salvador to the United Nations

Professor J. Cock
University of the Witwatersrand
Johannesburg, South Africa

Captain E. B. Dewey
Firearms Investigation Unit, SAPS
Pretoria

Dr. Timothy L. L. Dlamini
Principal Secretary, Ministry of Defence
Mbabane

Dr. Mario Castellon Duarte
Minister Counsellor
Permanent Mission of Nicaragua to the United Nations

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Mr. Lee Feinstein
Policy Planning Staff
United States Department of State
Washington, D.C.

Ambassador Fabiola Fuentes Orellana
Deputy Permanent Representative of Guatemala to the United Nations

General Mohamed Nur Galal
Somalia

Virginia Gamba
Institute of Security Studies
Midrand, South Africa

Natalie Goldring
British American Security Information Council
Washington, D.C.

Mr. Francisco Gonzalez
Ministry of External Affairs
San Salvador, El Salvador

Colonel Felix Ranulfo Ramirez Gonzalez
Ministry of Defense
San Salvador, El Salvador

Mr. Rohan Gunaratna
Scholar in Residence
University of St. Andrews
United Kingdom of Great Britain and Northern Ireland

Colonel Nara Bahadur Gurung
Royal Nepalese Army
Kathmandu

Mr. David Gutierrez
Coordinator, Movimiento Patriótico Contra la Delincuencia
San Salvador

Mr. Kumar P. Gyawali
Foreign Secretary
Ministry of Foreign Affairs of Nepal

Mr. James Hayes
Coordinator, International Firearms Issues
Canadian Firearms Centre
Ottawa

Professor M. Hough

Report of the Group of Governmental Experts on Small Arms
(A/54/258)

FOREWORD BY THE SECRETARY-GENERAL

Small arms and light weapons are the weapons of choice in many contemporary conflicts. This is particularly the case in internal conflicts involving insurgent militias fighting government forces. Small arms are widely used in conflicts in which a high proportion of the casualties are civilians, and in which violence has been perpetrated in gross violation of international humanitarian law. This has led to millions of deaths and injuries, the displacement of populations, and suffering and insecurity around the world.

Hundreds of thousands of children have been among the victims of small arms and light weapons, or have been exploited as participants in conflicts in which these arms are used. Although accumulations of such weapons by themselves do not cause the conflicts in which they are used, their easy availability tends to exacerbate and increase the lethality of conflicts and obstruct development and relief assistance efforts. Such availability has also endangered the lives of United Nations peacekeepers, humanitarian aid workers and non-governmental partners. While regions such as Africa and the Americas have been affected more than others, the proliferation of small arms and light weapons knows no boundaries.

The United Nations has played a leading role in raising awareness and understanding of the excessive and destabilizing accumulation and transfer of small arms and light weapons, and in promoting international efforts to address this problem. In 1995, the General Assembly requested the Secretary-General to prepare a report with the assistance of a panel of experts on the nature and causes of such accumulations and transfers and on ways and means to prevent and reduce them. In its 1997 report (A/52/298, annex), the Panel of Governmental Experts on Small Arms found that virtually every part of the United Nations system is dealing with the direct and indirect consequences of recent armed conflicts fought mostly with small arms and light weapons.

The report of the Panel acted as a catalyst to place the issue of small arms and light weapons firmly on the international agenda, and the United Nations has continued to encourage and support all efforts to address the wide-ranging problems posed by such weapons. In December 1997, the General Assembly requested me to prepare, with the assistance of a group of governmental experts, a report on the progress made in the implementation of the recommendations of the 1997 report, and on further actions recommended to be taken.

The Group of Governmental Experts on Small Arms has prepared, and adopted by consensus, a substantial and well-considered report that helps to carry forward the work of the United Nations in preventing and reducing the excessive and destabilizing accumulation

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of small arms and light weapons. I am very grateful to the members of the Group for their conscientious and constructive work.

It is my hope that the quality of the report of the Group, and the unanimity with which it is presented by the members of the Group, will be recognized by a strong welcome and endorsement by the General Assembly. In the lead-up to the international conference on the illicit arms trade in all its aspects, the Group's report is an important contribution to the development of an international consensus on ways and means to effectively combat and prevent illicit arms trafficking and transfers of small arms and light weapons.

Letter of transmittal dated 3 August 1999 from the Chairman
of the Group of Governmental Experts on Small Arms
addressed to the Secretary-General

I have the honour to submit herewith the report of the Group of Governmental Experts on Small Arms. The Group was appointed by you in pursuance of paragraph 5 of General Assembly resolution 52/38 J of 9 December 1997.

In April 1998, you appointed, on the basis of equitable geographical representation, the following governmental experts:

Maria Angélica Arce de Jeannet
Minister, Permanent Mission of Mexico to the United Nations
New York

Lieutenant Colonel Rabah Bekhti
Commandement de la Gendarmerie nationale
Ministry of Defence
Algiers

Lieutenant Colonel François-Xavier Bourges
Special Assistant, Department of Strategic Affairs, Security and Disarmament
Ministry of Foreign Affairs
Paris

Herbert L. Calhoun
Senior Foreign Affairs Specialist
Department of State
Washington, D.C.

Mitsuro Donowaki
Ambassador and Special Assistant to the Minister for Foreign Affairs
Tokyo

Carlos dos Santos
Permanent Representative of the Republic of Mozambique to the United Nations
New York

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Marcelo Della Nina (First session)
Third Secretary
Mission of Brazil to the European Union
Brussels

Mark E. Gaillard
Non-Proliferation, Arms Control and Disarmament Division
Department of Foreign Affairs and International Trade
Ottawa

Alaa Issa (Third session)
First Secretary, Cabinet of the Foreign Minister
Ministry of Foreign Affairs
Cairo

Mahmoud Karem (First and second sessions)
Deputy Assistant Foreign Minister for Disarmament Affairs
Ministry of Foreign Affairs
Cairo

Pyotr G. Litavrin
Head of Division, Department for Security and Disarmament Affairs
Ministry of Foreign Affairs
Moscow

Bennie J. Lombard
Deputy Director
Directorate, Non-proliferation and Disarmament
Department of Foreign Affairs
Pretoria

Oleg Loptenok
Head of the External Policy Planning Department
Ministry of Foreign Affairs
Minsk

Luiz Filipe de Macedo Soares (Second and third sessions)
Ambassador of Brazil to Norway
Oslo

André Mernier
Ambassador and Permanent Representative of Belgium to the Conference
on Disarmament
Geneva

Janaka B. Nakkawita
Ambassador and Deputy Permanent Representative
Permanent Mission of the Democratic Socialist Republic of Sri Lanka
to the United Nations
New York

Hamid Baeedi-Nejad
Head, Disarmament Department
Ministry for Foreign Affairs
Tehran

Johan Nordenfelt
Ambassador for Disarmament
Global Security Department
Ministry for Foreign Affairs
Stockholm

Pasi Patokallio
Ambassador of Finland to Israel and Cyprus
Tel Aviv

Lieutenant Colonel Spencer Phua (Second and third sessions)
Deputy Director (Defence Studies)
Ministry of Defence
Singapore

Colonel (GS) Wolfgang Richter
Armed Forces Centre for Verification
Head of the Treaty on Conventional Armed Forces in Europe and Intermediate
Nuclear Forces Treaty Division
Geilenkirchen, Germany

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Yuri Sterk (Second and third sessions)
Director, North Atlantic Treaty Organization, Western European Union and
Security Issues Directorate
Ministry of Foreign Affairs
Sofia

Graciela Uribe de Lozano
Coordinator of Disarmament Affairs
Ministry of Foreign Relations
Bogota

Emil Valev (First session)
Director, United Nations and Disarmament Department
Ministry of Foreign Affairs
Sofia

Sir Michael Weston KCMG CVO
Former Permanent Representative of the United Kingdom of Great Britain and
Northern Ireland to the Conference on Disarmament
Tunbridge Wells, United Kingdom of Great Britain and Northern Ireland

Jiagu Xiang
First Secretary
Permanent Mission of the People's Republic of China to the United Nations
New York

Major Yoke Chuang Yong (First session)
Head, Policy Research Branch
Ministry of Defence
Singapore

The report was prepared between 26 May 1998 and 30 July 1999. During that period, the Group held three sessions: the first in New York from 26 to 30 May 1998; the second at Geneva from 22 to 26 February 1999; and the third in New York from 21 to 30 July. The Group also met at Tokyo, from 7 to 9 September 1998 and from 31 May to 3 June 1999, at the invitation of the Government of Japan, and at Geneva, from 18 to 20 February 1999, at the invitation of the Government of Switzerland.

The Group wishes to express its appreciation for the excellent support that it received from the members of the United Nations Secretariat. It expresses its thanks to the Under-Secretary-General for Disarmament Affairs, Jayantha Dhanapala, Swadesh Rana, Chief,

Conventional Arms Branch, and David Biggs, Political Affairs Officer, Conventional Arms Branch, Department for Disarmament Affairs. Its special appreciation goes to the consultant, Owen Greene.

I have been requested by the Group of Governmental Experts, as its Chairman, to submit to you, on its behalf, the present report, which was adopted unanimously.

(Signed) Mitsuro Donowaki
Chairman of the Group of
Governmental Experts on Small Arms

I. INTRODUCTION

1. Pursuant to General Assembly resolution 50/70 B of 12 December 1995, a panel of governmental experts on small arms was established in April 1996. Its task was to assist the Secretary-General in the preparation of a report on: (a) the types of small arms and light weapons actually being used in conflicts being dealt with by the United Nations; (b) the nature and causes of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade; and (c) the ways and means to prevent and reduce the excessive accumulation and transfer of small arms and light weapons, in particular as they cause and exacerbate conflict. The report, transmitted to the General Assembly at its fifty-second session (A/52/298, annex), addressed each of those issues and was endorsed by the Assembly in its resolution 52/38 J of 9 December 1997.

2. In paragraph 5 of the above-mentioned resolution, the General Assembly requested the Secretary-General to prepare, with the assistance of a group of governmental experts, a report on the progress made in the implementation of the recommendations of the previous report on small arms and further actions recommended to be taken, which would be submitted to the General Assembly at its fifty-fourth session. The two questions are considered in sections III and IV, respectively, of the present report.

3. By resolution 52/38 J, the Assembly endorsed the recommendations contained in the 1997 report on small arms, and called upon all Member States to implement the relevant recommendations to the extent possible and where necessary in cooperation with appropriate international and regional organizations and/or through international and regional cooperation among police, intelligence, customs and border control services.

4. Further, the Assembly requested the Secretary-General to implement the relevant recommendations contained in the report and to seek the views of Member States on the report and, in particular, on the recommendation concerning the convening of an international conference on the illicit arms trade in all its aspects, in time for consideration by the Assembly at its fifty-third session.

5. In considering the latter recommendation at its fifty-third session, the Assembly, by resolution 53/77 E of 4 December 1998, decided to convene an international conference on the illicit arms trade in all its aspects no later than 2001. By the same resolution, it requested the Secretary-General to prepare a report containing his recommendations to be submitted to the Assembly at its fifty-fourth session, with a view to a decision by the Assembly at that session on the objective, scope, agenda, dates, venue of and preparatory committee for such a conference. The Assembly also requested the Secretary-General to take into account his 1997 report on small arms, as well as relevant recommendations to be made in his report to be

submitted to the General Assembly at its fifty-fourth session. The relevant recommendations are set out in section V of the present report.

6. In accordance with paragraph 5 of resolution 52/38 J, the Secretary-General appointed, in April 1998, a group of governmental experts from 23 States: Algeria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Colombia, Egypt, Finland, France, Germany, Islamic Republic of Iran, Japan, Mexico, Mozambique, Russian Federation, Singapore, South Africa, Sri Lanka, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

7. The Group of Governmental Experts on Small Arms held three sessions: from 26 to 29 May 1998, in New York; from 22 to 26 February 1999, at Geneva; and from 21 to 30 July 1999, in New York. The Group also met twice at workshops convened at Tokyo by the Government of Japan (from 7 to 9 September 1998 and from 31 May to 3 June 1999), and once at a workshop hosted at Geneva by the Government of Switzerland (from 18 to 20 February 1999). In the course of those meetings, the Group met with academic experts and representatives of non-governmental organizations and industry.

8. The Group took account of the replies received from Member States in response to the requests made by the Secretary-General in pursuance of Assembly resolutions 52/38 J and 53/77 E.¹ It also was briefed and received information from relevant United Nations bodies and other relevant sources.

9. The Group noted the complementarity of its mandate with the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, established by the General Assembly in resolution 53/111 of 9 December 1998. Pursuant to Economic and Social Council resolution 1998/18 of 28 July 1998, one of the tasks of the Ad Hoc Committee would be to elaborate, within the context of a United Nations convention against transnational organized crime, and international instrument to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. A draft protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials, supplementary to the United Nations convention on transnational organized crime currently under consideration by the Ad Hoc Committee, is not expected to apply to State-to-State transactions or transfers for purposes of national security (A/AC.254/4/Add.2/Rev.1, art. IV). The Group avoided unnecessary overlap with the work of the Ad Hoc Committee, and noted that the mandates of the Ad Hoc Committee and of the Group were both complementary and mutually reinforcing.

10. The mandate entrusted to the Group was carried out without prejudice to the positions taken by Member States on, or the importance allocated by them to, the priorities accorded to nuclear disarmament, weapons of mass destruction and conventional disarmament.

11. In the implementation of all of the recommendations contained in the present report, the principles of the Charter of the United Nations should be fully observed.

II. OVERVIEW

12. Globally, it has been estimated that more than 500 million small arms and light weapons are in existence.² They continue to be produced in large numbers, mostly in developed countries, although they are now manufactured in over 70 countries on an industrial scale and in numerous countries as a craft industry.³ Small arms and light weapons are standard equipment for armed forces and internal security forces in every country. The excessive and destabilizing accumulation and transfer of small arms and light weapons is, however, closely related to the increased incidence of internal conflicts and high levels of crime and violence.⁴

13. Small arms and light weapons⁵ have a number of characteristics that make them the weapons of choice in many contemporary conflicts, in particular in internal conflicts and activities involving insurgent forces, criminal gangs and terrorist groups. They are increasingly lethal, are relatively cheap, easily portable and concealable and, in most cases, require minimal maintenance and logistical support and they can therefore be operated relatively easily. In many regions, they are widely available through illegal, as well as legal, channels.

14. Small arms and light weapons have been or are the primary or sole tools of violence in several of the armed conflicts dealt with by the United Nations, in particular where fighting involves irregular troops among the conflicting parties. They are widely used in conflicts in which violence has been perpetrated in violation of domestic law and the norms of international humanitarian law, and in which a high proportion of the casualties are civilians. This has led to millions of deaths and injuries, the displacement of populations, and suffering and insecurity around the world.

15. Of particular concern is the fact that hundreds of thousands of children have been among the victims of small arms and light weapons. By 1999, more than 300,000 children under 16 years of age were estimated to have been exploited as participants in armed conflict using these arms.⁶

16. As noted in the 1997 report on small arms, accumulations of small arms and light weapons by themselves do not cause the conflicts in which they are used. They can, however, exacerbate and increase their lethality. These conflicts have underlying causes which arise from a number of accumulated and complex political, commercial, socio-economic, ethnic, cultural and ideological factors. Such conflicts will not be finally resolved without addressing the root causes.

17. Virtually every part of the United Nations system is dealing in one way or another with the consequences of the armed conflicts, insecurity, violence, crime, social disruption, displaced peoples and human suffering that are directly or indirectly associated with the wide availability and use of these weapons. They thus consume large amounts of the resources of the United Nations, and endanger United Nations personnel and humanitarian relief operations. Moreover, the insecurity associated with the wide availability of small arms impedes or undermines cooperative programmes to promote development, post-conflict reconstruction, and disarmament, demobilization and reintegration of ex-combatants.

18. Among the main factors contributing to the availability of small arms and light weapons is the increase in the number of legitimate producers of such weapons combined with continuing illegitimate arms manufacturing. There are numerous sources of newly manufactured small arms and light weapons located in all regions of the world, in many cases as a result of transfer of technology and manufacturing licences from existing producers. At the same time, a large proportion of the accumulation and flow of small arms and light weapons is constituted by recirculated weapons or arms from existing stockpiles.

19. One factor contributing to the availability of small arms and light weapons in many areas is their earlier supply by cold war opponents. Much of the supply and acquisition of arms in regions of conflict dealt with by the United Nations has been conducted by Governments or by legal entities authorized by Governments. Some States have exercised insufficient control and restraint over transfers or holdings of small arms and light weapons. Moreover, arms supplies associated with foreign interference in areas of conflict are still a feature of current realities. In general, the lines of supply often are complex and difficult to monitor, facilitated by the relative ease with which transfers of small arms and light weapons can be concealed.

