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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects Second session

Summary record of the 11th meeting

Held at Headquarters, New York, on Monday, 8 January 2001, at 3 p.m.

Chairman: Mr. Dos Santos (Mozambique)

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The meeting was called to order at 3.30 p.m.

Opening of the session

1. **The Chairman** declared open the second session of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and said that, in the 10 months since the Committee's first session, significant progress had been made towards ensuring the success of the preparatory process and the 2001 Conference itself. Two inter-sessional consultations had been held in July and October 2000. During the latter meeting, held concurrently with the meetings of the First Committee, delegations had expressed their firm support for efforts to elaborate a draft programme of action, which he would shortly introduce. The draft agenda and objective of the Conference were also ready to be formally recommended, whereas the draft rules of procedure, first discussed during the July inter-sessional meeting, required further elaboration. During the inter-sessional meetings, consultations had continued concerning the presidency of the Conference and the modalities for the participation of non-governmental organizations and civil society representatives. Those consultations were continuing, and he would report to the Committee in that regard at the appropriate time.

2. A number of developments had given new momentum to the preparatory process. The Millennium Declaration had noted the need for action to put an end to the illicit trade in small arms and light weapons, and the President of the General Assembly had stressed to him the importance of successfully concluding the preparatory process in fulfilment of that commitment. He had also had the opportunity to attend the meeting of African experts and the OAU Bamako Ministerial Conference, the outcomes of which should serve as a source of inspiration for the Preparatory Committee, as could the Latin American and Caribbean Group regional meeting and its Brasilia Declaration.

3. He had attended meetings in Geneva between the United Nations Institute for Disarmament Research (UNIDIR) and representatives of Governments and international non-governmental organizations, as well as meetings in Lucerne, Tokyo and Nairobi. Many other meetings, which he had not been able to attend, had also been held. Participants in all the meetings had expressed their earnest desire to guarantee the success

of the preparatory process and the Conference itself. The key to ensuring a successful Conference and alleviating the suffering of the peoples of the world caused by the illicit trade in small arms and light weapons was the fullest possible implementation of its outcomes. To that end, he appealed to all concerned to overcome any differences and work for consensus on the desired outcomes of the Conference.

Election of the Chairman and other officers

4. **The Chairman** said that the Group of African States had endorsed the candidacy of Mr. du Preez (South Africa) as a Vice-Chairman of the Preparatory Committee and took it that the Committee wished to elect him by acclamation.

5. *Mr. du Preez (South Africa) was elected as a Vice-Chairman of the Preparatory Committee.*

6. **The Chairman** said that the Group of Latin American and Caribbean States had informed him that Mr. Soares (Brazil) and Mr. Miranda (Peru) had resigned as Vice-Chairmen and that the Group had endorsed the candidacies of Ms. Sampaio (Brazil) and Mr. Salazar Cossio (Peru) as their replacements. He took it that the Committee wished to elect those candidates by acclamation.

7. *Ms. Sampaio (Brazil) and Mr. Salazar Cossio (Peru) were elected as Vice-Chairmen of the Preparatory Committee.*

8. **The Chairman** said that the Group of Western European and Other States had informed him that Mr. Gaillard (Canada), Mr. Charasse (France) and Mr. Duarte (Portugal) had resigned as Vice-Chairmen and that the Group had endorsed the candidacies of Mr. McDougall (Canada), Ms. André (Belgium) and Mr. Salander (Sweden) as their replacements. He took it that the Committee wished to elect those candidates by acclamation.

9. *Mr. McDougall (Canada), Ms. André (Belgium) and Mr. Salander (Sweden) were elected as Vice-Chairmen of the Preparatory Committee.*

10. **The Chairman** said that with regard to the position of Rapporteur, he took it that the Committee wished to continue to conduct its work as it had at the first session, namely, that its report would be prepared and presented to the Committee by the Chairman, with the assistance of the Secretariat.

