

Security Council meeting on small arms: the human cost of illicit transfer, destabilizing accumulation and misuse of small arms and light weapons

13 May 2015

Concept note

On 13 May 2015, Lithuania will convene an open debate of the Security Council, dedicated to the human cost of illicit transfer, destabilizing accumulation and misuse of small arms and light weapons (SALW).

The meeting will also provide an opportunity to discuss the Secretary-General's biennial report on small arms and light weapons (S/2015/289), submitted pursuant to the Security Council presidential statement 2007/24 and resolution 2117 (2013), as well as its recommendations.

The Secretary-General, the UN High Commissioner for Human Rights and a speaker directly affected by misuse of SALW are expected to brief. As an outcome, Lithuania proposes to adopt a resolution.

Background

The illicit transfer, destabilizing accumulation and misuse of SALW continues to undermine international peace and security and have devastating human impact in conflict and post-conflict situations, with civilians and in particular women and children bearing the brunt.

The international community is in agreement that illicit trade in SALW in all its aspects continues to sustain conflicts, exacerbate armed violence, undermine respect for international humanitarian law and international human rights law, fuel terrorism, aid illegal armed groups, and facilitate increasing levels of transnational organized crime, as well as trafficking in humans, drugs and certain natural resources.¹

While the adverse consequences of illicit SALW transfers are present across the world, they are particularly acute in Africa. Whether recycled from previous conflicts, looted from poorly guarded arsenals or made available by unscrupulous suppliers, weapons and constant flow of ammunition fuel conflicts, undermine recovery and escalate tensions.

There are approximately 900 million small arms in circulation worldwide, with the total authorized international transfers of SALW at least USD 8.5 billion annually.² The World Bank estimates that illicit transactions could add another 10–20 percent.³

At least 508,000 persons—including approximately 60,000 women and girls—die violently every year.⁴ One tenth of all reported violent deaths occurs in conflict settings or during terrorist activities.⁵ The vast majority of direct conflict deaths are attributable to the use of small arms.⁶

The effects of armed violence in conflicts are multifaceted and reach far beyond the direct violent deaths of combatants in the battlefield and civilians trapped in conflict zones or victimized by states and armed groups. The 2008 Global Burden of Armed Violence report estimates a ratio of four to one indirect to direct conflict deaths, since armed violence is a source of fear and insecurity, tearing the social fabric of the communities, creating flows of refugees and internally displaced persons (IDPs), pushing families into

¹ Outcome document on the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects, Paragraph 4, 2012 Declaration, 18 September 2012 (A/CONF.192/2012/RC/4, Annex I).

² Small Arms Survey 2012: Moving targets, Chapter 8 Piece by Piece: authorized transfers of parts and accessories.

³ World Development Report 2011, World Bank, 2011.

⁴ Small Arms Survey Research Note No. 49, Every Body Counts: Measuring Violent Deaths, March 2015.

⁵ The Global Burden of Armed Violence 2011.

⁶ Secretary General's report on small arms, 22 August 2013 (S/2013/503).

poverty, increasing risk of disease and food insecurity. Wide availability of illicit SALW creates a security environment not conducive to humanitarian access and endangers humanitarian personnel.

Women suffer disproportionately from the effects of armed violence in conflicts, being murdered, raped, robbed, trafficked, and forced into marriage or prostitution at gunpoint. Attitudes that condone such violence often pre-date conflicts, yet are reinforced during armed conflicts and often persist long past the cessation of hostilities.⁷ In addition, women bear indirect consequences of armed violence as single heads of households or as caregivers of injured family members. On the other hand, armed conflict can also drive women to take on new roles either as combatants or as advocates for preventing armed violence.

Armed conflicts also continue to have a heavy impact on children and easy availability of SALW facilitates the use of children as combatants and results in deaths and injury of both girls and boys.

