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The Security Council's Role in Disarmament and Arms Control: Conventional Weapons and Small Arms

This is our second Cross-Cutting Report on disarmament. It follows the report published on 1 September 2009 which dealt with the Council's approach to weapons of mass destruction.

Our series of Cross-Cutting Reports are designed to follow thematic issues on the Council's agenda and track the way in which thematic principles are applied by the Council in individual country-specific situations.

Disarmament is the thematic issue which has been longest on the Council's agenda. It was the UN Charter itself, in 1945, which in article 26 gave the Council this mandate.

In November 2008, at the initiative of Costa Rica, the Security Council returned to this wide and challenging responsibility. Following that debate Security Council Report began preparation of a detailed study of all aspects of the Council's role in disarmament.

This second part of the study addresses the Council's role in respect of conventional weapons and small arms. It also looks specifically, in a cross-cutting way, at the impact on disarmament at the local level deriving from Council arms embargoes and mandates for disarmament and demobilisation in the field of former combatants. There is some inevitable overlap between the two reports, but due to the complexity of the issues and the timing of the Security Council debate in September on nuclear weapons, it seemed wise to publish them separately rather than as one single study.

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1. Introduction

In 1945, when the United Nations was founded, the issue of disarmament and arms regulation was given a very prominent place in the post-World War II security arrangements. The Security Council was given the principal responsibility to address this problem.

It was recognised in the UN Charter that the proliferation of arms of all kinds presented an ongoing risk to international security and constituted a huge opportunity cost, in terms of economic and social development, if resources were diverted towards arms.

This consensus was reflected in article 26 of the UN Charter which gives the Security Council the lead responsibility to develop plans and oversee programmes of disarmament and arms regulation.

This was in a sense the first thematic mandate for the Security Council. And it lends itself well to the cross-cutting methodology employed in this series of studies by Security Council Report, under which we examine thematic responsibilities of the Security Council and assess how these have evolved, both at the level of generic development and in terms of application to country-specific situations on the Council's agenda.

At the outset, the Council tried to apply this mandate as intended in the UN Charter with a number of initiatives in the arena of disarmament, non-proliferation and arms control. However, the

problems of the Cold War quickly stifled any hope of progress. And for most of its first forty years—coinciding with the Cold War—those dynamics effectively drove questions of disarmament and arms control outside the Council. To the extent that these were subject to multilateral negotiation at all, this took place mainly in the General Assembly and the UN Conference on Disarmament, or outside the UN altogether and at the bilateral level involving the main Cold War protagonists, the US and the USSR.

The end of the Cold War did not bring the progress on arms control and disarmament that might have been expected. To the contrary, an even deeper malaise in the multilateral arms control negotiating environment seemed to set in. There was a complete stalemate for over a decade in the UN institutions set up by the General Assembly for this purpose.

In 2009, however, some initial signs of a more positive trend began to emerge:

- First, on 5 April US President Barack Obama, in a speech in Prague, pledged to reduce the US nuclear stockpile and committed to work with others to do the same with an ultimate goal of a world free of nuclear weapons. He also committed to support the treaty banning nuclear testing (CTBT) and a new treaty to end production of fissile materials for nuclear weapons.
- On 16 April, in the context of small arms President Obama announced in Mexico that he would push for ratification of the inter-American arms treaty designed to curb the flow of light weapons and ammunition in the region.
- In spite of previous failures, in May the Preparatory Committee for the 2010 Nuclear Non-Proliferation Treaty Review Conference made encouraging progress.



Regarding the Security Council, which is the focus of this report, a second trend can be observed. It began earlier and it marks a gradual but growing reemergence of the Security Council back into the field of disarmament that it had vacated during the early days of the Cold War. This evolving Council activism is manifested mostly in the context of country-specific situations. But there is also an increasing body of thematic or generic statements by the Council on some key issues.

The Council in particular began to be more active in the area of weapons of mass destruction with a specific focus on proliferation issues.

In the case of conventional weapons, the Council began to develop tools including arms embargoes, support for regional initiatives, physical disarmament in post-conflict situations and strategies such as disarmament, demobilisation and reintegration (DDR) in addition to security sector reform (SSR), which address aspects of the problem at the local level.

In January 1992, following a summit-level meeting, the Council underlined the need for all states to fulfil their obligations in relation to arms control and disarmament, in particular to avoid excessive and destabilising accumulations and transfers of arms. It emphasised the importance of the early ratification and implementation by the states concerned of all international and regional arms control arrangements.

At the thematic level the Council has taken up—but made little progress on—the issue of small arms. In general the Council has tended to steer away from major thematic initiatives on disarmament.

Council members are aware of the growing clamour from the majority of UN member states, and especially from civil society, for a quantum leap forward on all disarmament issues. There is pressure not only for more effective and consistent action against the proliferation of nuclear weapons but also for real collective input for the reduction of existing stockpiles of nuclear weapons held by all nuclear weapons states and action in respect of conventional weapons as well—especially small arms—and for strengthening the regimes that deal with all kinds of weapons and the disarmament machinery in general.

In November 2008, at the initiative of Costa Rica, the Council held a debate on these wider dimensions of disarmament. Council members in response stressed concern at the growth of global military expenditures and urged states to devote as many resources as possible to economic and social development (S/PV.6017 and resumption 1).

The debate in the Security Council in November 2008 demonstrated that there is also a concern by many about the unfinished business under the UN Charter itself. For instance, how will the responsibility be taken up to formulate plans to establish a system to regulate armaments in such a way that international peace and security could be maintained with a minimum of diversion of the world's human and economic resources into the production of or expenditure on armaments?

SIPRI, or the Stockholm International Peace Research Institute, has just reported that global military expenditure increased by 4 percent in 2008 and 45 percent over the past decade. It has now reached \$1,464 billion.

The Security Council has shown, in recent times, that, in carrying out its

primary responsibility for the maintenance of international peace and security, it has the potential—and the power, if it chooses to exercise it—to contribute to addressing both specific and broader disarmament dimensions of security issues. But its role has often been resisted as either inappropriate (given the parallel responsibilities of the General Assembly and wider objections to Council encroachment) or as ineffective because its decisions were not respected, in part because key stakeholders, who needed to be party to such decisions, were absent from the table.

2. Issues for the Security Council

A key issue for the Security Council is whether to take up a specific focus on conventional weapons to match the focus on nuclear issues established by its 24 September summit-level meeting and use this to provide momentum in the same manner to negotiations elsewhere.

A related question is the likely need for an in-depth open debate.

The second key question, as with WMD, is how far the Council should seek to go. The mandate in article 26 of the Charter is just as strong in the case of conventional weapons as for WMD. But the same practical issues exist in terms of the need for a group of stakeholders wider than 15 to be at the table for the detailed negotiations and their consummation.

The key issue, therefore, is whether the Council can add value not only by way of developing momentum, but also by beginning to develop elements of plans that would be referred to the General Assembly for further, more detailed work.

This inevitably draws attention to the issues on which the Council has already developed a track record and some expertise, including small arms. And it raises the question of a Council role in both:

- a thematic sense; and
- a cross-cutting sense (where the Council works on individual country-specific situations).

3. Options for the Security Council

Options for the Security Council include:

- Simply remaining silent on conventional weapons.
- Deciding to match the work in September on WMD with an equivalent focus before the end of 2009 on conventional weapons.
- Adopting a general thematic statement which would explicitly call for:
 - strengthening collective security by conventional weapons arms control and disarmament programmes through the established UN mechanisms;
 - enhanced efforts to address the problem of proliferation of conventional weapons;
 - stronger action by the Council, the Secretariat and regional organisations in conflict prevention, conflict resolution, mediation and peace-building;
 - states to enter into regional arrangements for arms regulation and acting as a guarantor for those arrangements;
 - recognition of the links between peace and security, development and human rights and the important role of the UN in DDR, SSR and other forms of local action;
 - the Secretary-General to systematically include a section in all country-specific reports providing data on small arms proliferation and use in conflict situations and to establish units responsible, within peacekeeping missions, for conducting weapons tracing activities—as in Côte d'Ivoire; and
 - a commitment to systematically address the flow of small arms in any conflict currently on its agenda.
- Deciding to revisit Council implementation of article 26 of the UN Charter and perhaps recommend some outline plans to the General Assembly for measures to regulate arms flows and promote progressive steps towards general and complete disarmament.
- Take up a specific issue in detail, such as small arms and light weapons, and, bearing in mind that the next report of the Secretary-General is due in 2010, establish an informal working group where discussions could begin on small arms issues including the thematic aspects as well as implementation of best practices in terms of the Council mainstreaming the small arms/DDR and SSR measures and improving arms embargoes in country-specific contexts.
- Designating a Council member as chair of such a working group for a full two year period to permit continuity on the conventional weapons issues and improve prospects that best practices will be addressed systematically and, in particular, during discussions on peacekeeping mandates and arms embargoes.
- Deciding to undertake an annual review of implementation by the Council of the Secretary-General's twelve-point recommendations elaborated in his first report on small arms in September 2002 (S/2002/1053).
- When tackling illicit trafficking of small arms, the Council could also address the illicit trafficking of small arms components (as opposed to fully assembled weapons) as this seems to be a loophole increasingly used in arms trafficking.
- Implementing the specific recommendations from the Secretary-General's reports on ways to better collect and share data on small arms and develop key quantitative indicators and address cooperation with Interpol to this end (S/2002/1053, S/2003/1217, S/2005/69, S/2006/109 and S/2008/258).
- Bearing in mind the second review conference of the Mine Ban Treaty to be held in Cartagena from 30 November to 4 December, hold an open debate on demining—perhaps on aspects such as mine clearance, victim assistance, the role in future country-specific situations of embargoes on anti-personnel landmines and developing standard Council practice to require parties to a conflict, upon a ceasefire, to provide maps showing the location of mines and unexploded ordnance.
- Impose sanctions on states or armed groups unwilling to cooperate in post-conflict situations with demining or removal of ordnance, such as the provision of maps.

4. International Framework for Disarmament and Arms Control

4.1 UN Charter Provisions and Early Decisions on Disarmament

The UN Charter recognised that disarmament and arms control would be necessary elements in maintaining international peace and security (article 11). The Security Council, on which was conferred the “primary responsibility for the maintenance of international peace and security,” was given a central role to



"ensure prompt and effective action by the United Nations" (article 24).

The Security Council was also tasked with formulating plans "for the establishment of a system for the regulation of armaments" (article 26). The purpose behind that responsibility was to promote the establishment of international peace and security with the least diversion of the world's human and economic resources into armaments.

The General Assembly, in resolution 41 of 14 December 1946, recommended that the Council formulate practical measures to provide for the general regulation and reduction of armaments and armed forces, and to assure that such regulation and reduction would be generally observed, in effect reaffirming the Council's obligations under the UN Charter.

Plans for a system for the regulation of armaments were required under article 26 to be submitted by the Council to members of the UN.

Under article 39 of the UN Charter, a determination by the Council that a situation or action constitutes a threat to international peace and security allows it to decide under Chapter VII of the Charter on binding measures, including economic and military sanctions.

Finally, article 47 envisaged that the Security Council would receive advice and assistance from a Military Staff Committee on all questions relating to the Council's military requirements for maintaining peace and security, including "the regulation of armaments, and possible disarmament."

4.2 Short History of Efforts to Implement Charter Provisions on Disarmament

In resolution 18 of 13 February 1947, the Security Council recognised that the

general regulation and reduction of armaments and armed forces would constitute a real opportunity to strengthen international peace and security. In an effort to implement its Charter obligations, the Council established the UN Commission for Conventional Armaments (UNCCA) to deal with armaments other than weapons of mass destruction with a mandate to make proposals for the general reduction of armaments.

But discussions within UNCCA quickly became deadlocked because of the underlying Cold War political dynamics. The Soviet Union pressed for immediate reduction of armaments. The US supported reductions but linked agreement to progress on an effective framework for collective security. In 1950 the Soviet Union used the issue of the representation of China in UNCCA as a basis for withdrawing participation. This effectively ended the work of the Commission, which was dissolved in 1952 in Council resolution 97.

From that point on, with the Council stalemated in performing its role on armament regulations and disarmament, the General Assembly began to take up issues of disarmament, arms control and non-proliferation in application of article 11 of the UN Charter.

Mindful of the situation in UNCCA (and, as we shall see, the United Nations Atomic Energy Commission, UNAEC) the Assembly decided in 1952 to establish a new Disarmament Commission (resolution 502 (VI) of 11 January). Interestingly, it provided that this Commission should be accountable to the Security Council and tasked it to address both conventional and atomic weapons. However, negotiations within this new commission produced nothing substantive, and by 1958 it also ceased to convene.

Progressively disarmament issues were removed from the collective discussion table at the UN in favour of smaller forums.

Twenty years passed before the UN was able to establish clear institutional arrangements to address multilateral disarmament and arms control. During this period there were ongoing efforts involving mixed tracks of bilateral, trilateral and multilateral negotiation (with some UN involvement as well). These produced eight multilateral arms limitation agreements (including on WMD) relating to specific environments and weapons systems, and weapons testing.

In 1978 there was a minor breakthrough at the UN with agreement on convening the General Assembly's first special session on disarmament (see resolution S-10/2 of 30 June). This was made possible as a by-product of the limited détente of the era, but also due to an initiative by developing countries (and the Non-Aligned Movement in particular) concerned that military expenditures remained larger than those spent globally on health, education and economic development.

This special session created a framework that includes:

- the First Committee of the General Assembly was made responsible for preparing resolutions for adoption by the General Assembly;
- the Disarmament Commission was expanded to include the full UN membership and transformed into a subsidiary organ of the General Assembly with the role of a deliberative body and for making recommendations in the field of disarmament; and
- the Conference on Disarmament was established (in 1979) to serve as the world's single multilateral disarmament negotiating forum. It currently has 65

members, and replaced its smaller predecessors such as the Eighteen Nation Disarmament Committee.

The Disarmament Commission, although not a negotiating body, has been unproductive for many years. The First Committee of the General Assembly conducts routine annual business (voting on resolutions, receiving reports and conducting thematic debates). It has seen a lot of unproductive rhetoric, and its main output has been mechanical essentially non substantive outcomes.

The UN Conference on Disarmament in earlier times managed to achieve the negotiation of a number of international treaties, as described later. However, despite the end of the Cold War, no issue on the agenda of the Conference has culminated in a successful negotiation since 1996. The Fissile Material Cut-off Treaty is currently the most widely supported priority on the Conference's agenda, but proceedings were stalled for over a decade with members being unable to agree on the priorities that would comprise their future programme of work. Although some hopeful signs emerged in April 2009, meaningful negotiations eluded the UN Conference on Disarmament for most of its 2009 session. It remains to be seen, even with positive engagement by P5 members, whether it can become an effective negotiating forum.

In this connection, it should be noted that the Conference and other forums in the disarmament arena, such as the Convention on Conventional Weapons (CCW), proceed on the basis of taking decisions only by consensus. This rule of procedure (or practice, in the case of the CCW) has had stultifying consequences in dealing both with WMD as well as with conventional weapons. In the case of the Conference, no proposal

for an annual work programme has attracted consensus for over a decade. In the case of the CCW, the practice of proceeding by consensus led directly to decisions by groups of like-minded states to pursue their objectives in parallel negotiations outside the CCW, as noted later, on cluster munitions and on anti-personnel mines.

The stalemate seemed to result in part from reluctance by a few large military powers to participate in collective decision-making—at times seemingly out of opposition to any negotiated processes, which might potentially inhibit military flexibility and capability. In addition, a few small or middle powers, fearful of situations in which they might be out-voted, also have used the consensus approach to block progress.

Curiously, this consensus approach brings to the General Assembly negotiating bodies the same weakness so often criticised in the Security Council—a veto. The veto, in this sense, is therefore perpetuated outside the Security Council in sensitive areas of disarmament, non-proliferation and arms control.

collectively inflicting higher levels of killing than any WMD used so far. The NGO, Oxfam, a driving force behind the Arms Trade Treaty initiative (discussed below), has calculated that 1,000 people die each day from armed violence, and hundreds of thousands more are displaced, maimed or lose their livelihood.

The humanitarian impact of the use of small arms and their potential to destabilise entire regions—whether experiencing conflict or not—has also been recognised as a threat to international peace and security. Likewise, because of their impact on civilians, landmines, cluster munitions and other explosive remnants of war have been subject to international agreements (not yet universally accepted) that regulate or ban their use.

It is a fact, however, that since the signing of the UN Charter, progress on conventional arms regulation through universal multilateral institutions has been very limited.

Efforts to reduce the most destructive conventional weapons (sometimes called heavy conventional weapons) have occurred mostly at a regional level. For instance, the 1992 Treaty on Conventional Armed Forces in Europe limits conventional armaments in Europe to less than 40,000 battle tanks, 60,000 armoured combat vehicles, 40,000 pieces of artillery, 13,600 combat aircraft and 4,000 attack helicopters.

For its part, the Security Council has addressed heavy conventional weapons only in the context of embargoes, and has never taken up the issue of conventional arms control and disarmament thematically in any significant way.

Nevertheless, in the past two decades, some attention has been given to other categories of conventional weapons—in

5. Conventional Weapons: Background

Conventional weapons in general do not have the potential to inflict the same level of destruction as WMD. However, in 2000 former UN Secretary-General Kofi Annan noted:

The death toll from small arms dwarfs that of all other weapons systems...In terms of the carnage they cause, small arms, indeed, could well be described as 'weapons of mass destruction'.

In that sense, the massive numbers of these weapons available, their relatively low cost and easy use make them hugely destructive in many conflicts,



particular small arms and light weapons—and those to which non-combatants are particularly vulnerable (e.g. landmines and other so-called remnants of war).

5.1 Small Arms and Light Weapons

Because small arms have destabilised states and entire regions, increased the lethality and longevity of conflicts, obstructed relief programmes, undermined peace initiatives, exacerbated human rights abuses and hampered development, the UN in the 1990s began more systematically to look beyond the notion of traditional “security” of states and take into account the security of individuals. The spread and use of small arms was identified in this context as promoting insecurity especially arising from state violence, organised crime, random violence and terrorism.