20. The illicit trafficking and circulation of small arms and light weapons throughout the world is not only a major source of insecurity but also impedes socio-economic development. Illicit arms supply networks often involve legal arms purchases or transfers which are subsequently diverted to unauthorized recipients, or leakage from arms storage facilities. Arms brokers play a key role in such networks, along with disreputable transportation and finance companies. Illicit arms trafficking can sometimes be helped by negligent or corrupt governmental officials and by inadequate border and customs controls. Smuggling of illicit arms by criminals, drug traffickers, terrorists, mercenaries or insurgent groups is also an important factor. Efforts to combat illicit arms trafficking are in some cases hampered by inadequate national systems to control stocks and transfers of arms, shortcomings or differences in the legislation and enforcement mechanisms between the States involved, and a lack of information exchange and cooperation at the national, regional and international levels.

III. Progress made in the implementation of the recommendations
of the Panel of Governmental Experts on Small Arms

21. The Group of Governmental Experts on Small Arms reviewed the progress made in implementing each of the 24 recommendations contained in the report of the Panel of Governmental Experts on Small Arms and endorsed by the General Assembly in resolution 52/38 J (A/52/298, chap. V). The recommended reduction measures (A/52/298, para. 79) were aimed primarily at regions of the world in which excessive and destabilizing accumulations and transfers of small arms and light weapons had already taken place. The recommended prevention measures (A/52/298, para. 80) were aimed at preventing such excessive and destabilizing accumulations and transfers from occurring in the future. Since this is an international problem, these prevention measures included measures to be taken by all States and do not only focus on regions emerging from conflict.

22. The Group noted that progress was being made at various levels, through the efforts of: (a) the United Nations; (b) other international forums; (c) regional and subregional organizations; and (d) Member States. Some of these efforts either pre-date or parallel the 1997 report on small arms; others duly take into account the recommendations contained in the 1997 report; while still others reinforce some of those recommendations.

A. United Nations

23. The Security Council has become closely engaged in reduction and prevention activities, in particular in the context of the implementation of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318). For example, in its resolution 1196 (1998) of 16 September 1998 the Council expressed its willingness to consider all appropriate measures to assist the effective implementation of United Nations arms embargoes and noted that measures such as inquiries into arms trafficking routes might be relevant. In resolution 1209 (1998) of 19 November 1998, on illicit arms flows to and in Africa, the Council encouraged the Secretary-General to explore means for collection, sharing and dissemination of information on illicit small arms flows and their destabilizing effects, in order to improve the international community's ability to prevent the exacerbation of armed conflicts and humanitarian crisis.

24. By its resolution 1161 (1998) of 9 April 1998, the Security Council requested the Secretary-General to reactivate the International Commission of Inquiry (Rwanda). In its final report, issued in November 1998, the Commission noted with interest the recommendations of the Panel of Governmental Experts on Small Arms and aligned itself with many of the recommendations (S/1998/1096, annex, para. 105).

25. By its resolution 1237 (1999) of 7 May 1999, the Security Council decided to establish two expert panels to collect information and investigate reports relating to the violation of the measures imposed against the União Nacional Para a Independência Total de Angola (UNITA) with respect to arms and related *matériel*, petroleum and petroleum products, diamonds and the movement of UNITA funds as specified in the relevant resolutions and information on military assistance, including mercenaries.

26. The Security Council has also considered the issue of small arms in the context of recent statements by the President of the Council. In the statement issued on 12 February 1999 on the protection of civilians in armed conflict (S/PRST/1999/6), the Council noted the deleterious impact of the proliferation of arms, in particular small arms, on the security of civilians, including refugees and other vulnerable populations. In the statement issued on 8 July 1999 on maintenance of peace and security and post-conflict peace-building (S/PRST/1999/21), the Council expressed serious concern that in a number of conflicts, armed fighting among various parties or factions continued despite the conclusion of peace agreements by the warring parties and the presence of United Nations peacekeeping missions on the ground. The Council recognized that a major contributory factor to such a situation had been the continued availability of large amounts of armaments, in particular small arms and light weapons, to conflicting parties.

27. In March 1998, the Group of Interested States was established in pursuance of paragraph 4 of General Assembly resolution 52/38 G of 9 December 1997 on "consolidation of peace through practical disarmament measures". Since then, the Group has held regular meetings, convened by the Government of Germany, and has provided financial, technical and political support for some practical disarmament projects, in cooperation with the Department for Disarmament Affairs of the United Nations Secretariat, the United Nations Development Programme (UNDP) and other bodies.

28. The *United Nations International Study on Firearm Regulation* was presented to the Commission on Crime Prevention and Criminal Justice in 1997,⁷ and subsequently helped to promote the initiation of negotiations for a legally binding instrument to combat illicit firearms trafficking. In January 1999, negotiations began towards the elaboration of an international instrument addressing the combating of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, in the context of the elaboration of a comprehensive international convention against transnational organized crime, in pursuance of Economic and Social Council resolution 1998/18 and of General Assembly resolution 53/111, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for those purposes. It is expected that negotiations for the firearms protocol will be completed by the end of 2000.

29. During its 1999 substantive session, the Disarmament Commission adopted by consensus the report of its third working group on guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N.⁸ Several of the guidelines are relevant to measures to address the accumulation and spread of small arms and light weapons and primarily relate to the consolidation of peace in post-conflict situations. They are to be applied on a voluntary basis and with the consent of States concerned.

30. The United Nations has supported a range of measures in West Africa to address problems associated with excessive and destabilizing accumulations of small arms and light weapons. The Department of Political Affairs of the United Nations Secretariat, the Department for Disarmament Affairs, UNDP and the United Nations Institute for Disarmament Research (UNIDIR) have cooperated with the Government of Mali and its neighbours in their efforts to tackle such problems and to implement a proportional and integrated approach to security and development. Since 1997, they have worked with the member States of the Economic Community of West African States (ECOWAS) and States providing development assistance to adopt and establish the Programme for Coordination and Assistance on Security and Development in West Africa, and to facilitate the agreement in October 1998 by ECOWAS member States of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa (see para. 51 below).

31. Within the United Nations Secretariat, the Department for Disarmament Affairs has been designated as the focal point to coordinate action on small arms within the United Nations system. In June 1998, the Coordinating Action on Small Arms mechanism was established for the purposes of consultation, information exchange and priority setting among the United Nations departments and agencies with a comparative advantage in pursuing agreed strategies on small arms. In this context, a range of coordinated activities has been developed, for example, in the areas of public information, weapons collection, and monitoring and reducing the humanitarian impact. In October 1998, the Department created a home page on the Internet devoted to conventional arms, in particular small arms (<http://www.un.org/Depts/dda/CAB/index.htm>).

32. In the course of various peacekeeping operations, the Department of Peacekeeping Operations of the United Nations Secretariat has acquired considerable experience in the area of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. Using input from various United Nations missions fielded since 1989, the Department produced a major study in July 1999 to provide a coherent framework of general principles, practical guidelines and illustrative experience for the effective planning, management implementation and monitoring of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.

33. On the basis of a request by the General Assembly in its resolution 52/38 J, the Secretary-General in 1998 appointed a group of experts to study the problem of ammunition and explosives in all its aspects. The group's report was completed in June 1999 and has been submitted by the Secretary-General to the General Assembly for consideration at its fifty-fourth session (A/54/155). In pursuance of resolution 53/77 E of 4 December 1998, in which the Assembly requested the Secretary-General to initiate a study on the feasibility of restricting the manufacture and trade of small arms to the manufacturers and dealers authorized by States, the Department for Disarmament Affairs convened, in late May 1999, a two-day consultative meeting of qualified experts to examine the feasibility of carrying out such a study. The outcome of those consultations is contained in that group's report which is also to be considered by the Assembly at its fifty-fourth session (A/54/160). In pursuance of General Assembly resolution 53/77 T of 4 December 1998, on illicit traffic in small arms, the Department for Disarmament Affairs, in collaboration with the United Nations regional centres for peace and disarmament in Latin America and the Caribbean and in Africa, convened workshops in June and August 1999, as part of the Secretary-General's mandate to conduct broad-based consultations on illicit trafficking in small arms.

34. Acting on a proposal of the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat, a working group of the Inter-Agency Standing Committee of the Administrative Committee on Coordination created, in November 1998, the reference group on small arms to develop a coordinated approach among members of the Standing Committee on the specific humanitarian implications of small arms and light weapons. The Standing Committee, chaired by the Emergency Relief Coordinator, is the main forum for the major humanitarian agencies to ensure inter-agency decision-making in response to complex emergencies. The general objectives of the reference group on small arms are to facilitate the collection of reliable data on the accumulation and spread of small arms and light weapons, and subsequently to develop joint advocacy strategies.

B. Other international forums

35. In May 1997, the Task Force of the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD) adopted new guidelines on peace, conflict and development, to promote best practices amongst donors in providing support in regions of conflict or to countries emerging from war. In 1998–1999, the Development Assistance Committee embarked on further work to refine and develop an understanding of how to implement these guidelines in order to promote effective assistance to regions emerging from conflict in which there are urgent problems associated with small arms and light weapons proliferation.

36. In November 1997, the World Bank established a post-conflict unit to clarify and facilitate ways in which countries might be assisted technically and financially in the

transition from war to peace. The World Bank has supported a number of projects in such countries, including programmes to assist with mine clearance and with the demobilization and integration of ex-combatants. In 1999, the World Bank convened an expert meeting on security and development from 18 to 20 March 1999, and a similar meeting involving its senior management on 29 June 1999, to clarify ways in which the World Bank and other international financial institutions could support programmes to promote a safe and secure environment in conflict-prone countries, so as to facilitate and enable poverty-alleviation and development.

37. From 13 to 14 July 1998, under the auspices of the Governments of Norway and Canada, representatives of 21 States met at Oslo to discuss the problem of small arms and to examine the types of action that might be taken by concerned Governments. The 21 participating States issued a document entitled "An international agenda on small arms and light weapons: elements of a common understanding".

38. On 12 and 13 October 1998, the Government of Belgium hosted the International Conference on Sustainable Disarmament for Sustainable Development at Brussels. Representatives of 95 Governments and over 100 international and non-governmental organizations participated in the Conference. The final document of the Conference, "The Brussels Call for Action", called for an international programme of action on practical disarmament and peace-building (see A/53/681, annex).

C. Regional and subregional organizations

39. In November 1997, the member States of the Organization of American States (OAS) signed the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (see A/53/78, annex). The Convention came into force in 1998 with the required ratification by two of its signatories, and sets forth a set of substantial measures to combat illicit arms trafficking. The Convention has been reinforced by the adoption by the member States of the OAS Inter-American Drug Abuse Control Commission of model regulations for the control of the international movement of firearms, their parts, components and ammunition.

40. Among others, the OAS Convention has provisions related to definitions, including those of "firearms" and "illicit trafficking"; the adoption of national legal action to establish as criminal offences the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials; requirements, at the time of manufacture of firearms, for appropriate marking of the name of manufacturer, the place of manufacture, and serial number to facilitate their tracing and identification, as well as markings on imported arms and markings on any confiscated firearms; and the exchange among States parties of

information on authorized producers, dealers, importers, exporters and carriers of firearms, ammunition, explosives, and other related materials.

41. A workshop on “Illicit Traffic in Small Arms: Latin American and Caribbean issues” was held at Lima, from 23 to 25 June 1999. It was organized by the Department for Disarmament Affairs through the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean as part of the Secretary-General’s mandate under General Assembly resolution 53/77 T to conduct broad-based consultations on illicit trafficking in small arms.

42. Member States of the Common Market of the Southern Cone (MERCOSUR) (Argentina, Brazil, Paraguay and Uruguay) and associated States (Bolivia and Chile) signed, on 24 July 1998, a memorandum of understanding that created a joint register mechanism of buyers and sellers of firearms, explosives, ammunition and related materials.

43. In June 1999, the First Summit Conference of Heads of State and Government of Latin America and the Caribbean and the European Union, held at Rio de Janeiro, Brazil, adopted the Declaration of Rio de Janeiro which declared the special importance of the fight against the excessive and destabilizing accumulation of small arms and light weapons, and their uncontrolled dissemination. The Conference also emphasized, among its priorities for action, that a serious challenge to the international community was raised by the combination of conflicts with uncontrolled dissemination of small arms. In this context, the Conference welcomed the joint action on small arms of the European Union (see para. 48 below), as well as the Inter-American Convention (see paras. 39 and 40 above).

44. The member States of the Organization for Security and Cooperation in Europe (OSCE), working through its Forum for Security Cooperation, are at present formulating a contribution dealing with the problem of small arms and light weapons, to be adopted by the OSCE summit meeting which will be held at Istanbul in late 1999. To this end, the Forum for Security Cooperation has decided to conduct a study of the various proposals relating to small arms and light weapons made by OSCE member States, with the aim of agreeing on a set of specific measures that might be taken. At the same time, the Forum decided to convene a seminar no later than March 2000 to examine the proposed measures.

45. The Euro-Atlantic Partnership Council (EAPC), the political forum of the member States of the North Atlantic Treaty Organization and its Partnership for Peace programme, has included in its 1998–2000 Action Plan the issues of small arms and light weapons. In accordance with the Action Plan, EAPC, in April 1999, established an ad hoc working group on small arms which, in its work programme, has identified three subjects for further detailed study: stockpile management and security; best practices with respect to national export

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controls; and disarmament of small arms and light weapons in the context of peacekeeping operations.

46. In June 1997, the Council of the European Union established the Programme for Combating and Preventing Illicit Trafficking in Conventional Arms. Part of this Programme is focused on preventing illicit arms trafficking from or through the European Union itself, while other parts are focused on increasing Union support for such efforts in other regions and on contributing to security and development in regions emerging from conflict.

47. In June 1998, the European Union Code of Conduct on Arms Exports was adopted, which elaborated criteria for licensing transfers of all types of arms and military equipment and established mechanisms for the exchange of information and consultation on these matters among member States of the European Union.

48. On 17 December 1998, the Council of the European Union adopted a legally binding joint action on the contribution of the Union to combating the destabilizing accumulation and spread of small arms and light weapons. The objectives of the joint action are: (a) to combat and contribute to ending the destabilizing accumulation and spread of small arms and light weapons; (b) to contribute to the reduction of existing accumulations of these weapons to levels consistent with the legitimate security needs of countries; and (c) to help those regions suffering from the problems associated with excessive accumulation and spread of small arms to tackle them.

49. The associated States of the European Union and the member States of the European Free Trade Association have aligned themselves with the three above-mentioned actions, and the Government of South Africa has aligned itself with the 1998 joint action on small arms. In implementing these actions, the European Union and its member States have carried out a variety of activities, including programmes to cooperate with Albania and countries in southern and West Africa in their efforts to address the problems associated with the spread of small arms and light weapons.

50. In Africa, the Organization of African Unity (OAU) adopted a decision on the proliferation of small arms and light weapons in June 1998, stressing the role that OAU should play in coordinating efforts to address the problem in Africa and requesting the Secretary-General of OAU to prepare a comprehensive report on this issue.⁹ On 14 July 1999, the Assembly of Heads of State and Government of OAU adopted a decision on the illicit proliferation, circulation and illicit trafficking of small arms and light weapons which, *inter alia*, calls for a coordinated African approach to the problems addressed by the decision, and requested the OAU secretariat to organize a preparatory conference of continental experts on this matter.

51. In October 1998, building on initiatives by the Government of Mali and countries of the Sahara and the Sahel, the Heads of Government of States members of ECOWAS declared a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons, lasting in the first instance for three years.¹⁰ Through cooperation among the United Nations, donors and ECOWAS member countries, the Programme for Coordination and Assistance for Security and Development was developed, and a plan of action for its implementation was agreed upon by ECOWAS Foreign Ministers at Bamako, on 24 March 1999, together with a code of conduct for the implementation of the ECOWAS Moratorium.¹¹

52. In southern Africa, bilateral and trilateral cooperation has developed substantially since 1997 on problems related to small arms proliferation and illicit arms trafficking, for example, among South Africa, Mozambique and Swaziland.¹² Such problems are beginning to be addressed within the framework of the Southern African Development Community (SADC), and programmes to enhance subregional cooperation among police, customs and other relevant agencies have been established through the Southern African Regional Police Chiefs Cooperation Organization. In November 1998, the Ministerial Meeting of SADC and the European Union endorsed a southern African regional action programme to tackle light arms proliferation and illicit arms trafficking, developed at a workshop of southern African and European Union officials and experts, which was held near Pretoria in May 1998.

53. In East Africa, operational cooperation among police, customs and border control officials to combat illicit arms trafficking and associated problems has developed significantly among the members of the East Africa Cooperation since 1997.

D. States

54. According to the information made available to the Group of Governmental Experts on Small Arms, a range of measures and initiatives have recently been taken by States. For example, the Governments of Argentina, Austria, Belgium, Bulgaria, Canada, Finland, Germany, Japan, Mali, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland have all sponsored international workshops or conferences to promote activities on problems associated with small arms proliferation or illicit arms trafficking.