11. *It was so decided.*

Recommendations to the Conference on all relevant matters, including the objective, a draft agenda, draft rules of procedure and draft final documents, which will include a programme of action
(A/CONF.192/PC/L.2, L.3, L.4 and L.5)

12. **The Chairman** said that, in preparing the draft provisional agenda (A/CONF.192/PC/L.2), the draft objective (A/CONF.192/PC/L.3), the draft programme of action (A/CONF.192/PC/L.4) and the draft provisional rules of procedure (A/CONF.192/PC/L.5), he had taken into account the observations made by delegations and the results of the regional meetings. The draft provisional agenda, draft objective and draft rules of procedure would be submitted for discussion in the near future. Turning to the draft programme of action, he said that section I, the preamble, noted the political momentum for and the current status of measures to prevent, reduce and curb the illicit trade in small arms and light weapons. Many elements of the preamble could also be included in a future political declaration. Section II dealt with the problem of preventing, controlling and curbing the illicit trade in small arms and light weapons and proposed measures to that end, section III stressed the need for international cooperation and assistance, and specific measures on the part of the world community, and section IV underscored the importance of effective implementation and follow-up in order to ensure that the objectives of the Conference were realized.

13. In accordance with the recommendations made during the Committee's first session, he had attempted to identify national, regional and global measures and propose flexible mechanisms which could be adapted to reflect decisions taken by the international community as well as examples of possible follow-up measures. Those suggestions could then be further refined by participants at the review conference to be held in 2004. While recognizing that the document would not meet with the full approval of all delegations, he believed that it was a good basis for further substantive discussions. The terrible impact of the illicit trade in small arms and light weapons made the Committee's work all the more urgent and he looked forward to continued progress.

Organization of work

14. **The Chairman** drew attention to informal paper No. 1 containing his suggested tentative working timetable, whereby the Committee would establish four clusters to address the range of issues set forth in the draft programme of action (A/CONF.192/PC/L.4) as well as the question of a possible political declaration, which might include many elements of the preamble; he would appoint four facilitators for the four clusters at a later meeting. The draft timetable covered only the first week of the session, at the end of which the programme of work for the following week would be reassessed. He suggested that the draft agenda, draft objective and draft provisional rules of procedure should be considered the following week.

15. **Ms. Arce de Jeannet** (Mexico) expressed her delegation's support for the preparatory process but, while recognizing the need to begin work on the draft programme of action, questioned the need to organize discussions around clusters, especially cluster 1, which grouped together sections I, IV and a possible political declaration. It would be more logical to simply deal with the draft programme of action in a sequential manner, from section I through IV. Discussion on a political declaration could be held subsequently or perhaps during the Committee's third session.

16. **The Chairman** noted that, with the exception of cluster 1, he was proposing a sequential discussion of the draft programme of action. Nevertheless, he was ready to undertake a completely sequential review if delegations so desired, and leave discussion of a political declaration for a later date. If any delegations wished to make general comments on the document, they were welcome to do so, following which the Committee could begin its more detailed, sequential, review of the draft programme of action.

17. **Mr. Goussous** (Jordan), speaking on behalf of the States members of the League of Arab States, said that the proposed draft programme of action (A/CONF.192/PC/L.4) should be discussed as a whole, sequentially, without dividing the issues into clusters.

18. **Mr. Ogunbanwo** (Nigeria) said that it might be preferable to begin by discussing the document as a whole, so as to determine the issues requiring special focus. Subsequent discussions on specific issues should not, however, be held in parallel, but in plenary meetings, to enable all delegations to participate fully.

19. **Mr. du Preez** (South Africa), while agreeing with previous speakers on the need to consider the working paper in a sequential manner and as a whole, said that he saw no conflict between those concerns and the judicious approach to time management proposed by the Chairman, whose proposals for grouping the issues in clusters and appointing facilitators he supported.

20. **Mr. Bebars** (Egypt) said that he endorsed the views expressed by the representative of Jordan. After the contents of the draft programme of action had been discussed as a whole, in the order in which they appeared in the document, the plenary could determine how to deal with specific issues.

21. **Mr. Maandi** (Algeria), likewise endorsing those views, said that the document was a sum of interconnected parts and should be discussed as such. Dispersal into sub-groups would make it difficult for small delegations to participate in all the deliberations.