Acknowledgement of this issue in the UN began in the General Assembly at the end of the 1980s and accelerated in the early 1990s. In a 1988 resolution introduced by Colombia, the Assembly recognised that arms transfers deserved attention because of their potential effect in areas where tensions and regional conflict threatened international peace and security, and their negative effect on development. It requested the Secretary-General to study ways and means of promoting transparency in international transfers of conventional arms (A/RES/43/75 (I)).

The Secretary-General’s study (A/46/301) led to the establishment on 6 December 1991 of the UN Register of Conventional Arms aimed at fostering regional and international confidence-building by increasing transparency of states’ arms transfers, military holdings, procurement and relevant policies (A/RES/46/36 (L)). This was followed in 1996 by the establishment of guidelines for reporting arms transfers (A/51/182).

Groups of governmental experts in 2003 and 2006 agreed that interested member states could include transfers of small arms and light weapons in their annual report to the Register as part of additional background information.

The process of addressing small arms accelerated in 1995 thanks to a coalition of like-minded states (led by Norway and Canada in particular) with the creation of a group of governmental experts on small arms. This led to two reports, one in 1997 (A/52/298) and another in 1999 (A/54/258), in which the group recognised that small arms affect the intensity and duration of violence. They made a number of recommendations to states, the UN (including the Security Council) and regional organisations to reduce the accumulation and transfer of small arms.

The establishment of an Eminent Persons Group in 2000 to study the role of small arms control regimes also contributed to attracting further attention to the issue. The Rocard-Konaré Report was presented to the General Assembly millennium summit and laid out the basic framework of a broad-based, cooperative regulatory approach organising small arms control efforts based on transparency, export controls and an international code of conduct (A/55/631).

The result was the convening in July 2001 of an international conference that agreed on a Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. The Programme of Action (A/CONF.192/15) calls on states to implement legislation or other measures to criminalise the illegal manufacture, possession, stockpiling and trade in small arms, and encourages the establishment of a small-arms registration system, through marking

and tracking mechanisms. It also includes a number of measures at the national, regional and global levels on the destruction of weapons that were confiscated, seized, or collected, as well as international cooperation and assistance to strengthen the ability of states in identifying and tracing illicit arms and light weapons.

It did not prove possible, however, to overcome US resistance to adopting the Programme of Action as a legally binding treaty.

Nevertheless, the Programme of Action has become the subject of regular reviews at biennial meetings in New York, attracting virtually the entire membership of the UN. It is very much a live instrument, albeit one without legal force.

In addition to the Programme of Action, a number of mostly non-binding instruments have been adopted. They include the 1996 Wassenaar Arrangement, the Firearm Protocol, the Tracing Instrument, and a General Assembly Resolution on man-portable air-defence systems (A/RES/60/77).

Furthermore, the General Assembly has established groups of governmental experts to address four additional issues relating to conventional weapons:

- combating illicit brokering;
- developing an arms trade treaty aimed at establishing common international standards for the import, export and transfer of conventional arms;
- problems arising from the accumulation of ammunition stockpiles; and
- the continuing operation and further development of the UN Register of Conventional Arms.

These groups of experts have presented or will present reports to the General Assembly.

Negotiations on a possible new legal instrument such as a treaty on the arms trade now seem likely in view of the progress made by the Working Group in New York in July. (In a clear statement of purpose of a very large segment of the international community, the General Assembly on 24 December 2008 adopted a resolution endorsing action against the illicit trafficking of arms through an arms trade treaty (A/RES/63/240). It was supported by 133 member states with only one against and 19 abstentions.)

An arms trade treaty would improve the effectiveness of national export controls in filtering the export of arms in a more concerted manner, addressing the fundamental need to stop weapons reaching those who use them to undermine stability, harm development and abuse human rights.

While there is now some momentum on initiating actual negotiations on an arms trade treaty, continuing divisions are likely to complicate the task. In the past, commercial interests combined with fears in some quarters in the US that such a treaty would ultimately affect the issue of civilians' possession of arms have been a barrier to progress. In addition, others such as Russia, Egypt and Pakistan harbour concerns about the potential restrictions on arms sales and arms production.

5.2 International Humanitarian Law:

It was under the auspices of the International Committee of the Red Cross (ICRC) initially that some progress was made on conventional weapons. Starting from the perspective of drafting of rules to better protect civilians from the ravages of conflict, a process was commenced in the late 1960s to begin negotiations on a new legal instrument that would regulate weapons that might

cause excessive injury or have indiscriminate effects.

In 1974 the Swiss government, in its capacity as the depositary of the Geneva Conventions on law in armed conflict, convened a Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts. The purpose of the meeting was to negotiate Additional Protocols to the Geneva Conventions on the basis of the draft rules that had been prepared by the ICRC in consultation with a number of states.

An important issue that emerged at the diplomatic conference was between those states which took the view that certain high technology weapons were particularly inhumane and should be prohibited, and, on the other hand, those mainly major military States (the US, other larger NATO members, the USSR and some Warsaw Pact members) which were either opposed to prohibitions or restrictions on high-technology weapons or argued that any such prohibitions should be negotiated in a UN forum or the Conference on Disarmament rather than in a diplomatic conference.

Ultimately there was agreement that such weapons should be dealt with in the framework of the UN. In the subsequent UN conference, it was agreed that an umbrella or framework treaty, consisting of an over-arching, general agreement with a number of protocols on specific weapons should be negotiated on the basis that this would be dynamic and allow the possibility of adding new protocols for other types of weapons to take future developments into account.

At the end of its second session in 1980, the conference adopted the text of the Convention on Prohibitions or

Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects. The agreement bans or restricts the use of specific types of weapons considered to cause unnecessary suffering to combatants or to affect civilians indiscriminately. Adopted on 10 October 1980 and entering into force on 2 December 1983, this treaty (known as the CCW, and sometimes described as the Inhumane Weapons Convention) originally had three protocols. Those instruments, all legally binding, prohibited or restricted the use of, among other things: non-detectable fragments (completely prohibited); mines, booby traps and other devices; and incendiary weapons. Two more protocols were later added, entering into force on 30 July 1998 and 12 November 2006 respectively. They deal with the prohibition of the use of blinding laser weapons and explosive remnants of war. This last protocol was the first multilaterally negotiated instrument to deal with the humanitarian problem of unexploded ordnance. Currently, there are 110 state parties to the CCW, with the number of parties to the five protocols ranging from a high of 107 for Protocol I (on non-detectable fragments) to a low of 57 for the very recent addition to the framework, Protocol V (on explosive remnants of war).

The CCW and its protocols laid the ground for tackling weapons that are particularly harmful to civilians, drawing on the Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (12 August 1949). The issues of landmines and of cluster munitions each attracted particular attention in the mid to late 1990s when evidence emerged about the impact of their use on civilians—particularly in the aftermath of conflict. Public concern inspired



recent partnerships among governments, civil society and inter-governmental agencies to address the impact, especially on civilians, of these kinds of weapons that have the capacity to maim and kill innocent people long after their original military use.

The Anti-Personnel Mine Ban Treaty (Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, or “Ottawa” Convention) was the result of such a partnership and was a response to perceived shortcomings in CCW Protocol II on mines, booby-traps and other devices notwithstanding its amendment in 1996. The Ottawa Convention was adopted on 3 December 1997. As of April 2009, 156 countries had ratified or acceded to it. State parties agree never to use, develop, produce, stockpile or transfer anti-personnel landmines, or to assist any other party to conduct these activities; to destroy all stockpiled anti-personnel landmines within four years; to clear all laid anti-personnel landmines within ten years; and to provide assistance for mine clearance, mine awareness, stockpile destruction and victim assistance activities worldwide. A number of military powers including China, the DPRK, India, Israel, Pakistan, Republic of Korea, Russia, the US among others, have opposed the treaty.

The Convention on Cluster Munitions, or Oslo Convention, was adopted on 30 May 2008 and opened for signature on 3 December 2008. It also resulted from a partnership of the kind that produced the anti-personnel mine ban treaty. It bans the use, production, transfer and stockpiling of cluster munitions. This agreement also requires clearance of contaminated areas and assistance to victims and provides for the protection of civilians both during and after armed

conflict. The Oslo Convention has not yet entered into force. It currently has 98 states signatories and six have ratified it (Austria, the Holy See, Ireland, Laos, Norway and Sierra Leone). The group of states mentioned at the end of the immediately preceding paragraph, many of them possessing large stockpiles of cluster munitions, have not signed the Convention and indeed did not participate in its negotiation.

On 30 November 1994, the UN Secretary-General established a voluntary trust fund for assistance in mine action to provide special resources for mine action programmes. The adoption in 1997 of the anti-personnel mine ban treaty constituted a watershed in the international fight against landmines as it created for the first time obligations for states to assist the victims of these weapons and their clearance. The General Assembly on 8 January 1998 requested the Secretary-General to assist and provide such services as may be necessary to fulfill the tasks entrusted to him by the Ottawa Convention (A/RES/52/38). The UN Mine Action Service was created as a unit within the UN Department of Peacekeeping Operations responsible for providing mine action assistance in the context of humanitarian emergencies and peacekeeping operations, and the UN focal point for mine action.

6. Resources Diverted to Conventional Weapons

According to SIPRI world military expenditures in 2008 were estimated to amount to \$1,464 billion, which constituted a real increase of 4 percent since 2007. Over the 1999-2008 decade world military spending increased by 45 percent in real terms. In 2008, military spending corresponded to 2.4 percent of the world gross domestic product, and represented about \$217 per capita.

For 2003-2007, the ten largest suppliers of conventional weapons were the US, Russia, Germany, France, the UK, the Netherlands, Italy, Sweden, China and Ukraine. Forty-one US companies accounted for 63 percent of the total arms sales of the top 100 arms producing companies in the world, and Western European firms accounted for 29 percent. Of the remainder, the countries with the highest arms sales in the top 100 were Russia with eight companies (1.9 percent of top 100 arms sales), Japan with four (1.7 percent), Israel with four (1.5 percent) and India with three (1.1 percent).

The chart below shows the spread of military expenditure by region (in 2007 US dollars):

Region	2007 Expenditure	% World Total	% Increase (1998-2007)
Africa	18.5 billion	1.4	+51
Americas	640 billion	47.7	+63
<i>North America</i>	596 billion	47.1	+65
<i>Central & South America</i>	43.9 billion	3.2	+14 for Central America +38 for South America
Asia and Oceania	219 billion	16.3	+52
Europe	370 billion	27.6	+16
Middle East	91.5 billion	6.8	+62

The increase of military expenditures has attracted concerns about the diversion of resources that could be used for socioeconomic development, particularly in developing countries.

Countries with the highest known or estimated percentage of gross domestic product used for military expenditures, in 2006, were:

1. Oman: 11.2 percent
2. Saudi Arabia: 8.5 percent
3. Israel: 8 percent
4. Iraq: 7.8 percent (uncertain figure)
5. Georgia: 5.2 percent
6. Syria: 5.1 percent
7. Jordan: 5 percent
8. Singapore: 4.7
9. Burundi: 4.7 percent
10. Iran: 4.6 percent (excluding spending on paramilitary forces)
11. Lebanon: 4.6 percent (estimate)
12. Yemen: 4.3 percent
13. Kuwait: 4 percent (estimate)
14. Colombia: 4 percent
15. US: 4 percent
16. Greece: 3.8 percent (estimate)
17. Angola: 3.7 percent
18. Morocco: 3.7 percent
19. Azerbaijan: 3.6 percent
29. Chile: 3.6 percent
21. Russia: 3.6 percent (estimate)
22. Bahrain: 3.5 percent

Many countries, in particular in the developing world and within the non-aligned movement, have made an analogy between failure to reduce global armament spending and failure to make more progress on development. For example, during the Council debate in November 2008, organised by Costa Rica, the issue of whether a concerted effort to reduce armaments, internationally and regionally, could release significant resources that could then be used by countries for development needs was addressed.

The concept paper submitted by Costa Rica to the Council proposed:

If the “neighbourhood” could credibly commit to respecting the security of each country by maintaining collectively agreed levels of military spending, with the Security Council and regional organizations serving as effective guarantors of compliance, national security would be enhanced ... and substantial resources would be spared for ... development. This approach could help the international community, in particular developing countries, to overcome the vicious armaments race that seems to be gaining momentum in several regions of the world, competing with ... the

Millennium Development Goals.
(S/2008/697)

By way of analysis of needs, the following chart provides 2005 data in the context of the Millennium Development Goals by region.

As noted earlier, article 26 of the UN Charter stipulates that the Council should formulate plans to establish an armament regulatory system to promote maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources.

7. Council Efforts to Address Conventional Weapons as a General Thematic Issue

The Council, in its decisions, has thematically addressed disarmament in a general sense (covering all weapons) only twice.

The first time was in presidential statement S/23500 of 31 January 1992. In this, the Council underlined the need for all states to fulfil their obligations in relation to arms control and disarmament, in particular to avoid excessive and destabilising accumulations and

	Infant mortality rate per 1,000 live births	% Population undernourished	Education Index	Life expectancy	Youth Literacy (% age 15-24)	Maternal Deaths per 100,000 live births
Arab States	46	–	0.687	67.5	85.2	160*
East Asia/ Pacific	25	12	0.836	71.7	97.8	260**
Latin America/ Caribbean	26	10	0.873	72.8	96.6	130
South Asia	60	21	0.598	63.8	74.7	490
Sub-Saharan Africa	102	32	0.571	49.6	71.2	900
Europe	22	–	0.938	68.6	99.6	51
OECD	9	–	0.912	78.3	–	–

*Not including North Africa

**Average drawn from the combined total of deaths in three regions (Oceania, Southeast Asia and East Asia) as given in the *Millennium Development Goals Report 2008*



transfers of arms. It emphasised the importance of the early ratification and implementation by the states concerned of all international and regional arms control arrangements. The Council also recognised the General Assembly's establishment of the UN register of arms transfers as a first step in arms control. However, it did so "while fully conscious of the responsibilities of other organs of the United Nations in the fields of disarmament, arms control and non-proliferation".

The second and most recent example of Council involvement on the general issue was the November 2008 open debate at the initiative of Costa Rica on the theme of "Maintenance of international peace and security: strengthening collective security through general regulation and reduction of armaments" (S/PV.6017 and resumption 1). (Please see our Update Report on Collective Security and Armament Regulation of 14 November 2008.)

The Council adopted a presidential statement reaffirming that disarmament, non-proliferation and arms control are necessary to strengthen international peace and security, noting the link between disarmament and development, expressing concern at increasing global military expenditures and urging states to devote resources to economic and social development. It also expressed support for all measures adopted by governments to reduce military expenditures and underlined the importance of promoting norms setting. Finally, it called on member states, regional organisations and the UN to make more efforts to strengthen international and regional cooperation in arms control, non-proliferation and disarmament through further implementation, development and strengthening of relevant agreements (S/PRST/2008/43).

8. Council Work on Small Arms

By contrast to its limited involvement on the general issue of conventional weapons, the Security Council has extensively addressed small arms and light weapons (jointly referred to from now on as small arms). It has recognised the modern reality that the majority of deaths in current conflicts are from conventional weapons and specifically small arms. Secretary-General Annan wrote in his 2000 Millennium report, "in terms of the carnage they cause, small arms, indeed, could well be described as 'weapons of mass destruction'."

It is difficult to assess the number of civilian deaths caused by small arms in conflict areas. However, it is estimated that small arms kill at least 300,000 people a year in both conflict and non-conflict situations, and injure or disable many thousands more. In 2003, estimates also showed that the conflict death toll by small arms was possibly between 80,000 and 108,000 and that, overall, 60 to 90 percent of all direct conflict victims are killed by small arms.

The Small Arms Survey, an independent research project based in Geneva and the main international source of public information on all aspects of small arms, estimated in 2003 that global production of small arms amounted to approximately eight million per year. According to Small Arms Survey, Russia and China account for the production of the majority of small arms in the world.

Control of the transfer of small arms has proved particularly problematic, especially in situations of conflict, because transfers are usually illicit and undertaken by a wide range of individuals, by entities ranging from companies or rebel groups to criminal organisations or

states. Brokers and transportation agents usually also play an important role.

Arms transfers can be placed into three categories.

- Legal transfers occur when governments or their authorised agents buy or sell weapons in accordance with both national and international law.
- Illegal transfers occur when a transfer is in violation of national and/or international laws. Such transfers are often made without government consent or control at the export level and are often facilitated by false paperwork or corrupt government officials. The transfer of weapons produced illegally also fits this category.
- Grey-market transfers may contain elements of legal and illegal transfers. These usually include weapons produced and sold legally but diverted en route to the stated destination eventually reaching an illegal destination. Grey-market transfers often involve governments, their agents, or individuals exploiting loopholes or unintentionally circumventing national controls.

The UN uses the term "illicit trade" (which implies a notion of immorality as well as being prohibited by law) to cover both the second and third categories which it refers to as illicit trade of small arms "in all its aspects".

Data on the number of small arms and light weapons currently in circulation is hard to obtain. States are not obliged to divulge their holdings, since it is voluntary to contribute information to the UN Register of Conventional Arms. The Small Arms Survey estimated in 2002 that there were about 639 million small arms in circulation around the world. By 2008 the number was estimated to be at least 875 million (according to the latest report of the Secretary-General on small arms, S/2008/258).

Below is a general estimate of the distribution of known global small arms in 2002:

Ownership Type	# of Small Arms and Light Weapons	Total
State (combined data)	259,600,000	40.6
Armed forces	241,600,000	37.8
Police forces	18,000,000	2.8
Civilians	370,300,000	59.2
Rebel groups	1,000,000	0.2
Total	630,900,000	100.0

There are currently two main approaches to countering the problem of small arms.

The *supply-side approach* focuses on increasing accountability and government regulation of small arms in production, transfer, sale and end-user certification. This approach aims to prevent arms transfers to states and non-state actors likely to commit serious violations of human rights and international humanitarian law. It entails the use of mechanisms such as export control, sanctions, public pressure, weapons-marking, tackling illicit brokering and increased post-transfer oversight such as stockpile security and the destruction of surplus weapons.