55. A number of countries, including Australia, Belgium, Bulgaria, China, Colombia, Mexico, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, have established or reinforced inter-agency task forces or committees since 1997, so as to enhance coordination within their forces or committees since 1997, and to enhance, within their Governments, coordination of national policy on small arms or illicit arms trafficking issues. The Government of Mali, in cooperation with the United Nations, established precedent-setting programmes to integrate security and

development and to collect and destroy arms as part of the implementation of its national peace accord. The Governments of South Africa and Mozambique have, individually and jointly, adopted a range of measures to strengthen controls on small arms, to find and destroy arms caches and to establish voluntary weapon collection programmes. In 1999, a programme of weapons collection and destruction was established in Cambodia, involving two public weapon destruction events in March and June 1999, in which approximately 15,000 weapons were destroyed. In February 1999, the Government of South Africa announced its decision to destroy all surplus small arms in its possession (see A/54/70). These included about 260,000 automatic rifles and several hundred tonnes of ammunition.

56. A number of States have acted to strengthen legal or regulatory controls. For example, the Government of Algeria, in 1997–1998, strengthened its legislation controlling arms and ammunition, through laws and decrees.¹³ In Brazil in 1997, a law and decree came into force establishing a national system for registering firearms that are manufactured, imported or sold in the country and, in 1999, the Government sent to Parliament a bill restricting the sale of arms and ammunition.¹⁴ The Government of Belarus introduced new relevant legislation in 1998.¹⁵ In Bulgaria, two new laws came into force in 1995 and 1998, and a number of regulations were adopted during the period 1994–1998, improving State control on arms manufacturing and trade activities.¹⁶ Similarly, new and more stringent national regulations have recently come into force in China: on the control on guns within the country (October 1996) and on arms exports (January 1998).¹⁷ The Government of China has a policy of destroying all confiscated illicit arms and has recently intensified its efforts in this regard. In 1998, it destroyed about 300,000 such weapons. In 1998, the Government of France acted to reinforce governmental control over military and civilian arms and ammunition, and introduced more rigorous measures regulating the holding of arms by civilians.¹⁸ In the Russian Federation, a new law regulating, *inter alia*, the export of small arms, entered into force in 1998. The Government of the United States of America has taken a number of relevant national measures, including the intensification of controls over exports of firearms, ammunition and explosives to prevent their diversion to illicit purposes, and adopting legislation that tightened controls over arms brokers. All United States citizens, wherever located, and any person subject to United States law, must now register in order to engage in arms brokering activities and any such activities require the prior written approval of the United States Department of State.¹⁹

E. Progress made in implementing specific recommendations

57. The Group reviewed the progress made in the implementation of each of the 24 recommendations made by the Panel of Governmental Experts on Small Arms. It noted that most of the recommendations in the Panel's 1997 report, whether they were prevention or reduction measures, were closely related to each other and were potentially mutually

reinforcing. They could, therefore, can be more effectively carried out through the coordinated, consistent and sustained efforts of all members of the international community.

58. In general, most of the recommendations in the 1997 report were in the process of being implemented. A few recommendations had been almost completely implemented, while for a few others implementation had not yet begun. The degree of progress with respect to most of the recommendations was encouraging as a whole, but differed according to the nature of each recommendation and to whom it was addressed. In this context, the Group recognized that, while regions may sometimes benefit from the experience of other regions, the experience of one region could not be extended to other regions without taking into account the different characteristics of each region. A brief summary and evaluation of progress made with regard to each recommendation, based on the information made available to the Group, is set out below.

Reduction measures

Recommendations 1 and 2. *The United Nations should adopt a proportional and integrated approach to security and development, including the identification of appropriate assistance for the internal security forces initiated with respect to Mali and other West African States, and extend it to other regions of the world where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently. The donor community should support this new approach in regard to such regions of the world. (A/52/298, annex, para. 79 (a))*

59. While the Group recognizes that there is no agreed international definition of the concept of the proportional and integrated approach to security and development, it has been recognized that situations of insecurity and widespread violence negatively affect development and assistance programmes. For this reason, an approach to development programmes and actions that integrates security concerns may be useful in regions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently.

60. Some international organizations and States providing assistance for development have been implementing the above-mentioned approach at the request of affected States. The Group considers that this practical approach can be useful in some regions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently.

61. The Group believes that the proportional and integrated approach to security and development, while aimed at a secure environment for development, does not in itself imply

preconditions on development assistance or grounds for interference in the internal affairs of other States.

62. The United Nations and its agencies were closely involved with the development and adoption of a proportional and integrated approach to security and development with respect to Mali and neighbouring Sahara-Sahel countries, and have supported appropriate assistance for internal security forces in some of these countries. United Nations bodies cooperated in organizing a series of conferences and consultations in West Africa, leading to the establishment of the Programme for Coordination and Assistance on Security and Development, which is administered by UNDP. The aim of the Programme, in cooperation with ECOWAS, is to support efforts in West Africa to promote security and development in a proportional and integrated way, through the implementation of the related programme of action, and also of a code of conduct for the implementation of the West African moratorium.¹¹

63. Since 1997, support has increased substantially among countries and institutions providing development assistance for the proportional and integrated approach to security and development in regions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently. For example, this approach has been explicitly endorsed by the European Union and most major donor countries, and in the Brussels Call for Action issued at the International Conference on Sustainable Disarmament for Sustainable Development. The Development Assistance Committee of OECD has developed guidelines for providing aid in conflict-prone regions that are consistent with this approach. The United Nations Development Programme and numerous donor States have supported the proportional and integrated approach in West Africa.²⁰ Further, the United Nations administers trust funds established in 1998 to support projects consistent with this approach.²¹

64. Although support in principle for the proportional and integrated approach towards security and development has developed substantially, it has as yet been extended only to a few countries, principally in West Africa. Some States and institutions concerned may need to revise their policies and, where appropriate, carry out institutional or legal reforms to overcome obstacles to the effective implementation of this approach.

Recommendation 3. *The United Nations should support, with the assistance of the donor community, all appropriate post-conflict initiatives related to disarmament and demobilization, such as the disposal and destruction of weapons, including weapons turn-in programmes sponsored locally by governmental and non-governmental organizations. (A/52/298, annex, para. 79 (b))*

68. The Department of Peacekeeping Operations has substantial experience with ways and means to plan and implement disarmament measures in the context of peace missions. On the basis of experience gained from various United Nations missions fielded since 1989, the Lessons Learned Unit of the Department produced in July 1999 a document on disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. In substance, the document provides the two sets of guidelines that were recommended to be developed.

69. The above-mentioned document contains principles, practical guidelines and illustrative experiences clarifying how disarmament tasks should be a component of an integrated programme for disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. Disarmament tasks have been included on a case-by-case basis in the mandates of United Nations peacekeeping operations. The Security Council determines the mandate for such operations.

Recommendation 7. *States and regional organizations, where applicable, should strengthen international and regional cooperation among police, intelligence, customs and border control officials in combating the illicit circulation of and trafficking in small arms and light weapons and in suppressing criminal activities related to the use of these weapons. (A/52/298, annex, para. 79 (e))*

70. Since 1997, several regional and subregional organizations have taken measures to strengthen such cooperation, as outlined in section C above, including OAS, MERCOSUR, the European Union, the Euro-Atlantic Partnership Council, OAU, ECOWAS, SADC, the Southern African Regional Police Chiefs Cooperation Organization and East Africa Cooperation. Moreover, there have been a number of initiatives taken by States to strengthen bilateral and trilateral cooperation in these areas, for example, among South Africa, Mozambique and Swaziland, and between Mali and the Niger.

71. There has been significant progress made in several regions and States in implementing the above-mentioned recommendation. At the same time, most such cooperative arrangements are only recently established, and thus remain at an early stage of development and implementation. Although regional circumstances and needs vary, other regions and States may consider establishing similar arrangements. Moreover, as demonstrated by the case of Albania in 1997–1998, the illicit distribution and trafficking of small arms in one country often leads to proliferation of these weapons in neighbouring areas and other regions, and efforts to prevent this are likely to fail in the absence of adequate regional and international coordinated action. Assistance in capacity-building may be required to enable developing countries and countries in transition to participate effectively in such cooperative programmes.

65. In recent years, demobilization and reintegration have received increasing attention in United Nations peace operations. The collection and destruction of weapons have been included in some mandates of United Nations missions on a case-by-case basis, with varying degrees of success.²² Since 1998, the Group of Interested States (see para. 27 above) has provided support for some practical disarmament projects. It has paid special attention to promoting exchanges of national experience, and provided support to a workshop convened at Guatemala City in November 1998 on experiences in Central America with weapons collection and integration of former combatants into civil society and to a “train-the-trainers” seminar convened in Cameroon from 18 to 20 July 1998. In 1998 and 1999, the Group of Interested States provided political and financial support for a United Nations weapons collection pilot project in the Albanian district of Gramsh, which is aimed at the voluntary surrender of weapons by civilians in exchange for community development assistance. In April 1999, the Disarmament Commission adopted by consensus relevant guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N.⁸

66. The United Nations has thus supported, with donor assistance, a number of post-conflict activities since 1997 relating to disarmament, weapons collection, and safe storage, disposal and destruction of weapons. As experience in Albania, Central America and elsewhere shows, however, the number and scale of such programmes remains small compared with the apparent requirements.

Recommendation 4. *Once national conciliation is reached, the United Nations should assist in convening an inter-Afghan forum to prepare, inter alia, a schedule to account for, retrieve, and destroy the small arms and light weapons left unaccounted for in Afghanistan. (A/52/298, annex, para. 79 (c))*

67. National conciliation has not yet been reached, and so this recommendation could not yet be implemented.

Recommendations 5 and 6. *Two sets of guidelines should be developed to: (a) assist negotiators of peace settlements in developing plans to disarm combatants, and to include therein plans for the collection of weapons and their disposal, preferably by destruction; and (b) provide assistance to peacekeeping missions in implementing their mandates, based on peace settlements. Former peace negotiators and members of peacekeeping operations of the United Nations should be consulted in the preparation of such guidelines. In this connection, consideration should be given to the establishment of a disarmament component in peacekeeping operations undertaken by the United Nations. (A/52/298, annex, para. 79 (d))*

Recommendation 8. *The establishment of mechanisms and regional networks for information sharing for the purposes mentioned in recommendation 7 above should be encouraged. (A/52/298, annex, para. 79 (f))*

72. The establishment of regional networks for information sharing is envisaged as part of the implementation of the OAS Inter-American Convention of 1997 and the European Union Programme for Combating and Preventing Illicit Trafficking in Conventional Arms. The Programme is aimed at encouraging the development of such networks among ECOWAS members. Similarly, the Southern African Regional Police Chiefs Cooperation Organization and East Africa Cooperation aim to encourage the development of such networks in southern and East Africa, respectively.

Recommendation 9. *All small arms and light weapons which are not under legal civilian possession, and which are not required for the purposes of national defence and internal security, should be collected and destroyed by States as expeditiously as possible. (A/52/298, annex, para. 79 (g))*

73. Several States have adopted policies to collect and destroy some or all categories of surplus small arms and light weapons, in particular illegal arms. For example, the Government of China has an established policy to collect and destroy all illicit weapons and has recently intensified its efforts in this regard (see para. 56 above). The Government of South Africa has adopted the policy of routinely destroying confiscated illicit arms and, in 1999, a programme was initiated in Cambodia to collect and destroy illicit weapons. Most States, however, have not yet adopted this recommendation as government policy. The problems posed are of particular concern in regions in, or emerging from, conflict, where the practice of storing or selling such small arms and light weapons instead of destroying them expeditiously still appears to be widespread.

Prevention measures

Recommendation 10. *All States should implement the recommendations contained in the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, adopted by the Disarmament Commission in 1996.²³ (A/52/298, annex, para. 80 (a))*

74. In their replies to the Secretary-General in pursuance of General Assembly resolutions 52/38 J and 53/77 E, several States stated that they implement the guidelines adopted by the Disarmament Commission in their arms export control systems. The guidelines contain certain elements which are also reflected in the OSCE Principles Governing Conventional Arms Transfers and the European Union Code of Conduct on Arms Exports. The elements of the guidelines specifically concerned with combating illicit arms trafficking have been

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implemented through national measures and through regional arrangements among OAS member States, the European Union and associate States, and members of ECOWAS, SADC and East Africa Cooperation (see sect. C above).

75. Numerous Member States have both supported and taken steps to implement the guidelines adopted by the Disarmament Commission.²⁴ The continuing contribution, however, of arms transfers and unauthorized re-transfers to excessive and destabilizing accumulations of small arms and light weapons, and the scale of the problem of illicit arms trafficking, indicates that there is a need for all Member States fully to implement these guidelines.

Recommendation 11. *All States should determine in their national laws and regulations which arms are permitted for civilian possession and the conditions under which they can be used. (A/52/298, annex, para. 80 (b))*

76. In their replies to the Secretary-General in pursuance of General Assembly resolutions 52/38 J and 53/77 E, some States noted that their national laws and regulations were in accordance with this recommendation. Many States provided detailed information on their laws and regulations for the *United Nations International Study on Firearm Regulation*.²⁵ This study showed that there are wide differences among States as regards which types of arms are permitted for civilian possession, and as regards the circumstances under which they can legitimately be owned, carried and used. Such wide variations in national laws raise difficulties for effective regional or international coordination. Moreover, many States have yet to determine in their national regulations which arms are permitted or prohibited for civilian possession.

Recommendation 12. *All States should ensure that they have in place adequate laws, regulations and administrative procedures to exercise effective control over the legal possession of small arms and light weapons and over their transfer in order, inter alia, to prevent illicit trafficking. (A/52/298, annex, para. 80 (c))*

77. In their replies to the Secretary-General in pursuance of General Assembly resolutions 52/38 J, 53/77 E and 53/77 T, several States stated they had such controls in place. Several States have recently taken initiatives to strengthen such controls nationally, or as members of regional organizations (see sects. C and D above). Most States Members of the United Nations have not provided information on this matter. The continuing scale of the problem of illicit arms trafficking and possession in many regions shows that further efforts in this area are required.

Recommendation 13. *States emerging from conflict should, as soon as practicable, impose or reimpose licensing requirements on all civilian possession of small arms and light weapons on their territory. (A/52/298, annex, para. 80 (d))*

78. Several countries emerging from recent conflict have made substantial efforts in this regard, including Croatia, El Salvador, Georgia, Mali, Mozambique and South Africa. In many other cases, however, implementation of the above-mentioned recommendation appears to have been of low priority or to have proved beyond the capacity of the relevant authorities. Where licensing requirements have been reimposed, they have sometimes not been sufficiently stringent to place substantial limits on the availability of small arms and light weapons.

Recommendation 14. *All States should exercise restraint with respect to the transfer of the surplus of small arms and light weapons manufactured solely for the possession of and use by the military and police forces.²⁶ (A/52/298, annex, para. 80 (e))*

79. A number of States provided information to the effect that they exercise restraint with respect to the transfer of all small arms and light weapons, including surplus arms. Some States stated that they exercise particular restraint in relation to transfers of surplus arms. Awareness of this need remains inadequate, however, and some national authorities continue to exercise insufficient restraint.

Recommendation 15. *All States should consider the possibility of destroying all such surplus weapons.²⁶ (A/52/298, annex, para. 80 (e))*

80. States continue to adopt a wide range of practices in relation to the disposal of their surplus arms. A number of States have destroyed substantial quantities of surplus arms, including small arms and light weapons. The costs of destruction of small arms and light weapons are normally modest. For example, the Government of Sweden has in place a policy of continuous destruction of surplus small arms, leading to the destruction of some 170,000 arms over the past decade. The Government of Germany has destroyed almost one million small arms (i.e., over 70 per cent of the surplus small arms in the country after reunification in 1990), and the Government of South Africa has recently decided to destroy all surplus small arms in its possession. Similarly, the Government of the Netherlands adopted a policy in 1998 to destroy all superfluous small arms. Some States, such as the United States of America and the Russian Federation, distinguish between the destruction of confiscated illicit arms and weapons seized from combatants and weapons in police or military stockpiles that are no longer needed.²⁷

81. Encouragingly, several States have adopted policies to destroy their surplus small arms and light weapons. However, many States have yet to actively consider adopting a policy of destroying such surplus arms.

Recommendation 16. *All States should ensure the safeguarding of such surplus weapons against loss through theft or corruption, in particular from storage facilities. (A/52/298, annex, para. 80 (f))*

82. Some missions fielded by the United Nations and regional organizations involved in peacekeeping or implementing peace agreements have improved safeguards against loss of surplus weapons from weapon storage facilities. Overall, however, many States with inadequate safeguards have not substantially increased their efforts since 1997 to prevent the loss of weapons manufactured or stored for their military or police forces. In some regions, the loss of such weapons through theft or corruption continues to add significantly to the spread and illicit trafficking of small arms and light weapons, and in some cases may contribute to the circumvention of United Nations arms embargoes.

