



INTER-PARLIAMENTARY UNION
114th Assembly and related meetings
Nairobi, 4 to 12 May 2006



First Standing Committee
Peace and International Security

C-I/114/DR-rev
3 April 2006

**THE ROLE OF PARLIAMENTS IN STRENGTHENING THE CONTROL OF TRAFFICKING
IN SMALL ARMS AND LIGHT WEAPONS AND THEIR AMMUNITION**

***Revised preliminary draft resolution prepared by the co-Rapporteurs
Mr. F.-X. de Donnea (Belgium) and Ms. R. Oniang'o (Kenya)***

The 114th Assembly of the Inter-Parliamentary Union,

- (1) *Deeply concerned* by the tremendous human suffering associated with the proliferation and misuse of small arms and light weapons (SALW),
- (2) *Stressing* that the category of SALW includes in its definition all associated ammunition, including grenades, rockets, missiles and mortar shells,
- (3) *Recalling* that items such as daggers, machetes, and clubs are also frequently used in armed conflict and crime, and that, although they do not fall under the SALW category, their use may need to be regulated,
- (4) *Greatly concerned* also by the high political, social and financial costs associated with SALW that fuel armed conflict, exacerbate violence, contribute to the displacement of civilians, undermine respect for international humanitarian law, impede the provision of humanitarian assistance to victims of armed conflict, fuel armed criminality and terrorism, and hinder a return to peace and sustainable development,
- (5) *Affirming* that combating the proliferation and misuse of SALW requires coherent and comprehensive efforts by a number of governmental and other actors at the international, regional and national levels,
- (6) *Welcoming* in this regard the adoption in 2001 of the United Nations Programme of Action (PoA) to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,
- (7) *Also pointing* to the adoption in December 2005 by the United Nations General Assembly of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,
- (8) *Recalling* that the Second Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in New York from 11 to 15 July 2005,

(9) *Further pointing* to the existence of several other SALW and firearms control instruments at the level of the United Nations, as well as in the American, European, and sub-Saharan subregions,

(10) *Emphasizing* that these multilateral initiatives must be fully implemented by their member States and be complemented with the development of high national standards,

(11) *Underscoring* that the active involvement of the relevant national authorities and of parliaments is essential for the effectiveness of any measures to combat SALW proliferation,

1. *Urges* parliaments to engage actively in efforts to combat SALW proliferation and misuse as a key element for national strategies for conflict prevention, peace-building, sustainable development, the protection of human rights and public health and safety;
2. *Urges* parliaments to promote and ensure the adoption at the national level of legislation and regulations required to control effectively SALW throughout their "life cycle" and actively to combat SALW proliferation and misuse;
3. *Calls upon* parliaments to ensure the adequate control of SALW production, brokering, transfers and stockpiling, and to ensure that there exist adequate sanctions, including criminal sanctions, for those violating such controls;
4. *Encourages* parliaments to promote the development of an international arms trade treaty (ATT) to strictly regulate arms transfers on the basis of State obligations under international law and internationally accepted norms and human rights standards;
5. *Encourages* parliaments to promote greater international and, where appropriate, regional efforts to develop common standards to control strictly the activities of those brokering or otherwise facilitating arms transfers between third countries;
6. *Urges* parliaments to ensure that adequate national legislation exists on the production, acquisition, possession, transfer and use of SALW and firearms, and that such legislation is strictly enforced;
7. *Calls upon* parliaments to ensure the existence of strong legal sanctions for those who provide SALW to children, who recruit and use children in conflicts or armed operations, or who commit atrocities against children;
8. *Urges* parliaments to ensure the existence of legal sanctions at the national level for those who commit atrocities against vulnerable sections of society such as the elderly, women and children, as well as the existence of measures to prevent such atrocities;
9. *Encourages* parliaments to also ensure that national legislation is complemented with adequate capacities for the national authorities, including training and equipment, to ensure the strict enforcement of national controls;