The *demand-side approach* recognises that, in some countries, the abundant pool of small arms already available will not be affected by supply-side strategies. This approach therefore seeks to curb the use of weapons already present by using external means such as peacekeeping operations to improve security within the state, disarming ex-combatants, developing violence reduction programmes, legislative reforms regarding civilian possession of weapons, security sector reform and scaling back the number of available weapons.

The Council has used both approaches in dealing with small arms.

8.1 Supply-Side Approach

The Council has in some regional or country-specific contexts begun to address the small arms dimension, recognising that the proliferation of small arms has fuelled conflicts in particular cases. This tends to lead the Council to express concern about the proliferation of weapons in the region or country in question.

Resolution 1467 of 2003 is an example. It recognised that the proliferation of small arms and light weapons and mercenary activities was a threat to peace and security in West Africa.

Several resolutions on Somalia have noted with serious concern the continued flow of weapons and ammunition supplies to and through Somalia from sources outside the country, which severely undermined peace and security and the political efforts for national reconciliation in Somalia (for example, resolution 1425 of 2002).

Expression of concern for the proliferation of arms in a particular location has often led to the establishment of an arms embargo, or to reaffirming the need for all parties to respect the embargo.

The Council has used a further supply-side tool by reminding states of or encouraging them to implement a Programme of Action, in particular implementing regulations for marking and tracing. An example is a presidential

statement adopted on 31 October 2002 on small arms (S/PRST/2002/30). The Council has also endorsed the establishment of regional mechanisms to address arms proliferation and encouraged strengthening of such mechanisms. For example, resolution 1209 of 1998 welcomed the moratorium on small arms and light weapons adopted by the Economic Community of West African States (ECOWAS), and resolution 1467 of 2003 called on member states to broaden it.

A more intrusive supply-side tool is to impose an arms embargo, prohibiting all states from supplying arms, ammunitions, military materiel and related services to a specific country or to a named faction.

Arms embargoes tend to fall into three categories:

- those designed to force countries to comply with international non-proliferation treaties (examples include the possible acquisition by Iraq, Iran and DPRK of nuclear weapons);
- those against a single party in a conflict such as an illegitimate government (for example the Haitian junta in 1993) or designed to support existing governments—in which case the embargo normally includes all arms except those intended to the government (such as in Lebanon, Iraq, Sierra Leone and the DRC); and
- those designed to stop the transfer of weapons and military equipment to all of the conflict parties, with the aim of bringing about a cessation of hostilities and a durable peace process.

The number of arms embargoes imposed by the Council has increased considerably in the past two decades. In 1992 there were only three mandatory embargoes in place. As of January 2009 there were 12 (including the arms



embargo on Al-Qaida and the Taliban). Studies indicate that arms embargoes have yielded mixed results. From 1990 to 2006 improvements in target behaviour were noted in only 29 percent of all embargoes unrelated to WMD proliferation. A major reason is that monitoring cross-border arms flows has proven very difficult. (Please see our 16 September 2008 *Special Research Report: Anatomy of a Sanctions Regime: A Case Study of Sixteen Years of Failed Efforts to Effectively Implement Sanctions in Somalia.*)

The presence of UN peacekeepers with a specific embargo monitoring mandate is another disarmament tool sometimes employed by the Council. This device is designed to increase the prospects of changes in behaviour because it has the prospect of making the embargo more credible. The establishment of a Council approved monitoring mechanism (panel or group of experts) is a further tool designed to help improve implementation. Through investigations of violations, experts are able to identify specific violators—states, armed groups or individuals—and areas of cross-border transfers, and can keep track of how many weapons are being supplied. The experts can provide recommendations to the Council to improve effectiveness, including the imposition of targeted sanctions—travel bans and assets freezes—on individual violators, and other measures designed to improve the scope of the embargo itself.

8.2 Demand-Side Approach

Practical disarmament in the field is the main demand-side tool at the Council's disposal to tackle small arms. In his 1995 Supplement to an Agenda for Peace, Secretary-General Boutros Boutros-Ghali devoted a section to what he called “micro-disarmament” or “practical disarmament in the context of the conflicts

the UN is actually dealing with the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands.” He emphasised the role for the UN in assembly, control and disposal of small arms in situations of peacekeeping and peacebuilding, following enforcement action.

The Council has responded with the development of a number of tools for conflict and post-conflict situations, and sometimes inserted them in the mandates of peacekeeping operations. These include calling on combatants to lay down their weapons to allow a ceasefire, requiring disarmament of some or all combatants, providing peacekeepers with the mandate to assist in or conduct disarmament and security sector reform.

Disarmament, Demobilisation and Reintegration programmes are not usually described as a demand-side disarmament instrument (perhaps there is a strong case for seeing them in this light). Although they encompass much more than just practical disarmament, since the early 1990s the Council has increasingly called for DDR processes in conflict and post-conflict situations and they have achieved some success in practical disarmament.

DDR programmes generally focus on all combatants from government forces and non-government militias. Integrated DDR Standards aim to contribute to security and stability in post-conflict environments so that recovery and development can begin. The DDR of ex-combatants is a complex process, with political, military, security, humanitarian and socio-economic dimensions. It aims to deal with the post-conflict security problem that arises when ex-combatants are left without livelihoods or support networks ... during the vital transition period from conflict to peace and development. Through a

process of removing weapons from the hands of combatants, taking the combatants out of military structures and helping them to integrate socially and economically into society, DDR seeks to support ex-combatants so that they can become active participants in the peace process.

The official UN definition of DDR is as follows.

Stage 1: Disarmament: Collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and often also of the civilian population. Disarmament also includes the development of responsible arms management programmes.

Stage 2: Demobilisation: Formal and controlled discharge of active combatants from armed forces or other armed groups.

- The first stage of demobilisation may extend from the processing of individual combatants in temporary centres to the massing of troops in camps designated for this purpose (cantonment sites, encampments, assembly areas or barracks).
- The second stage of demobilisation encompasses the support package provided to the demobilised, which is called reinsertion.

Stage 3: Reinsertion: Assistance offered to ex-combatants during demobilisation but prior to the longer-term process of reintegration. Reinsertion is a form of transitional assistance to help cover the basic needs of ex-combatants and their families and can include transitional safety allowances, food, clothes, shelter, medical services, short-term education, training, employment and tools. While reintegration is a long-term, continuous social and economic process of development, reinsertion is a short-term material and/or financial assistance to

meet immediate needs and can last up to one year.

Stage 4: Reintegration: Process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time-frame, primarily taking place in communities at the local level. It is part of the general development of a country and a national responsibility, and often necessitates long-term external assistance.

In some cases, the “R” of DDR also encompasses rehabilitation, repatriation of foreign combatants, reconciliation or resettlement.

The need for DDR stems from the observation that practical disarmament without follow-up measures would not be effective in the long-term because ex-combatants can regain access to weapons and engage in illicit or criminal activity. In this sense, practical disarmament is only one element of a DDR process.

DDR processes are longer-term activities usually conducted by national authorities with the support of the UN. DDR has generally been an element of broader mandates for multidimensional peacekeeping operation (along with security, human rights, rule of law, elections, economic recovery and institution building). In many cases, though, national capacities are too weak and a peacekeeping mission becomes de facto in charge of a DDR programme (for example in Sierra Leone and Liberia). But the UN has also increased its DDR engagement in non-peacekeeping contexts, such as in Afghanistan, the Central African Republic, Indonesia (Aceh), Niger, Somalia, Solomon Islands and Uganda.

In addition to practical disarmament through DDR, another important element of the demand-side approach for small arms is security sector reform. This is a relatively new concept stemming from the observation that in countries experiencing chronic violence and where the security sector is either dysfunctional or absent, the individual demand for weapons possession will be higher, out of a need for self-protection.

Although there is no agreed definition of the term “security sector” it generally refers to institutions legitimately entitled to intervene in society, using force if necessary to protect citizens, uphold law and order and state institutions, and protect the borders of the state. There is increasing recognition that solutions to complex security sector problems and removing the risks of widespread availability of uncontrolled weaponry involves more than just the initial DDR phase. Restructuring institutions and militias peacefully involves addressing also the rule of law and good governance, protecting the security of individuals, upholding human rights and addressing a broader range of collective security actors and threats.

In a January 2008 report the Secretary-General defined security sector reform as “a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law” (S/2008/39). (For more information please see Security Council Report’s previous publications on security sector reform.)

Small arms measures are therefore becoming an important component of effective security sector reform. For

instance, reform of state security forces requires a review of stockpile management and safe storage and registration procedures for weapons. It may also include the destruction of surplus weapons and ammunition stocks. Small arms control programmes (which can also be part of DDR processes) are necessary to remove guns from uncontrolled civilian circulation and create conditions where state security forces can exercise monopoly over the legitimate use of force.

Although security sector reform is regarded as only indirectly related to disarmament, it is important to include it in the analysis as the Council has shown increasing concern for linkages in post-conflict situations between DDR, SSR and weapons availability. The Council, for instance, can call on authorities to conduct security sector reform (although this terminology has been used only recently) including reforming the army and the national police together with DDR programmes. For example, the Council combined demands for those two activities in Burundi, Central African Republic (CAR), Côte d’Ivoire, the DRC, Haiti, Liberia, and Sierra Leone.

DDR programmes have had uneven success in general, and security sector reform is still in the early stages of development. Though full evaluations have not yet been undertaken, our analysis focuses on whether the Council has systematically used those tools in conflict or post-conflict situations rather than determine whether they have been effective.

8.3 Thematic Debates

It is important to acknowledge not only the country-specific approach used by the Council but also some initial efforts to approach the small arms issue at the thematic level.



In 1995, responding to Secretary-General's *Supplement to an agenda for peace* the Council, in a presidential statement, recognised that small arms are responsible for most of the deaths in conflicts with negative consequences for international peace and security. The Council also emphasised the importance of strict implementation of existing arms embargo regimes. (S/PRST/1995/9)

A more specific trigger for Council thematic involvement came with the 1998 Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318). In it, Secretary-General Annan said:

Identifying the sources of arms flows into Africa is critical to any effort to monitor or regulate this trade. Arms exporting countries have a responsibility to exercise restraint, especially with respect to the export of weapons into zones of conflict or tension in Africa. Particularly close attention needs to be paid to the role of private arms merchants in supplying weapons to areas of actual or potential conflict...The Security Council should address itself to this issue as a matter of urgency, including the role the United Nations might play in compiling, tracking and publicizing such information.

Parallel developments in the General Assembly were no doubt also influential, along with the emergence and availability of statistics on the issue. As a result, small arms became an issue on the Council's agenda. The Council was already tackling the supply-side of small arms in specific cases through arms embargoes and the demand-side through practical disarmament. It had addressed proliferation of small arms in the context of Africa and within other thematic considerations.

In a presidential statement on the maintenance of peace and security and post-conflict peacebuilding adopted on 8 July 1999, the Council recognised the direct impact of small arms on conflicts and their role in destabilisation of post-conflict situations (S/PRST/1999/21).

The Netherlands then took the initiative in September 1999 to place the issue of small arms proliferation on the agenda of the Council for the first time and organised a ministerial meeting and debate during its presidency of the Council (S/PV.4048). It proposed that the Council concentrate on three initial areas: promoting voluntary moratoriums on arms exports to tension and conflict zones; looking into ways to enhance the effectiveness and full implementation of arms embargoes; and providing peacekeeping missions with DDR mandates.

The presidential statement adopted after this debate (S/PRST/1999/28) addressed those three areas and established a set of principles and measures.

- The destabilising accumulation of small arms contributed to the intensity and duration of armed conflicts, as had the easy availability of small arms.
- The challenge posed by small arms involved security, humanitarian and development dimensions.
- Although small arms are traded for legitimate security considerations, national regulations and controls are vital as they can also fall in the hands of terrorists.
- Regional cooperation is important in tackling illicit trafficking.
- The Secretary-General should develop a reference manual on ecologically safe methods of weapons destruction. (Secretary-General Annan submitted the report on 15 November 2000, S/2000/1092.)

The Council however did not adopt a resolution nor did it request the

Secretary-General to present a report on implementation of this statement.

At the initiative of Colombia the issue came back to the Council's agenda in August 2001 (S/2001/732). An open debate took place on 2 August (S/PV.4355). The Council again failed to adopt a resolution and instead adopted a second presidential statement (S/PRST/2001/21). New elements included:

- expressions of grave concern at the harmful impact of small arms on civilians and particularly on vulnerable groups such as women and children;
- the need to address the relationship between the illicit exploitation of natural and other resources and the trade in illegal weapons in situations under the Council's consideration;
- a request to the Secretary-General to include in his reports on relevant situations under Council consideration analytical assessments on the illicit trade in small arms as well as humanitarian impact; and
- a request to the Secretary-General to submit a report to the Council within a year with recommendations on how the Council may contribute to the question of illicit trade in situations under its consideration.

Despite a call by France to establish a standing monitoring mechanism to ensure implementation of targeted sanctions and a British proposal to ensure that the Council would mainstream the issue of small arms in all issues under its consideration, the Council could agree only on reiterating the need to improve the efficiency of arms embargoes and to incorporate provisions on DDR in peace agreements and peacekeeping mandates on a case by case basis. Resistance to more institutionalised processes was strong, particularly from the US, Russia and China.

In his first report on small arms (S/2002/1053 of 20 September 2002) the Secretary-General outlined twelve recommendations to the Council.

1. Encourage states to develop an international tracing instrument.
2. Call on states to provide technical and financial support to the Interpol Weapons and Explosive Tracking System.
3. Assist the Secretariat in establishing a small arms advisory service.
4. Consider means to enhance interaction with the General Assembly in the context of the Programme of Action.
5. Call upon states to enforce arms embargoes.
6. Continue efforts aimed at identifying links between illicit trade in small arms and the illicit exploitation of natural resources.
7. Call on parties to conflicts to recognise the importance of DDR in post-conflict situations, and include such measures in agreed documents.
8. Strengthen financing for DDR.
9. Encourage states to establish legislation to ensure control over the export and transit of small arms.
10. Pursue more vigorously the use of arms embargoes.
11. Establish monitoring mechanisms for arms embargoes and consider coercive measures against member states that violate those embargoes.
12. Call upon states to enhance transparency in armaments.

In 2002 the Council requested the Secretary-General to report on implementation of his recommendations by the end of 2003 (S/PRST/2002/30). It took the Council until 2007 to agree on establishing a regular (biennial) reporting cycle in 2007 (S/PRST/2007/24, and even this came only after a year of negotiations).

Secretary-Generals Kofi Annan and Ban Ki-moon have submitted four reports since 2002, in December 2003 (S/2003/1217), February 2005 (S/2005/69), February 2006 (S/2006/109) and April 2008 (S/2008/258) on progress towards the implementation of these recommendations.

Progress noted in the 2006 report included adoption of the International Tracing Instrument; enhancement of the Interpol Weapons Electronic Tracing System; focus of the Council on the links between illicit exploitation of natural resources and the illicit trade in small arms; Council emphasis on the importance of inter-mission cooperation in the implementation of DDR; and its attention to mechanisms to support and monitor arms embargoes. Enforcement of sanctions dependent on the political will of member states remained an area of concern.

In an effort to revive the small arms question in the Council, the Secretary-General's report of 17 April 2008 raised new issues, expanding the scope to activities other than illicit trafficking: production, marking and tracing, illicit brokering, end-use verification, ammunition and stockpiles. New recommendations to the Council and member states included:

- enhancing states' efforts to collect, maintain and share data;
- using key quantitative indicators as a base against which to set measurable goals;
- acknowledging that security, development and human rights are interconnected;
- strengthening cooperation among relevant sanctions monitoring groups, peacekeeping missions, states and relevant regional and international organisations;
- assigning the task to monitor arms

embargoes to dedicated units within peacekeeping missions mandated to do so;

- further strengthening synergies between an arms embargo and DDR;
- where an arms embargo coincides with DDR, requesting the establishment of a baseline arms inventory and arms marking and registration systems;
- encouraging states and peacekeeping missions to use the new International Tracing Instrument and the Interpol police communications system;
- making the destruction of surplus ammunition stockpiles a priority for relevant peacekeeping missions and governments;
- more regularly linking arms embargo exceptions with security sector reform;
- encouraging states to enhance their efforts to verify end-user certificates;
- increasing cooperation between the Peacebuilding Commission, the Office for Disarmament Affairs and the Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, on the issue of children and small arms; and
- providing assistance to states requesting support in stemming the flow of small arms.

The Council's thematic response to the Secretary-General's reports on small arms has been negligible. It issued three presidential statements (on 31 October 2002, 17 February 2005 and 29 June 2007) and no statement or resolution was adopted following the submission of the most recent report—but an open debate on the issue was held on 30 April 2008 (S/PV.5881 and resumption 1).

However, more success can be seen in advancing the issue of small arms in the context of regional considerations on the Council's agenda. In doing so it has brought a cross-cutting focus to its work.



9. Council Efforts to Integrate the Small Arms Issue into other Thematic Contexts

9.1 Focus on Africa

The Council has given a particular thematic focus to small arms proliferation in Africa following the recommendations of the Secretary-General's 1998 report on causes of conflict and the promotion of durable peace and sustainable development in Africa and the importance of strengthening arms embargoes (S/1998/318).

Resolution 1196 of 16 September 1998 urged all actors to facilitate implementing arms embargoes. The Council also expressed its willingness to consider, whenever it establishes arms embargoes, measures to assist effective implementation, such as inquiries into arms trafficking routes, the follow-up of possible violations and the deployment of point of entry monitors. It also stressed that arms embargoes imposed by the Council should have clearly established objectives and provisions for regular review with a view to lifting them when objectives are met.

The Council encouraged the Secretary-General to explore means for collection, sharing and dissemination of information on illicit small arms flows in Africa (resolution 1209 of 1998). This was strengthened in the late 1990s and early 2000 by the establishment of several panels of experts to investigate violations of arms embargoes in Africa, and by repeated calls upon countries in certain regions (the Great Lakes, for instance, in resolution 1653 of 2006) to enforce the arms embargo.