Recommendation 17. *The United Nations should urge relevant organizations, such as the International Criminal Police Organization (Interpol) and the World Customs Organization, as well as all States and their relevant national agencies, to closely cooperate in the identification of the groups and individuals engaged in illicit trafficking activities, and the modes of transfer used by them. (A/52/298, annex, para. 80 (g))*

83. The International Criminal Police Organization and the World Customs Organization facilitate cooperation among national police and customs authorities in monitoring and combating illicit trafficking activities, including trafficking related to small arms and light weapons. The Interpol Weapons and Explosives Tracking System database (IWETS) is the only existing international database for stolen and recovered weapons. At present, it is used mainly in relation to weapons involved in crime, and could be used in relation to illicit trafficking in small arms and light weapons where data are available. IWETS has recently been put on a more advanced computer database that is electronically available for use by authorized national officials, and Interpol is making provisions to provide relevant software packages and training to developing countries on request.

84. There has thus been some progress made that contributes to implementing the above-mentioned recommendation. There remains, however, great scope for developing wider and more effective cooperation in this area. Many developing countries lack the capacity effectively to use Interpol services, including IWETS. The international customs codes at present used in relation to transfers of small arms and light weapons appear to cover too wide a category of arms and equipment to facilitate the tracking of arms shipments in transit.

Recommendation 18. *All States and relevant regional and international organizations should intensify their cooperative efforts against all aspects of illicit trafficking mentioned in the report of the Panel that relate to the proliferation and accumulation of small arms and light weapons. (A/52/298, annex, para. 80 (h))*

85. The members of OAS, MERCOSUR, the European Union, the Euro-Atlantic Partnership Council, OAU, ECOWAS, the Southern African Regional Police Chiefs Cooperation Organization, SADC and East Africa Cooperation have taken substantial steps to intensify their cooperative efforts against illicit trafficking (see sect. C above).

86. Substantial progress has therefore been achieved in several regions. Regional circumstances and needs vary, but States in other regions that are not yet involved in such cooperative measures might benefit from appropriate regional or international cooperation.

Recommendation 19. *The United Nations should encourage the adoption and implementation of regional or subregional moratoriums, where appropriate, on the transfer and manufacture of small arms and light weapons, as agreed upon by the States concerned. (A/52/298, annex, para. 80 (i))*

87. United Nations departments and agencies played a substantial role in promoting and supporting efforts to establish a moratorium on the importation, exportation and manufacture of light weapons in West Africa. As noted in paragraph 51 above, the Heads of State and Government of ECOWAS declared a three-year Moratorium in October 1998. The United Nations Development Programme is administering the Programme for Coordination and Assistance on Security and Development, which is aimed at supporting the implementation of the Moratorium and associated efforts to promote security and development in West Africa.

88. The declaration by the ECOWAS Governments of the Moratorium and the measures adopted to implement it were important developments. Implementation of the code of conduct on the implementation of the Moratorium, which is to be adopted in October 1999, will help the international community fully to support the implementation of the Moratorium. Implementation of the Moratorium is expected further to reinforce efforts towards a broad regional programme to tackle the spread of small arms and light weapons and contribute to the consolidation of peace processes.

Recommendation 20. *Other regional organizations should take note, and make use, as appropriate, of the work of the Organization of American States in preparing a draft inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials. (A/52/298, annex, para. 80 (j))*

89. The Convention has been signed by 32 OAS member States since November 1997. It came into force in July 1998 and, by July 1999, had been ratified by seven States (Bahamas, Belize, Bolivia, Ecuador, El Salvador, Mexico and Peru). The Convention attracted much international attention and support. It was subsequently used in preparing the initial draft for negotiations by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on a legally binding international protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials.²⁸

Recommendation 21. *The United Nations should consider the possibility of convening an international conference on the illicit arms trade in all its aspects, based on the issues identified in the report of the Panel. (A/52/298, annex, para. 80 (k))*

90. By its resolution 53/77 E, the General Assembly decided to convene an international conference no later than 2001. Matters relating to the conference are discussed in chapter V of the present report.

Recommendation 22. *The United Nations should initiate a study on the feasibility of establishing a reliable system for marking all such weapons from the time of their manufacture. (A/52/298, annex, para. 80 (l))*

91. The United Nations has not yet initiated the above-mentioned study. The Governments of Switzerland and Canada have, however, commissioned studies on this question. The feasibility of ways of reliably marking small arms as an integral part of the production process received detailed attention at the workshop hosted for the Group of Experts by the Government of Switzerland in February 1999, and the Group received expert briefings on the issue. Moreover, the marking of weapons at the point of manufacture is already a requirement of many States and of the OAS Convention, and is being addressed in the negotiations on a draft firearms protocol (see para. 9 above).

Recommendation 23. *The United Nations should initiate a study on the feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by States, and of establishing a database of such authorized manufacturers and dealers. (A/52/298, annex, para. 80 (l))*

92. In paragraph 5 of its resolution 53/77 E, the General Assembly requested the Secretary-General to initiate a study as soon as possible on the feasibility of restricting the manufacture and trade of small arms and light weapons to the manufacturers and dealers authorized by States. In May 1999, the Department for Disarmament Affairs of the United Nations Secretariat convened a consultative meeting of experts (see para. 33 above), which concluded that a study on this topic, expanded also to cover brokers, transportation agents

and financiers, was feasible and desirable. A report on these conclusions has been submitted to the General Assembly at its fifty-fourth session (A/54/160).

Recommendation 24. *The United Nations should initiate a study on all aspects of the problem of ammunition and explosives. (A/52/298, annex, para. 80 (m))*

93. In 1998, the Secretary-General appointed a study group of eight experts on the question of ammunition and explosives. This group met three times during 1998–1999, and its report has been submitted to the General Assembly (A/54/155). The Group of Governmental Experts was kept informed of the progress made by the study group, and received copies of the report before its last session.

IV. FURTHER ACTIONS RECOMMENDED TO BE TAKEN

94. The Group of Governmental Experts on Small Arms recommends the following further actions be taken by the United Nations, international and regional organizations, and by States.

A. United Nations

95. The Group recommends that the Security Council take all appropriate measures to ensure the effective implementation of arms embargoes that relate to small arms and light weapons. In this context, the Security Council should consider and follow up any report of violations with a view to ensuring the effective implementation of such embargoes and preventing the illicit transfers of small arms and light weapons that occur in contravention of relevant Security Council resolutions.

96. The United Nations should, with the assistance of Member States in a position to do so (including the Group of Interested States established pursuant to General Assembly resolution 52/38 G), promote and support initiatives to make available systematic information on useful and successful practices and information on available resources with regard to stockpile management, collection and safe storage of small arms and light weapons, and destruction of surplus arms.

97. With respect to the regions and subregions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently, the United Nations should make greater efforts, within its available resources, to extend as appropriate the proportional and integrated approach to security and development initiated and pursued by it in West Africa. In doing so, due consideration should be given to the specific situation of the post-conflict region or subregion.

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98. With respect to regions and subregions where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently, the Group recommends that the United Nations should support, within its available resources, all appropriate post-conflict programmes related to disarmament, demobilization and reintegration, such as those on the disposal and destruction of weapons.

99. Given the protracted nature of the crisis in Kosovo, the Group recommends that practical disarmament measures should be developed and adopted in Kosovo related to the collection of small arms and light weapons.

100. Noting with concern that the proliferation of small arms and light weapons in affected regions facilitates the exploitation of children in armed conflict, the Group recommends that the United Nations Children's Fund and other relevant organizations should enhance their activities with regard to the special needs of such children in post-conflict situations.

101. The Group takes note of the study on the problem of ammunition and explosives prepared by the study group of experts appointed by the Secretary-General (A/54/155). It encourages the United Nations appropriately to take into account the need to control ammunition and explosives in its activities relating to disarmament, demobilization and reintegration in the context of peacekeeping.

102. The Group notes that there is an expanding body of knowledge and experience on marking small arms and light weapons in effective and reliable ways to lessen the possibilities for criminals and arms traffickers to remove identification markings. The Group recommends that the United Nations should, at an appropriate time, initiate a study on the feasibility of establishing reliable and cost-effective ways of marking all such weapons.

103. The Group recommends that the study on the feasibility of restricting the manufacture and trade of small arms and light weapons to manufacturers and dealers authorized by States, requested by the General Assembly in paragraph 5 of resolution 53/77 E, should be completed in time for it to be considered at the international conference on the illicit arms trade in all its aspects, to be convened no later than 2001. It welcomes proposals that such a study be extended also to cover brokering activities relating to small arms and light weapons, including transportation agents and financial transactions. The study should also address the illicit activities in these fields.

104. The Group recommends that the Coordinating Action on Small Arms should continue to coordinate relevant activities within the United Nations system relating to small arms and light weapons, and to provide relevant information to Member States on a regular basis.

105. The Group recommends that the United Nations, in cooperation with regional organizations and Member States where appropriate, should further facilitate appropriate cooperation with civil society, including non-governmental organizations, in activities related to small arms and light weapons, in view of the important role that civil society plays in efforts to raise awareness of and address the problems associated with such weapons. In this context, the Group welcomes the recent expansion of activities on these issues by non-governmental organizations.²⁹

B. Other international and regional organizations

106. The Group recommends that other international and regional organizations engaged in activities related to development assistance, such as the World Bank and the Development Assistance Committee of OECD, or any other groups of States, should intensify and coordinate their activities with respect to adopting the proportional and integrated approach to security and development in regions of the world where conflicts come to an end and where serious problems of the proliferation of small arms and light weapons have to be dealt with urgently, and should keep the United Nations informed in that regard. Due account should be taken of the specific situation of each region or country in question and the cooperation of the Secretary-General should be sought, where appropriate.

107. The Group recommends all other regional organizations to take note and make use, as appropriate, of the experience of the European Union and the Organization of American States in promoting cooperation among their member States in combating illicit arms trafficking and the excessive and destabilizing accumulation and transfer of small arms and light weapons.³⁰ The Group also recommends all other regional organizations to take note, and make use where appropriate, of measures taken by the Economic Community of West African States,³¹ as part of a post-conflict arms control programme which also includes regional cooperation to combat illicit arms trafficking.

108. The Group recommends regional organizations to keep the United Nations informed of their activities relating to the problems associated with small arms and light weapons.

C. States

109. All States should exercise the utmost restraint in transfers of small arms and light weapons and ammunition to areas in which there are ongoing conflicts, and take all possible measures to prevent the diversion of arms transfers to such areas.

110. In view of the theft of large numbers of weapons from weapons storage facilities in a number of countries, including Albania in 1997, and the subsequent illicit transfer of many of those weapons to neighbouring areas and other regions, the Group recommends that all States

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should ensure that adequate safeguards are in place to prevent the loss of such weapons through theft, corruption or neglect, in particular from storage facilities.

111. The Group recommends that States in a position to do so should assist other States, at their request, in their efforts to collect and safeguard weapons and to destroy surplus weapons and confiscated or collected weapons.

112. In addition to the provision of assistance for destroying surplus stocks of small arms and light weapons, some States may need and request assistance with industrial conversion, involving the reduction of production capacities for small arms and light weapons and the development of non-military industries to replace them. States in a position to do so should, where appropriate, consider supporting efforts by other States to carry out such conversion processes.

113. States should ensure that they have in place laws, regulations and administrative procedures to exercise effective control over the production of small arms and light weapons within their areas of jurisdiction and over the export, import, transit, or retransfer of such weapons, in order to prevent unauthorized manufacture of and illicit trafficking in small arms and light weapons, or their diversion to unauthorized recipients. Applications for export authorizations should be assessed according to strict national criteria that cover all categories of small arms and light weapons, including surplus or second-hand weapons. Such legislative, regulatory or administrative measures could include the use of authenticated end-user certificates, enhanced legal and enforcement measures, as appropriate, to control arms-brokering activities, requirements to ensure that no retransfer of small arms and light weapons takes place without prior authorization of the original supplier State, and cooperation in the exchange of information on suspect financial activities. States should ensure that they exercise control over all brokering activities performed in their territory or by dealers registered in their territory, including cases in which the arms do not enter their territory.

114. To help address the serious problems of illicit circulation and trafficking of small arms and light weapons, States should enhance international and regional cooperation among law enforcement agencies, customs and border control authorities. To this end, States are encouraged fully to use the facilities of Interpol, in particular through timely and complete provision of information to its IWETS database or to any other database that may be developed. Further, States are encouraged to support Interpol, and to contribute to the extent possible to the development of its capacity to assist States in combating the problem of the illicit manufacture of and trafficking in small arms and light weapons.

115. States that have not yet done so should ensure that manufacturers apply appropriate and reliable markings on small arms and light weapons as an integral part of the production

process. These markings should identify the country of manufacture and also provide information that enables the national authorities of that country to identify the manufacturer and serial number, so that the authorities concerned can trace each weapon and cooperate in efforts to combat illicit arms trafficking and undesirable diversions of arms shipments.

116. All States are encouraged to make available information on the markings they apply to weapons to identify country of manufacture, and to explore the modalities for greater sharing of such information.

117. States should adopt and enforce all necessary measures to prevent the manufacture, stockpiling, export, import, transit or other transfer of any unmarked or inadequately marked small arms and light weapons.³² All unmarked or inadequately marked small arms and light weapons that have been collected, confiscated or seized should either be expeditiously destroyed or, where appropriate, adequately marked.

118. States are encouraged to integrate measures to control ammunition, where relevant, into prevention and reduction measures relating to small arms and light weapons, taking into account the technical differences between ammunition and weapons. In this context, States are encouraged to review the report by the study group of experts appointed by the Secretary-General on the problem of ammunition and explosives (A/54/155).

119. States that have not already done so should ensure that they have effective legislation, regulations and administrative procedures in place to maintain strict control over the possession, use and transfer of high explosives.³³

120. States should work towards the introduction of appropriate national legislation, administrative regulations and licensing requirements that define conditions under which firearms can be acquired, used and traded by private persons. In particular, they should consider the prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes, such as automatic guns (e.g., assault rifles and machine-guns).

121. States should promote campaigns, where appropriate with the cooperation of civil society, including non-governmental organizations, to raise the awareness of their populations of the dangers associated with the proliferation of small arms and light weapons and illicit arms trafficking.

V. INTERNATIONAL CONFERENCE ON THE ILLICIT ARMS TRADE
IN ALL ITS ASPECTS

122. The General Assembly, in resolution 53/77 E, decided to convene an international conference on the illicit arms trade in all its aspects no later than 2001. While decisions will be taken by the General Assembly and by the preparatory committee that will in due course be established, the Group was requested by the Assembly in the same resolution to consider issues relating to the objective, scope, agenda, dates, venue and preparatory committee of this conference. In doing so, the Group took account of the views of Member States expressed to the Secretary-General in response to his notes verbales dated 15 April 1998 and 20 January 1999.

123. The Group recommends that the international conference be known as the Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, so as to clarify that the Conference will focus on small arms and light weapons, in conformity with Assembly resolution 53/77 E.

124. In making its recommendations, the Group noted that much of the trade in small arms and light weapons consists of legal transfers to meet the legitimate needs of States for self defence, as embodied in the Charter of the United Nations, and requirements to maintain public security within the rule of law, and the ability to participate in United Nations peacekeeping operations. The principle of the legitimacy of such legal trade should be respected at the Conference, as should all of the principles embodied in the Charter of the United Nations.

A. Objectives

125. The Group recommends that the objective of the Conference should be to develop and strengthen international efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

126. To this end, the aims of the Conference should be to:

(a) Strengthen or develop norms at the global, regional and national levels that would reinforce and further coordinate efforts to prevent and combat the illicit trade in small arms and light weapons in all its aspects;

(b) Develop agreed international measures to prevent and combat illicit arms trafficking in and manufacturing of small arms and light weapons and to reduce excessive and destabilizing accumulations and transfers of such weapons throughout the world, with particular emphasis on the regions of the world where conflicts come to an end and where

serious problems with the proliferation of small arms and light weapons have to be dealt with urgently;

(c) Mobilize the political will throughout the international community to prevent and combat illicit transfers in and manufacturing of small arms and light weapons in all their aspects, and raise awareness of the character and seriousness of the interrelated problems associated with illicit trafficking in and manufacture of small arms and light weapons and the excessive and destabilizing accumulation and spread of these weapons;

(d) Promote responsibility by States with regard to the export, import, transit and retransfer of small arms and light weapons.

127. Efforts should be made to secure maximum participation in the Conference by representatives of all States and interested international and regional organizations.

128. In accordance with the provisions of paragraphs 125 and 126 above, the Conference should adopt substantive documents related to agreements reached at the Conference. The various measures outlined in those documents could form an integral part of a comprehensive Conference document, for example, an international programme of action.

B. *Scope*

129. The scope of the international Conference will be the illicit trade in small arms and light weapons in all its aspects.

