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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

8 to 19 January 2001

Summary record of the 25th meeting

Held at Headquarters, New York, on Thursday, 18 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.

Draft provisional agenda of the Conference
(A/CONF.192/PC/L.2/Rev.1)

1. **Ms. Nernik** (Slovenia) said that Slovenia supported the statement of the European Union and shared the concern of the international community about the proliferation of small arms and light weapons, which had caused an alarming number of casualties throughout the 1990s and had exacerbated conflicts and which, once such conflicts were resolved, hindered the reconstruction of countries and their societies. Slovenia welcomed the increasing number of initiatives undertaken by international, regional and non-governmental organizations with a view to reducing the proliferation and the indiscriminate use of small arms and light weapons. Slovenia had joined in those efforts by organizing the workshop on small arms and light weapons held in Ljubljana under the auspices of the Stability Pact for South Eastern Europe.

2. The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects would focus international efforts on that area. Slovenia supported some of the common concerns which currently enjoyed a broad international consensus: a greater exchange of information worldwide, an improvement in customs services and border controls, security for weapons arsenals and the destruction of surplus weapons, especially those confiscated following conflicts. The Conference must develop a plan of action. In that regard, the Chairman's proposal was an excellent basis for the formulation of a final Conference document. Most important was to prepare and to adopt a plan of action and to establish a framework for subsequent measures, including a follow-up conference in the year 2005.

3. The complexity of the issue and the need to promote effective global actions would require the establishment of coalitions not only of States but also of international organizations and within civil society. It was therefore necessary to afford non-governmental organizations and the representatives of civil society the opportunity to express their views not only during the Preparatory Committee process, but also during the Conference itself.

4. **The Chairman** suggested that the draft provisional agenda of the Conference, which was

contained in document A/CONF.192/PC/L.2/Rev.1, should be adopted.

5. *It was so decided.*

6. **Mr. Yamamoto** (Japan) made a series of comments regarding items 1, 2, 8 and 13 of the draft provisional agenda of the Conference.

7. **The Chairman** suggested that any revisions should be adopted by the Conference itself, at the beginning of its proceedings.

Organization of work

8. **The Chairman** said that, in the light of the views expressed during the consultations and meetings, he understood that delegations wished to use the time that remained until the next session to study carefully the latest version of the draft Programme of Action (A/CONF.192/PC/L.4).

9. **Ms. Arce de Jeannet** (Mexico), referring to the organization of work for the period following the second session of the Preparatory Committee, said that, in the view of Mexico, the Chairman should continue with his plan of holding informal consultations with all groups and delegations on matters that still needed definition, namely the modalities of the participation of non-governmental organizations, the rules of procedure, the structure of the Conference and the formulation of the programme of work for the third session of the Preparatory Committee. If the Chairman continued with his consultations, it should be possible to formulate agreements at the start of the next session of the Preparatory Committee. That was an important matter, because, if no clear understanding existed on the programme of work, the Committee might get bogged down in a procedural debate which would be detrimental to consideration of the revised draft Programme of Action. Mexico therefore invited the Chairman to continue with his informal consultations with the delegations of the non-aligned countries and the European Union and with all other delegations so that they might transmit their views to him. Mexico agreed regarding briefings by United Nations bodies and the Bretton Woods institutions. Nevertheless, regional organizations currently working to combat the illicit trade in small arms and light weapons, such as the Organization of American States (OAS), should be invited, since delegations could benefit from regional experience.

10. **Mr. Danielsson** (Sweden), speaking on behalf of the States members of the European Union, of Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, the Eastern and Central European countries associated with the European Union, and of Cyprus, Malta, Turkey and Iceland, a member country of the European Free Trade Association, said that although there were no exact statistics available on the suffering caused by small arms, the most reliable data indicated that more than 500 million small arms were in circulation. Moreover, 8 out of 10 injured persons in recent armed conflicts had been civilians, approximately 25 per cent of them women and children. Although most of the deaths caused by small arms occurred during armed conflicts, the many victims of criminal and terrorist acts and the threat presented by small arms to the security and operations of United Nations staff and the staff of other organizations working in the areas of development assistance, peacekeeping and humanitarian activities should not be forgotten. In addition, the proliferation of small arms impeded efforts to achieve social and economic development.