9.2 Link with Conflict Prevention

In the context of consideration of the subject of conflict prevention, the

Council gave a particular focus to the implementation of arms embargoes. The link between proliferation of small arms and prevention of conflicts was first made in a 1999 presidential statement when the Council said that it would consider preventive measures such as establishing demilitarised zones and preventive disarmament as well as arms embargoes (S/PRST/1999/34).

This link was reinforced in 2005 in resolution 1625 when the Council affirmed its determination to strengthen prevention capacities by combating illicit trade of arms and the use of mercenaries.

9.3. Link with Peacebuilding and DDR

In a 1999 presidential statement the Council recognised the role of small arms in destabilising post-conflict situations (S/PRST/1999/21). The Council also recognised that DDR could not be seen in isolation but rather as a continuous process which fed into a broader search for peace, stability and development. The Council stressed in particular the need to:

- include within specific peace agreements and within peacekeeping mandates clear terms for DDR; and
- establish databases of experts on DDR and training of peacekeeping troops by troop contributors.

A report of the Secretary-General on the Role of UN Peacekeeping in DDR, following this presidential statement, was presented on 11 February 2000 (S/2000/101).

In a subsequent presidential statement on 23 March 2000, the Council recognised that action to curb the illegal flow of small arms into areas of conflict can contribute to the success of DDR (S/PRST/2000/10).

9.4 Link with SSR

The Council, in a presidential statement adopted on 12 July 2005, noted that security sector reform should be one of the priorities in the post-conflict environment (S/PRST/2005/30). The first debate on the subject took place on 20 February 2007 (S/PV.5632 and resumption 1). The Council recognised inter-linkages between security sector reform and other important factors of stabilisation and reconstruction, such as DDR and small arms control (S/PRST/2007/3).

9.5 Role of Regional Organisations

A 2002 presidential statement recognised the role that regional and subregional organisations can play in preventing the illicit traffic of small arms, and underscored the importance of regional agreements to prevent the flow of arms into conflict areas (S/PRST/2002/31).

The first Council resolution on cooperation between the UN and regional organisations (resolution 1631 of 2005) asserted the need to take into account in peacekeeping mandates the regional instruments enabling states to identify and trace illegal small arms. This was reiterated in 2007 in a presidential statement (S/PRST/2007/42).

A 2006 presidential statement urged regional organisations to improve regional mechanisms for curbing the flow of arms, in particular by encouraging their member states to strengthen their legislations (S/PRST/2006/39).

9.6 Link with Protection of Civilians

In a 1999 presidential statement the Council noted the adverse impact of the proliferation of arms on the security of civilians, including refugees and other vulnerable populations S/PRST/1999/6.

The Council's first resolution on the protection of civilians in armed conflict, resolution 1265 of 1999, expressed support for including clear terms for DDR in peacekeeping mandates and noted that the excessive accumulation of small arms impeded the provision of humanitarian assistance and had a potential to endanger the lives of civilians.

These elements were reemphasised in subsequent resolutions on this matter, 1296 (2000) and 1674 (2006).

It appears that in the context of protection of civilians, the Council has been ready to emphasise the importance of DDR programmes and progressively detailing ways to improve them. The 2003 aide-mémoire produced by the Secretary-General and endorsed by the Council to assist Council members in including protection mandates for peacekeeping operations contains a set of measures to reduce the illicit trafficking of small arms and to involve ex-combatants in DDR (S/PRST/2003/27).

But the revised aide-mémoire adopted by the Council on 14 January 2009 considerably expanded and further detailed issues for consideration aimed at controlling and reducing the availability of illicit small arms and light weapons. In particular, it added: better cooperation between UN peacekeeping missions and other UN missions to monitor and prevent cross-border movement of small arms, as well as strengthened cooperation with sanctions monitoring groups; mandating UN missions to collect and dispose of illicit and surplus small arms and ammunition stockpiles; imposing arms embargoes on parties committing violations of international law; and requesting baseline arms inventory and arms marking and registration systems in countries where an arms embargo

coincides with DDR programmes (S/PRST/2009/1).

9.7 Link with Children and Armed Conflict

A linkage between small arms and the plight of children in armed conflict was made early by the Council because the issue of child soldiers and the circulation of arms are inseparable.

First, in 1999 the Council recognised in resolution 1261 the deleterious impact of the proliferation of small arms on the security of civilians, particularly children.

Then, in several subsequent resolutions (1379, 1460, 1539 and 1612) the Council expressed its intention to consider taking steps to address the linkages between the illicit trafficking in small arms which can intensify the impact of conflict on children.

In particular, resolution 1460 (2003) urged member states and regional organisations to take action to control the illicit trade of small arms to parties in armed conflict that do not respect international law on the rights and protection of children in armed conflict. It requested the Secretary-General to assess abuses of children, including in the context of the illicit trafficking in conflict zones, and to propose effective measures to control the trade. Resolutions 1539 (2004) and 1612 (2005) went further and expressed the intention to consider imposing, through country-specific resolutions, a ban on the export and supply of small arms against parties to armed conflict which are on the Council's agenda and are in violation of international law on children. While the Council extended sanctions to political and military leaders recruiting or using children in armed conflict in the DRC those sanctions do not yet include arms embargoes.

The Council also repeatedly supported the need to include child soldiers into DDR programmes and to take into account their specific needs and views. A 2008 presidential statement emphasised the need to ensure that all children associated with armed forces and issues relating to children are systematically included in DDR processes with a particular emphasis on education (S/PRST/2008/28).

Research reveals the Council's concern about the impact of illicit arms flows on civilians and children in particular. However, in practice, it is clear that the primary aim of Council intervention to regulate arms flows has always been to contain or prevent a recurrence of conflict. Embargoes have never been used for civilian protection per se.

9.8 Link with Women Peace and Security

Within the framework of the topic of women, peace and security, the Council emphasised the need to take into account special needs of women (resolution 1325) during DDR programmes, in particular to develop effective mechanisms for providing protection from violence to women and girls in all DDR processes, encouraged gender mainstreaming in DDR (S/PRST/2004/40) and asked the Secretary-General to ensure that DDR programmes take specific account of the situation of women and girls associated with armed groups, as well as their children (S/PRST/2007/5).

Many studies show that guns affect women and men differently, particularly in armed conflict. The proliferation and misuse of small arms contributes to inequality between men and women and to gender-based violence especially—but not only—in countries at war. Women are particularly vulnerable to sexual violence when threatened by armed



men. It has been recognised that women are disproportionately affected by the damage to health, education and other social services caused by armed violence. However, women's perspectives and interests are still woefully missing in the context of the discussions and work relating to disarmament and development.

10. Statistics

Methodology

This section seeks to evaluate whether tackling the thematic issue of small arms in conflict has become part of the Council's mainstream work in dealing with country-specific issues. It tries to determine whether there has been an increase in resolutions and presidential statements that contain language and measures to tackle small arms proliferation and to support practical disarmament.

The second objective is to provide data which will inform the analysis section on the question as to whether the Council has begun to evolve a form of best practice in terms of implementing arms embargoes, DDR programmes and security sector reforms. To this end the statistics will look at:

- how many peacekeeping operations have been given a specific mandate to conduct or assist governments with DDR and security sector reform and to monitor arms embargoes; and
- how many arms embargoes' regimes have been assigned a group or panel of experts to investigate violations.

The following limitations apply to the statistical material.

- The timeframe covers only 1999-2008 as it was in 1999 that the Council first addressed the issue of small arms on a thematic basis. The goal will be to

determine whether the Council has been following its own commitment on the issue.

- The data only covers conflicts or relevant issues on the agenda of the Council. (By relevant issues we mean conflicts in which the presence or flow of conventional arms has had an impact or potential impact on the existing violence—in other words almost all conflicts.) Therefore this will not cover the following items on the Council agenda: tribunals; non-proliferation (Iran, DPRK, Libya, 1540 Committee); terrorist acts; and admission of new UN members.
- For the purpose of clarity, the agenda item "Middle East" was divided into three subjects: Lebanon, Israel/Syria (UNDOF) and Israel/Palestine. Also, while the Council reacted many times to terrorist attacks in Lebanon through presidential statements, it chose, contrary to other cases of terrorist bombings, to include those under the "Middle East"—as opposed to terrorist acts—therefore, those statements will be counted as well.

The categories of tools used by the Council and included in this section are as follows.

- *Arms language* describes instances in which the Council has referred to, expressed concern about or condemned the destabilising presence of arms in a country or a region, the continuing illicit flow of arms and ammunition across a border, the supply of conventional arms to armed groups or rearments concerns. This also refers to instances in which the Council has recognised the link between the flow of arms and the illicit exploitation of natural resources.
- *SSR* describes the Council's reference to security sector reforms. This includes support for existing processes and incorporation of security

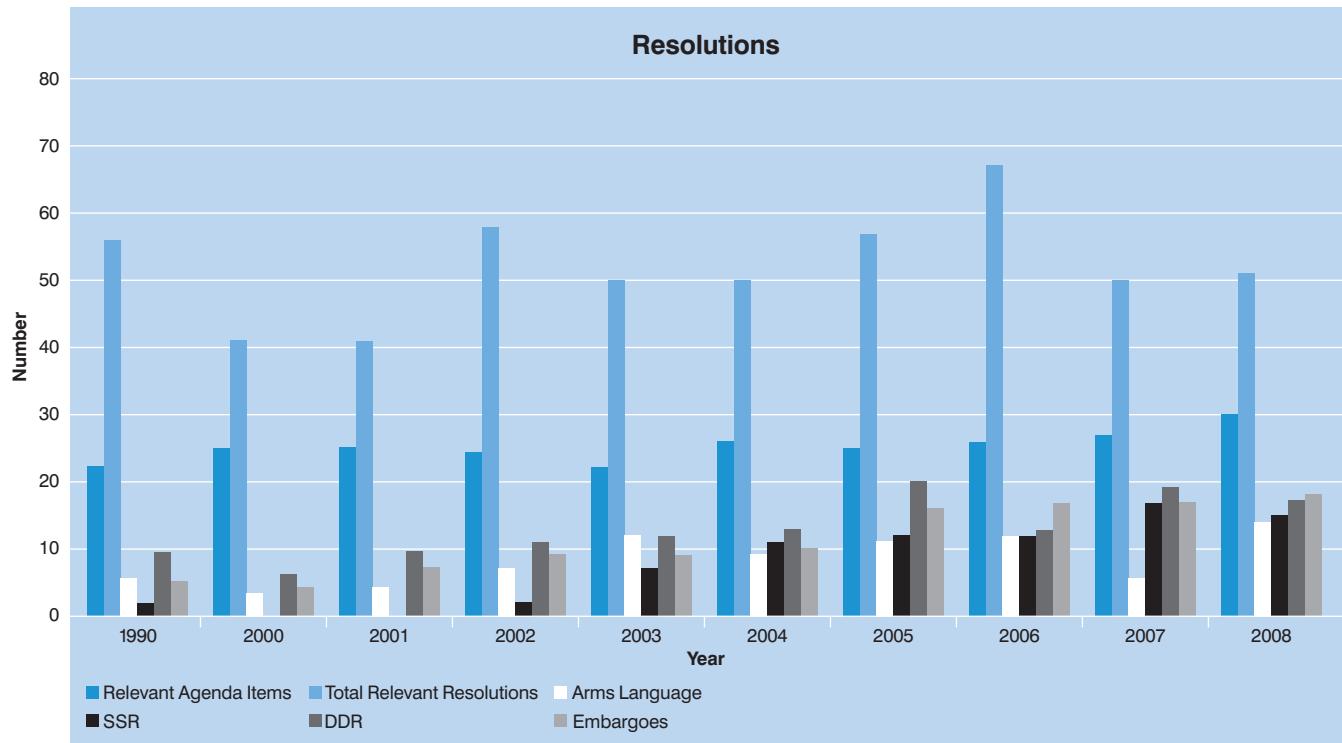
sector reform mandates for peace-keeping operations. It does not include justice sector reform.

- *DDR* refers to support for DDR processes (or only reintegration when the first two steps have been achieved), inclusion of DDR activities in peacekeeping mandates and more generic demands for laying down weapons, disarming, confiscating or collecting weapons and cantonment (assignment of troops to temporary quarters) and to conventional disarmament obligations.
- *Embargo* refers to instances in which the Council established, strengthened, recalled the existence of, demanded compliance with, established exceptions to or terminated a voluntary or mandatory arms embargo. This also refers to establishing a group or panel of experts or other monitoring mechanism, renewing their mandate, requesting a report or referring to their reports and recommendations. This could also refer to weapons free zones.

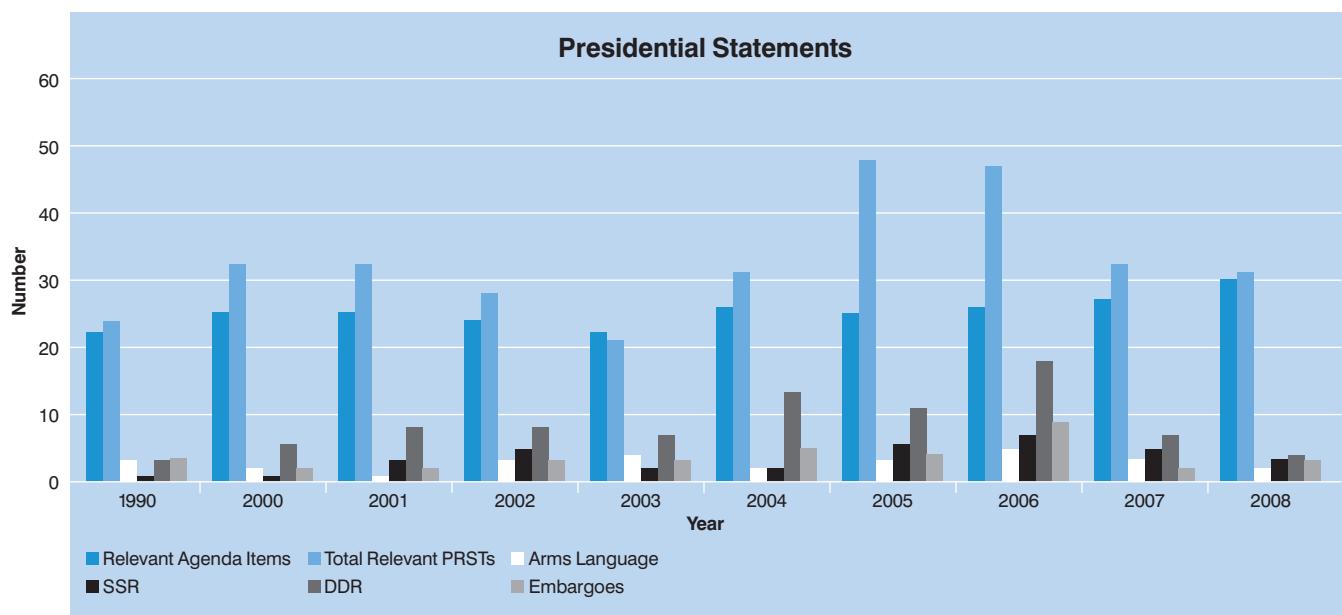
Country-Specific Resolutions

From 1999 to 2008, the number of relevant conflicts being dealt with actively by the Council varied from 22 to thirty per year. Almost every year, half or more of all relevant conflicts on the Council's agenda were in Africa. The number of resolutions varied, from 41 to 67 per year at its peak in 2006.

The years 2005 and 2006 were particularly prolific in terms of Council action. The Council gave attention to the conflict in the DRC (six resolutions and six statements in 2005 and seven resolutions and five statements in 2006), troubles in Lebanon (six resolutions and six statements, mainly condemning terrorist attacks in 2005 and six resolutions and seven statements in 2006), as well as Côte d'Ivoire as the intensity of the conflict reached its peak in 2005 (eight



Relevant agenda items refer to the number of conflicts with a small arms dimension addressed annually by the Council. Total relevant resolutions refer to the total number of resolutions adopted annually for all relevant agenda items. Arms language, SSR, DDR and embargoes refer to the number of resolutions addressing those activities.



Arms, SSR, DDR and embargoes refer to the number of presidential statements addressing those activities.



resolutions and four statements in 2005, seven resolutions and eight statements in 2006). The situation in Darfur also led to the adoption of 21 resolutions and statements in 2005 and 2006.

Country-Specific Presidential Statements

The number of presidential statements

has always been lower than that of resolutions, but it also varied greatly, from 21 in 2003 to 48 in 2005.

Peacekeeping and other Relevant Political Missions

An important part of disarmament efforts in country-specific situations has been to provide UN peace operations and

support missions a mandate either to conduct DDR or assist the authorities in DDR and security sector reform.

The following charts review peacekeeping operations and political missions mandates either established since 1999 or in existence between 1999 and today. They evaluate whether specific mandates were given to the mission.