22. **Ms. Chan** (Singapore) expressed support for the suggestion, to which the Chairman had himself agreed, that the sections of document A/CONF.192/PC/L.4 should be discussed in sequence. She, too, had misgivings about the cluster format, which would inevitably result in the creation of small groups and the holding of parallel meetings.

23. **Mr. Buallay** (Bahrain), stating his preference for sequential consideration of the various sections of the draft programme of action, stressed the importance of producing some form of political statement or recommendation as an outcome of the Conference, and hence for the Preparatory Committee to discuss the political aspects of the issue.

24. **Mr. Rowe** (Sierra Leone) requested clarification by the Chairman of what the proposed cluster format would entail in terms of working groups and facilitators.

25. **Mr. Inacio** (Mozambique) said that the draft programme of action was well balanced and he commended the proposed tentative working timetable as a way of ensuring broad participation by all delegations and considering the whole document at the current session.

26. **Mr. Barg** (Libyan Arab Jamahiriya) associated himself with those who opposed the cluster format, with the consequent risk of fragmentation. To enable full participation by all delegations, the working paper should be discussed in plenary meetings, subject to

subsequent determination of issues requiring more focused attention. There was as yet not the slightest intimation of what the purport of a political statement or declaration would be.

27. **Mr. Mekdad** (Syrian Arab Republic) said that he associated himself with the position of the States members of the League of Arab States and shared the misgivings expressed about holding parallel meetings.

28. **Ms. Sampaio** (Brazil) pointed out that the concerns expressed about holding parallel meetings had in fact been met by the tentative working timetable, which proposed only plenary meetings. The cluster approach was a rational and constructive way of ensuring that all the issues in the working paper were addressed during the first week of the session, although she took the point that logic dictated following the sequence of issues as they appeared in the document. The proposed method allowed for orderly, scheduled consideration of all the issues. Following that preliminary debate, the plenary could take stock of issues requiring more in-depth discussion and decide how to proceed in the following week.

29. **The Chairman** thanked the representative of Brazil for her helpful insights and suggestions. He was alive to the problems of small delegations and would not propose a programme of work that would hamper their participation.

30. **Mr. Benítez Versón** (Cuba) welcomed the Chairman's intention to participate directly in a number of regional preparatory conferences to be held in the coming months. With regard to informal paper No. 1, his delegation shared many of the concerns which had already been voiced. The cluster approach and the designation of facilitators would be premature. Rather, a number of meetings should be devoted to an overview of the draft programme of action. To take a more fragmented approach would be to forgo a unique opportunity to have a general exchange of views that would help to clarify the desired outcome of the July Conference. His delegation therefore strongly supported consideration of the document in a sequential manner in plenary meetings conducted by the Chairman.

31. **Mr. Al-Haddad** (Yemen) said that, given the general preference for a sequential approach, a decision to that effect should be taken without further delay.

32. **Mr. Reznikov** (Belarus) welcomed the Chairman's flexibility and his understanding of the problems of small delegations. His delegation favoured considering the clusters sequentially, but not according to a rigid timetable. In view of past experience, the designation of facilitators might generate additional meetings outside the framework of the Committee in which small delegations, such as his own would have difficulty participating.

33. **Mr. Da Silva** (Angola) thanked the Chairman for the very comprehensive documents that he had provided and expressed support for the sequential approach.

34. **Mr. Khan** (Pakistan) praised the Chairman's plans to participate in regional conferences, which reflected his commitment to the preparatory process. While his suggestion was well-intentioned, clusters might not necessarily expedite the Committee's work. It might even be confusing for delegations to have to deliberate in a vacuum, unaware of what was taking place in the other clusters. His delegation therefore supported a discussion of the draft programme of action as a whole, sequentially, in plenary meetings, which would accommodate the needs of small delegations. In that regard, he agreed with the comments made by the representative of Mexico and the representative of Jordan on behalf of the League of Arab States.