11. Most small arms came from legal sources. The problem arose when such arms were sold through less scrupulous sources, or when stolen arms were traded. The difference between legal and illegal transfers was therefore fairly tenuous, and the only way to restrict the number of small arms sold on the illegal circuit was to adopt strict measures designed to keep them within legal channels. It was therefore essential to make a distinction between "illicit" and "illegal", defined as a function of what was "legal". States should therefore ensure the promulgation of laws regulating legal flows of arms. Without a clear definition of what was legal, it would be difficult to halt illegal flows of arms.

12. Although measures should be taken at the global level, the most practical and effective would have to be taken at the national, subregional and regional levels. It should be remembered that, although the problem of small arms was global in nature, it manifested itself differently from region to region and therefore called for solutions adapted to regional circumstances. In fact, measures had been taken to tackle the problem of small arms in various regions of the world, and those measures should be taken as a basis during the preparation for the Conference. Such measures should be supplemented by others designed to deal with

problems at the international level, such as, inter alia, export standards and controls, transparency, the promotion of cooperation and assistance and measures to address the questions of weapons surpluses, identification, financing, and intermediation. The measures should be based on the fundamental principles of the Charter of the United Nations.

13. The European Union was pleased by the progress achieved by the Preparatory Committee on the Draft Programme of Action and on procedural questions. It was regrettable, however, that no agreement had yet been reached on the participation of non-governmental organizations, but it was to be hoped that such agreement would be reached on the basis of the normal practice applicable to United Nations conferences, established by the Economic and Social Council. The European Union was pleased that non-governmental organizations had been permitted to participate in the Preparatory Committee, since they had extensive knowledge and could contribute their considerable experience with regard to the problems raised by small arms. It hoped, as well, that those organizations would participate in the third session of the Preparatory Committee, in the Conference itself and in the implementation of the Programme of Action. It was also pleased that the relevant United Nations bodies and the Bretton Woods institutions would participate in the Preparatory Committee.

14. The work of the Preparatory Committee should be organized with a view to reaching the broadest possible agreement on the draft Programme of Action that would be submitted to the Conference for adoption. The European Union had put forward its own ideas for the adoption of concrete measures and would continue to promote them, taking into consideration the many valuable contributions of other delegations. With regard to the pending procedural matters, the European Union reaffirmed its support for the candidacy of Sir Michael Weston for the presidency of the Conference.

15. The European Union suggested that the next session of the Preparatory Committee should begin with general comments on the latest version of the draft Programme of Action submitted by the Chairman. Deliberations on the draft could be conducted subsequently, analysing it section by section. The European Union looked forward with interest to the contributions of United Nations bodies and of other institutions, in particular their experience in formulating such texts. With a view to facilitating the

work of the third session of the Preparatory Committee, the European Union suggested that delegations should be asked to submit their comments in writing on the revised version of the draft.

16. **Mr. Du Preez** (South Africa) said that the deliberations on the Programme of Action had provided a good basis for a structured debate during the third session of the Committee. It would be advisable to use the inter-sessional meetings for consultations with delegations: pending procedural matters should therefore be resolved informally, such as the participation of non-governmental organizations, the rules of procedure, the programme of work for the next session and for the Conference, the structure of the Conference, and the nomination of the President. As Chairman of the Movement of Non-Aligned Countries, he assured the Chairman of the Committee that the Movement would lend him its full support, and he reiterated the firm support of the Movement for the candidacy of Mr. Camilo Reyes as President of the Conference.

17. **Mr. Lindeman** (Norway) noted the important progress the Committee had made with regard to the Programme of Action but expressed regret that agreement had not been reached on the participation of non-governmental organizations. He drew the Committee's attention to General Assembly resolution 54/54 V of 15 December 1999, which recognized the importance of the role of civil society, including non-governmental organizations, in preventing and reducing the excessive and destabilizing accumulations of small arms and light weapons. He also pointed out the importance of the knowledge and practical experience of civil society organizations, which should be utilized to the maximum extent possible by permitting them to participate in the Preparatory Committee, the Conference and the implementation of the Programme of Action.