Peacekeeping Missions	Arms Control Mandate	SSR Mandate	DDR/Disarmament Mandate
MINURCAT (Chad and CAR) 25 Sep 2007	No	Provide the necessary support to the reform of the security sector in CAR	No
UNAMID (Darfur) 31 July 2007	embargo monitoring	No	Assist in the establishment DDR called for in the Darfur Peace Agreement Monitor, verify and promote efforts to disarm the Janjaweed and other militias
UNMIT (Timor-Leste) 25 Aug 2006	No	Ensure the restoration and maintenance of public security through the provision of support to the National Police of East Timor, including interim law enforcement and public security and assist with training, institutional development and strengthening of the police and the Ministry of Interior Assist the government in conducting a comprehensive review of the future role and needs of the security sector, through the provision of advisers and in cooperation and coordination with other partners, in strengthening institutional capacity-building.	No
UNMIS (Sudan) 24 Mar 2005	No	No	Assist in the establishment of DDR as called for in the Comprehensive Peace Agreement, with particular attention to the special needs of women and child combatants, and its implementation through voluntary disarmament and weapons collection and destruction
UNOCI (Côte d'Ivoire) 27 Feb 2004	embargo monitoring	Assist in formulating a plan on the restructuring of the defence and security forces and in preparing possible seminars on SSR to be organised by the AU and ECOWAS	For government forces and militias Assist the government in undertaking the regrouping of all the involved Ivorian forces, in ensuring the security of their disarmament, cantonment and demobilisation sites

Peacekeeping Missions	Arms Control Mandate	SSR Mandate	DDR/Disarmament Mandate
			<p>Support the government in DDR of combatants, including through logistical support, in particular for the preparation of cantonment sites</p> <p>Coordinate with UNMIL in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, in support of the efforts of the Ivorian government</p> <p>Ensure that the DDR of combatants and the voluntary repatriation and resettlement programme for foreign ex-combatants take into account the need for a coordinated regional approach</p> <p>Assist the government in formulating and monitoring the implementation of the Joint Operation Plan for the disarmament and dismantling of militias and to secure, neutralise or destroy all weapons, ammunition and other military materiel surrendered by former combatants or militias</p>
ONUB (Burundi) 21 May 2004 to 31 Dec 2006	Support for efforts to combat the proliferation of small arms and light weapons	Carry out reforms as well as the constitution of the integrated national defence and internal security forces and, in particular, the training and monitoring of the police, while ensuring that they are democratic and fully respect human rights and fundamental freedoms	Carry out the disarmament and demobilisation portions of DDR
MINUSTAH (Haiti) 30 Apr 2004	Engage with the government to address cross-border drugs and arms trafficking control	<p>Assist the government in monitoring, restructuring and reforming the Haitian National Police, including through the vetting and certification of its personnel, advising on its reorganisation and training, including gender training, as well as monitoring/mentoring members of the police</p> <p>Calling on the government to advance SSR as well as reinforcing the efforts to reform the critical judiciary and correctional systems (S/RES/1840)</p>	<p>Assist the government, particularly the Haitian National Police, with comprehensive and sustainable DDR programmes for all armed groups, including women and children associated with such groups, as well as weapons control and public security measures</p> <p>Requests MINUSTAH to reorient its DDR efforts towards a comprehensive violence reduction programme adapted to local conditions, including initiatives to strengthen local governance and the rule of law and to provide employment opportunities to former gang members, and at-risk-youth, in close coordination with the government and other relevant actors, including the donor community (S/RES/1702)</p>



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Peacekeeping Missions	Arms Control Mandate	SSR Mandate	DDR/Disarmament Mandate
			Pursue community violence reduction approach, including through support to the National Commission on DDR and concentrating its efforts on labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the promotion of a national community policing doctrine (S/RES/1840)
UNMIL (Liberia) 19 Sep 2003	Liaise with UNOCI and UNAMSIL to prevent the movements of arms and combatants across shared borders and the implementation of DDR.	Assist the government in monitoring and restructuring the police force, consistent with democratic policing, to develop a police training programme, and to assist in the training of police in cooperation with ECOWAS, international organisations and interested States Assist the government in the formation of a new and restructured military	Assist in the development of cantonment sites and to provide security at these sites Observe and monitor disengagement and cantonment of military forces of all the parties Develop an action plan for the overall implementation of a DDR for all armed parties and addressing the inclusion of non-Liberian combatants Carry out voluntary disarmament and to collect and destroy weapons and ammunition as part of an organised DDR programme
UNMISET (Timor-Leste) 17 May 2002 to 20 May 2005	Within the temporary security zone	Support to the development of law enforcement.	No
UNMEE (Ethiopia-Eritrea) 15 Sep 2000 to 31 July 2008	No	No	No
MONUC (DRC) 30 Nov 1999	embargo monitoring	Assist the government in SSR, including the integration of national defence and internal security forces together with DDR and the training and monitoring of the police, while ensuring that they are democratic and fully respect human rights and fundamental freedoms	Develop an action plan for the overall implementation of the Ceasefire Agreement by all concerned with particular emphasis on the comprehensive DDR of all members of all armed groups Support the government's operations to disarm foreign combatants Facilitate DDR foreign combatants and their dependants Contribute to the disarmament portion of the national programme of DDR of Congolese combatants and their dependants, monitoring the process and providing as appropriate security in some sensitive locations.
UNAMSIL (Sierra Leone) 22 Oct 1999 to 31 Dec 2005	Liaise with UNOCI and UNMIL to prevent the movements of arms and combatants across shared	Although not explicit in resolutions, the Council welcomed the activities of the UNAMSIL civilian	Assist the government in the implementation of the DDR plan by establishing a presence at key

Peacekeeping Missions	Arms Control Mandate	SSR Mandate	DDR/Disarmament Mandate
	borders and the implementation of DDR	police component including its focus on providing advice to the Sierra Leone police force, assisting in the selection of new recruits, training, and providing technical advice in the restructuring of the police force (S/2001/228)	locations throughout the territory including at disarmament and reception centres and demobilisation centres, and by providing security Guard weapons, ammunition and other military equipment collected from ex-combatants and to assist in their subsequent disposal or destruction
UNTAET (Timor-Leste) Oct 1999 to May 2002	No	No	No
UNMIK (Kosovo) June 1999	No	Since 2001 consolidating and improving law and order structures, establishing an unbiased judicial system and tackling organised crime (Pillar I)	Demilitarising the Kosovo Liberation Army and other armed Kosovo Albanian groups
MINURCA (CAR) 27 Mar 1998 to 15 Feb 2000	No	Assist in coordination with other international efforts in a police trainers programme and in other capacity-building efforts of the national police, and to provide advice on the restructuring of the national police and special police forces	Supervise, control storage, and monitor the final disposition of all weapons retrieved in the course of the disarmament exercise; Supervise the destruction of confiscated weapons and ammunition under MINURCA control.
UNMOP (Prevlaka Peninsula) 1 Feb 1996 to 15 Dec 2002	No	No	only demilitarisation of the area
UNMIBH (Bosnia and Herzegovina) 21 Dec 1995 to 31 Dec 2002	No	Assisting in reforming and restructuring the local police, assessing the functioning of the existing judicial system and monitoring and auditing the performance of the police and others involved in the maintenance of law and order. Creating specialised training units to address key public security issues, such as refugee returns; organised crime, drugs, corruption and terrorism; and public security crisis management; as well as training in the detection of financial crime and smuggling (S/RES/1144)	No
UNMOT (Tajikistan) 16 Dec 1994 to 15 May 2000	No	No	Monitor the assembly of United Tajik Opposition fighters and their reintegration, disarmament and demobilisation
UNOMIG (Georgia) 24 Aug 1993 to 15 June 2009	Verify, through observation and patrolling, that troops of the parties do not remain in or re-enter the security zone and that heavy military equipment does not remain or is not reintroduced in	No	No



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Peacekeeping Missions	Arms Control Mandate	SSR Mandate	DDR/Disarmament Mandate
	the security zone or the restricted weapons zone Monitor the storage areas for heavy military equipment withdrawn from the security zone and the restricted weapons zone		
MINURSO (Western Sahara) 29 April 1991	No	No	No
UNDOF (Golan Heights) 31 May 1974	No	No	No
UNFICYP (Cyprus) 4 Mar 1964	No	No	Since 1967, supervise disarmament
UNTSO (Palestine) 29 May 1948	No	No	No
Political Missions and Peace-building Support Offices	Arms Control Mandate	SSR Mandate	DDR Mandate
UNIPSIL (Sierra Leone) 4 Aug 2008	No	only for the rule of law, such as strengthening the judiciary	No
UNMIN (Nepal) 23 Jan 2007	No	No	No explicit mandate on DDR but there is a mandate for arms monitoring: monitor the management of arms and armed personnel of the Nepal Army and the Maoist army, in line with the provisions of the Comprehensive Peace Agreement and assist the parties through a Joint Monitoring Coordinating Committee in implementing their agreement on the management of arms and armed personnel
BINUB (Burundi) 25 Oct 2006	Within the framework of SSR and Small Arms Joint Programme (with the government, UNICEF and UNDP) on Combating the Proliferation of Small Arms and Light Weapons, including Disarmament of the Civilian Population	Within the framework of the Joint Programme, support for the development of a national plan for SSR, including human rights training, and provision of technical assistance for its implementation, including training and capacity-building for the police, and technical assistance to enhance the national defence force	Within the framework of the Joint Programme, support for the completion of the national programme for the demobilisation and reintegration of former combatants, including the implementation of the ceasefire agreement with the Palipehutu-FNL.
UNIOSIL (Sierra Leone) 31 Aug 2005 to 30 Sep 2008	Coordinate with UN missions and offices and regional organisations in West Africa in dealing with cross-border challenges such as the illicit movement of small arms, human trafficking and smuggling and illegal trade in natural resources	Strengthen the rule of law, including by developing the independence and capacity of the justice system and the capacity of the police and corrections system Strengthen the security sector	No

Political Missions and Peace-building Support Offices	Arms Control Mandate	SSR Mandate	DDR Mandate
UNAMI (Iraq) 14 Aug 2003	No	No (but UNAMI has a mandate to promote judicial and legal reform in order to strengthen the rule of law)	Advise, support, and assist the government of Iraq on planning, funding and implementing reintegration programmes for former members of illegal armed groups
MINUCI (Côte d'Ivoire) 13 May 2003 to 4 Apr 2004	No	No	Provide input to forward planning on disengagement, disarmament and demobilisation and identify future tasks, in order to advise the government and support the French and ECOWAS forces
UNAMA (Afghanistan) 28 Mar 2002	No	No (The US, assisted by France, forms the National Army; Germany trains police forces; and Italy conducts justice sector reform)	No (DDR programme is supported by UNDP)
UNOWA (West Africa) 29 Nov 2001	Identify and raise awareness on emerging threats to peace and security including arms trafficking	A coordination role to develop UN inter-mission and inter-agency cooperation on SSR and regional mainstreaming of SSR	A coordination role to facilitate inter-mission cooperation at the military level through regular meetings of UN force commanders and military advisers, as well as regular meetings of officers in charge of DDR
BONUCA (CAR) 15 Feb 2000	No	Includes a small number of military and civilian police advisers to follow-up on security-related reforms and to assist in the implementation of the training programmes for the national police, which were initiated by MINURCA	No
UNOGBIS (Guinea-Bissau) 25 June 1999	No	Encourage and support national efforts to reform the security sector, including the development of stable civil-military relations, and to attract international support for these efforts.	No explicit mandate on DDR but a facilitation role for related activities: seek the commitment of the government and other parties to adopt a programme of voluntary arms collection, disposal and destruction and encourage the government to fully implement the Programme of Action.
UNOPS (Somalia) 15 April 1995	No	No	No

Strengthening Arms Embargoes

The chart below shows the mechanisms for arms embargoes. It does not include information on sanctions committees as they are almost always automatically established at the time of the imposition

of an arms embargo (the two exceptions in the period under review have been Darfur, where the committee was established eight months after the imposition of an embargo and Lebanon, where no committee has been established to date

for the August 2006 embargo). The chart addresses only mandatory embargoes as voluntary embargoes are never assigned monitoring mechanisms.



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Country Under Embargo	Year Established	Panel or Group of Experts	Year Panel Established	Specific Peace Operation Monitoring Mandate
Sudan	2004 to 2005 in resolution 1556 on non-government armed forces	No (and there was no sanctions committee)		
	Since 2005 (S/RES/1591)	Yes	2005	Not in UNMIS (established in 2005) but in UNAMID (established in 2007) there is a mandate to monitor whether any arms or related material are present in Darfur in violation of the agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556
Liberia	1992 to 2001 (S/RES/788)	No (the sanctions committee was only established in 1995)		UNOMIL (1993 to 1997) monitored compliance with other elements of the peace agreement, including at points on Liberia's borders with Sierra Leone and other neighbouring countries, and to verify its impartial application, and in particular to assist in the monitoring of compliance with the embargo on delivery of arms and military equipment to Liberia and the cantonment, disarmament and demobilization of combatants.
	Since 2001 (S/RES/1343 and 1521)	Yes	2001	In resolution 1521 the Council welcomed UNMIL's readiness, within its capabilities, its areas of deployment and without prejudice to its mandate to assist the sanctions committee and the panel of experts in monitoring the arms, diamonds and timber embargoes and requests the missions in Sierra Leone and in Côte d'Ivoire, likewise to assist by passing to the committee and the panel any information relevant to the implementation of the measures.
DRC	2003 to 2005 (S/RES/1493) on non-governmental armed forces in Ituri, North and South Kivu	Yes	2004	Within MONUC's capabilities and areas of deployment, monitor compliance with the provision of the ceasefire agreement on the supply of ammunition, weaponry and other war-related materiel to the field, including to all armed groups referred to in the ceasefire agreement and monitor the measures of resolution 1493.
	Since 2005 (S/RES/1596) embargo expanded but still targeting only non-governmental armed forces	Yes	2005	MONUC to coordinate efforts with ONUB and the DRC and Burundian governments towards monitoring and discouraging cross-border movements of

Country Under Embargo	Year Established	Panel or Group of Experts	Year Panel Established	Specific Peace Operation Monitoring Mandate
				combatants between the two countries to monitor the implementation of the measures imposed resolution 1493 by inspecting, as it deems it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North and South Kivu and in Ituri.
Côte d'Ivoire	2004 (S/RES1572)	Yes	2005	<p>UNOCI (established in 2004): to monitor the implementation of the measures imposed by resolution 1572, in cooperation with the group of experts and, as appropriate, with UNMIL and governments concerned, including by inspecting, as they deem it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire</p> <p>Collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed resolution 1572 and to dispose of such arms and related materiel as appropriate, UNMIL and UNAMSIL to help UNOCI monitor the implementation of the arms embargo.</p>
Ethiopia-Eritrea	2000 to 2001 (S/RES/1298)	No		UNMEE (2000-2008) had no monitoring mandate
Somalia	Since 1992 (S/RES/733)	Yes	2002	UNOSOM I and II (1992-1995) to maintain control of the heavy weapons of the organised factions which would have been brought under international control and seize the small arms of all unauthorized armed elements; AMISOM (established in 2007) does not have a monitoring mandate
Sierra Leone	Since 1997 (S/RES/1132 and 1171)	Yes	2000	<p>UNOMSIL (1998-1999) had no monitoring mandate.</p> <p>UNAMSIL (1999-2005) helped UNOCI monitor the embargo by providing relevant information</p> <p>UNIOSIL (2005-2008) coordinated with UN missions and offices and regional organisations in West Africa in dealing with cross-border</p>



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Country Under Embargo	Year Established	Panel or Group of Experts	Year Panel Established	Specific Peace Operation Monitoring Mandate
				challenges such as the illicit movement of small arms, human trafficking and smuggling and illegal trade in natural resources UNIPSIL (established in 2008) has no monitoring mandate
Iraq	1990-2003 (S/RES/661 and 687)	No, but the 661 sanctions committee was entrusted the responsibility to monitor the arms embargo (S/RES/700).	1991	UNIKOM (1991-2003) had no monitoring mandate
	Since 2003 (S/RES/1546) on non-governmental armed forces (prohibitions related to the sale or supply to Iraq of arms under previous resolutions shall not apply to arms required by the Iraqi government or the MNF)	No		UNAMI had no monitoring mandate
Lebanon	Since 2006 (S/RES/1701)	No (and there is no sanctions committee)		UNIFIL (established in 1978): assists the government in securing its borders and other entry points to prevent the entry of arms or related materiel without Lebanon's consent.
DPRK	Since 2006 (S/RES/1718) on heavy weapons	Yes	2009	No
Iran	Since 2006 (S/RES/1737) on proliferation-sensitive nuclear and ballistic missile programmes-related material and ban on the export of arms and related materiel from Iran	No		No
Rwanda	1994-2008 (S/RES/918 and 1011) total embargo, then in 1995 only on non-governmental armed forces	Yes (International Commission of Inquiry, under resolutions 1013 and 1209 with specific emphasis on the sources of illicit arms flow and with a mandate to make recommendations to the Council		UNAMIR (1993-1996) had no monitoring mandate
Former Yugoslavia including Kosovo	1998 to 2001 (S/RES/1160)	No		UNMIK (established in 1999) had no monitoring mandate
Angola	1993 to 2002 (S/RES/864) on non-governmental armed forces	Yes	1999	UNAVEM II and III (1991-1997) had no monitoring mandate MONUA (1997-1999) investigated allegations of offensive troop movements, the presence of any UNITA armed elements and the existence of weapons caches

11. Case Studies

11.1 West Africa

With an estimated ten million small arms circulating throughout West Africa, their destabilising impact is a real threat to peace in the region. The Council has been particularly involved in striving to reduce small arms use and proliferation in this region, both on a country-specific and on a regional basis.

Many countries in West Africa have experienced widespread violence in which small arms featured. In particular, they fuelled overlapping and persistent conflicts in Sierra Leone, Liberia and Côte d'Ivoire.

In Liberia the civil war triggered in 1989 by attacks from bases in Côte d'Ivoire of the rebel group National Patriotic Front of Liberia led by Charles Taylor, lasted until 2003. It claimed an estimated 250,000 lives, injured thousands more and displaced about 1.8 million people, or half of the country's population.

By making deals with timber, diamonds and shipping companies, Charles Taylor—who later became the Liberian president—was able to obtain cash and weapons and managed to provide logistics, financial and training support to rebels in Sierra Leone and Côte d'Ivoire.

The Liberian civil war led to the destabilisation of neighbouring Sierra Leone, through Taylor's support for the Revolutionary United Front (RUF) rebel group. RUF forces under Taylor committed grave war crimes, especially in 1999–2000, including widespread murder, rape and arson.

In September 2002, a mutiny and a failed coup attempt by soldiers of Côte d'Ivoire's armed forces plunged the country into war. Liberian and Sierra Leonean mercenaries also played a role.

Conflicts in these three countries have been particularly marked by the use of mercenaries and child soldiers, and the availability and proliferation of small arms across borders, financed by the trafficking in natural resources.

In 1992, resolution 788 imposed a general and complete embargo on all deliveries of weapons and military equipment to Liberia. However, a sanctions committee was not established until 1995. Such a committee could have provided information on compliance by all member states and made recommendations to the Council to reinforce the embargo's effectiveness.