130. In this context, the primary focus of attention should be on small arms and light weapons that are manufactured to military specifications (see endnote 5). Other types of firearms used in conflicts may, however, also have to be considered in dealing with the problems in the most affected regions of the world. In this overall context, ammunition should also be considered.

131. With respect to the scope of the term "illicit trade", the Group recommends that the Conference consider all types of illicit transfers of small arms and light weapons. Further, the Conference should consider the illicit manufacture, acquisition, possession, use and storage of small arms and light weapons, since these are closely linked to illicit transfers of such weapons.

132. As to the meaning of the illicit arms trade in all its aspects, the Group found that aspects of the issue of legal transfers of small arms and light weapons should be considered by the Conference insofar as they are directly related to illicit trafficking in and manufacture of small arms and light weapons. The Group noted that the illicit trade in small arms and

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light weapons is closely linked to the excessive and destabilizing accumulation and transfer of such arms. The scope of the Conference should therefore not be limited to criminal breaches of existing arms legislation and export/import controls but consideration should be given to all relevant factors leading to the excessive and destabilizing accumulation of small arms and light weapons in the context of the illicit arms trade, including those referred to in the report of the Panel of Governmental Experts on Small Arms.

133. The Group recommends that the Conference consider a broad range of measures to reinforce and further coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons, taking into account section A above and the relevant recommendations contained in chapters III and IV of the present report.

C. Agenda

134. The Group noted that the items of the agenda of the Conference may be derived from the issues referred to in sections A and B above, taking into account the recommendations offered in chapter IV of the present report, as well as all other issues that the preparatory committee believes that the Conference should consider. The Group expressed its belief that the task of preparing the agenda for the Conference should be carried out by the preparatory committee of the Conference.

135. The Group recommends that, in deciding on the timetable for the Conference, the preparatory committee provide opportunities for presentations by representatives of civil society.

D. Dates

136. The Group recommends that the Conference take place at an appropriate time in 2001, taking into account the time required to prepare for the Conference and other major international meetings scheduled prior to it.

E. Venue

137. The Group recommends that the venue of the Conference should be chosen to ensure the widest possible participation of States. The Group welcomed the offer of the Government of Switzerland to host the international Conference, without prejudice to any other offer. The Group recommends that an early decision be taken on the venue in order to facilitate preparations for the Conference.

F. Preparatory committee

138. The Group considers that at least two sessions of the preparatory committee will be required to prepare adequately for the Conference. Participation in the sessions of the preparatory committee should be open to all States.

Notes

¹ Responses to the requests made by the Secretary-General in pursuance of General Assembly resolution 52/38 J were received from Belarus, Brazil, Bulgaria, Canada, China, Colombia, Côte d'Ivoire, Cuba, Israel, Japan, Jordan, Mexico, New Zealand, Poland, the Republic of Korea, the Russian Federation, San Marino, Singapore, South Africa, Turkey, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States members of the European Union), and the United States of America (see A/53/169 and Add.1-4). As at 30 July 1999, responses to the requests made by the Secretary-General in pursuance of General Assembly resolution 53/77 E had been received from Algeria, Australia, Belarus, Bolivia, Brazil, Canada, China, Colombia, Cuba, Germany (on behalf of States members of the European Union and of the associated and member countries of the European Free Trade Association and European Environmental Agency), the Islamic Republic of Iran, Japan, Jordan, Malta, Monaco, the Russian Federation, Singapore, South Africa, Sri Lanka, Turkey, the United Arab Emirates and the United States of America.

² Complete data on the numbers of small arms and light weapons produced and held globally are not publicly available. The information that is available shows, however, that there are almost certainly over 500 million small arms and light weapons around the world. For example, up to 100 million assault rifles were manufactured between 1945 and 1990, as were more pistols, revolvers, rifles and other small arms (see, e.g., Virginia Hart Ezell, *Report on International Small Arms Production and Proliferation*, Alexandria, Virginia, Institute for Research on Small Arms in International Security, March 1995). Approximately 200 million firearms are held by civilians in the United States of America alone (T. Mason, National Rifle Association, July 1997).

³ The number of countries in which small arms and light weapons are produced on an industrial scale is estimated on the basis of information in unofficial sources, such as T. Gander (ed.), *Janes Infantry Weapons 1997-98*, Janes Information Group, Surry, United Kingdom of Great Britain and Northern Ireland, 1997.

⁴ See "Supplement to an Agenda for Peace: position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations" (A/50/60-S/1995/1) and the report of the Panel of Governmental Experts on Small Arms (A/52/298, annex).

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⁵ The Group followed the practice of the previous Panel of Governmental Experts on Small Arms in its definitions of small arms and light weapons. Broadly speaking, small arms are those weapons designed for personal use, and light weapons are those designed for use by several persons serving as a crew. The category of small arms includes revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine-guns. Light weapons include heavy machine-guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of calibres of less than 100 mm. Ammunition and explosives form an integral part of small arms and light weapons used in conflicts, and include cartridges (rounds) for small arms, shells and missiles for light weapons, anti-personnel and anti-tank hand grenades, landmines, explosives, and mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems.

⁶ Executive Director of the United Nations Children's Fund (UNICEF) in "The United Nations takes aim at small arms" (UNICEF press release CF/DOC/PR/1999-26); study on the impact of armed conflict on children, prepared by Graca Machel, expert appointed by the Secretary-General (A/51/306 and Add.1); report prepared by Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict (A/53/482); and the Declaration by the Ministers of Foreign Affairs of the Economic Community of West African States, issued at Bamako on 24 March 1999.

⁷ United Nations publication, Sales No. E.98.IV.2.

⁸ *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex III.

⁹ The decision was taken at the sixty-eighth session of the OAU Council of Ministers, held at Ouagadougou, from 4 to 7 June 1998 (A/53/179, annex I, decision CM/Dec.432 (LXVIII)).

¹⁰ For the text of the Declaration of a Moratorium, see A/53/763-S/1998/1194.

¹¹ The code of conduct is to be adopted by the ECOWAS Heads of State and Government in October 1999.

¹² In particular, a series of "Operation Rachel" cooperative operations involving South Africa, Mozambique and, sometimes, Swaziland, aimed at collecting and destroying weapons in hidden arms caches in Mozambique (see e.g., A/54/64).

¹³ Law No. 97.06 was adopted on 21 January 1997 and Decree No. 98-96 was promulgated on 18 March 1998. These establish the law governing, *inter alia*, the manufacture, import, export and trade of military materials, including arms and ammunition, and the conditions for acquiring, possessing, owning and transferring such materials.

¹⁴ Law No. 9437 and Decree No. 2222 entered into force in Brazil in 1997, and established the National System of Arms (SINARM), with the objective of registering firearms that are manufactured, imported or sold in the country. About 1.6 million firearms had been registered with SINARM by July 1999, and about half of the states of the Federation have on-line access to the system. The bill before Parliament is aimed at restricting the sale of firearms and ammunition within the national territory to the armed forces, public security agencies and private security firms established in accordance with the law.

¹⁵ Law No. 130-3 on export control, adopted by the National Assembly of Belarus on 6 January 1998; and Council of Ministers Decree No. 27 of 10 January 1998, on improving State control over the export of special categories of goods, labour and services beyond the customs territory of the Republic of Belarus.

¹⁶ The law on control of foreign trade activities related to arms, dual-use items and technologies and the law on control of explosives, firearms and ammunition came into force in December 1995 and November 1998, respectively.

¹⁷ "Law of the People's Republic of China on control of guns", promulgated by Order No. 72 of the President of the People's Republic of China, 5 July 1996; "Regulations of the People's Republic of China on the administration of arms exports" promulgated by Decree of the State Council and the Central Military Commission of the People's Republic of China, October 1997.

¹⁸ Decree No. 98/1148 of 16 December 1998 modifying Decree No. 95/389 of 6 May 1993, concerning the implementation of the Decree of 18 April 1939 which governs the control of arms and ammunition in France.

¹⁹ Statement issued by the Department of State on 9 November 1998.

²⁰ The United Nations Development Programme and the Governments of Belgium, Canada, France, Japan, the Netherlands, Norway, Switzerland, the United States of America and Mali itself all contributed to the Trust Fund to Support the Peace Process in North Mali. Similarly, UNDP, Belgium, Canada, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America have all contributed to the Programme for Coordination and Assistance on Security and Development, and the

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Governments of Germany and the Netherlands have also contributed resources to West African countries for similar purposes.

²¹ These are the UNDP Trust Fund for Support for Prevention and Reduction of the Proliferation of Small Arms, established in November 1998, and the United Nations Trust Fund for the Consolidation of Peace through Practical Disarmament Measures, established in August 1998.

²² Several United Nations post-conflict programmes have experienced problems relating to incomplete disarmament arising partly from peace agreements and mandates that did not adequately cover small arms and light weapons, or from inadequate operational guidance or resources. See, for example, the UNIDIR Disarmament and Conflict Resolution Project studies on managing arms in peace processes.

²³ *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42 (A/51/42)*, annex I.

²⁴ For example, new arms export regulations that came into force in China in January 1998 were based on the guidelines adopted by the Disarmament Commission, and the United States of America has a code of conduct embedded in the practices of implementing its Conventional Arms Transfer Policy of February 1995.

²⁵ United Nations publication, Sales No. E.98.IV.2.

²⁶ The term "surplus" in this recommendation was used to indicate serviceable and unserviceable small arms and light weapons held in stockpiles by military and police forces and the illicit weapons seized by them that they no longer need.

²⁷ The Government of the United States of America stated that it seizes and destroys firearms possessed in violation of the law, but because of its constitution and established practices it claims no authority to seize and destroy firearms solely because they are not required for the purposes of national defence and internal security. The present policy in the Russian Federation is that confiscated illicit weapons are normally destroyed (once any associated criminal proceedings have been completed); this policy does not normally apply to the weapons in police or military stockpiles that are no longer needed.

²⁸ For the text of the draft protocol, see A/AC.254/4/Add.2/Rev.2.

²⁹ The Group noted that the International Action Network on Small Arms (IANSA), a network of over 200 non-governmental organizations, was established on 14 October 1998.

³⁰ The experiences referred to here are, in particular, the adoption by the Council of the European Union on 17 December 1998 of a joint action on the contribution by the Union to combating the destabilizing accumulation and spread of small arms and light weapons, and the adoption on 14 November 1997 by member States of OAS of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

³¹ The measures referred to here are the adoption and signing on 31 October 1998 by the ECOWAS Heads of State and Government of a Moratorium on the Importation, Exportation and Manufacturing of Light Weapons, combined with the plan of action for the implementation of the Programme for Coordination and Assis

**Report of the Group of Experts on the Problem of
Ammunition and Explosives
(A/54/155)**

Letter of transmittal dated 5 June 1999 from the Chairperson
of the Group of Experts on the Problem of Ammunition and Explosives.
addressed to the Secretary-General

I have the honour to submit herewith the report of the Group of Experts on the problem of ammunition and explosives. The Group was established by you in pursuance of paragraph 3 of General Assembly resolution 52/38 J of 9 December 1997.

In April 1998, you appointed, on the basis of their personal expertise and on equitable geographical representation, the following experts:

Dr. Christophe Carle
Deputy Director
United Nations Institute for
Disarmament Research
Geneva, Switzerland

Commandant John K. Coates
Directorate of Ordnance
Defence Forces Headquarters
McKee Barracks
Dublin, Ireland

Ms. Silvia Cucovaz de Arroche
Director of Foreign Intelligence
State Intelligence Secretariat
Buenos Aires, Argentina

Ms. Virginia H. Ezell
President
Institute for Research on Small Arms
in International Security
Alexandria, Virginia, United States
of America

Superintendent Stan Joubert
Illegal Firearms Investigation Unit
Detective Service, Head Office
South African Police Service
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Small Arms

Lt. Colonel Peter Leskovsky
Regional Mines Adviser
United Nations Mine Action Assistance
Programme in Croatia
Knin, Croatia

Mr. Hansjörg Rytz
Senior Safety Scientist (ret.)
Swiss Ministry of Defence
Bern, Switzerland

Lt. Colonel Ilkka Tiihonen
Research Fellow
Kankaanpää, Finland

The report was prepared between 27 April 1998 and 5 June 1999. During that period, the Group held three sessions in New York: the first from 27 April to 1 May 1998, the second from 11 to 15 January 1999 and the third from 1 to 5 June 1999.

The Group wishes to express its appreciation for the excellent support which it received from members of the Secretariat. It expresses its thanks to the Under-Secretary-General for Disarmament Affairs, Mr. Jayantha Dhanapala. Its special appreciation goes to Mr. Francesc Claret who served as the Secretary of the Group.

I have been requested by the Group of Experts on the Problem of Ammunition and Explosives, as its Chairperson, to submit to you, on its behalf, the present report, which was adopted unanimously.

(Signed) Silvia Cucovaz de Arroche
Chairperson of the Group of Experts on the
Problem of Ammunition and Explosives

I. INTRODUCTION

1. The purpose of the present report is to determine what role, if any, could be played by controls on ammunition and explosives in pursuit of efforts to stem the negative impacts associated with the uncontrolled dissemination and abuse of small arms and light weapons. It seeks to provide a basis on which to decide whether controls on ammunition and explosives are options worth pursuing, or whether they should be discarded in favour of other more effective measures.
2. The General Assembly, in paragraph 3 of its resolution 52/38 J of 9 December 1997, entitled "Small arms", requested the Secretary-General to initiate a study on the problems of ammunition and explosives in all their aspects, as early as possible, within available resources, and in cooperation with appropriate international and regional organizations as necessary.
3. In the same resolution, the General Assembly endorsed the recommendations contained in the report of the Panel of Governmental Experts on Small Arms, appointed by the Secretary-General pursuant to General Assembly resolution 50/70 B of 12 December 1995 (A/52/298). In paragraph 80 (m) of its report the Panel had recommended that the United Nations should initiate a study on all aspects of the problem of ammunition and explosives.
4. In April 1998, the Secretary-General appointed, on the basis of their personal expertise and equitable geographical representation, a group of eight experts from Argentina, Finland, Ireland, Slovakia, South Africa, Switzerland, the United States of America and the United Nations Institute for Disarmament Research.
5. The Group of Experts held three sessions at United Nations Headquarters in New York, under the auspices of the Department for Disarmament Affairs: the first from 27 April to 1 May 1998, the second from 11 to 15 January 1999 and the third from 1 to 5 June 1999.
6. The Group took full account of the work carried out by the Panel of Governmental Experts on Small Arms and of its report of 27 August 1997 (*ibid.*) and duly noted the Panel's references to the issues of ammunition and explosives in paragraphs 29 and 30 of the report. The work of the Group was designed to complement, rather than to duplicate, the report of the Panel of Governmental Experts. Likewise, the Group was kept informed of the ongoing activities of the Group of Governmental Experts on Small Arms, appointed in April 1998.
7. At its first session, the Group adopted the following formulation of its aims: "Without prejudice to the legitimate possession, trade and use of ammunition and explosives, the Group will seek to assess whether and how enhanced controls of ammunition and explosives

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can contribute to preventing and reducing the excessive and destabilizing accumulation and proliferation, as well as the abuse, of small arms and light weapons.”

8. The Group collected and assessed the fullest possible range of relevant information and research materials and prepared a questionnaire on matters related to ammunition for small arms and light weapons and to explosives. The questionnaire was sent on 1 July 1998 to all States Members of the United Nations, as well as to selected international bodies, and research and non-governmental organizations. The Group took due account of the answers to the questionnaire provided by 32 countries.¹

9. In carrying out its task, the Group quickly became aware of one major impediment, the insufficiency and unavailability of existing information on matters related to ammunition for small arms and light weapons and explosives in all their aspects. Existing sources of available information were fragmentary and often contradictory, even on such elementary data as:

- The locations and numbers of ammunition production facilities in the world;
- The directions and volumes of international trade in ammunition;
- The extent of ammunition stocks legitimately held for the needs of armed and security forces;
- The existence and scale of any ammunition stocks designated as surplus or obsolete;
- Information on explosives incidents, explosives production and usage.

10. The replies received to the Group’s questionnaire were too low in number and insufficient in content to compensate for the shortcomings of existing sources of information. As a result, the present report represents the Group’s considered collective opinion, based on the experience and knowledge of its membership, as well as on a critical cross-examination of a variety of available primary and secondary sources and field research.

11. The Group finds that controls on ammunition and explosives would not be sufficient to address the problems identified by the report of the Panel of Governmental Experts on Small Arms. Equally, the Group is of the view that attempts to address small arms and light weapons would be incomplete if they did not include due regard for ammunition and explosives. Ammunition and explosives controls cannot be the sole remedy, but left unaddressed, they could represent a serious flaw and a missed opportunity.

