

# Developing International Small Arms Control Standards

## BACKGROUND PAPER

### Summary

This project aims to develop a set of internationally accepted and validated standards that will provide comprehensive guidance to practitioners and policy makers on all aspects of small arms control. These standards will enable more effective policymaking and programming on small arms by the United Nations, its Member States, regional organisations and civil society. By improving the overall effectiveness of small arms control interventions, this project will contribute to curbing the uncontrolled proliferation and misuse of small arms and to reducing the human suffering caused by this.

Building on experience gained through the development of International Mine Action Standards (IMAS) and Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS), CASA members will work closely with policy and technical experts from international, regional and civil society organizations, as well as the small arms industry, to produce a set of **International Small Arms Control Standards (ISACS)** in time for the 4<sup>th</sup> Biennial Meeting of States to consider implementation of the UN Programme of Action on small arms in 2010 (date to be decided).

This project constitutes the initial development phase of a larger undertaking that it is proposed would unfold as follows:

- **Phase 1** (2 years: 1 October 2008 – 30 September 2010): Development of ISACS ([this background paper covers only phase 1](#)).
- **Phase 2** (1 year: 1 October 2010 – 30 September 2011): Translation, dissemination, awareness-raising and training on ISACS.
- **Phase 3** (Ongoing: from 1 October 2011): Assessment, periodic review, and updating and supplementing of ISACS.

### CASA Project on International Small Arms Control Standards (ISACS)

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## **Background on CASA and ISACS**

The Secretary General created the United Nations' Coordinating Action on Small Arms (CASA) mechanism in 1998 in order to improve the UN's ability to deliver effective policy and programming on all aspects of small arms and light weapons (SALW) control.

Currently, the following 17 UN bodies participate in CASA:

1. Department of Economic and Social Affairs	DESA
2. Department of Peacekeeping Operations	DPKO
3. Department of Political Affairs	DPA
4. Department of Public Information	DPI
5. Office for Disarmament Affairs ( <i>CASA Focal Point</i> )	UNODA
6. Office for the Coordination of Humanitarian Affairs	OCHA
7. Office of the Special Representative of the Secretary General for Children and Armed Conflict	OSRSG/CAAC
8. Office of the United Nations High Commissioner for Human Rights	OHCHR
9. Office on Drugs and Crime	UNODC
10. United Nations Children's Fund	UNICEF
11. United Nations Development Fund for Women	UNIFEM
12. United Nations Development Programme	UNDP
13. United Nations Environment Programme	UNEP
14. United Nations High Commissioner for Refugees	UNHCR
15. United Nations Institute for Disarmament Research	UNIDIR
16. United Nations Security Council Counter-Terrorism Committee Executive Directorate	CTED
17. World Health Organization	WHO

The UN Office for Disarmament Affairs acts as the Focal Point for CASA.

In October 2007, CASA members endorsed a plan to develop International Small Arms Control Standards (ISACS). Since then, CASA has held a number of consultations with States and other interested parties in order to develop this idea.

In his 2008 report on small arms to the Security Council (S/2008/258), the Secretary-General made strengthening CASA a disarmament priority and informed the Security Council that CASA would be embarking on the development of international standards for small arms control. The Secretary-General also informed all UN Member States of this in his 2008 report on small arms to the General Assembly (A/63/261).

CASA formally launched the ISACS project in July 2008, on the margins of the third Biennial Meeting of States to consider implementation of the UN Programme of Action on small arms and light weapons. In October 2008, CASA provided briefings on the development of ISACS to the 4<sup>th</sup> Meeting of Parties to the UN Convention Against Transnational Organised Crime in Vienna and to the 3<sup>rd</sup> Biennial Meeting of States on the UN Programme of Action on small arms and light weapons in New York.

The meeting to be held in Geneva on 24-25 November 2008 is, however, the first in-depth consultation on ISACS with a broad range of stakeholders and is meant to provide the final input necessary to launch the ISACS drafting process.

## **Rationale – Why international standards on small arms control?**

Since former United Nations Secretary-General Boutros Boutros-Ghali coined the term “micro-disarmament” in his *Supplement to An Agenda for Peace* in 1995,<sup>1</sup> the international community has made remarkable progress in developing policies and programmes to curb the uncontrolled proliferation and misuse of small arms and light weapons.