In post-conflict environments, it is not uncommon for violence to reach mortality rates as high or even higher than during a preceding armed conflict.⁸ Continued easy accessibility of illicit weapons to armed groups and civilians and their insufficient controls increase the risk of relapse into armed conflict, hamper development efforts, cause economic stagnation, cripple healthcare systems and undermine prospects of sustainable peace. The demand of arms is further exacerbated by social, economic and political insecurity, breakdown of the rule of law, inadequate opportunities for education and development, disputes over natural resources and failure by the State to protect the vulnerable. SALW are therefore both a driver and a symptom of insecurity and efforts aiming to disarm former combatants can only be successful if they give them a viable stake in the society in addition to limiting the availability of new weapons.

While the estimates of weapon quantities amassed by terrorist groups are nearly impossible to establish, it is undisputed that groups like Al-Qaeda, ISIL, Al-Nusra Front and others have accumulated vast arsenals of both SALW and heavy weapons by seizing them from government forces, diversion from legal trade, smuggling or tapping into civilian-owned stocks. As the lines between contemporary armed conflict, terrorist activities and transnational organized crime become increasingly blurred, the proceeds of trafficking in arms are used to finance armed conflicts.

While arms embargoes, which in most cases include SALW, are the most frequently applied UN sanctions measure, their successful implementation remains a challenge. Cooperation and information-sharing among relevant UN entities on specific arms embargoes can be further improved. Tailored assistance is needed to increase capacities of countries under UN arms embargoes to implement and enforce them, as well as to prepare for the lifting of the embargo.

The entry into force of the Arms Trade Treaty (ATT) in December 2014, which includes SALW in its scope and contains provisions on ammunition, further raised the level of attention and scrutiny given to controls of SALW. Now signed by 130 and ratified by 64 Member States, the ATT will become an important tool to increase transparency of SALW transfers and the international community, including the Council, should contribute to its effective implementation.

The role of the Security Council

Small arms have been on the Council's agenda since 1999. The Council has adopted six presidential statements on this issue.⁹ In 2003, under the presidency of Guinea, the Council held a workshop

⁷ Small Arms Survey 2014: Women and Guns, Chapter 1. In War and Peace: Violence against Women and Girls.

⁸ The Global Burden of Armed Violence 2011.

⁹ S/PRST/1999/28, S/PRST/2001/21, S/PRST/2002/30, S/PRST/2004/1, S/PRST/2005/7 and S/PRST/2007/24.

“Proliferation of SALW and mercenary activities: threats to peace and security in West Africa” and adopted resolution 1467 (2003).

In 2013, the Australian presidency convened a high-level meeting on small arms, focusing on the impact of the illicit transfer, destabilizing accumulation and misuse of SALW on international peace and security. The landmark resolution 2117 (2013), adopted during this meeting, reinforced the Council’s efforts to address the threat posed by the illicit transfer, accumulation and misuse of SALW. It reminded Member States of their obligation to fully and effectively comply with Council mandated arms embargoes; and supported the work of peacekeeping and political missions to limit the impact of these weapons on societies. The Council also called on parties to conflict to ensure the protection of civilians from these weapons.

In addition, the Council repeatedly expressed its concern over the threat to peace and security arising from the illicit transfer, destabilizing accumulation and misuse of SALW, most recently in relation to Yemen (resolutions 2140 (2014), 2204 (2015) and 2216 (2015)), Libya (resolution 2144 (2014) and 2213 (2015)), the Central African Republic (resolution 2149 (2014)), Côte d’Ivoire (resolutions 2153 (2014) and 2162 (2014)), Mali (resolution 2164 (2014)), Haiti (resolution 2180 (2014)), Somalia (resolution 2182 (2014)), Liberia (resolution 2188 (2014)), Democratic Republic of Congo (resolution 2198 (2015)), Abyei (resolution 2205 (2015)), South Sudan (resolution 2206 (2015)), and Sudan (resolution 2200 (2015)), the latter emphasizing the Council’s concern over their use against civilians affected by armed conflict. SALW-related issues were also addressed in a number of thematic outcomes, including on protection of civilians (resolutions 1674 (2006) and 1894 (2009)), women, peace and security (resolutions 2106 (2013), 2122 (2013) and presidential statement 2014/21), children in armed conflict (resolution 2143 (2014)), security sector reform (resolution 2151 (2014)), counter-terrorism (resolutions 2170 (2014), 2161 (2014), 2195 (2014) and presidential statement 2014/23), conflict prevention (resolution 2171 (2014)), and peacekeeping (resolution 2185 (2014)).