II. MATÉRIEL ADDRESSED IN THE PRESENT REPORT

A. Ammunition

12. "Ammunition" is a broad generic term for all missiles and devices used for offence and defence. It includes explosive and non-explosive components and covers a very wide spectrum of items. This report deals with explosives and with the ammunition for small arms and light weapons defined in paragraph 26 of the report of the Panel of Governmental Experts on Small Arms (A/52/298), namely:

- (a) *Small arms:*
 - (i) Revolvers and self-loading pistols;
 - (ii) Rifles and carbines;
 - (iii) Sub-machine-guns;
 - (iv) Assault rifles;
 - (v) Light machine-guns;
- (b) *Light weapons:*
 - (i) Heavy machine-guns;
 - (ii) Hand-held under-barrel and mounted grenade launchers;
 - (iii) Portable anti-aircraft guns;
 - (iv) Portable anti-tank guns, recoilless rifles;
 - (v) Portable launchers of anti-tank missile and rocket systems;
 - (vi) Portable launchers of anti-aircraft missile systems;
 - (vii) Mortars of calibres of less than 100 mm.

13. The types of ammunition most commonly encountered in conflict areas and illicit activities are small arms ammunition (i.e., ammunition for weapons such as pistols, rifles and machine-guns below 20 mm in calibre), rocket- propelled grenades, light mortar rounds and

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improvised explosive devices. It is therefore on these types of ammunition and explosives that the Group has chosen to focus.

14. Ammunition refers to the complete round/cartridge or its components, including bullets or projectiles, cartridge cases, primers/caps and propellants that are used in any small arm or light weapon. The main components of a round/cartridge of small arms and light weapons ammunition are briefly described in annex I to the present report.

B. Explosives

15. Explosives fall under the general definition of ammunition, and in many ways the two are inextricable since most ammunition has explosive components (including propellants, primers, fuzes and fillings). They are commonly used, both militarily and industrially, are widely available and have been used in many conflict, terrorist and criminal activities and situations. It should be noted that bulk military and industrial explosives, dud shells, recycled landmines and a wide variety of improvised explosives have all been used as component parts of explosive devices used worldwide to cause widespread death and destruction.²

16. The main types of explosives addressed by the Group are military high explosives (in particular, plastic explosives), industrial explosives such as those used in the mining industry, improvised or "home-made" explosives and particularly explosive initiators, namely detonators (blasting caps).³

I. MANUFACTURE OF AMMUNITION AND EXPLOSIVES

A. Ammunition manufacture

17. The manufacture of small arms ammunition can vary from relatively unsophisticated "bench top" assembly such as reloading or handloading to fully automated computer numerical control (CNC) production, with raw material flowing in at one end and fully assembled ammunition emerging at the other. The following is a description of the main types of manufacture:

Handloading/reloading

18. This type of manufacture of small arms ammunition is usually performed by legitimate target or sport shooters. The equipment, materials and components are simple and easy to acquire commercially. The process involves reusing fixed cartridge cases by re-sizing the case, replacing the spent primers, filling the required amount of propellant and seating a new bullet. Although this type of manufacture is widespread, the production volume and rates are

low compared to the industrial processes described below. Thus, the Group did not regard handloading/reloading as significant for the purposes of the present report.

Industrial manufacture

19. This can vary from assembly plants (which assemble ammunition from components supplied from elsewhere) to production plants (which both manufacture the components and assemble them into finished ammunition). Much of the small arms ammunition machinery currently in use dates back to the Second World War. In the more industrially advanced countries, use is made of CNC machinery, which can produce high volumes of high-quality ammunition and can also switch quickly from one type and calibre to another with little loss of production time. In larger ammunition, empty shells, mortar bombs and cartridge cases can be manufactured in dedicated plants and then moved to filling plants for explosive filling and final assembly. These processes are usually separated for explosive safety reasons. It is also common to have dedicated plants specializing in the production of propellants, fuzes, detonators, primers and bulk high explosives for the same reason.

Surge production

20. Industrial ammunition manufacturing plants rarely operate at maximum capacity in peacetime. By way of illustration, three respondents to the Group's questionnaire indicated that their maximum production capacities exceeded their average annual production by factors of 2.62 to 12.40. Wartime or emergency surge production is achieved by bringing additional assembly lines into use which might otherwise be "mothballed" and lie idle (e.g., a typical plant with eight lines can produce 1.5 million rounds of small arms ammunition per day).

Lot assembly

21. In order to ensure uniform performance and homogeneity, ammunition is assembled in discrete quantities known as lots or batches. Thus, a single lot is assembled in practically identical manufacturing conditions using identical components from controlled sources. A typical lot of small arms ammunition can contain from 250,000 to 1 million rounds. The lot is also the primary source of identification which enables the source of manufacture to be traced back to a particular factory, shift or production run in the event of defects arising, and also enables the components to be similarly traced. This traceability by lot is of significance not only as an internal quality control measure but also for the purposes of identification of the origin of ammunition.

Ammunition manufacturers

22. Industrial-scale manufacture of ammunition is widespread around the world and is only limited by either market forces or defence/security needs. Some countries are reluctant to disclose details of their production figures or even the number of their production companies. Therefore, most of the responses to the Group's questionnaire did not include any production figures. Existing published sources usually fail to distinguish between small-scale companies (which might only produce a narrow range of products) and large defence-industry corporations, which comprise numerous facilities for the manufacture of hundreds of ammunition products but are only counted as a "single" producer.

23. The number of companies involved in ammunition manufacture at any particular time is rapidly changing as a result of market forces involving mergers and closures. What is of significance is that the technology is widespread and geographically distributed in both developed and developing countries. It is relatively easy to transfer this technology quickly to supply a new market. Potential worldwide production capacity is therefore more relevant than the estimated number, location and current output of factories at any given time. Control measures for the transfer of such technology are therefore of critical importance.

24. Generally, small arms ammunition and light weapons ammunition is produced and marketed separately from the weapons themselves (since ammunition manufactured to a particular specification can be used in many different weapons designed to use that model/calibre of ammunition). More complex ammunition such as anti-tank and certain artillery or mortar ammunition is often designed to be used only in a particular type of weapon and thus both ammunition and weapon are usually produced by the same manufacturer and jointly marketed. Some types of ammunition and weapons are combined products (e.g., one-shot disposable weapons) and are produced and sold as single items with the ammunition pre-packed into the launcher tube.

B. Explosives manufacture

25. Because of the sensitivity of the raw materials and the finished product, safety is of great importance in explosives manufacture. Plant buildings are separated by distance and/or blast walls. The complex mixing and processing is carried out to high tolerances and is closely monitored to ensure quality. Depending upon their use, explosives are either moved to filling plants for filling into ammunition or explosive accessories or packed into cartridges, bags or boxes for industrial use as bulk explosives.

26. Detonators are filled with primary explosives, making them very sensitive to spark, friction or heat. Because of their sensitivity, detonators are difficult and dangerous to manufacture. As a result, they are usually made only in specialized production facilities with automated filling plants.

C. Manufacture of improvised explosive devices

27. The legitimate use of explosives is central both to military and to industrial/commercial activity. It is the misuse of explosives which causes concern. The most serious problem is the misuse of military or industrial explosives and/or commonly available fuels, oxidants and explosive precursors in the manufacture of improvised explosive devices—homemade bombs. These issues are of critical importance to explosive ordnance disposal (EOD—commonly known as “bomb disposal”) branches of military and police services worldwide which have to deal with the bombs that are the end result of the misuse of explosives.

28. There is a widespread use of explosive devices as weapons by extreme political groups, terrorists, criminals and disaffected individuals as well as parties to conflict situations. It is difficult to obtain reliable and comprehensive conclusions from existing data on worldwide bomb incidents,⁴ since many countries regard such information as security-sensitive.

29. Improvised explosive devices vary in sophistication from simple pipe bombs to large vehicle bombs with complex electronic triggering devices and built-in anti-handling features designed to defeat any attempt to defuse the bomb by disposal personnel.

30. The knowledge required to make an effective improvised explosive device is widely available, both in the popular literature and especially on the Internet.

31. The basic components of any bomb are similar and generally include an arming/timing/triggering device or switch, an initiator (such as a detonator blasting cap) and a main charge or explosive filling with or without a booster.

32. The techniques and tools required for bomb making are simple. Basic chemical skills and equipment are required for improvised explosives manufacture and basic electrical and electronic skills and tools for the triggering of more sophisticated devices. The main raw materials are generally widely available from such diverse sources as household cleaning agents, fireworks, school laboratories, hardware stores and agricultural suppliers. Propellants can be purchased for reload purposes or obtained by emptying small arms ammunition or shotgun cartridges. Ammonium nitrate fertilizer can be converted to an effective explosive by crushing and mixing with a fuel such as sugar or diesel oil. Industrial explosives can be diverted from legitimate mining or quarrying use or stolen. The most difficult components to

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obtain illegally are generally high-quality detonators and military standard high explosives, although even these are often widely available in conflict and post-conflict regions or in countries where national control measures have broken down or are ineffective.

33. The effects of improvised explosive devices vary based on size, strength, degree of containment and location. In a vulnerable location, a few pounds of high explosive can break up a passenger airliner in flight, whereas a typical car bomb could contain up to 1,000 pounds (approximately 454 kg) of explosives.

IV. LEGAL TRANSFERS AND ILLICIT TRAFFICKING

34. Transfers of ammunition and explosives are politically sensitive. Transfer decisions are usually matters of national policy. The market demand for small arms ammunition is higher than the demand for light weapons ammunition owing to the higher rate of fire, relatively longer barrel life and hence higher-volume use of small arms compared to light weapons.

35. The main identifiable patterns of small arms and light weapons ammunition transfers are:

- Government-to-Government trade;
- Direct industry sales;
- Indirect sales through merchants and brokers;
- Donations or low-cost transfers by Governments;
- Covert transfers by Governments;
- Illicit trade (or trafficking).

A. Legal transfers

36. There exists a salient lack of centralized information and of systematic documentation or studies on the subject of ammunition and explosives transfers. Lack of transparency hinders access to data concerning the legitimate trade. Of the few sources of information available, it would appear that most transfers are legitimate and routine.

37. The respective shares of domestic procurement and exports in the production of ammunition for small arms and light weapons vary widely from country to country. One

respondent to the Group's questionnaire indicated that 99 per cent of its production was for domestic procurement, whereas another reported that 74 per cent was for export.

38. Imports and exports of small arms ammunition include not just complete ammunition rounds, but also components (bullets, cases, propellants or primers) for assembly at destination. International transfers of ammunition involve trade among producing countries (suggesting specialization in production) as well as exports by producers to States where no production takes place, as indicated by several responses to the questionnaire. Respondents included countries from which ammunition and explosives were purchased, as well as countries which were recipients of exports of such materials. The amounts of such exports and imports, however, were not disclosed by most respondents, citing national security reasons.

39. The legitimate ammunition and explosives transfer process currently in effect has been designed from a safety and security standpoint to protect the general public and the transporter. Security of the shipment is driven by economics: companies and their clients do not want to lose track of their product.⁵

40. Some countries cannot afford sophisticated tracking systems. In Africa, the rail system remains the preferred transportation method given the great distances and underdeveloped transportation infrastructures. However, in most countries in Africa rail transport is also underdeveloped. Cargoes are reported missing through theft, hijacking and lack of traffic management technology. Recently the United Nations and the European Union funded a project to computerize rail shipments, making cargo planning and tracking possible.

41. National authorities should be responsible for ensuring that transfers are legal and safe. Law enforcement is crucial to the transfer process. Whether a transfer is determined to be legitimate or not, the system depends upon laws and regulations, and appropriate authorities to enforce them.

42. In a properly regulated system, customs officers look for required documentation before a shipment is allowed in or out of a country. Transportation officials ensure that shipments are handled safely. All goods require secure storage while awaiting trans-shipment. Port authorities segregate ammunition and explosives shipments in the port area primarily for safety reasons rather than just their security. This tends to make ammunition and explosives shipments once they are in a safe storage area less accessible than other goods awaiting processing. In addition to standard shipping documents such as bills of lading, ammunition and explosives transfers require evidence of authorization of the shipment. This usually comes in the form of an export or import licence supported by an end-user certificate issued by a government agency. The agency, and in some cases the individual, issuing the end-user certificate must be recognized by the licensing agency before a licence is approved. At the

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international level end-user certificates serve as a nation's guarantee of authorization for a transfer. Differences in the documentation depend upon national laws and policies governing the licensing process.⁶

43. The use of electronic data interchange (EDI) by international transportation and logistics organizations is expected to enhance shipping harmonization and accelerate the customs process. This system manages all of the information required for any specific shipment and transfers the data electronically. While this promises to streamline the process, ease control and security of shipments, pitfalls found in any electronic data system would need to be overcome. Harmonization of data input and programme compatibility are two primary issues which face international logistics organizations. In addition, the technology and training needs to be made available to less developed regions to help improve their transport controls.

44. Safety and customs regulations are determined through various regulations established through international conventions. Those conventions are negotiated through international organizations such as the World Trade Organization, the World Customs Organization and the International Chamber of Commerce. States members of those organizations agree to non-binding resolutions regulating the shipment of goods. The organizations present recommendations for their members to adopt. Most often they take the form of national regulation although adopting them is voluntary. It is through those international organizations that most Governments negotiate modernization, streamlining and harmonization and transparency of international customs regulations, issues of great importance in the world of international trade.

45. A wide variety of actors engage in an arms transfer, including suppliers, buyers, brokers, bankers, customs and other law enforcement officers, government regulatory agencies and transportation companies. Suppliers can be anyone from manufacturers and their representatives to government agencies tasked with redistributing existing stockpiles. A routine transfer has the same characteristics as any other government procurement.

46. Brokers operating in the legitimate transfer process act as facilitators between the buyer and the seller. Usually there are multiple suppliers for any given requirement. Brokers act on behalf of suppliers to assist in the bidding and procurement process.

B. Illicit trafficking

47. Illicit transfers are recorded primarily in the open domain as case studies or anecdotes, indicating that such transfers do exist on a wide geographic scale, without allowing any significant quantification of the phenomenon.

48. A general lack of training leading to poor accuracy and lack of fire discipline is characteristic of inexperienced combatants involved in many of the conflicts being fought around the world. As a result, military operations in those areas of conflict not only require weapons but also need large quantities of ammunition to go with them. Faced with embargoes and other transfer roadblocks, belligerents resort to illicit methods to fill their requirements.

49. It should be noted here that there are no substantial data linking small arms transfers to ammunition and explosives transfers. Given the large quantities of small arms ammunition required in conflicts today, experts interviewed for the present report concluded that ammunition shipments would frequently travel separately from weapons. Once the weapons are in place, ammunition resupply receives priority.

50. Drug traffickers and organized criminals pursue their goals using different methods. They need less ammunition and explosives to achieve their goals. In addition, clandestine by nature, trafficking operates via a network of known entities. Constructing or reconstructing that network presents an unnecessary risk. There is an international trend for sectors linked to drug trafficking and organized crime to act as brokers supplying terrorist groups with ammunition the consumption of which varies according to the characteristics of the groups themselves and the areas in which they operate.

51. Trafficking is carried out through a variety of methods, primarily thefts, illegal movements and "grey" transfers.⁷ As a matter of international trade, illicit transfers lend themselves to a study of illegal trading practices generally. Smuggling, piracy, theft and pilfering are primary ways in which legitimate goods make their way into the illegitimate market. Research on piracy incidents of the past decade did not reveal any attacks on ammunition shipments. Thefts of military and law enforcement stocks appear to be a standard method of moving weapons and ammunition into the illicit market. Barter of drugs and other goods obtained through illegal methods is also broadly resorted to. Trafficking includes smuggling, as well as exchanges of ammunition and explosives for other illicit commodities (such as drugs, fake documents or ivory).

52. Customs officials are constantly challenged to discover the latest smuggling techniques. False documents and deceptive markings on containers are the more traditional methods. More recently customs officials have discovered the use of "twin seals" used to disguise the fact that a container has been tampered with. A legitimately sealed container which passed a customs check is opened, the contraband is placed inside and then resealed using what appears to be a legitimate customs seal with the same control number etched in it. Customs officials said this indicates collaboration from warehousemen and longshoremen as well as corrupt customs officials.

53. False end-user certificates are another way to circumvent the control system. As with other forms of smuggling, "brass-plate" companies are set up, money is transferred through multiple bank accounts and goods make their way into the legitimate shipping channels using false documentation.

54. While the parties to a conflict may need large quantities of ammunition, which implies a need for large containers of goods, shipments can be disguised using standard smuggling techniques. Containers are marked on the outside as benign while the contents may be something quite different. Corrupt customs officials and port authorities, or independent agents whose job it is to expedite the shipping process and are willing to take a bribe, help to defeat the legitimate process.