Arms continued to flood into Liberia, but the Council took no further action to control this flow of weapons until 2001 in resolution 1343. This time the embargo included diamonds while targeted sanctions were also imposed, including a travel ban on senior members of the government and their spouses, as well as any other individuals providing financial and military support to armed rebel groups in countries neighbouring Liberia. The Council also established a panel of experts to monitor implementation. Next, the timber industry became a key source of cash for arms trafficking. In 2003, resolution 1521 therefore expanded the embargo to include a ban on timber products which continued until 20 June 2006. Resolution 1521 also imposed what was considered the first instance of Council's imposing so-called secondary sanctions, or targeted sanctions against individuals violating the embargo.

In addition, in 2003 the peacekeeping mission in Liberia (UNMIL) was established. Its mandate included a responsibility to monitor implementation of the arms, diamonds and timber embargoes, as well as the travel ban. It was also required to inspect inventories

of weapons and ammunition provided to Liberian security forces, and to make periodic reports to the sanctions committee. The UN peacekeeping missions in Sierra Leone and in Côte d'Ivoire were also mandated to assist by passing on information.

The Council in resolution 1521 conditioned lifting of the arms embargo with completion of DDR and security sector reform processes.

Resolution 1683 of 2006 partially lifted the arms embargo (for limited supplies of weapons and ammunition) but requested that the Liberian government mark weapons and ammunition, maintain a registry and formally notify the committee.

The Council also initiated a vast DDR and security sector reform programme for UNMIL's mandate including assisting the government in security sector reform, in developing DDR programmes and implementing them.

The latest report of the Liberia sanctions panel of experts noted that the creation of a comprehensive national action plan to control small arms and light weapons has still not occurred (S/2009/290). The latest report of the Secretary-General on Liberia (S/2009/411), issued in August 2009, also noted that the activities of ex-combatants continue to be a potential source of instability. Drug and light weapons trafficking in the subregion are continued matters of concern. Finally, there has been slow progress on security sector reform. The report emphasised that threats continue to emanate from law and order maintenance issues.

In the case of Sierra Leone, resolution 1132 of 1997 imposed arms and natural resources (diamonds and petroleum) embargoes. The resolution also imposed a travel ban on the leaders



of non-governmental forces and established a panel of experts.

However, the UN peacekeeping mission in Sierra Leone (UNAMSIL), established in 1999, was not given a specific mandate to monitor the embargo. Nevertheless, it did play a major role in the restoration of security and state authority through a DDR programme for 76,000 ex-combatants. UNAMSIL departed Sierra Leone in 2005 and was replaced by UNIOSIL. UNIOSIL had a mandate to coordinate with UN missions and offices and regional organisations in West Africa on the illicit movement of small arms and to assist the Sierra Leonean government in strengthening its security sector.

In Côte d'Ivoire, the Council in resolution 1572 of 2004 established an arms embargo, travel ban, assets freeze, as well as a sanctions committee and a panel of experts to curtail the flow of weapons in the country. Resolution 1643 added a diamonds embargo in 2005.

The peacekeeping operation in Côte d'Ivoire (UNOCI) was established in April 2004 and its mandate covers both DDR and security sector reform activities. It was also specifically tasked to monitor the arms embargo in cooperation with the group of experts established under resolution 1584 of 2005 and, as appropriate, with UNMIL and governments concerned, including by inspecting the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire. In order to implement this mandate a specific embargo monitoring cell was created within UNOCI. UNOCI was also tasked to collect arms and any related materiel brought into Côte d'Ivoire in violation of the embargo and to dispose of such arms.

Security sector reform and disarmament processes are proceeding slowly in Côte d'Ivoire. Presidential elections have been postponed numerous times. Many former rebels are reluctant to give up their arms before they vote and have not yet been formally identified and registered to vote. Weapons provide them with some leverage, and they seem to fear that they would not be allowed to vote if they give up their weapons.

The latest report of the group of experts (S/2009/188) of 8 April 2009 noted that security threats persist because of violations to the arms embargo. Therefore, it determined that UNOCI should establish a permanent arms expert within the UNOCI embargo cell, and this person should have experience in identifying weapons and experience of the arms trade more generally.

In addition to tackling small arms issues on a country-specific basis, the Council started to address cross-border issues in West Africa in 2003 (resolution 1467). The issue of small arms was addressed from an illicit flow angle, as it was recognised that the flow of arms, combatants and mercenaries across shared borders was fuelling conflicts and contributed to serious violations of human rights and humanitarian law.

In this context the Council set a number of principles and adopted a number of measures, in particular it:

- Emphasised the need for West African states to strengthen cooperation to identify individuals and entities that engage in illegal trafficking in small arms and provide support for mercenary activities.
- Called on West African states to implement and strengthen the moratorium signed in Abuja on 31 October 1998 by all member states of ECOWAS on the import, export and

manufacture of small arms. (The moratorium was transformed into a legally binding ECOWAS convention on small arms and light weapons, their ammunition and other related material on 14 June 2006, with the aim to consolidate the gains of the moratorium and strengthen efforts to combat illicit trafficking of small arms in the West African region.)

- Called on states to cease military support for armed groups in neighbouring countries and take action to prevent armed groups from using their territory to launch attacks.
- Called on arms-producing and exporting countries to enact stringent laws insuring control over the transfer to West Africa of small arms and careful scrutiny of end-user certificates.
- Established cross-border joint mechanisms to monitor arms embargoes between UNOCI, UNMIL and UNAMSIL, and to implement DDR programmes (resolution 1609 of 2005).
- Invited member states of ECOWAS to establish a regional register of small arms.
- Included in security sector reform the enhancement of capacity of border services such as guards, police, immigration and customs.
- Established the UN Office for West Africa (UNOWA) in November 2001 (S/2001/1128 and 1129) to harmonise subregional approaches to peace and security. Today its mandate has been expanded (S/2007/753) to include, *inter alia*: developing UN inter-mission and inter-agency cooperation on security SSR/DDR; identifying and raising awareness of emerging threats to peace and security including arms trafficking and addressing all other cross-border issues; liaising with ECOWAS; and exercising good offices.

The way the Council has handled disarmament and arms control in West Africa

is an interesting example of the integrated and coordinated use of major tools, with a view to addressing small arms issues comprehensively and across several borders.

The combination of arms embargoes with embargoes on trade in natural resources and targeted sanctions on leaders and, in one case, also embargo violators, has helped curtail the flow of weapons. Joint-mission cooperation among UNOCI, UNMIL and UNAMSIL to tackle cross-border issues also yielded positive results and helped reduce the flow of arms and mercenaries. They have included, in particular:

- the authorisation in resolution 1609 of certain measures such as joint air patrols, cross-border patrols, border crossing points, extended areas of responsibility and coordinated operations and troop-sharing between UNMIL and UNOCI; and
- the inclusion in UNOCI's mandate of assistance with border monitoring regarding the movement of Liberian refugees and combatants and coordination with UNMIL on the repatriation of foreign ex-combatants and with the monitoring of the arms embargo and the collection of arms brought into Côte d'Ivoire in violation of the sanctions regime.

The Secretary-General, in his 2005 report on UN inter-mission cooperation and possible cross-border operations between UNAMSIL, UNMIL and UNOCI, took stock of these initiatives (S/2005/135). He said that cooperative efforts provide a solid foundation on which to build and expand the impact of the UN presence in West Africa, and the flexible application of UN assets could provide a tool for advancing peace processes and promoting economic recovery, democracy and sustainable development in West Africa and beyond.

Secretary-General Ban, in his 2008 report on small arms, used examples of actions taken by the Council with regards to Liberia and Côte d'Ivoire to propose recommendations for generalised Council practice on small arms (S/2008/258).

- Strengthen practical cooperation between relevant sanctions monitoring groups, peacekeeping missions, member states and regional and international organisations (this was the case, to some extent, in West Africa).
- Designate a unit within peacekeeping missions to implement the arms embargo monitoring mandate (this was done in Côte d'Ivoire).
- Strengthen synergies between arms embargoes and DDR efforts (the group of experts on Côte d'Ivoire regularly reports on DDR activities, recognising that there is a link between effective implementation of the DDR programme and increased security climate and better respect for the embargo because of decreased demand).
- Request the establishment of a baseline arms inventory and arms marking and registration systems in countries under embargo and where DDR programmes are being implemented (this was done in Liberia).
- Making destruction of surplus stockpiles a priority for peacekeeping missions and governments. This proved to be particularly important in West Africa as many armed groups obtain weapons through the diversion of surplus stockpiles. (Collecting and destroying weapons and ammunitions is part of the mandate of UNMIL and was part of the UNOCI mandate until the March 2007 Ouagadougou Agreement, in the context of their DDR activities, and UNAMSIL had to assist the process.)
- Increase the practice of linking arms

embargo exceptions with SSR (the Liberia sanctions regime offers SSR as a condition for lifting the arms embargo).

As seen from the above examples, though some success has been achieved in the region and arms control and disarmament tools have played a role, weapons availability continues to be a problem. The continuing flow across borders remains a threat in West Africa. Moreover, it seems that weapons flows are now contributing to fuelling criminal activities.

It is also becoming evident that peace-building and long-term development can also be threatened by proliferation. Carrying out DDR is a political process as well, but if it is not properly implemented nor accompanied by reforms of security sector institutions, it leaves significant weaknesses for exploitation by armed factions. The availability of weapons from failed DDR programmes not only contributes to raising risks of renewed conflict but can also be used in criminal activities and transferred to other countries illegally.

The inclusion of small arms in peace-building efforts is therefore considered by Secretary-General Ban as a necessity. Small arms considerations are already included in Burundi (PBC/1/BDI/4 of 21 June 2007), the Sierra Leone Peacebuilding Cooperation Framework (PBC/2/SLE/1 of 3 December 2007) and Guinea Bissau (PBC/3/GNB/1 of 23 September 2008), mainly through strengthened security and justice sectors reforms.

11.2 Lebanon

Weapons—both heavy weapons and small arms—have become a key issue in the peace and security problem in Lebanon. In part this is linked to the presence of well armed Lebanese and non-Lebanese militias operating



independently from the government but with some degree of government acquiescence and popular approval by communities protected by the militias.

The presence of non-Lebanese militias derives from a 1969 agreement between the Palestine Liberation Organisation (PLO) and the Lebanese government which granted Palestinians expelled from Jordan sanctuary in Lebanon. The PLO established bases in south Lebanon from which it conducted operations against Israel.

In retaliation for those attacks, Israel invaded south Lebanon in 1978. The UN Interim Force in Lebanon (UNIFIL) was established with the mandate to confirm Israeli withdrawal, restore international peace and security, and assist the government of Lebanon in regaining its authority over the area.

The Lebanese militia Hezbollah emerged in 1982 following a second Israeli invasion of Lebanon—again in retaliation for PLO attacks—with the aim of freeing all Lebanese territory from Israeli occupation.

The first demand for disarmament came from the Lebanese themselves. The 1989 Taef Accords which ended the Lebanese civil war called for:

- establishing the state's sovereignty over all Lebanese territory;
- disbanding of all Lebanese and non-Lebanese militias;
- strengthening of internal security forces and of the Lebanese armed forces so they could assume responsibility to resist aggression; and
- liberation of Lebanon from Israeli occupation.

In 2000 Israel withdrew from south Lebanon but retained a presence in a disputed area called the Sheb'a Farms at the border between Syria and Lebanon. Although the Council recog-

nised that Israel had withdrawn from all Lebanese territory, Hezbollah continued its armed activities claiming that the farms are Lebanese territory.

The availability and use of weapons have clearly been a huge destabilising factor in Lebanon, initially during the 1975-1990 civil war, and also more recently. The Council ignored the weapons issue in 1978 when it established UNIFIL, but by 2004 it had begun to realise the importance of the issue.

A French-American initiative on Lebanon in September 2005 led to the adoption of resolution 1559 calling for the disbanding and disarming of all Lebanese and non-Lebanese militias. The resolution also requested the Secretary-General to regularly report on its implementation.

Little progress was achieved on the disarmament element of this resolution despite regular reports. This led to a series of strong presidential statements from the Council. In 2006 the Council requested further steps on disarmament. It called on Syria to take measures against movements of arms into Lebanese territory. It also welcomed a decision reached among all Lebanese factions in the framework of a national dialogue to disarm Palestinian militias outside refugee camps within six months (S/RES/1680).

In 2006, in response to an attack into Israel by Hezbollah resulting in the killing and kidnapping of several Israeli soldiers, Israel invaded Lebanon again. In about one month of conflict between Israel and Hezbollah—the Lebanese army did not participate in the conflict—more than 1,150 civilians died, 4,000 were injured and approximately 1.5 million were displaced, mostly Lebanese.

Resolution 1701 was adopted in August and contributed to putting an end to the conflict. It called for a ceasefire and for a

long-term solution and, in this context:

- reiterated that all armed groups should disarm so that there will be no weapons in Lebanon other than those of the Lebanese state;
- established a zone free of weapons other than those of the Lebanese government and of UNIFIL in south Lebanon and significantly boosted the mandate and troop level of UNIFIL to assist the Lebanese forces performing this task; and
- established an arms embargo and gave UNIFIL the mandate to assist the government of Lebanon in securing its borders, if requested.

Despite those provisions, the presence and flow of weapons continues to present problems. Southern Lebanon has by far the highest density of peacekeepers in the world. The Lebanese army, assisted by UNIFIL, continues to discover weapons caches in the area (although in small quantities). There seems to be no evidence of movement of new arms into southern Lebanon. However, the Special Envoy for implementation of resolution 1559 Terje Rød-Larsen has regularly drawn attention to allegations of illegal transfer of arms across the Syrian-Lebanese border—allegations made primarily by the Lebanese government until 2007, and by Israel. Finally, despite an agreement reached in 2006 among all Lebanese political parties, disarmament of Palestinian militias outside refugee camps made no progress, and neither did disarmament of Hezbollah. Other Lebanese militias such as Christian militias are allegedly also acquiring weapons. (The Secretary-General expressed concern at a possible arms race in Lebanon.)

The continued widespread presence of arms and their potential destabilising effects was confirmed in May 2008

when fighting between supporters of the government majority (mainly Sunni) and supporters of the opposition (mainly Hezbollah Shi'a) commenced in Beirut and spread to other locations in Lebanon. At least eighty people were killed and more than 180 wounded, including civilians. Hezbollah prevailed in the military showdown. Sporadic fighting has continued among factions in the northern city of Tripoli.

Despite those developments, Council actions to address the weapons issues have focused mainly on:

- expressing concern at alleged flow of arms and at the lack of progress on disarmament;
- requesting Syria to cooperate with the Lebanese authorities in securing the Syrian-Lebanese border; and
- inviting the Secretary-General to dispatch an independent mission to assess the monitoring of the Syrian-Lebanese border and to provide recommendations in that regard (S/PRST/2007/12). The Lebanese Independent Border Assessment Team has issued two reports (S/2007/382 and S/2008/582) noting that the current state of security on this border is insufficient to prevent arms smuggling. The team recommended enhancing border equipment, establishing training programmes, establishing cooperation with Syria at the operational level, and deploying international border security experts to reinforce a Lebanese multi-agency mobile force with an intelligence and analysis component.

The latest 1559 report (S/2009/218) noted that the Syrian-Lebanese border remained porous and that several states continued to express concern at flows of weapons and fighters.

Even though the Council has clearly considered this issue as crucial and has

adopted several resolutions and presidential statements reiterating the need for militias to disarm and concern for arms flow, it has shied away from seriously tackling arms smuggling and use in Lebanon. For instance, it never established a sanctions committee to regularly address implementation of the arms embargo. Nor did it create a monitoring mechanism and it has never adopted measures against possible violators of the embargo. UNIFIL was not granted a mandate to patrol along the Syrian-Lebanese border, nor does it have an independent mandate to search for weapons in southern Lebanon—only to assist the Lebanese forces.

There are reasons for the Council's reluctance. The first is that the Lebanese government prefers to take the lead itself. This is due in part to the fragile domestic political situation in the country and Hezbollah's status in Lebanon as a respected and legitimate resistance movement in view of its successful role in helping drive Israel out of southern Lebanon in 2000 and resisting the 2006 Israeli invasion. Hezbollah is also an influential political party.

Thus, there is a sense in the Council that, with regard to Lebanon, disarmament cannot realistically be imposed by external action and it can occur only in the context of a national dialogue among all Lebanese factions. There is also a growing acceptance that disarmament of non-Lebanese and Palestinian militias is complicated by the overall Middle East situation, including the ties of various militias to Syria and Iran and the complications of the unresolved issues between Syria and Israel as well as between the US and Iran.

Another major issue for the Council has been the lack of data on arms embargo violations. In the absence of any monitoring mechanism, the UN has been

unable to truly assess implementation of the embargo. This has contributed to the limited role that the Council has been able to play.

12. Landmines

These weapons have been only marginally addressed by the Council although they pose a major threat to civilians, being highly indiscriminate types of weapons.

Unlike the small arms issue, the issue of landmines tends to be raised within the Council in the context of country-specific situations and in the practical issue of demining provisions in peacekeeping mandates and in the context of discussions on protection of civilians and children.

The Council has not sought to address the issue systematically when conflict first breaks out. It has not sought to constrain parties to a conflict from using antipersonnel landmines (or cluster munitions) by linking this to the direct impact these weapons have on civilians especially after the fighting ends. In a small number of cases (Georgia and Angola for instance) the Council condemned the laying of mines and did request that the government or armed groups stop it.

The following section reviews different contexts in which the Council has tackled landmines.

Spread and Use of Landmines

In his 1992 report An Agenda for Peace Secretary-General Boutros-Ghali noted that "peace-building after civil or international strife must address the serious problem of landmines. De-mining should be emphasized in the terms of reference of peacekeeping operations and is crucially important in the restora-



tion of activity when peacebuilding is underway: agriculture cannot be revived without de-mining and the restoration of transport may require the laying of hard surface roads to prevent re-mining" (S/24111).