18. **Mr. Goussous** (Jordan), speaking on behalf of the League of Arab States, said that the delegations of the Arab States looked forward with interest to being able to participate actively in the third session of the Preparatory Committee. He expressed support for the request formulated by other delegations that the Chairman should continue to hold informal meetings between sessions; he also requested that regional organizations, such as the League of Arab States, should be permitted to participate in the third session of the Preparatory Committee.

19. **Mr. Mesdoua** (Algeria) said that in his view the Committee was well on its way towards achieving positive results at the Conference to be held in 2001. He stressed the importance of the participation of regional organizations in the Committee's third session, in particular the Organization of African Unity, the Organization of American States and the League of Arab States. The Bamako Declaration, the framework document of the Organization for Security and Cooperation in Europe, and the Charter of Brasilia would be of great use in preparing the final document of the Conference. Algeria had demonstrated its interest in that matter on numerous occasions and wished to reaffirm its full support for the Preparatory Committee. He agreed that the Chairman should continue to hold informal meetings but added that such consultations should be open and transparent.

20. **Ms. Martinic** (Argentina) said that it should be possible to settle the procedural questions at the Committee's third session.

21. **Mr. Sandage** (United States) said that the preparations for the third session would depend on the ability of the draft Programme of Action to resolve the differences between delegations. In his view, it would be possible to formulate a text that would help to resolve those differences, particularly if the Chairman held broad consultations. If some questions nevertheless remained pending, the Committee could concentrate its attention on those, with a view to reducing to a minimum the need to formulate general comments. Otherwise, it would be necessary to consider the text again paragraph by paragraph.

22. **Mr. Yamamoto** (Japan) said, with reference to the programme of work for the next session, that he endorsed the views expressed by other delegations, such as Mexico, South Africa and Sweden. He welcomed the possibility of hearing the inputs of representatives of United Nations bodies and the Bretton Woods institutions and representatives of regional organizations.

23. **Ms. Moules** (Australia) said that her delegation was pleased by the progress made during the second session of the Preparatory Committee, which had taken place in a constructive, cordial and serious atmosphere, and by the preparation of the new draft Programme of Action (A/CONF.192/PC/L.4), which it would study before its consideration in depth at the next session of the Committee. It supported the proposal that

delegations should continue to hold consultations among themselves and with the Chairman between sessions in order to facilitate the difficult task which lay ahead in March. It was to be hoped that regional organizations would serve as a forum for those consultations at the different levels. Australia would participate actively in the debates held by regional and subregional organizations regarding the topic of small arms and light weapons, and it supported the proposal of Mexico that regional organizations should participate in the third session of the Preparatory Committee and in the Conference. Over the past two weeks it had been stressed that the Programme of Action and its follow-up mechanism must emphasize the importance of activities being carried out at the regional and subregional levels. Taking that into account, the Pacific Islands Forum had circulated a document with the aim of informing the Preparatory Committee of the activities it was undertaking. Australia, as a member of the ASEAN Regional Forum and the Pacific Islands Forum, supported the proposal to invite regional organizations to participate in the next session of the Preparatory Committee.

24. **Mr. Borrie** (New Zealand) said that the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons, to be held in 2001, was a central element of activities to strengthen international will to address the problem of the illicit trade in small arms in all its aspects. Attention should be focused on the type of measures that must be adopted to achieve that goal, without duplicating the work being done at the regional and subregional levels. The primary function of the multilateral process was to promote those initiatives and determine the areas which required greater attention. The Programme of Action of the Conference should not exclude activities at different practical levels or the participation of sectors that could contribute to the achievement of its objectives. There was no single method of combating and eradicating the illicit trade in small arms and light weapons. Political, legal and practical measures should be adapted to each situation, since the causes were different in each case. The classic scenario of the illicit arms trade was usually considered to be illegal transborder trade. Although that risk existed in the South Pacific, it was a secondary concern relatively speaking, taking into account the overall problem in the region. To solve the problem, it was necessary to combat the illegal manufacture of small arms, prevent the utilization of small arms and light weapons from State arsenals and

eliminate weapons abandoned in prior conflicts. Therefore, New Zealand was in favour of the proposals of Mexico and South Africa, supported by Japan and Australia, that intergovernmental organizations should have the opportunity, to the extent of the time and resources available, to share their experiences during the third session of the Preparatory Committee.