At the level of policy, UN Member States have agreed three global instruments aimed at curbing the illicit trade in small arms and light weapons and reducing the human suffering caused by this:

- ***The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects*** (hereinafter the ‘*UN Programme of Action*’), adopted by consensus by the UN General Assembly in 2001, constitutes the UN policy framework for SALW control, as well as an action framework for UN-supported initiatives at the global, regional and national levels.
- ***The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime*** (hereinafter the ‘*Firearms Protocol*’), which entered into force in 2005, is the only global, legally binding instrument on small arms in existence. As such, the Firearms Protocol constitutes the UN legal framework for promoting and strengthening cooperation among States Parties on this issue.
- ***The International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*** (hereinafter the ‘*International Tracing Instrument*’), adopted by consensus by the UN General Assembly in 2005, commits all UN Member States to implement a range of measures to improve the marking and keeping of records on SALW and to strengthen international cooperation in tracing illicit small arms and light weapons.

At the level of programming, a whole range of actors have been implementing projects to control small arms and light weapons for over a decade in more than 50 countries worldwide using a variety of approaches and methodologies. This wealth of practical experience (and the expertise it has generated) has allowed a broad range of lessons to be learned and a wide array of best practices to be identified. Some of these best practices have been very usefully codified by some regional organisations for application at the regional or sub-regional levels. Not all regions of the world have undertaken this exercise, however. And, although it is universally recognised that the uncontrolled proliferation and misuse of SALW is a global problem that demands a global response, global standards and guidelines on SALW control have not yet been developed.

At the level of understanding, the international community – led by concerned governments, civil society and the United Nations – has amassed an impressive body of knowledge and data on the scope and anatomy of the illicit small arms trade, as well as on the burden this places on vulnerable people throughout the world.

Despite all of this progress, however, much more work remains to be done to check the

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<sup>1</sup> A/50/60 - S/1995/1 of 3 January 1995.

uncontrolled proliferation and misuse of small arms and light weapons and to ease the human suffering caused by this. A new tool – a set of international standards for small arms control – would make a significant contribution to advancing this work.

It is widely acknowledged that SALW control interventions have now reached the level of “maturity” necessary to enable the development of a harmonized and holistic response to the numerous challenges posed by the uncontrolled proliferation of SALW. However, in contrast with the communities of practice dealing with Mine Action and with Disarmament, Demobilization and Reintegration (DDR), the SALW community of practice has yet to develop a set of internationally recognized standards providing universal guidance to practitioners and policy makers.

The United Nations plays a key role in articulating a global response to the many problems created by the uncontrolled proliferation and misuse of SALW. The UN has also built up a considerable store of experience and best practice in other related areas, such as Disarmament, Demobilization and Reintegration (with the *Integrated DDR Standards - IDDRS*) and Mine Action (with the *International Mine Action Standards - IMAS*). Given its role and experience, the United Nations, working through its *Coordinating Action on Small Arms (CASA)* mechanism, intends to take the lead in developing a set of international standards on small arms control, in close collaboration with international-, regional-, and civil society organisations and with the small arms industry.

### **Benefits and beneficiaries of International Small Arms Control Standards**

International standards on small arms control should improve the design, planning, financing, implementation, monitoring and evaluation of SALW control interventions. They should contribute to forging consensus and establishing a common, agreed level of performance within the SALW community of practice. And they should establish a set of useful benchmarks against which it would be possible to measure the extent of implementation of global SALW instruments.

ISACS would serve as a powerful strategic and operational instrument of SALW control. Such standards would ensure that programmes and activities address the issue in a comprehensive and coherent manner – taking into account cross-cutting issues such as gender and development – but also ensuring better coordination among and between UN agencies and Member States.

The development of ISACS would also allow actors, whether UN agencies or Member States, to benefit from the experience, lessons learned and best practices of other actors that have already implemented SALW control programmes, this would avoid duplication and allow for the sharing of knowledge.

Furthermore, ISACS would provide an invaluable mechanism to practitioners at the operational level by offering a framework to implement SALW control programmes and activities while also assisting in the identification of capacity-building needs of governmental or non-governmental structures. Such a framework would permit coordinated and targeted interventions guided by established principles, in an efficient manner.

Certain aspects of SALW control-related actions require technical and specialized knowledge that may not be easily available. ISACS would serve as an operational resource guide for all stakeholders involved in SALW control-related actions, providing them with source of the technical experience required.