In his 1995 Supplement to an Agenda for Peace he reiterated that the proliferation of anti-personnel mines required special attention and insisted that dealing with the 110 million landmines already laid was crucial (S/1995/1).

In 1995, in a presidential statement responding to these reports, the Council supported international measures to curb the spread of anti-personnel landmines and to deal with mines already laid. It also reaffirmed its deep concern over the humanitarian consequences and emphasised the need to increase mine-clearing efforts by countries concerned with the assistance of the international community (S/PRST/1995/9).

Since 1995 the Council has focused primarily on the issue of mine clearance.

Mine Clearance

On 15 August 1996, Germany organised an open debate on the issue of mine clearance (S/PV.3689), and proposed a seven-point action programme including the adoption of a global ban on anti-personnel landmines (S/1996/621). The debate, however, largely focused on the issue of demining as a mandate for peacekeeping missions, as opposed

to controversial issues such as the production and use of landmines during conflicts and requiring states to provide data on location of those mines after conflict.

The Council adopted a presidential statement on 30 August 1996 (S/PRST/1996/37) laying out basic principles for the role of peacekeeping missions in mine clearance:

- demining should be an integral part of a peacekeeping mandate, and longer-term humanitarian mine-clearance activities should fall under the responsibility of the UN Department of Humanitarian Affairs;
- responsibility for demining lies with parties responsible for the laying of mines; once a peacekeeping operation is deployed, parties must stop laying mines and are obliged to provide detailed maps of their location; and
- the Special Committee on Peacekeeping was encouraged to intensify its considerations of operational demining aspects of peacekeeping operations.

In November 2003, Angola (a country which had been particularly affected by landmines) organised an open debate on the issue of mine action for peacekeeping, in order to take stock of progress achieved (S/PV.4858). The Council adopted a second presidential statement on the issue of landmines (S/PRST/2003/22):

- expressing grave concern at the harmful impact of landmines on civilian populations, especially children;
- recognising the long-term consequences of landmines for durable peace, security and development;
- urging all parties to armed conflict to abide by their mine-related commitments;
- calling on the Secretary-General to provide information on the scope and humanitarian impact of the mine and unexploded ordnance problem in all relevant country-specific reports to the Council;
- expressing its intention to address mine action concerns in the mandates and personnel planning for peacekeeping operations; and
- recognising the role mine action can play in DDR.

While in 2004 the number of Secretary-General's relevant reports mentioning the issue of landmines and unexploded ordnance (either the progress of existing programmes or their impact on civilians) was 23 out of 55 (41 percent), this figure rose to 39 out of 70 (56 percent) in 2007.

The chart below shows some progress since the adoption of the 1996 presidential statement in providing demining mandates to peacekeeping operations. It does not incorporate countries on the Council's agenda that have not been infected by mines or for which no mines have been found such as Haiti, Timor-Leste, Côte d'Ivoire.

Peacekeeping Operation and Date Established*	Mandate for Mine Clearance	UN Mine Action Programme	Specific Demand for Maps
MINURCAT (Chad/CAR) 25 Sep 2007	No	Yes	No
UNAMID (Darfur) 31 July 2007	Provide technical mine-action advice and coordination and demining capacity to support the Darfur Peace Agreement	Yes	No

*Refers to operations in mine affected areas still in place as of 1996 or established after 1996

Peacekeeping Operation and Date Established*	Mandate for Mine Clearance	UN Mine Action Programme	Specific Demand for Maps
UNIFIL (Lebanon after 2006—S/RES/1701 boosted the existing mission's mandate) 25 Aug 2006	UNIFIL conducts operational demining	Yes	Israel, under resolution 1701 (the demand was reiterated in further presidential statements and resolutions)
UNMIS (Sudan) 24 Mar 2005	Assist the parties to the Comprehensive Peace Agreement, in cooperation with other international partners in the mine action sector, by providing humanitarian demining assistance, technical advice, and coordination	Yes	No
ONUB (Burundi) 21 May 2004-31 Dec 2006	Coordinate and conduct mine action activities	Yes	No
UNMIL (Liberia) 19 Sep 2003	No	No	No
UNMEE (Ethiopia-Eritrea) 15 Sep 2000-31 July 2008	Coordinate and provide technical assistance for humanitarian mine-action activities in the Temporary Security Zone and areas adjacent to it	Yes	Request the parties to facilitate the deployment of mine action experts and assets under the UN Mine Action Service to further assess the mine and unexploded ordnance problem and to provide technical assistance to the parties to carry out emergency mine action (S/RES/1312) UNMEE mandate has ended in 2008 and Mine Action has closed
MONUC (DRC) 30 Nov 1999	Deploy mine action experts to assess the scope of the mine and unexploded ordnance problems, coordinate the initiation of the mine action activities, develop a mine action plan, and carry out emergency mine action activities as required in support of its mandate Resolutions 1756 and 1856 requested MONUC to enhance DRC demining capacities	Yes	No
UNAMSIL (Sierra Leone) 22 Oct 1999-31 Dec 2005	No, but the Council welcomed the intention of the Secretary-General to establish within UNAMSIL a landmine action office responsible for awareness training of its personnel and for the coordination of mine action activities of NGOs and humanitarian agencies operating in Sierra Leone (S/RES/1289)	The Mine Action Office established in 2000 was closed when UNAMSIL was disbanded in December 2005	No
UNMIK (Kosovo) June 1999	No, but since the closure of the United Nations Mine Action Coordination Centre in December 2001 the UNMIK Explosive	Until December 2001	No

*Refers to operations in mine affected areas still in place as of 1996 or established after 1996



Peacekeeping Operation and Date Established*	Mandate for Mine Clearance	UN Mine Action Programme	Specific Demand for Maps
	Ordnance Disposal Management Section has continued to coordinate the clearance of the remaining residual threat posed by explosive remnants of war and mines		
MINURCA (CAR) 27 Mar 1998-15 Feb 2000	No	No	No
MONUA (Angola) 30 June 1997-26 Feb 1999	No	Yes	
UNOMIG (Georgia) 24 Aug 1993-15 June 2009	No	No, but NGOs are involved and there are mine action activities	No
MINURSO (Western Sahara) 29 Apr 1991	No, but under bilateral military agreements signed by Morocco and Polisario in early 1999 both parties agreed to cooperate with MINURSO in the exchange of mine-related information, marking of mined areas, and the clearance and destruction of mines and unexploded ordnance in the presence of MINURSO observers	Yes	No
UNIFIL (Lebanon before 2006) 19 Mar 1978 to 24 Aug 2006	No, but UNIFIL had a mine-clearance capacity which was reinforced after Israel's withdrawal from South Lebanon in 2000 In resolution 1365 the Council welcomed the continued contribution of UNIFIL to operational demining, and encouraged further assistance in mine action by the UN to the Lebanese government for demining activities in the south	Since 2000	Resolution 1365 stressed the necessity to provide Lebanon and UNIFIL with any additional maps and records on the location of mines (this was reiterated in further resolutions)
UNDOF (Golan Heights) 31 May 1974	No, but UNDOF carries out mine clearance for operational purposes in the buffer zone and supervises, since 2004, demining and unexploded ordnance clearance by the Syrian army in the buffer zone	No	No
UNFICYP (Cyprus) 4 Mar 1964	No	Yes	No

*Refers to operations in mine affected areas still in place as of 1996 or established after 1996

This chart reveals that only a few peacekeeping missions have a specific demining mandate (they rarely perform the task themselves because demining is costly and as a result the UN generally prefers that it be financed by voluntary

donor contributions). However, demining activities are still conducted by the UN Mine Action Service in areas where peacekeeping missions have no mandate for demining. It is also active in places where there is no peacekeep-

ing mission but a political mission or some other form of UN presence, for example the Peacebuilding Commission or UNDP: Guinea-Bissau, Iraq, Nepal, the Palestinian territories, Somalia and Uganda. In many areas, other UN

agencies such as UNICEF and UNDP are responsible for coordinating the activities of UN Mine Action Centres. (Sometimes there is no Mine Action Centre and activities are conducted by national authorities.) Overall, almost all mine affected areas on the agenda of the Council have some demining project.

Landmines and Civilians

The Council has made a particularly strong and consistent link between landmines and their impact on civilians in the context of its consideration of protection of civilians in armed conflict and children and armed conflict.

Resolution 1265 on the protection of civilians noted that implementing the Ottawa convention and the CCW landmine protocol would have beneficial effects on the safety of civilians. Resolution 1296 encouraged support for humanitarian mine action, including by providing financial assistance to this end.

The aide-mémoire developed in 2003 to assist Council members in devising civilian protection mandates for peacekeeping operations included a series of measures on mine action to facilitate a secure environment for vulnerable populations and humanitarian personnel through mine action coordination centres, land-mine clearance, mine awareness training and victim assistance, and the involvement of ex-combatants and local communities, in particular women, in all mine-action activities (S/PRST/2003/27).

The 2009 revised aide-mémoire proposed additional Council action, calling on parties to record information on the use of mines and explosive ordnance and to provide this information to parties in control of civilian population, and mark or destroy or provide assistance to facilitate the destruction of mines after a

conflict; and calling on parties to protect civilians as well as UN missions and humanitarian organisations in mine-affected areas under their control and to provide assistance to victims.

Resolution 1261 on children and armed conflict affirmed the Council's readiness when dealing with situations of armed conflict to continue to support child-focused mine clearance and mine-awareness programmes. Resolution 1379 called upon all parties to armed conflict to respect the CCW landmine protocol and the Ottawa Convention.

In 2000, UN Secretary-General Annan addressed the issue of landmines in relation to children and armed conflict in considerable detail in his first report on this issue (S/2000/712). He made ending the threat of landmines a priority, recognising that children are at heightened risk of injury and death each time they play or work in a field. Also, a mine explosion is likely to cause greater damage to the body of a child than to that of an adult, and maimed child survivors require years of medical treatment and psychological support. He made the following recommendations:

- that states take urgent steps to regulate and monitor the production and export of anti-personnel landmines from their territory and urged countries to ratify the Ottawa Convention;
- that the Council and the General Assembly ensure that the mandates and budgets for peacekeeping operations include adequate provisions for technical and financial assistance for mine clearance and mine awareness programmes for the benefit of children;
- that states, multilateral donors and the private sector cooperate and commit necessary resources for early development of more efficient mine clearance technology; and
- that child-focused mine awareness and victim assistance programmes are incorporated into post-conflict programmes.

The reporting mechanism for children and armed conflict has provided significant information on categories of violation against children, one of them being killing and maiming of children—a category highly relevant to the use of landmines and unexploded ordnance. Virtually all of the Secretary-General's country-specific reports on children and armed conflict have mentioned the impact of anti-personnel landmines and unexploded ordnance in mine-affected countries on children (Sri Lanka, Uganda, Sudan, Myanmar, Somalia and Nepal).

Similar attention to the issue of landmines has been given in consideration of protection of civilians in armed conflict. The first Secretary-General's report on this topic in 1999 dedicated a whole section to anti-personnel landmines, noting their impact on civilians and encouraging states to provide political and financial support to other states to facilitate compliance with the Ottawa Convention (S/1999/957). Interestingly, Secretary-General Annan also linked the inclusion of provisions for mine action in peacekeeping mandates as a further sign of progress of the Council towards civilian protection issues (S/2001/331).

13. Council Dynamics

On small arms the dynamics within the Council seem to be driven by differences between arms producers and others, especially the countries directly affected by the proliferation of small arms. The chart below shows the provenance of the one hundred largest arms producing companies (excluding China and the



Arms Producing Companies (2007)	Region	Total Arms Sales 2007 (million \$)	% Share of Top 100 Arms Sales (2007)
45	North America	213.00	61.4
32	Western Europe	107.59	31.0
7	Russia	8.24	2.4
9	Other OECD (Japan, South Korea and Australia)	8.21	2.4
7	Other non-OECD (Israel, India, Singapore)	9.85	2.8
100		346.89	100

This chart is based on information from the 2009 SIPRI Yearbook.

Ukraine because of lack of available data) and helps explain these general dynamics.

Countries that are victims of small arms are not limited to those experiencing conflict. Small arms also kill an additional 200,000 people yearly in Latin American countries like Mexico, Honduras, El Salvador, Brazil and Venezuela. South Africa is also affected seriously. The United States has the highest rate of firearm homicide and suicide in the developed world.

Most countries that are victims of small arms, from armed conflict or otherwise, tend to support international initiatives aimed at curbing the flow of weapons. Countries that do not produce weapons also tend to favour arms regulation initiatives. By contrast, major arms exporters tend to oppose international regulation of legal trade and prefer to support measures tackling the illegal diversion of weapons from the legal trade (e.g. measures for tracing weapons and end-use certificates).

This producer/supplier and victim distinction is reflected in the position of countries in current negotiations on the arms trade treaty. Most Europeans and middle powers are strong supporters of the treaty (although some are arms producers). The main sceptics are the US, Russia, China, Egypt and Pakistan.

In recent years, the US has generally voted against arms regulation and disarmament efforts. It may have concerns that initiatives against small arms could ultimately impact the rights of its citizens to bear arms—an important domestic political issue. However, the US has supported discussions on the issues of illicit brokering and marking and tracing, and there may be prospects for more flexibility with the new US administration. Russia seems to be concerned that an arms trade treaty will restrain its own legal small arms sales.

Most developing countries, Latin American and African countries in particular, strongly support international standards for regulating armaments because they or regional parties are victims of illicit trafficking. However, Pakistan, a small producer, seems concerned that an arms trade treaty would contribute to the formation of cartels of producing states which could hurt smaller producers. Arab states, although concerned with the adverse effects of illicit trade, seem to have general reservations regarding any measure that would curtail their rights (or the rights of liberation movements) to acquire weapons.

In the Council, similar divisions have surfaced. Measures to enhance arms regulation have been particularly

supported by South Africa, Argentina, Ghana, Burkina Faso, Peru, Colombia, Costa Rica, Mexico and Panama. Some European countries have also been major advocates (the UK, Greece, France, Denmark and Slovakia). They seem to believe that the way forward is to:

- ensure that the Council mainstreams the issue of small arms,
- improve and systematise arms and disarmament provisions in peace-keeping mandates;
- more systematically establish mechanisms to monitor arms embargoes;
- follow-up systematically the recommendations of panels of experts, and
- continue to address the issue of small arms thematically.

But because of divisions about the role of the Council in addressing small arms, the issue of illicit trade has been the lowest common denominator. Other issues such as brokering, production, ammunition, have so far proven impossible to tackle in the Council.

The view of some that small arms should be addressed only within the General Assembly carries some weight. For instance, when Colombia introduced the issue of small arms in the Council in 2001, it specified that the objective was “not to establish new definitions or understandings on the item of small arms, nor to introduce new norms and codes of conduct as this has been a field in which efforts have been made and initiatives taken at the global, regional, subregional and national levels that are outside the competence of the Security Council” (S/2001/732).

The US during the 2001 open debate said that the Council’s role was circumscribed with respect to the Programme of Action and said that the Council should not seek a more elaborate role beyond its competence (S/PV.4355).

Russia has also repeatedly argued that the discussion of this issue within the framework of the Council should devote greater emphasis to the consideration of specific situations that create a threat to regional and international peace and security, rather than addressing disarmament thematically.

China holds the same view. The Chinese representative said in 2001:

the Chinese delegation supports the Security Council continuing to give, within its mandate, the necessary attention to the issue of small arms. In our view, such attention should be more reflected in the review of specific issues. Although the Council is not a specialized organ that deals with the issue of small arms, the work it does in this regard represents a crucial part in the global effort for this purpose. The Council should strengthen its cooperation and coordination with other relevant United Nations bodies on this issue, so that each can play its due part and synergy can be achieved.

Like Russia, China also emphasised that the matter of sovereignty of states should be respected and their right to legal production, possession and transfer of small arms should not be compromised.

By contrast, France in 2001 proposed that:

- The Council could ask the Secretary-General to prepare, within six months, a report, based on recent concrete experience, with modalities and recommendations for collection of weapons, disarmament and destruction of small arms. The Council could implement the recommendations in the context of its conflict prevention activities.
- The Council could establish a standing monitoring mechanism for targeted sanctions and the illicit trade

in high-value commodities in armed conflicts, as the experience of panels on Angola and Sierra Leone demonstrated not only the usefulness of such monitoring mechanisms, but also the limitations of ad hoc bodies that deal only with certain targeted sanctions regimes and that are of limited duration.

The UK has supported the view that it was necessary to mainstream small arms issues in the work of the Council.

Discussions on proposed resolutions or presidential statements have usually been initiated by African or Latin American states. The principal obstacle in the past seems to have been US opposition to the Council's addressing these issues.

The latest Council open debate, held in April 2008 under the South African presidency confirmed the existing divisions (S/PV.5881). The debate was used by many (in particular European, African and Latin American states) to reiterate the need to adopt more binding instruments to regulate the production and transfer of small arms. The US insisted that is was not a duty of the Council nor of peacekeeping missions to ensure better implementation of arms embargoes, but rather of member states, through the establishment of comprehensive national laws and regulations, and warned against "additional studies and mandates ... and reports and meetings". China reiterated previous statements that the Council should coordinate with other UN bodies so as to complement and promote the work of all actors. Although Panama proposed the creation of an ad-hoc working group to study Secretary-General Ban Ki-moon's recommendations, this proposal was not supported, and the debate did not even produce an outcome document.

14. Analysis and Conclusions

A distinction needs to be made between situations where the incidence of active arms trafficking is high and areas where the problem is not so much the trafficking as that weapons are already in place and are being used either by government forces or by rebel groups.

The illicit trafficking of weapons has been problematic for conflicts in West Africa (and in the whole African continent), in Lebanon and, to some extent in Iraq. But it was much less of a problem in Haiti or Timor-Leste, which explains the absence of arms embargoes in these situations.

Overall, the Council has not addressed the arms issue in half of the relevant conflicts on its agenda, although the frequency of its consideration of weapons has slightly increased since 1999.