55. Just as they often are key to the legitimate trade, some brokers also service the illicit trade. During the cold war period brokers often served the Government-sanctioned "grey markets" which provided them a certain level of legitimacy. With the end of the cold war their role in the market has changed. Research indicates that a shift in the grey market has taken place. The brokers who act as a conduit into illegal trade generally have the following characteristics:

- They are often businessmen with military or security records;
- They are motivated by economic rather than political considerations;
- In parallel with arms trafficking, they are also engaged in other, legal business undertakings as "fronts";
- They have access to fake end-user certificates;
- They use illegal means of transport such as clandestine aircraft and airstrips including the use of forged flight-plans and methods for evading radars;
- In some regions, such brokers are connected with groups engaged in drug trafficking and/or organized crime, which enables them to exchange ammunition and/or explosives for drugs, fake documents, etc.
- They can also have links with corruptible officials.

56. Part of the trafficking consists in the circulation and recirculation of ammunition inherited from supplies to regions in conflict initially made during the cold war. The proximity to those stockpiles facilitates the illegal movement of ammunition into areas of conflict. Availability of pre-existing stockpiles would decrease the demand for alternative

sources. Furthermore, on the international scene, other types of internal and regional conflicts have appeared where there is an obvious need for or consumption of a large amount of ammunition.

57. The illicit trade appears to seek the paths of least resistance. Whether they deal in rugs or drugs, smugglers tend to use the same routes that they have always used.

58. It seems apparent that law enforcement is the central issue in discussions on transfers and trafficking. The legitimate trade, by definition, depends on strict enforcement of existing laws and regulations. The illicit trade is dedicated to circumventing them. In the current period of increased globalization, free trade presents problems for law enforcement agencies charged with guaranteeing public safety and open trade. The international community needs to find a way to make law enforcement compatible with free trade if it plans to eliminate the illicit movement of ammunition and explosives.

V. STOCKS AND SURPLUSES

A. Ammunition

59. Clear and comprehensive data on the location and extent of ammunition stocks and surpluses is lacking. Responses to the Group's questionnaire have not filled this gap. States are generally unwilling to disclose information about ammunition stockpiles for reasons of national security. Moreover, States generally do not keep precise, centralized and accessible records and accounts of existing stocks, including ammunition deemed surplus to national requirements, obsolete or unserviceable.

60. All of the available information, however, indicates that the reduction in armed forces in the post-cold war period has contributed to the existence of very large stockpiles of ammunition for small arms and light weapons in various defence inventories.⁸ This trend has been strengthened by the change to smaller-calibre main assault rifles (from 7.62 mm to 5.56 mm) in several major armed forces in the world. While the resulting stockpiles cannot be quantified, their careful management, and their reduction where appropriate, are considered especially important by the Group.

B. Explosives

61. Industrial explosives differ from small arms ammunition and high-quality military explosives as they tend to have a shorter shelf-life and quicker turnover. This is particularly true of industrial explosives requiring "just-in-time" manufacture and delivery. In fact there is an increasing trend for "on site" mixing to form bulk explosive slurry from non-explosive constituents. Some industrial explosives (e.g. nitroglycerine-based, nitroguanadine-based)

tend to become unstable in storage with time and especially at high temperatures and humidity. Detonators are prone to corrosion and can also become unsafe in storage. Military explosives, on the other hand tend to have good storage characteristics and can be safely stored for decades in good storage conditions. Storage of bulk explosives (military or industrial) bring inherent safety and compatibility problems which tend to become self-limiting factors so that national arsenals and industrial manufacturing and storage facilities tend to reduce such stocks to the absolute minimum necessary.

VI. LEGISLATIVE CONTROL MEASURES

A. *National legislation*

62. National legislation on ammunition and explosives is best described as being very diverse. Whereas in some countries existing legislation can be considered comprehensive and effective, in others legislation is inadequate or even lacking altogether. In those countries where the legislation is more comprehensive, it includes provisions on classification and definition of arms and ammunition and explosives, import and export licensing requirements, rules on purchase, possession and domestic transfers, national registers, identification and marking, domestic application of international and regional regulations and the penalties in case of failure of observance of the rules. This applies notably to the national laws, regulations and procedures governing access by civilians' right to sell, purchase, own and use ammunition and explosives. Where such legal frameworks, however disparate, do exist at the national level, they are largely unsupported by international agreements or treaties. As a general rule, most countries not only regulate individual firearms ownership but also control the amount of ammunition an individual can have for personal use.⁹

B. *Bilateral agreements*

63. In some cases bilateral agreements have been signed to fight against the illegal traffic of ammunition and explosives, including the following:

- The Mexico-United States Coordination Group, established in May 1996;
- The Brazil-Paraguay Agreement, signed in October 1996, by which both countries must exchange monthly records on arms, ammunition and explosives purchases by all their legal residents;
- Some bilateral agreements also exist in Africa, notably between South Africa and Mozambique and South Africa and Swaziland. Those agreements cover cooperation between the police services of the countries concerned and include provisions for specific cooperation on ammunition and explosives.

C. Regional agreements

64. The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials, adopted by the Organization of American States (OAS) on 13 November 1997 (hereafter “the OAS Convention”), is the first binding regional agreement explicitly addressing ammunition for small arms and light weapons, as well as explosives. The purpose of the OAS Convention is to prevent, combat and eradicate the illicit manufacture of and trafficking in firearms, ammunition, explosives and other related materials. In pursuit of these objectives, the States parties are committed to harmonizing their national legislations and to promoting and facilitating cooperation and exchanges of information and experience among themselves.

65. In support of the implementation of the OAS Convention, the States members of the Southern Cone Common Market (MERCOSUR), Bolivia and Chile are in the process of establishing a joint registration mechanism for purchasers and sellers of weapons, ammunition and explosives and other related materials. This mechanism was adopted by the heads of state during the Summit of the Americas held at Santiago on 18 April 1998.

66. In the “Regional Intelligence Community of Central America”, Mexico and Central American countries have exchanged intelligence information on traffic in arms, ammunition and explosives since 1994.¹⁰

67. The Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa was adopted for an initial duration of three years by the States members of the Economic Community of West African States (ECOWAS) on 31 October 1998. Unlike the OAS Convention, the Moratorium addresses the legal trade and manufacture of small arms and light weapons. It is a voluntary measure rather than a legally binding treaty. The Moratorium itself addresses neither ammunition nor explosives. The code of conduct on the implementation of the Moratorium, elaborated in March 1999, however, does provide for strict controls by the participating States on the importation of spare parts, including ammunition for small arms and light weapons.

68. The European Union Programme for Preventing and Combating Illicit Trafficking in Conventional Arms, adopted in June 1997 makes particular reference to small arms, but neither to their ammunition nor to explosives. The European Union Code of Conduct on Arms Exports (June 1998) covers all conventional weapons without singling out small arms or light weapons. The EU Joint Action of December 1998, which builds on the former two initiatives, is designed to address specifically the EU’s contribution to combating the destabilising accumulation of small arms and light weapons, but its provisions include neither ammunition for such weapons, nor explosives.

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69. The Schengen Agreement¹¹ of 1985 calls for the signatory countries “to bring into line with the provisions of this Chapter their national laws, regulations and administrative provisions relating to the purchase, possession, sale and surrender of firearms and ammunition”. The Agreement, however, covers only natural (physical individual) and legal (companies or organizations) persons rather than supplies to central and territorial authorities, the armed forces or the police.

D. Multilateral agreements

70. The Wassenaar Arrangement involves 33 States participating on a voluntary basis in export controls for conventional arms and dual-use goods and technologies. Its ammunition list classifies ammunition according to weapons categories and includes the full range of ammunition for small arms and light weapons. The Wassenaar Arrangement’s participating States include some, but not all, of the world’s significant producers of ammunition for small arms and light weapons.

71. The United Nations Register of Conventional Arms constitutes the broadest multilateral mechanism for promoting transparency in conventional arms transfers. Its scope, however, is limited to seven categories of major conventional weapons, excluding small arms, light weapons, their ammunition, and explosives.

72. The draft protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials supplementary to the draft convention on transnational organized crime which is currently being negotiated in the framework of the Vienna-based Commission on Crime Prevention and Criminal Justice is notable in that it specifically addresses ammunition for firearms. On the other hand, the current draft protocol makes no explicit mention of explosives. Furthermore, whereas the Expert Group in the present report addresses ammunition and explosives in all their aspects, including legal State-to-State transfers and manufacturing, the draft protocol’s scope extends only to illicit manufacturing and trafficking. In addition, whereas the draft protocol requires appropriate marking for firearms, it does not address the marking of ammunition or explosives.

VII. MARKING OF AMMUNITION AND EXPLOSIVES

73. There is no obligatory or standardized universal system for the marking of ammunition and explosives or for the centralized registration of such marking. Markings are applied to ammunition and explosives and their packaging to provide information enabling or assisting:

- Identification and management purposes;
- Issue of the correct ammunition or explosive to the appropriate user;

- Identification by the user of the ammunition or explosive;
- The correct handling and transport of ammunition or explosives;
- The tracing of ammunition or explosives;
- Investigations into ammunition or explosives incidents.

A. Ammunition

Headstamping

74. Headstamping is usually associated with small arms ammunition, although it is also used with larger calibres. A cartridge headstamp is a marking impressed, stamped or embossed on the base of a cartridge case during the manufacturing process. The practice of headstamping is worldwide, but no single convention is used, although the standards used by the North Atlantic Treaty Organization (NATO) and the Commonwealth of Independent States (CIS) are the most widespread. Headstamps can and do therefore include any combination or selection of numerals, letters, trade marks, symbols or other codes used to identify such aspects of manufacture as country or factory of origin, year of production, and sometimes lot number and calibre. Different language characters and calendar systems are also used. The resulting patterns are of an immense diversity.

75. As there is no international obligation to apply headstamps to small arms and light weapons ammunition, dealers sometimes have ammunition especially made for them with their own trade mark but without original factory markings. Some military units also require their ammunition to be either unmarked or to bear markings in secret code to avoid traceability after covert operations. The practices of components assembly and of handloading/reloading also complicate the picture, since the headstamp may only identify the initial producer of the cartridge case.

Colour-coding and stencilling

76. Colour-coding is used to denote the role and/or hazard associated with different types of ammunition. NATO coding and CIS coding are the most widely used conventions, although they comprise national variants. The coding indicating the role of small arms ammunition (such as armour-piercing, tracer, and so on) is usually painted on the tip of the bullet. Hazard-coding colours are either applied to the entire bullet or shell, or as a strip of colour. For larger-calibre ammunition, further information (such as nature, calibre, type, manufacturer, lot and year of manufacture) is often stencilled onto the shell and cartridge in addition to colour-coding.

Packaging

77. Ammunition packaging often provides more information than the ammunition itself, provided that the ammunition can be definitely associated with the package.¹² Details of ammunition are stencilled or printed on parent packs and usually include designation, nature, calibre, type, manufacturer, year and lot of manufacture, as well as other codes associated with transport and storage safety. The information is abbreviated on the sub-packs.

B. *Explosives*

78. Several studies are currently in progress on the subject of combating the problem of the misuse of military and industrial explosives. These include the National Research Council report of the Committee on Marking, Rendering Inert, and Licencing of Explosive Materials and the United States Department of the Treasury/Bureau of Alcohol, Tobacco and Firearms report on the same subject.

79. Explosives (military explosives, commercial explosives and their associated accessories, including detonators/blasting caps) present particular difficulties for satisfactory marking,¹³ although the wrapping and packaging of explosives are often marked with information similar to the markings on ammunition packaging.

Detection additives and devices

80. Military explosives such as plastic or sheet explosives are more difficult to detect because of their low vapour pressure and as a result they have been chosen as explosives of choice by bombers who are trying to prevent detection of improvised explosive devices (IEDs) at customs points or airports. As a result of the International Civil Aviation Organization (ICAO) Treaty of 1991, signed by 39 countries, many manufacturers of military explosives are now adding chemical markers in the manufacturing process to assist detection. A new technology also exists for detection marking of detonators and explosives involving the addition of coincident gamma-ray emitters at manufacture. This method is still under safety evaluation.

81. Rapid progress is also being made in improving the accuracy and sensitivity of detection instruments. New technologies such as vapour particle detectors, computed tomography, nuclear quadropole resonance, thermal neutron analysis, pulsed fast neutron analysis and nuclear resonance absorption are all at various stages of development and are driven by the aviation industry in a major effort to improve airline security. Cost, size and possible safety factors are limiting factors with some of these technologies at present.

82. The combination of enhanced detectability of marked explosives and the ongoing improvement in the sensitivity of detection instruments will eventually make covert movement of IEDs through security checkpoints very difficult. It should be noted, however, that many manufacturing countries have not yet signed the International Civil Aviation Organization Treaty and there are huge stocks of unmarked military explosives in existence worldwide. Furthermore, the Treaty does not apply at present to commercial boosters, detonating cords and certain cap-sensitive commercial explosives, which also have low vapour pressure and are difficult to detect. The explosives industry has reservations about the general adoption of this system owing mainly to the cost of marking compared to production costs.

Conventional markings

83. The same general comments apply here as for markings of ammunition. Conventional markings which identify designation, manufacturer, lot and year of manufacture are used for industrial and military explosive packaging and wrappings, but cannot be applied to bulk explosives and are difficult to apply to sensitive items such as detonators or explosive accessories such as safety fuse, detonating cords, etc. The problem is further complicated by the lack of international marking conventions and centralized databases for explosives and explosive components and accessories.

Taggants for pre- and post-detonation identification and tracing

84. Tagging is the addition of identification and tracing substances (known as taggants) to explosive substances. In Switzerland, where tagging is required by law, different systems are in use (e.g., 3M, HF-6 and Explo Tracer) but the basic principle is similar and consists of using particles or threads with unique combinations of coloured layers or elements which are mixed in during manufacture and can be recovered and analysed even from small traces left after detonation. The codes are changed either every six months or after production of every 300 tonnes of product, so that the explosive can be accurately identified and traced to a particular factory and date of manufacture. All codes are registered with the Swiss police. The tagging system has proved to be of great assistance to the Swiss police in solving explosives-related crime.¹⁴

85. In the explosives industry in countries other than Switzerland there are reservations about the general adoption of such systems, mainly because of considerations of cost (which runs to 3–4 cents per lb. in Switzerland) but also about other issues such as cross-contamination of machinery during production, possible performance degradation or safety concerns.

VIII. PROGRAMMES FOR THE REDUCTION OF AMMUNITION STOCKS

86. Stocks are usually reduced for any of the following reasons:

- Downsizing of military forces, the termination of a conflict or the reduction of a specific security threat;
- Change in standard-issue weapons or their calibres;
- End of useful life of ammunition;
- Defective ammunition;
- Storage safety.

A. Methods of reduction

Sale

87. The sale of surplus stocks is common in military arsenals. Such sales can be intergovernmental or open to the highest bidder or tender. In the latter case, merchants or brokers may be involved. Such sales can involve large amounts of ammunition, which is normally sealed in its original packs with its original marking. Thus sales can be fully legal and subject to due import and export controls, but covert or illegal sales are also possible.

Demolition

88. Demolition involves the use of explosives to destroy ammunition stocks. This method can be expensive and labour-intensive, especially for large volumes or for widely dispersed stocks. Demolition is not suitable for small arms ammunition. However, it is often the preferred method of destroying stocks of larger-calibre ammunition whose transport would be dangerous (such as duds, or severely corroded ammunition).

Incineration

89. Incineration is the controlled burning of ammunition in a specially designed oven or furnace capable of containing the effects of the explosions entailed. Such furnaces can be simple field incinerators, which are cheap, efficient and mobile, but tend to have a small or moderate capacity and are environmentally unfriendly because of the noxious fumes which are a by-product of burning ammunition and pyrotechnics. They are only capable of

incinerating small arms ammunition. At the other end of the technological scale, there also exist complex computer-controlled permanent incineration installations, which are more costly.¹⁵

Burning

90. The burning of ammunition or explosives can also be performed in the open. This method is suitable for propellants, pyrotechnics and for some explosives. Its disadvantages are its clear environmental unfriendliness and the fact that explosives can burn to detonation.

Dumping

91. Following the Second World War, dumping at sea was the most common method for disposing of large stocks of surplus ammunition. The practice has now been banned by international conventions. Land dumping consists in disposing of ammunition by burying it, notably in disused mineshafts and volcanoes. Dumping is cheap and can accommodate large volumes of ammunition, but its drawbacks are its environmental unfriendliness and the danger posed if the ammunition is subsequently uncovered.

Conversion

92. Conversion is technically feasible, and some ammunition producers convert hazardous ammunition into inert practice ammunition. Although expensive, this method can sometimes be cheaper than purchasing new practice ammunition.

Demilitarization

93. Demilitarization refers to a process in which ammunition is stripped down to its component parts and recycled, using as much of the material obtained as is economically feasible. Ammunition factories are increasingly turning to demilitarization as a paying service to customers for whom other methods are not practicable. Demilitarization is a rapid method for disposing of large volumes of surplus stocks. It is environmentally friendly, provided that the plant is equipped with the elaborate filters and scrubbers required to prevent the escape of noxious fumes. Metals are reused as scrap and high explosive ammunition fillings can be converted into explosives for industrial use. Propellants can be reused if chemically stable. Some firms can provide demilitarization facilities ready for use in a foreign customer's country. On the other hand, the process can be expensive, particularly if the ammunition needs to be transported over long distances.