In addition, ISACS would provide a suitable medium for informing the SALW control community of existing international regulations, conventions and treaties which impact, even indirectly, on SALW control issues, including those on labour standards, human rights, etc.

ISACS would also serve as a frame of reference for donors to provide financial and technical assistance in support of SALW control projects/programmes as they would outline agreed benchmarks of effectiveness, comprehensiveness and performance.

In sum, such standards will bring clear benefits to a range of actors including:

- *People affected by the misuse of SALW*

The primary beneficiaries of this project will be people all over the world who live in fear of their lives, as well as those of family members, because of the easy availability and widespread misuse of SALW. Because this project will contribute to making SALW control more effective across the board, it will make a significant contribution to reducing the burden of armed violence felt by millions of people around the world.

- *The United Nations*

By strengthening coordination and establishing an agreed level of performance for the UN bodies that make up the CASA mechanism, this project will enable the United Nations to “deliver as one” on SALW control both at the programmatic and policymaking levels.

- *SALW policymakers and practitioners*

SALW policymakers and practitioners, whether they work with the United Nations, government agencies, regional organisations or NGOs, will benefit from having access to a set of internationally agreed and validated standards that will provide them with guidance on all aspects of SALW control. As well as helping to improve the overall level of performance of individual actors, these standards will also facilitate cooperation among actors, especially in the field.

- *UN Member States*

By providing a clear set of voluntary, technically validated, international standards on small arms control, this project will provide valuable guidance to UN Member States on the implementation of their commitments under the UN Programme of Action, the International Tracing Instrument and, where applicable, the Firearms Protocol. Developing countries could use the standards to help them identify their specific cooperation and assistance needs in meeting their international commitments. Donor governments could use them to help decide on the most effective investment of their resources and also to evaluate the effectiveness of cooperation and assistance provided. Any government could use them as a basis for developing its own set of

national small arms control standards (as IMAS have been used as the basis for developing national mine action standards).

- *The Small Arms Industry*

International standards on small arms control would also benefit the small arms industry by helping to curb the illicit trade in SALW, which undermines the legal small arms trade to the tune of about one billion US dollars a year. In addition, clear international standards on such things as marking, record-keeping, end-use certification, etc. would provide industry with a transparent framework for action and a more level playing field on which to operate.

### **Building on Solid Foundations:**

#### **Existing regional standards, guidelines and best practices**

This project will not have to begin from scratch in developing international standards for small arms control. At the global level, the UN Programme of Action, the Firearms Protocol and the International Tracing Instrument provide the framework on which the standards will be built. Other relevant global standards, guidelines and recommendations also exist, such as:

- Technical guidelines and a model law being developed by the UN Office on Drugs and Crime (UNODC) to assist States Parties with implementing the Firearms Protocol.
- Regulations, instructions and codes related to the transport of dangerous goods developed by such international organisations as the International Air Transport Association (IATA), the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO)
- Occupational safety and health standards and recommendations produced by the International Labour Organisation (ILO)
- Report to the Security Council by the UN Secretary-General on “Methods of destruction of small arms, light weapons, ammunition and explosives” (S/2000/1092)
- Recommendations of Groups of Governmental Experts on SALW-related issues.

A number of regional organisations have also produced useful standards, guidelines and best practices that can form a basis for the development of ISACS. These include, but are not limited to:

- *Handbook on Best Practices on Small Arms and Light Weapons* and *Handbook of Best Practices on Conventional Ammunition* produced by the Organisation for Security and Cooperation in Europe (OSCE).
- *Best Practice Guidelines for the Implementation of the Nairobi Declaration and Nairobi Protocol on Small Arms and Light Weapons* developed by the Regional Centre for Small Arms (RECSA).

- *Regional Micro-Disarmament Standards/Guidelines (RMDS/G)* developed by the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC).
- *Code of Conduct for the Implementation of the Moratorium on the Importation, Exportation and Manufacture of Light Weapons in West Africa* produced by the Economic Community of West African States (ECOWAS).
- *Arab Model Law on Weapons, Ammunitions, Explosives and Hazardous Material* produced by the League of Arab States.
- *Best Practices to Prevent Destabilising Transfers of Small Arms and Light Weapons (SALW) through Air Transport; Best Practice Guidelines for Exports of Small Arms and Light Weapons (SALW) and Elements for Effective Legislation in Arms Brokering* produced by the Wassenaar Arrangement.
- *Code of Conduct of Central American States on the Transfer of Arms, Ammunition and Other Related Materiel* produced by the Sistema de la Integración Centroamericana (SICA).
- *Model Regulations for the Control of the International Movement of Firearms, their Parts and Components and Ammunition and Model Regulations for the Control of Brokers of Firearms, their Parts and Components and Ammunition* produced by the Organisation of American States (OAS).
- *Code of Conduct on Arms Exports* produced by the European Union.
- *Manual of Safety Principles for the Transport of Military Ammunition and Explosives and Manual on the principles for the application of risk analysis to the storage and transportation of military ammunition and explosives* produced by the North Atlantic Treaty Organisation (NATO).