35. **Ms. Arce de Jeannet** (Mexico) said that she supported the statements made by the representatives of Bahrain, Brazil and Cuba and urged the Committee to reach a consensus on a sequential approach. A general exchange of views on the draft programme of action could precede the section-by-section deliberations. During the second week of the session, the Preparatory Committee could address unresolved procedural issues, such as the participation of non-governmental organizations and the draft provisional rules of procedure, and assess its deliberations on clusters 1 to 4. It might also consider the cluster topics in greater detail and propose amendments to them or to other working documents.

36. All four sections of the draft programme of action should be covered and the Preparatory Committee should not become mired in an interminable discussion of any particular section at the expense of the others. Lastly, she said that it would be helpful to identify possible elements of a draft political declaration and

hoped that an updated draft political declaration and an updated draft programme of action would be ready for consideration at the third session of the Preparatory Committee.

37. **Mr. Al-Qassabi** (Oman) expressed agreement with those delegations which felt there was no need for clusters. Committee members should also be mindful of the time already spent on discussing the cluster approach.

38. **Ms. Wensley** (Australia) said that her delegation had no problem with clusters, working groups or facilitators. Nor was there any need for a lengthy general debate at a stage, when considerable preparatory work had already been done at the regional and national levels. Committee members should have an opportunity to make some initial general comments, but the discussion should rapidly become more focused, detailed and substantive. It was her understanding that facilitators would not be working parallel to the Committee or holding simultaneous meetings. The facilitators were merely a tried and true means of managing the workload and supporting the Chairman and the Bureau.

39. **Mr. Patokallio** (Finland) said that Committee members should consider the draft programme of action sequentially and complete the first reading by the end of the week. He agreed with the representative of Australia that a long general debate was no longer necessary. Any remaining general views could be discussed under section I on the preamble of the draft programme of action. He agreed with the Chairman that the Preparatory Committee could take stock of its work at the end of the first week; and at that point, the idea of facilitators could be considered further. The following week should be devoted to substantive, and not merely procedural, issues.

40. **Mr. Thamrin** (Indonesia) said that he supported the proposal to hold plenary meetings, which would be more coherent and transparent, and ultimately more productive. There were precedents for doing so; the documents of the Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons had also been discussed in plenary meetings.

41. **The Chairman**, on the basis of the views expressed, suggested devoting the following morning to a general exchange of views and then immediately embarking on consideration of the draft programme of

action in a sequential manner. He would submit a revised version of the draft programme of action on the basis of the Committee's deliberations. In view of the comments made by Committee members, facilitators would not be designated in the immediate term, but would perhaps prove useful at a later stage. There had never been any question of parallel meetings conducted by facilitators; he was all too aware of the problems which that would create for many delegations. Lastly, he assured Committee members that procedural issues could be resolved quickly and the remaining time would be devoted to a substantive discussion.

General comments

42. **Mr. Donowaki** (Japan) said that there was an imbalance in the draft programme of action that should be addressed. While the document referred to the elements of section II as eventually constituting the programme, section III, on international cooperation and assistance, also comprised important elements that should be given due emphasis in the final formulation of the document. Along those lines, his delegation had distributed a paper on elements to be considered for inclusion in section III to members of the Committee. Moreover, section II was overly lengthy and detailed and could be improved by having fewer and more concise recommendations.

43. **Mr. Danielsson** (Sweden), speaking on behalf of the European Union and the associated countries Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, said that the European Union attached great importance to the upcoming Conference, and called on the Committee to adopt a comprehensive approach to the suffering caused by small arms and light weapons. Measures were needed not only to control the supply of new weapons but also to prevent their recirculation.

44. Among the steps taken by the European Union to confront those problems were a programme for combating illicit trafficking in conventional arms, a code of conduct on arms exports, joint action on the Union's contribution to combating the accumulation and spread of small arms and light weapons, and a resolution on combating the accumulation and spread of small arms and light weapons as part of its emergency aid, reconstruction and development programmes. It also welcomed the efforts of such other bodies as the Organization for Security and Cooperation in Europe (OSCE) and the Organization of

African Unity (OAU) to deal with those problems, and looked forward to renewed efforts in 2001 to reach an agreement as soon as possible on the Firearms Protocol to the United Nations Convention against Transnational Organized Crime.