10. *Recommends* that parliaments work towards the harmonization of national controls on SALW on the basis of high common standards while ensuring that national controls are an adequate response to the national and regional realities of each State;
11. *Recommends* that parliaments exchange with each other and the IPU information on national legislation on SALW control to build a better understanding of controls and to identify existing best practices, and establish international parliamentary forums to consider SALW issues;
12. *Urges* parliaments to consider ratifying, if they have not already done so, the multilateral SALW control treaties their governments have signed, to incorporate their provisions into appropriate and timely domestic legislation in accordance with the aims of these treaties, and to see to it that they are duly implemented;
13. *Calls upon* parliaments to ensure that the provisions of the recently adopted International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons are fully implemented under national legislation, and that ammunition for SALW is covered by national legislation to trace illicit SALW;
14. *Recommends* that parliaments, where appropriate, develop together with governments national action plans on preventing, combating, and eradicating the illicit SALW trade in all its aspects, and assist in the implementation of national action plans;
15. *Encourages* parliaments to, where necessary, ascertain their right and obligation to scrutinize government practice and policy on SALW controls, to ensure respect for their countries' international commitments, and to work towards a high degree of transparency allowing for such scrutiny;
16. *Calls upon* parliaments, where such bodies do not already exist, to designate or create at the national level a parliamentary committee to engage with the government in a regular debate on national SALW policy and control practice;
17. *Encourages* parliaments in this context to promote regular reporting by governments to national parliaments on SALW transfers to allow for informed debate on whether government practices are in conformity with stated policy and legislation;
18. *Invites* the relevant parliamentary committees to seek regular exchanges of views and information with governments in a debate on government policy and action at both the national and multilateral levels, and to request their governments to include parliamentarians in national delegations to regional and international meetings between States on combating the illicit trade in SALW;
19. *Encourages* parliaments in a position to do so to offer assistance to other parliaments requesting such assistance, so as to develop national capacities to engage in a dialogue on SALW with governments and scrutinize their policy and action and *requests* that the IPU compile a list of parliaments able to provide assistance in this field to interested parliaments;

20. *Recommends* that parliaments in countries engaged in disarmament, demobilization and reintegration (DDR) programmes encourage their governments to prioritise in such programmes "weapons in exchange for development" schemes to provide community-based incentives for the voluntary surrender of illicitly held SALW in society;
21. *Encourages* parliaments to support the participation and active role of women in disarmament and peace-building activities, and *stresses* the need to incorporate a gender perspective in disarmament and peace-building strategies and activities;
22. *Encourages* parliaments to urge governments involved in DDR programmes to pay particular attention to the unique circumstances of child soldiers and the reintegration of former child soldiers into civilian life to prevent such children from falling into armed crime;
23. *Encourages* parliaments to urge their governments to destroy in public view, wherever possible, all illicit SALW that are recovered by the national authorities in the context of armed conflict and crime, including SALW recovered in the context of DDR programmes;
24. *Recommends* that parliaments continue and strengthen efforts, and work together with civil society, to prevent the outbreak of conflict in regions and States prone to tensions and to resolve social and economic problems underpinning such tensions and armed conflict, including efforts to fight poverty, social exclusion, trafficking in human beings, drugs and natural resources, organized crime, terrorism and racism;
25. *Urges* parliaments in this context to adopt and support adequate national measures to limit demand in their societies for SALW and firearms, and in particular to eradicate the demand for illicit SALW and firearms;
26. *Calls upon* parliaments to promote full implementation by their governments of their pledges made under the United Nations Millennium Declaration to ensure the achievement of the Millennium Development Goals;
27. *Calls upon* parliaments to encourage their governments to fully recommit to and build upon their current commitments to combating SALW proliferation and misuse at the 2006 United Nations Review Conference on the illicit trade in small arms and light weapons in all its aspects.
28. *Urges* parliaments to encourage their governments to redouble efforts in this area following the 2006 Review Conference, notably by organizing additional biannual meetings in order to develop ideas and recommendations for consideration at future international and United Nations-sponsored meetings and conferences.