



INTER-PARLIAMENTARY UNION
OFFICE OF THE PERMANENT OBSERVER TO THE UNITED NATIONS

Preparatory Committee

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

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Mr. Chairman,

I am pleased to take the floor today to address this Meeting on behalf of the Inter-Parliamentary Union.

Combating the illicit trade in small arms and light weapons is a matter of great importance for the IPU. Indeed, in only a few months time, in May of this year, members of parliament from around the globe will meet in Nairobi for the 114th IPU Assembly. There, as part of the work of the First Standing Committee on Peace and International Security, they will be addressing the role of parliaments in strengthening control of trafficking in small arms and light weapons and their munitions. To this effect, two distinguished legislators, Ms. Ruth Oniang'o of Kenya and Mr. Francois-Xavier de Donnea of Belgium, have prepared a substantive report that will be circulated to all Parliaments by the end of this month, for their consideration and input. The expected outcome of the Nairobi Assembly will be a resolution serving as a guideline and action plan for Parliaments in their efforts to combat the proliferation and misuse of small arms and light weapons, viewed as a key element of national strategies for conflict prevention, peace building, sustainable development, protection of human rights, and public health and safety.

The role of parliamentarians and parliaments in this overall process is of paramount importance. Firstly, as many delegations here have already pointed out, parliaments are called upon to develop a clear and effective national legislative framework in this field, with norms and regulations that cover all aspects during the "life cycle" of a weapon, from production to shipment and including secure warehousing, stock management, trade, regulation of brokering and intermediation activities, as well as the possession, carrying and use of firearms. And in order to reduce the risk of weapons being diverted for illegal purposes, Parliaments are responsible for creating a legislative system of effective control, providing mechanisms for the identification of responsibilities in the case of violation, accompanied by a system of penal sanctions, where necessary.

In particular, Parliaments are called upon to pass adequate legislation and monitor the implementation of regulations aimed at substantially strengthening the penalties under penal law for those who arm, recruit or use children or minors in armed conflicts or operations and/or those who commit atrocities against children and other vulnerable groups. It should be noted that in their Report the authors urge their fellow parliamentarians to study the possibility of including the use of armed children in conflicts or criminal actions in the list of crimes against humanity, thus placing this crime also under the jurisdiction of the International Criminal Court.

Moreover, parliaments who have not already done so are urged to expedite the ratification of the multilateral control treaties that their governments have signed, and to report on progress made in this direction. Once ratified, the respective treaties and their provisions need to be incorporated into domestic legislation and implemented to the fullest extent. Specifically, parliaments are called upon to ensure that the provisions of the recently adopted international instrument on the identification and tracing of illicit small arms and light weapons are fully implemented under national legislation. Parliaments are further encouraged to promote the development of an international Arms Trade Treaty to strictly regulate arms transfers on the basis of state obligations under international law and internationally accepted human rights standards.

Mr. Chairman,

A further role for Parliaments in the fight against the proliferation of small arms and light weapons stems from their constitutional function of oversight of the Executive branch, making sure that national policies and international commitments are carried out in a timely and effective manner. From this perspective, national parliaments are encouraged to take a more active part in verifying transfers made or received by their government, setting up where this does not already exist, a parliamentary committee with which the government systematically communicates in this domain, thereby facilitating a greater scope for debate and exchange of views at the national level, as well as greater transparency and accountability in national and international practices.

Recognizing the special challenge faced by countries engaged in disarmament, demobilization and reintegration processes, particular attention is given in the Nairobi report to the "Weapons in exchange for Development" programmes, including the destruction of arms recovered in DDR operations and the fight against armed criminals.

Moreover, Parliaments are called upon make sure that the necessary resources – including financial ones – are available so as to allow for the full reintegration of child soldiers in civilian life and to prevent their return to armed groups and crime.

When it comes to resources and budgetary allocations, it becomes evident that capacity-building is critical to the countries most affected by the problem of illicit SALW, where the reduced capacity to develop and implement measures and activities to tackle the many dimensions of the problem constitutes a serious obstacle to their efforts to implement the 2001 UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Identifying good practices and building better understanding of effective controls is therefore important, and the IPU is working to encourage parliaments to exchange information, with each other directly and through the IPU, on national legislation and other aspects concerning small arms and light weapons. Parliaments with experience in this field are therefore reaching out towards other legislatures, offering targeted assistance and expertise. Moreover, the enhanced exchange of information, dialog and cooperation among legislators from different countries bring a very real contribution to the better understanding of the issues relating to the illicit proliferation of SALW and to the development of better responses that are coherent with monitoring tools and ongoing attempts to control trafficking.

Mr. Chairman,

In conclusion, please allow me to assure you of the full commitment by the IPU to building awareness and political support for the early, full and effective implementation of the 2001 Programme of Action on the illicit trade in small arms and light weapons. We look forward to the UN Review Conference later this year, and are confident that the work leading up to and following the IPU Assembly in Nairobi will provide a tangible contribution to this process.

I thank you for your attention.