Key objectives of the open debate

- **Highlighting the human cost of illicit SALW in armed conflicts and post-conflict situations.** Means by which the Council could more systematically take into account SALW-related threats in the context of the protection of civilians. The negative impacts of small arms on the respect of fundamental human rights in both conflict and post-conflict environments. The importance of strict observance of international humanitarian law limiting the means and methods of warfare. The significance of building strong rule of law institutions and a strong security sector to counter the negative impact of illicit SALW on civilians and to ensure accountability for their misuse.
- **Enhanced identification of SALW-related challenges in the mandates of UN peace operations.** Integrating SALW-related issues into initial consultations and technical assessment of forming a new operation, updating the mandate or implementing the transition. Calling on the Secretariat to identify SALW-related needs and available capacities, such as providing stockpile security infrastructure, assistance in border management, drafting legislation, marking, tracing and surplus disposal, at the earliest possible stage. Providing the opportunity and the framework for the Council to take an informed decision when drafting or updating mandates of UN operations.
- **Making implementation of arms embargoes more effective.** Taking concrete steps in further improving cooperation and information-sharing among relevant UN operations, sanctions panels and other entities. Providing tailored assistance to increase capacities of countries subject to UN arms embargoes to implement them, as well as to prepare countries for the lifting of an embargo. Ensuring that arms embargoes are timely, yet also specific, flexible and closely aligned with the overall objective of the UN engagement in the country or region.

Participants of the open debate might also be willing to consider the following issues:

- The negative impact of insecurity from illicit transfer and misuse of SALW on development, including education, health, economic opportunity, and on the most vulnerable groups, including refugees and IDPs.
- The role of disarmament, demobilization and reintegration (DDR) programmes and prerequisites for their success. The ways in which DDR is best integrated into other peacebuilding processes, such as programmes that prevent further inflows of illicit arms, assisting the host state in implementing commitments under existing conventional SALW control instruments or supporting the development of frameworks for legal arms ownership. The need for the UN to develop standards, in particular related to destruction of collected weapons or their safe storage and marking, that have to be met before weapons collected as part of DDR are handed over to host governments.
- Security sector reform (SSR) programmes and their role in changing the mindset of security personnel and developing a culture of secure management and establishment of marking, record-keeping and tracing capacities. The need to better link SSR programmes with violence reduction or SALW control measures.
- Stockpile management in conflict and post-conflict situations, including through DDR programmes or UN peacekeeping involvement. Avoiding leaks from stockpiles of UN peacekeepers to unauthorized users.
- The tracing of weapons to detect violations of arms embargoes and expose weaknesses in stockpile management. The need to improve information exchange between sanctions panels and other UN entities.
- The necessity to combine traditional weapons-control measures, such as DDR and SSR, into integrated strategies encompassing interventions aimed at strengthening community security, managing conflict and mitigating armed violence. The need to adjust such strategies over time following the establishment of benchmarks and the measurement of change in the security situation.
- The Council's contribution to effective implementation of the ATT, in particular through improving implementation of arms embargoes and mandating UN operations to build national and regional capacities in implementing ATT obligations, in particular related to transfer control systems, record keeping and preventing diversion. Opportunities to increase transparency of SALW transfers, including through implementation of ATT provisions on reporting.
- Recognition of the disproportionate effect that illicit transfer, destabilizing accumulations and misuse of SALW have on women and girls, including exacerbating sexual and gender-based violence. Ensuring women's full and meaningful participation in efforts to combat and eradicate the illicit transfer and misuse of SALW.
- Ensuring that all efforts aimed at countering child recruitment are undertaken in conjunction with initiatives to counter the illicit transfer and misuse of SALW.
- Synergies between the work of the Council on SALW and the process in the framework of UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects.
- The importance of regional and sub-regional efforts in countering illicit SALW flows, implementation of arms embargoes and regional SALW control instruments, as well as sharing experience in addressing other SALW-related challenges.