25. **Ms. Sampaio** (Brazil) said that she fully supported the proposal that the Chairman of the Committee should hold consultations between sessions with such countries or groups of countries as he deemed appropriate in order to consider some of the issues which remained outstanding, including procedural issues, the form of participation for non-governmental organizations, modalities for the future work of the Preparatory Committee, the structure of the Conference and matters concerning the political statement to be adopted at the conclusion of the Conference. Furthermore, she welcomed the early circulation of the revised draft Programme of Action (A/CONF.192/PC/L.4); she would make every effort to provide her comments on it in a timely manner.

26. Brazil supported the proposal of the delegation of Norway that the future document should include ideas relating to the political commitment to be adopted at the conclusion of the Conference. It was also in favour of the proposal of the delegation of Mexico, supported by other delegations, that at the next session of the Preparatory Committee the regional organizations should provide information on regional processes that had been adopted.

27. **Mr. Rowe** (Sierra Leone) said that he fully supported the proposal concerning the work to be done between sessions and welcomed the preparation of the revised draft Programme of Action. Various regional organizations had officially submitted their initiatives to the Preparatory Committee, and he hoped that during the inter-sessional consultations many of those initiatives could be synthesized so as to facilitate the preparation of a document that would serve as a basis for the adoption of the measures required at the regional and global levels to combat the illicit arms trade.

28. **Mr. Osei** (Ghana) said that his delegation was interested in studying the revised Programme of Action, especially within the framework of the Group of African States. Furthermore, it supported the proposals of various delegations to hold informal

consultations with different groups between sessions, which would help to solve the remaining problems concerning the substantive work and the conditions for the participation of non-governmental organizations. It also supported the modalities proposed for the holding of the third and final session of the Preparatory Committee.

29. **Mr. Thapa** (Nepal) said that he welcomed the fact that delegations had been afforded the possibility of making additional contributions to the text and hoped that they would be included in the revised version so that his delegation could consider them and make its comments on them at the third session of the Committee. He regretted that the procedural question relating to the participation of non-governmental organizations had still not been resolved but hoped that the informal consultations would lead to a satisfactory decision on the matter.

30. **Mr. Ogunbanwo** (Nigeria) thanked the Chairman for his participation in the revision of the draft Programme of Action and said that he hoped that the document would include elements concerning political commitment. His delegation would examine the document thoroughly within the framework of the Group of African States. It also hoped that the informal consultations would continue between sessions in order to resolve outstanding issues, for example, the modalities of participation by non-governmental organizations.

31. **Mr. Manalo** (Philippines) said that his delegation supported the views of those delegations which recognized the importance of the participation of non-governmental organizations and regional groups in the next session of the Preparatory Committee. His delegation welcomed the early circulation of the revised draft Programme of Action and, like other delegations, hoped to be able to present its views on it. It also considered it appropriate that the same system of organization of work employed at the current session should be applied at the next session.

32. **Mr. Benítez Verson** (Cuba), referring to the definition of the modalities of participation by non-governmental organizations, said that the problem which had arisen during the current session should not be allowed to recur. It was therefore necessary to make a final decision on the modalities of their participation. Delegations should obtain, sufficiently in advance, the list of organizations interested in participating in the

third session of the Preparatory Committee and in the Conference so that they could make the necessary decisions. It was also important to determine the structure of the Conference, what its subsidiary bodies would be, in order to establish the division of functions, and the individuals who might assume leadership positions in the various structures and the subsidiary bodies. It must be decided whether a high-level segment would be held during the first few days of the Conference, with the participation of ministers and deputy ministers. At its third session, it would be appropriate for the Preparatory Committee to take a decision on the presidency of the Conference. Cuba reiterated its strong support for the candidacy of Ambassador Camilo Reyes for that post.

33. **Mr. Chouinard** (Canada) said that his delegation supported the comments made by other delegations regarding the preparation of the revised draft Programme of Action, which it would consider carefully. Canada would assist in the work of the Committee and collaborate with it, both formally and informally.

The meeting rose at 5.05 p.m.