45. In an effort to contribute to the adoption of a plan of action at the Conference, and on the basis of the proposed draft submitted by the Chairman during the inter-sessional meeting of the Committee, the European Union had put together a plan of action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects (document A/CONF.192/PC/21). The document expressed concern over the consequences of the accumulation and spread of small arms and light weapons, outlined commitments for combating illicit small arms and light weapons at the national level, proposed measures and actions for subregional, regional and international cooperation and assistance in that regard, and discussed the implementation of the programme of action and the follow-up of the Conference. Stressing the importance of implementing the plan of action, the European Union called for national and regional reports on that topic at appropriate intervals; it further proposed that a conference to review that implementation should be held in 2005, and that a committee should be established to follow the implementation of the plan of action as well as to prepare for a new conference.

46. Turning to outstanding procedural issues, he said that the European Union supported the nomination by the United Kingdom of Sir Michael Weston as President of the Conference and hoped that the issue of the presidentship would be resolved during the current session of the Committee. He also stressed that non-governmental organizations should be given as wide access to the Conference as possible, since efforts to arrive at practical solutions that enjoyed the support of civil society would benefit from their active input. Finally, in the interest of saving time at the current session, he suggested the possibility of dividing the work of the Committee into specific subject areas to be included in the draft plan of action.

47. **Mr. Mekdad** (Syrian Arab Republic) expressed his delegation's hope that the Committee would consider the issue of the illicit trade in small arms and light weapons in its entirety, as it would be difficult for the forthcoming Conference to attain its objectives, were the Committee to confuse that issue with the question of the right of States, enshrined in Article 51

of the Charter of the United Nations, to defend their sovereignty and territorial integrity. While understanding that small arms and light weapons had been used inappropriately in recent internal destructive wars, his delegation was also duty-bound to recognize the right of peoples to defend their sovereignty and liberate their lands under occupation. Therefore, any document to be adopted by the Committee should refer to the need to respect the objectives and principles of the United Nations.

48. The forthcoming Conference must not in any way entail a renunciation of the priorities of the international community in the field of disarmament, as contained in the Final Document of the tenth special session of the General Assembly, the first special session devoted to disarmament. That document assigned the highest priority to nuclear disarmament, and any document that the Committee proposed to adopt should include a reference to that important and delicate issue.

49. While the Committee needed to reaffirm, during its forthcoming deliberations, that a large number of recent conflicts had been exacerbated by the use of small arms and light weapons, it should never forget that those conflicts were rooted in the socio-economic circumstances of the countries involved, as well as in conditions inherited from the colonial era. Lastly, his delegation stressed the need to take into account the documents adopted at regional meetings in that regard, in particular at the OAU Bamako Ministerial Conference.

50. **Mr. Meyer** (Canada) said that an effective international system to promote the traceability of small arms and light weapons required means to ensure adequate and reliable marking of all such arms, adequate record-keeping in the areas of arms production, possession and transfers, and international arrangements to enable timely and reliable tracing of lines of supply by the relevant authorities. His delegation also strongly believed that the mandates of United Nations peacekeeping operations should contain clear provisions for disarmament, including weapons collection and destruction.

51. Of particular concern to the Committee was the fact that hundreds of thousands of children had been among the victims of small arms and light weapons, and more than 300,000 children under the age of 16 were thought to have been exploited as participants in

armed conflict using such arms. In order to clarify the link between small arms and war-affected children, Canada had commissioned a study of the subject which it hoped to present at the next meeting of the Committee. In conclusion, he urged the Committee to keep in mind the overriding human dimensions of the problem of small arms proliferation and take urgent action on it.

52. **Ms. Wensley** (Australia) said that she welcomed the comprehensive nature of the draft programme of action presented by the Chairman. National and regional efforts were the building blocks for coordinated international efforts to address the problem of the illicit trade in small arms and light weapons. While the Chairman's draft contained a number of references to such regional efforts, she felt that there was scope for their further development in that regard, and stressed that regional efforts and activities should be given due priority in the measures and follow-up actions to be proposed.

The meeting rose at 5.55 p.m.