B. Observations on the reduction of stocks

94. The Group is of the opinion that the careful management of worldwide legitimate stocks of ammunition, including the reduction of surplus stocks, combined with active encouragement for former combatants to hand over their stocks for destruction, can reduce the negative impact of the uncontrolled proliferation of ammunition in post-conflict areas. In post-conflict situations, the handing over of ammunition and explosives by former combatants, prior to destruction using one of the methods listed above, raises similar issues as for small arms and light weapons themselves. In particular, buy-back schemes involving monetary payment in return for ammunition and/or explosives entail the risk of fuelling the black market for future purchases of weapons, ammunition or explosives. Compensation in kind (whether in goods or in development-related equipment and services) for ammunition or explosives handed over, is usually to be preferred.

95. Initiatives designed to provide information and advice on appropriate, high-volume and environmentally friendly methods for reducing stocks, with the technical and financial support of donor nations, would be a clear contribution to conflict prevention and to post-conflict peace-building.

IX. OPTIONS FOR CONTROL MEASURES ON AMMUNITION
AND EXPLOSIVES

A. Options for improvements in marking

96. The marking of small arms ammunition could be improved by the global adoption of common standards whereby all headstamping would identify, at a minimum, the place, the year and the lot of manufacture. Tagging for explosives could be extended to all explosives and explosive accessories, including military explosives.

97. Such improvements would only be effective if central registries of marking and tagging codes could be kept, which could be accessed through appropriate procedures of intergovernmental information exchange.

98. Agreement on minimal international standards for marking would greatly enhance transparency by facilitating the identification and tracing of ammunition and explosives illegally used or trafficked. Agreement on the use of detection additives would also assist authorities in the detection and location of improvised explosive devices as well as illicit movements of explosives.

B. Rendering inert the chemicals used in explosive manufacture

99. The most accessible explosive chemical is ammonium nitrate and as a result of this has been used in many bombings worldwide.¹⁶ It is relatively simple to convert fertilizer-grade ammonium nitrate to explosive-grade. Measures to render ammonium nitrate inert to prevent detonation have been investigated in the United States and Canada. This has included addition of fire retardants, textiles, polymers and limestone and other chemicals. Field results have been mixed, but generally it was found that determined bombers with basic chemical knowledge could circumvent any measures used to date. Research in this area is continuing.

C. Legal and security measures to restrict the sale/availability/use of explosives and their precursors

100. Some measures which have been used in different countries with mixed success are:

- Voluntary industrial controls;
- Showing of identification by purchasers;
- Recording of all sales by sellers;
- Licensing of users;
- Age restrictions on purchase;
- Banning import and sale of certain categories, e.g. fireworks;
- Verification of end use of explosives by police;
- Guarding of manufacture and storage sites and large consignments in transit by security forces;
- Mandatory reporting to police of sales to individual purchasers above specified quantities.

101. Precursor chemicals are chemicals which are vital to the manufacture of explosives although not necessarily explosives in themselves.¹⁷ These chemicals are much more difficult to control than actual explosives because of their widespread legitimate use in industry, agriculture and research and educational laboratories. Some of the measures mentioned could also be applied to the sale of precursor chemicals, especially to larger purchases.

D. *Databases and information exchange on explosives incidents and improvised explosive devices*

102. Information on explosive incidents (bombings, damage/casualty analysis, bomb constituents and design, thefts of explosives, finds of illegal explosive accidents involving explosives) and information regarding legitimate production, use and stocks of explosives is generally not centralized and is difficult to obtain in most countries. The Group has already encountered difficulties obtaining meaningful information on these matters in our questionnaire. Dissatisfaction with the collation of United States statistics by the Bureau of Alcohol, Tobacco and Firearms was expressed in the National Research Council report mentioned above. Such information is collected by national EOD and police organizations but is security-sensitive and not generally available. The Expert Group is not aware of any formal international database on the subject.

103. Information exchange is vital in combating the problem of misuse of explosives. Such information is generally exchanged among security forces and among EOD organizations (e.g., International Association of Bomb Technicians and Investigators) on an ad hoc basis or at international conferences. Such exchange is neither formalized nor centralized.

X. FINDINGS AND RECOMMENDATIONS

A. *Findings*

104. Having found that:

- Existing information on ammunition and explosives is often fragmented between different agencies and accessible centralized records are not usually available nationally or internationally on this subject;
- Ammunition and explosives are an inseparable part of the problem of the excessive and destabilizing accumulation, transfer and misuse of small arms and light weapons;
- Measures to control small arms and light weapons would not be complete if they did not include ammunition and explosives;
- There are wide variations in the quality and range of existing control measures;
- Existing marking systems are too diverse to be adequate for tracing and control purposes;

- There is no international harmonization of relevant administrative control measures;
- Small arms and light weapons used in conflict require frequent resupply of ammunition and therefore enhanced controls on ammunition and its explosive components and on the manufacturing technology to produce them could be of particular value in dealing with the existing dissemination of small arms and light weapons and reducing the incidence of their use in conflict or post-conflict situations;
- There is a worldwide lack of accurate quantification of ammunition and explosives stocks and surpluses;
- Ammunition, explosives and improvised explosive devices are relatively easily manufactured and the knowledge, equipment and technology required is easily transferred on a global basis;
- Enhanced transparency in the fully legitimate trade in ammunition and explosives would help to identify, circumscribe and combat illicit trafficking;
- Such enhanced controls would be in the interest of licit production, trade and use, as well as in the interest of tracking and stemming illicit production, trafficking and misuse of ammunition and explosives;
- Law enforcement is key to protecting the legitimate trade and preventing and detecting illegitimate transfers, the Group of Experts on the problem of ammunition and explosives in all its aspects makes the following recommendations.

B. Prevention measures

105. For the purposes of national, regional and international information and control, the Group recommends:

(a) The adoption by States of rules, regulations and procedures for the central national collection of complete information on the production, stocks and transfers of ammunition and explosives;

(b) The collection and analysis of such data centrally in each country in a single database and the linkage of such databases on a regional and international basis;

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(c) The nomination by States of a national point of contact for regional and international exchanges of information and cooperation on all aspects of the problem of ammunition and explosives;

(d) The creation of regional registers covering ammunition and explosives;

(e) The pursuit of efforts to expand the scope of the United Nations Register to small arms and light weapons, as well as ammunition and explosives;

(f) The regional and international harmonization of laws and regulations relevant to the control of ammunition and explosives;

(g) The international standardization of the form and content of end-use/end-user certificates;

(h) Encouraging states to register, regulate and approve all of the participants in the ammunition and explosives supply chain, including producers, brokers and shippers, and only to deal with similarly approved participants on a national and international level;

(i) Encouraging States to promote regular meetings among the security community and intelligence agencies for the exchange of information on the activities of illegal actors in order to improve law enforcement strategies under the aegis of the United Nations.

106. To assist in the process of identification and tracing of ammunition and explosives, the Group recommends:

(a) Encouraging the adoption of a common minimum standard for the marking of ammunition and explosives;

(b) Including in the marking of small arms ammunition at least the three following elements in a standardized format: the factory of production, the year of production, and the batch/lot of production;

(c) The investigation and use of new technologies to improve the marking of ammunition and the tracing and detection of explosives and explosive components;

(d) Encouraging regular international meetings of ammunition experts for the exchange of technical information regarding all aspects related to ammunition and explosives under the aegis of the United Nations and appropriate regional organizations.

C. Reduction measures

107. For the purposes of stock reduction and surplus disposal, the Group recommends:

- (a) The systematic identification by States of stocks designated as surplus/excess/obsolete;
- (b) Encouraging States to develop and apply accounting and record-keeping procedures enabling them to identify such stocks;
- (c) The reduction of such excess stocks in a safe, secure and environmentally sound manner;
- (d) Encouraging the development and use of appropriate demilitarization techniques and facilities;
- (e) The conversion of excess production facilities where possible.

108. To assist in the process of stock reduction and surplus disposal, the Group recommends:

- (a) Regional and international cooperation in stock reduction operations;
- (b) Encouraging donor States to provide technical and financial assistance for stock reduction and demilitarization programmes where local resources are insufficient;
- (c) Encouraging regional cooperation, including information sharing and shared access to appropriate facilities for such reduction programmes, as well as for conversion.

D. United Nations activities

109. The Group recommends that the problem of ammunition and explosives be fully integrated into the following United Nations activities on small arms and light weapons:

- (a) The future study on “the feasibility of establishing a reliable system for marking all such [small arms and light weapons] from the time of their manufacture”, the future study on “the feasibility of restricting the manufacture and trade of such [small arms and light weapons] to the manufacturers and dealers authorized by States”, and of establishing a database of such authorized manufacturers and dealers, as well as on the agenda of the international conference on the illicit arms trade in all its aspects scheduled to take place no later than 2001.¹⁸

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(b) Further work, including field research on matters related to the transfer, use, stocks management and reduction of ammunition and explosives in conflict-prone areas.

110. The Group also recommends the creation of a United Nations advisory group on ammunition and explosives in order to enhance coordination and implementation of United Nations activities regarding ammunition and explosives. Such a group should have the following functions:

- Establishment and updating of a United Nations database on ammunition and explosives;
- Convening of meetings and point of contact for technical advice and information;
- Field assessment of problems related to surplus stocks;
- Technical advice and assistance on stock reduction programmes;
- Technical assistance and exchange of information to countries with less developed ammunition and explosives management systems;
- Coordination of technical and administrative training of personnel on relevant aspects of ammunition and explosives;
- Initiation of further studies related to problems identified in the present report.

Notes

¹ Argentina, Barbados, Brazil, Canada, Cyprus, Czech Republic, Denmark, Ecuador, Finland (letter indicating that no response would be provided), France, Ireland, Lebanon, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Nepal, New Zealand, Oman, Philippines, Portugal, Republic of Korea, Russian Federation, Samoa, San Marino, Slovakia, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay and Yugoslavia.

² An explosive is any substance, which, when initiated, produces a sudden release of energy and gases causing heat and external pressure waves. Explosives are classed as "high" or "low" depending upon the speed of chemical reaction. The reaction in a high explosive is almost instantaneous and gives rise to a disruptive shock wave through the material; the process is called a "detonation". Shell, mine and bomb fillings are usually filled with "high explosives", whereas propellants are classed as "low explosives".

³ Detonators are small metallic tubes containing very sensitive explosives which are initiated either by electric current (electric detonators) or heat (ordinary or igniferous detonators) or by striking (percussion detonators). The detonator is a vital item in starting the “explosive train” which ultimately causes the main explosive charge to detonate.

⁴ In Northern Ireland there were over 17,000 incidents involving explosives between 1969–1997. In the United States of America there were over 50,000 such incidents between 1976 and 1995.

⁵ For example, transport companies in the United States rely on global positioning systems (GPS) to monitor ammunition and explosives shipments. At any given time, United States shippers can determine the precise location of a container, not only within the United States but anywhere in the world. This system of transportation control depends upon shipment integrity. Shipping data might not reflect reality if a shipment were consolidated or its original configuration had been altered along the way.

⁶ End-use certificate: documentation which proscribes the use of *matériel* intended for transfer. End-user certificate: documentation used to verify the recipient of a transfer. International import certificate: document used to guarantee that the importer does not intend to divert, re-export or trans-ship imported material.

⁷ “Grey markets” operate at the juncture between licit transfers and illicit trafficking. They comprise the following types of transactions in ammunition and/or explosives:

- Re-export of materials previously purchased legitimately;
- Triangulation of materials in contravention of end-use and/or end-user certificates;
- Commercialization by a broker who coordinates the operation between a supplier and a recipient (be it a State or a sub-national/transnational group).

⁸ The stockpile of conventional ammunition in the United States as of 1994 has been estimated at a value of \$80 billion, of which \$31 billion was considered excess. See “Defense Ammunition, Significant Problems Left Unattended Will Get Worse”, General Accounting Office, United States, report to Congressional requesters (GAO-NSIAD-96-129 Defense Ammunition, June 1996).

⁹ The United States is a major exception to this rule. Firearms sales are regulated but ammunition sales are not. Although security is a priority concern for shippers, diversion, i.e., theft, is not an issue in the United States because as a commodity ammunition is readily available. Many shooting sports enthusiasts reload their own ammunition.

¹⁰ Antonio Garcia Revilla, "Interrelationship between Small Arms Trafficking, Drug Trafficking and Terrorism", in: *Curbing Illicit Trafficking in Small Arms and Sensitive Technologies: an Action-Oriented Agenda* (UNIDIR, Geneva 1998).

¹¹ The parties to the Schengen Agreement are: Austria, Belgium, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal and Spain.

¹² Ammunition is normally packaged into sub-packs (typically cardboard boxes of 20 rounds/cartridges for small arms ammunition, or individual cylinders for larger calibres). These sub-packs are in turn loaded into parent packs (typically wood or steel, holding 1,000 to 1,500 rounds of small arms ammunition) which can be lifted by one person. Parent packs are then often grouped into 1,000-kg pallet loads for mechanical handling.

¹³ The bulk explosive material itself is amorphous and difficult to mark. Detonators when filled are extremely sensitive and are dangerous to stamp or process through a stencilling procedure. Colour-coded wires are sometimes used for electric detonators to describe characteristics but they rarely give information on origin. Detonating cord and safety fuse have a very small diameter and are difficult to mark. Identification of explosives after an explosion is even more difficult since only chemical traces will normally be left at the scene with perhaps some remnants of a detonator tube or wiring.

¹⁴ Explosives tagging was adopted in Switzerland in 1980 under the Swiss Federal Act of Explosives for Civil Purposes, which required all blasting products to be tagged. Taggants have since been used successfully in a full spectrum of explosive products, including dynamite, black powder, plastic explosives, slurries, gels, safety fuse, detonating cord and ammonium nitrate mixes.

¹⁵ Such advanced incinerators have a high capacity (of the order of 500 rounds of small arms ammunition per minute), can operate with large-calibre ammunition and are generally environmentally friendly since they use effective filters and fume scrubbers.

¹⁶ E.g., The Federal Building, Oklahoma City; Canary Wharf, London; Omagh, Northern Ireland.

¹⁷ The main precursor chemicals of concern are: ammonium nitrate, sodium nitrate, potassium nitrate, nitromethane, concentrated nitric acid, concentrated hydrogen peroxide, sodium chlorate, potassium chlorate, potassium perchlorate as well as the widely used chemicals acetone, ammonia, benzene, butane, ethylene glycol, glycerine, iodine, methane, nitric perchloric and sulphuric acids, urea, toluene, lead, mercury and silver.

¹⁸ As recommended by the Panel of Governmental Experts on Small Arms in its report (A/52/298) and by the General Assembly in its resolution A/53/77 E of 4 December 1998 on "Small arms".

ANNEX

Main components of the round/cartridge of small arms

Bullet

This can be of a single heavy metal such as lead or, in many military designs, a composite of an outer envelope of brass/copper and an inner core of lead sometimes with a steel tip. The shape of the bullet can vary from ogival shape with a pointed tip to a cylindrical shape with a flat tip. The shape and composition of the bullet affect the ballistic flight (called external ballistics) and dictate the effect on striking the target (called terminal ballistics).

Cartridge case

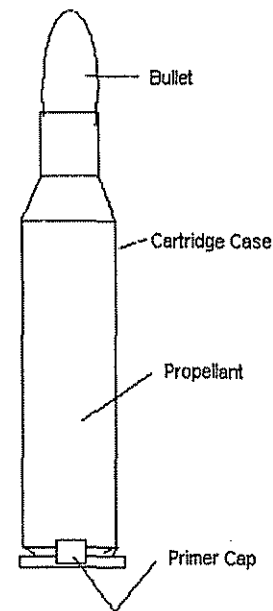
This is the largest single component and comprises a metal (normally brass but sometimes steel) cylindrical tube which holds the bullet at the neck and the propellant charge inside and houses the primer in its base. The outer circumference of the base of the cartridge case normally has a groove and rim to assist in extraction from the weapon after firing.

Cap (primer)

This consists of a small metal cup containing a sensitive explosive, which, when pinched or struck by the firing pin of the weapon, causes a flash to ignite the main propellant.

Propellant charge

This consists of granular material which burns rapidly to produce the sudden gas expansion which drives the bullet out of the weapon. Stabilizer is added to preserve the shelf-life of the ammunition. The propellant destabilizes slowly over time, leading eventually to erratic performance and in extreme circumstances to spontaneous combustion of the propellant. This process of destabilization is accelerated by high humidity, wide temperature fluctuations and exposure of ammunition out of its packing. The same conditions also cause the metal components to corrode. Under good storage conditions (i.e., stable temperate temperatures and low humidity combined with properly sealed packing), small arms ammunition can last 50 years or more without significant deterioration.



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