In sum, the ISACS project has both a solid global framework and a solid regional foundation upon which to base its work.

### **Suggested format and content of ISACS**

It is recommended that ISACS adopt, as far as possible, the International Organization for Standardization (ISO) format and language in order to be consistent and to ensure the proper use of internationally recognized terminology. The ISO format and language has already been used to good effect by the International Mine Action Standards (IMAS) and the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS).

**It is important to note that international standards, as they are defined by the ISO (and also by this project), are voluntary in nature. They are neither obligatory nor legally binding. No government, organisation or company can be obliged to adopt an international standard. This also applies to the international standards on small arms control that will be developed by this project.**

Having said this, it is expected that the clear benefits that will accrue from having a set of international small arms control standards (see previous section) will encourage their voluntary adoption and use by a wide range of actors.

Like any international standard, ISACS should be clear, achievable, measurable, verifiable and safe; and should encourage widespread and repeated use. Following the ISO format, it is envisaged that ISACS would be broken down into a number of ‘series’ each of which shall itself be broken down into a number of individual ‘modules.’ Each individual module would serve both as an integral part of the overall ISACS framework and as a free-standing document. Since many of the topics dealt with will be interlinked, cross-referencing would be used throughout the ISACS to promote ease of use.

As with all guidance documents, ISACS would have to be specific enough to be useful but general enough to be flexible and adaptable to different local conditions. As a rule of thumb, ISACS should specify what needs to be done but should not go into too much detail about how things are to be done.

Table 1 below sets out the possible content and structure of ISACS.

**Table 1: Possible structure and content of ISACS**

<b>SERIES</b>	<b>GENERIC AREA</b>	<b>MODULES</b>
<b>01</b>	<b>General</b>	• Introduction to ISACS and SALW control theory
		• Glossary and definitions
<b>02</b>	<b>Concept and Policy</b>	• The UN approach to SALW control
		• Overview of international and regional SALW frameworks
		• Linkages to DDR, SSR and Mine Action
<b>03</b>	<b>Legislative and Regulatory</b>	• National Coordinating Agencies and Points of Contact
		• SALW transfers (import, export, transit, transshipment, etc.)
		• National controls over manufacture of SALW
		• National controls over SALW brokering activities
		• National controls over access of civilians to SALW
		• Criminal offences and sanctions
		• End use certification
<b>04</b>	<b>Management</b>	• Design of SALW control programmes
		• Management of SALW control programmes
		• Finance and budgeting
		• Personnel and staffing
		• Roles and responsibilities
<b>05</b>	<b>Monitoring, Evaluation &amp; Reporting</b>	• Monitoring & Verification of SALW control programmes
		• Evaluation of SALW control programmes
		• Reporting on SALW control programmes
<b>06</b>	<b>Operational Support</b>	• SALW baseline surveys
		• SALW collection
		• SALW destruction
		• Stockpile management and security: Weapons
		• Stockpile management, security and safety: Ammunition
		• Identifying surplus SALW
		• Marking, record-keeping and tracing of SALW
		• Border controls and law enforcement cooperation
		• International cooperation and assistance (including financial & technical assistance)
		• National Action Plans
<b>07</b>	<b>Awareness &amp; Communication</b>	• Public information and strategic communication
		• Development and implementation of SALW awareness campaigns
<b>08</b>	<b>Cross-Cutting Issues</b>	• Gender and SALW
		• Children and SALW
		• Youth and SALW
		• Victim/survivor assistance
		• Crime (common criminality and organized crime) and SALW
		• Development programming and SALW
		• Civil society action and SALW
		• Human rights and associated UN instruments and standards

## **Proposed process for developing ISACS**

This project constitutes the initial development phase of a larger undertaking that it is proposed would unfold as follows:

- *Phase 1 (2 years: 1 October 2008 – 30 September 2010): Development of ISACS (this background paper covers only phase 1):* After an initial ‘gearing up’ phase involving consultations and resource mobilisation, the ISACS modules would be drafted during the 15 months between 1 January 2009 and 31 March 2010. They would then be finalised and produced for presentation to the 4<sup>th</sup> Biennial Meeting of States to consider implementation of the UN Programme of Action, which is likely to take place in July 2010. The period August – September 2010 would be used to wrap up phase 1 of the project and to prepare for phase 2.
- *Phase 2 (1 year: 1 October 2010 – 30 September 2011): Dissemination, awareness-raising and training on ISACS:* During phase 2, the completed set of ISACS would be actively disseminated and promoted throughout the world. Training sessions would also be organised to thoroughly familiarise SALW policymakers and practitioners with the application and use of ISACS.
- *Phase 3 (Ongoing: from 1 October 2011): Assessment, periodic review, and updating and supplementing of ISACS:* A one-year assessment of how ISACS have been used and applied would be conducted during the last quarter of 2011. Periodic reviews of individual ISACS modules would be conducted on a regular basis (every 3-5 years) or as required by the emergence of new technology, knowledge or methodology. As gaps in the ISACS are identified, additional modules may also be developed.

ISACS will be developed under the auspices of CASA and CASA members will have the ultimate responsibility for them. It is proposed that the development process would be overseen by a **CASA Working Group on ISACS**, which would comprise interested CASA members as well as, in an advisory capacity, experts from interested international, regional and civil society organisations and from the small arms industry. The CASA Working Group on ISACS would be co-chaired by UNDP and UNODA and would meet every 4-6 weeks (usually by video- or phone-conference but also periodically in person).

The ISACS **Project Coordinator**, who has already been recruited by UNDP and who is hosted by UNODA, would be responsible for mobilising the resources necessary to implement the project, with the support of the CASA Working Group on ISACS (estimated total cost for phase 1: US\$1.4m). All CASA members participating in the CASA Working Group on ISACS would also be expected to contribute financially and in kind to supporting the development of ISACS. Interested UN Member States in a position to do so would also be approached to provide financial support to the development of ISACS.

Participants in the CASA Working Group on ISACS would be given the opportunity of taking the lead on drafting individual ISACS modules, either individually or in collaboration with other working group members. To supplement this process, a number of **consultants** would also be hired to take the lead on drafting specific modules. The ISACS Project Coordinator would manage the drafting process.

It is proposed that **Expert Reference Groups** (ERGs) would be created to provide advice, feedback and support to working group members and consultants engaged in drafting ISACS

modules. The ERGs would comprise recognised experts (practitioners and policymakers) on specific aspects of SALW control. ERG members would be drawn from a variety of stakeholder institutions, including NGOs, research institutes, regional organisations, national institutions, etc.). The members of the ERGs would peer review the drafts produced by working group members and consultants and would support the drafting process with additional research and data collection. This approach would allow a broad and active participation of all relevant stakeholders in the ISACS development process.

Once a critical mass of ISACS modules have been drafted, it is proposed that a series of **regional consultation / validation workshops** would be organised in order to expose the draft modules to the scrutiny of expert practitioners and policymakers (UN, governmental and non-governmental) in different regions of the world. This exercise would test whether the draft ISACS modules are sufficiently detailed yet sufficiently flexible to be relevant and applicable in a variety of local settings and would also provide an opportunity to expand even further the range of stakeholders involved in the development of ISACS. The draft ISACS modules would be modified as appropriate based on the outcomes of the regional consultation / validation workshops. Although the number and location of these workshops has yet to be decided, it is envisioned that they could take place in conjunction with any regional SALW meetings that may be held during 2009 and during the first part of 2010.

At the end of the drafting phase, ISACS modules would be finalised and produced. A complete set of ISACS, along with a concise *Operational Guide to ISACS*, would be made available in a user-friendly format on the CASA website ([www.un-casa.org](http://www.un-casa.org)) and would also be burned on CDs, to be disseminated widely, but in a targeted manner, to SALW practitioners and policymakers. ISACS could also be printed in hard copy, but further consultations will be needed to ascertain whether printed versions of ISACS would be desirable (IDDRS, for example, exist in printed form; IMAS do not).