Out of 56 relevant resolutions and 24 relevant presidential statements in 1999, only six resolutions (or 10.7 percent) contained language on weapons (including language on conventional weapons in the case of Ethiopia-Eritrea, Iraq and Cyprus) and three presidential statements (or 12.5 percent). In 2006 those numbers were 12 out of 67 resolutions (18 percent) and five out of 47 presidential statements (10.6 percent).

In the case of frozen conflicts such as Golan Heights, Cyprus and Western Sahara, where the risk of renewed fighting is relatively low, the absence of Council attention to small arms is probably not surprising. But the lack of measures tackling weapons, particularly at the initial stage of situations in Côte d'Ivoire, the CAR, Sudan, Haiti, Burundi, Iraq, Guinea-Bissau, the Great Lakes region and West Africa is glaringly apparent and probably significant in



terms of the way in which many of those situations developed.

Even so, despite late consideration, there has been some improvement in the Council's tackling of small arms in a number of cases.

- In its pioneering work in Angola, Sierra Leone, Côte d'Ivoire, DRC and Liberia, the Council recognised the link between the illicit trafficking of weapons and that of natural resources, diamonds in particular. In particular, it imposed an arms embargo on the UNITA (*União Nacional Para a Independencia Total de Angola*) guerrilla movement in Angola, accompanied by an embargo on petroleum products in resolution 864 of 1993. In 1998 the Council prohibited the direct or indirect import from Angola of all diamonds that were not controlled through the certificate of origin regime in resolution 1173. Also in resolution 1643 of 2005 on Côte d'Ivoire, the Council recognised this linkage as one of the sources fuelling and exacerbating conflicts in West Africa. The Council established an embargo on the direct or indirect import of rough diamonds from Côte d'Ivoire and appointed a diamond expert within the group of experts on sanctions.
- Several political missions and peace-building support offices, such as BINUB (Burundi), UNOWA (West Africa) and UNIOSIL (Sierra Leone) as well as peacekeeping missions such as ONUB (Burundi) and MINUSTAH (Haiti) were provided a mandate to assist the government in addressing the movement of arms and combatants across borders or to encourage the governments to implement the Programme of Action.

Disarmament, Demobilisation and Reintegration

The Council has particularly increased

the use of this tool. In 1999, nine of 56 resolutions had disarmament or DDR language (16 percent) and three of 23 presidential statements (12.5 percent). In 2007, 19 of fifty resolutions (38 percent) and seven of 32 presidential statements (22 percent) contained disarmament language, while in 2006 the percentage for presidential statements was as high as 36 percent.

Consequently, the number of conflicts on the agenda of the Council with a DDR dimension increased considerably from 1999 to 2008, and peacekeeping mandates established during this period almost systematically have a DDR component. The mandates are mostly to assist authorities in DDR processes—either in substance, such as the definition of comprehensive DDR plans, or with logistics and security.

However, an important aspect of DDR processes is the role they play as confidence-building measures in conflict and post-conflict situations (as seen above, DDR aims at contributing to general security and long-term stability). They therefore cannot be separated from political and peace processes. A measure of Council effectiveness would be to assess whether it has used this tool in a timely manner, in parallel to its demands for a political process for instance, and whether the Council has adequately pressured reluctant parties to implement their DDR commitments within the framework of a peace process.

Security Sector Reform

In 1999, 2000 and 2001, the Council addressed security reform only in the context of Central African Republic. It called upon the government to take tangible measures to implement the political, economic, social and security reforms recommended by Secretary-General Annan. It also underlined the

need to implement an effective arms-collection programme.

In 2002, the term security sector reform was used for the first time in the context of Liberia, and security reform issues were addressed in Afghanistan, Burundi, the Central African Republic, Sierra Leone and Timor-Leste. Security sector reform considerations increased in 2004, in ten conflict and post-conflict situations: Guinea-Bissau, Liberia, Côte d'Ivoire, Iraq, DRC, Burundi, Haiti, Timor-Leste, Afghanistan and Sierra Leone.

It is also important to note that peacekeeping and political missions have had increasing security sector reform support mandates. Today, missions in Timor-Leste, Côte d'Ivoire, Haiti, the Democratic Republic of the Congo, Burundi, Sierra Leone, Afghanistan, Guinea-Bissau as well as the UNOWA all have such a mandate. In addition, UNMISSET, the original mission in Timor-Leste, had a mandate to support the development of law enforcement. ONUB in Burundi and UNMIL in Liberia also had a security sector reform component.

By contrast UNOGBIS in Guinea-Bissau was not given such a mandate until 2004 although it was established in 1999. MONUC's original mandate in the Democratic Republic of the Congo in 2000 also did not have a security sector component. UNOWA was given a support mandate in 2007 (S/2007/753) with the task to mainstream security sector reform into development strategies in the West Africa region. This may reflect the transition from conflict to post-conflict with corresponding shifts from peacekeeping to peacebuilding activities—as it is usually in post-conflict situations that security sector reforms are taking place.

Embargoes

Resolution 1196 of 1998 on arms embargoes in Africa, aimed at strengthening

their effectiveness through the adoption of a series of concrete measures, became a landmark in the Council's consideration of embargoes. In particular, it encouraged states to adopt legislation making violations of Council-imposed embargoes a criminal offence in national law along with wider and more regular exchange of information among regional organisations to improve monitoring. It also requested relevant sanctions committees to include in their annual reports a substantive section on the implementation of arms embargoes with recommendations.

On 17 April 2000, the Council established a temporary Informal Working Group on General Issues of Sanctions to develop recommendations on how to improve their effectiveness (S/2000/319). The group encountered several problems in reaching consensus (most of them on sanctions issues other than arms embargoes) and submitted its final report to the Council only on 22 December 2006 with recommendations and best practices (S/2006/997).

Among the relevant comments and recommendations applicable to arms embargoes, emphasis was placed on monitoring mechanisms. The report cited that credible monitoring arrangements currently in place for the most active sanctions regimes, in particular the creation of independent expert groups, have made valuable contributions to detect and correct violations. It added that more needed to be done to implement their recommendations.

In resolution 1732 the Council welcomed the report and requested its subsidiary bodies to take note of methodological standards and best practices proposed in the report.

Looking at the previous charts in light of the Council's recommendations contained in resolution 1196, we can

draw some conclusions. Out of 18 arms embargoes still in place or established since 1999 (not including Al-Qaida, the Taliban and associated individuals):

- Nine have or had at some point a Panel or Group of Experts and, in the case of Iraq, the sanctions committee had an embargo monitoring mandate;
- Of the nine remaining embargoes under consideration, two did not have either experts or a sanctions committee (Sudan from 2004 to 2005 and Lebanon). Of the remaining seven, five sanctions committees did not include substantive paragraphs on arms embargo violations in their reporting. Sanctions committees' reports on Ethiopia-Eritrea and Somalia even specified that because there was no specific monitoring mechanism to ensure the effective implementation of the arms embargo they had to rely solely on the cooperation of states and organisations in a position to provide pertinent information. Only the sanctions committees on Yugoslavia (Kosovo) and Rwanda reported on arms embargo violations.
- Ten peacekeeping operations were given specific monitoring mandates for arms embargoes.

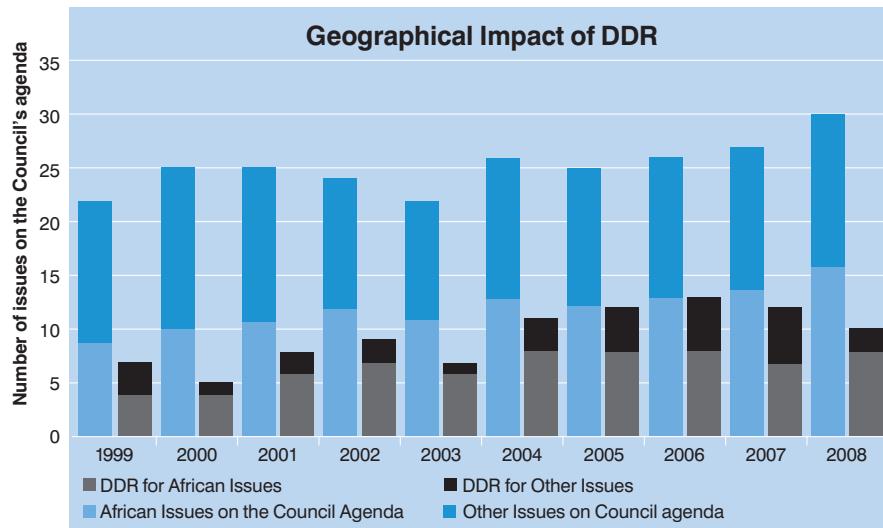
Geographical Impact

A majority of the conflicts currently addressed by the Council are in Africa and the Council has been relatively consistent about addressing arms issues on this continent. But there appears to be a gap in the Council's tackling of small arms in regions other than Africa and its initiatives to reinforce arms embargoes have mainly taken place in the context of the continent.

The geographical impact of DDR programmes or disarmament demands from the Council is also significant:

- In 2000, 38 percent of conflicts on the agenda of the Council were in Africa. But 66 percent of all DDR considerations by the Council were focused on Africa: Sierra Leone, DRC, Guinea Bissau and the CAR (the remaining two being Afghanistan and Timor-Leste).
- In 2003, 50 percent of conflicts on the Council's agenda were taking place in Africa. But 85 percent of DDR considerations (six out of seven) were for African conflicts.
- In 2007, 52 percent of issues were African ones. But 58 percent of all DDR considerations were African (seven out of 12): DRC, Somalia, Liberia, Burundi, Sudan, Great Lakes and Côte d'Ivoire.

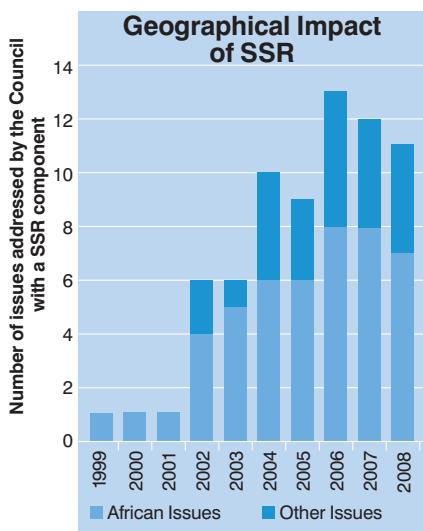
The chart below illustrates this trend:





Non-African situations for which the Council addressed practical disarmament included: Kosovo, Timor-Leste, Tajikistan, Afghanistan, Macedonia, Iraq, Haiti, Lebanon and Nepal. However comprehensive DDR processes were contemplated only for Afghanistan (support to the government), Haiti (specific mandate for MINUSTAH), Timor-Leste (support to the government) and Nepal (specific mandate for UNMIN). In the other cases, the Council referred only to the need to abide by international disarmament obligations (Iraq) the need for combatants to lay down arms and to be disbanded (Macedonia, Lebanon, Tajikistan), or supporting the role of UNMIK in improving public security through the confiscation of weapons (Kosovo).

Likewise, the Council's considerations for security sector reform have focused primarily on African cases.



Despite the clear focus on Africa, results have been mixed. Arms trafficking in the Great Lakes region and the proliferation of small arms contributed to worsening conflicts in Burundi, Rwanda, Uganda and the DRC. The issue was addressed in resolution 1653 of 2006 which recognised that the link between illegal exploitation of natural resources, illicit trade in those resources and in arms

fuels and exacerbates conflicts in the Great Lakes region. It called upon Uganda, Rwanda, the DRC and Burundi to combat cross-border trafficking and the movement of combatants. It also stressed the need for those states to disarm, demobilise and cooperate in the repatriation or resettlement of foreign armed groups and local militias, and condemned the activities of militias in Rwanda, Uganda and DRC because of violations of human rights and abuses of civilians. The panel of experts on sanctions in the DRC also noted that "inter-State cooperation in the Great Lakes region is one of the most powerful tools available to counter violations of the arms embargo", but today the presence of weapons in this region continues to present a challenge.

The presence and flow of weapons in other parts of the world and their use or threat of use by militias (as in Lebanon and Iraq), criminal networks (as in Haiti) and indiscriminate use by states also continues to exacerbate conflicts.

The Council's consideration of weapons' issues in the Middle East has been limited, although arms transfers to the region are as follows:

For example, the Council has not addressed the flow and use of weapons in the context of the Israeli-Palestinian

conflict. In Iraq, violence against civilians led to thousands of deaths since 2003 and to the displacement of 2.8 million people internally and about two million outside Iraq. Although the Council had called on Iraqi militias to lay down their arms; for the Iraqi security forces to be strengthened; and established an arms embargo on militias—progress in this area largely resulted from activities conducted by the Multinational Force in Iraq. The Council has not, for instance, attempted to strengthen the embargo or set up monitoring.

Overall the Council has been very cautious on the issue of general disarmament as well as for small arms and landmines and cluster munitions, and has tended to avoid discussing the issues on a thematic basic. Even though the issue of small arms is on the Council's agenda as a theme, as seen above there is a history of US opposition. However, there are signs that the new US administration may become more flexible on disarmament issues, as part of a broader agenda to revisit current arms control regimes (and perhaps also to tackle the increasingly worrying smuggling of small arms into Mexico).

Conventional Weapons

As seen above the General Assembly has been the primary institution responsible for addressing disarmament and arms control issues. There is real reluctance from some countries to the Council being involved in these issues.

Small Arms and Light Weapons

The absence of a resolution laying down principles for Council action on small arms and the lack of appetite for an institutionalised solution remain a handicap for further progress. Because the Secretary-General's reports are due every two years, it seems likely that this issue will next be revisited in 2010.

Overall there has been greater consensus and greater willingness to tackle the destabilising impact of small arms in country-specific situations, and this has been reflected in the establishment of arms embargoes and their linking with humanitarian issues such as the recruitment of child soldiers, or in the increasing use of DDR and SSR programmes in which peacekeepers are involved. The need for a more systematic approach is however evident in order to implement best practices, reinforce implementation of existing Council measures and mainstream small arms issues into consideration of conflicts where weapons are flowing and used against civilians.

There are currently few prospects for stronger Council involvement at the thematic level on the issue of small arms, landmines and cluster munitions, at least before the next report of the Secretary-General on small arms in 2010. The Council could nevertheless start implementing recommendations contained in the latest report on an ad hoc basis. It remains to be seen whether the new US administration will be more inclined to discuss these issues in the Council, perhaps in the context of apparent greater US interest in humanitarian questions.

Appendix 1: Definitions of Terms and Concepts

While we have tried to avoid the use of technical terms in the report, the nature of the subject means that such language is inevitable. The terms and concepts below appear in the order in which they arise in the body of this study.

Disarmament and Arms Control

In the case of conventional weapons (defined below), non-proliferation terminology is rarely used. The general terms

used are disarmament or arms control. It is interesting to note, however, that in the case of small arms, “proliferation of small arms” is beginning to attract greater usage.

Disarmament: While there is nothing in the Charter that defines disarmament, the General Assembly in its very first resolution adopted in January 1946 called for the elimination of atomic weapons and “all other major weapons adaptable to mass destruction.” The term involves destruction, removal, or rendering harmless of weapons and their means of delivery, under international supervision.

The UN Charter mentions disarmament twice.

Article 11.1: The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

Article 47.1: There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council’s military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

Arms control refers to “any international control or limitation of the development, testing, production, deployment, or use of weapons.” The concept implies ongoing collaboration between states in areas of military policy to control not only available weapons but also to provide greater transparency and assurance that the likelihood of war would be diminished.

General and Complete Disarmament

General means that every member state would be committed to disarm.

Complete Disarmament means that weapons and forces would be scaled down to a minimum, defined as the point at which states retain just enough military capability to maintain order, but sufficient to assist the UN-sanctioned international operations. The intention of the member states was to create a single international document which would:

- cover the disarmament of both nuclear and conventional weapons;
- specify the steps to be taken to achieve nuclear and conventional disarmament; and
- define the status of the remaining forces and armaments.

The final document of the General Assembly’s first special session on disarmament in 1978 referred to general and complete disarmament as the ultimate objective of the United Nations in this field (S-10/2). These collective goals were similarly declared by the NPT parties in 2000 as their ultimate goal. Progress on nuclear disarmament would proceed hand in hand with progress in other areas, not as hostage to the prior elimination of every other weapon or the resolution of every threat to security.

Conventional Weapons

These are a category of weapons that do not include toxic chemical, biological or nuclear payloads. For the purpose of this study, they can be divided into three categories.

Heavy weapons such as battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships (including submarines), missiles and missile-launchers. These are the seven categories of heavy



weapons used in the UN Register of Conventional Weapons.

Small arms and light weapons include revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns and heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of calibres of less than 100 mm. This category also includes ammunition and explosives.

Anti-personnel landmines, booby-traps, and cluster munitions particularly affect civilians because of their potential for indiscriminate and long-term impact on non-combatants and combatants alike. A mine is a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle. An anti-personnel landmine is a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons. It is estimated that there are up to 100 million landmines in 75 countries around the world. Today, more than 80 percent of landmine casualties are civilians and at least one-third of them are children. Since 1975 landmines have killed or maimed more than 1 million people.

Several international agreements regulate or ban the use of landmines and other explosive remnants of war. These instruments are a part of the body of international humanitarian law which seeks to limit the effects of armed conflict on civilians.

Appendix 2: UN Documents

General Documents

Security Council Resolutions

- S/RES/18 (13 February 1947) recognised that the general regulation and reduction of armaments and armed forces constitute an important measure for strengthening international peace and security, and established the Commission for Conventional Armaments to deal with armaments other than weapons of mass destruction with a mandate to make proposals for the general reduction of armaments.
- S/RES/1 (25 January 1946) established the Military Staff Committee to advise and assist the Council, composed of the chiefs of staff of the Council's permanent members.

General Assembly Resolutions

- A/S-10/2 (30 June 1978) and A/S-12/32 (9 July 1982) were the final documents of the General Assembly's special sessions on disarmament.
- A/RES/502 (VI) (11 January 1952) replaced the Atomic Energy Commission and the Commission for Conventional Armaments with the Disarmament Commission.
- A/RES/192 (III) (19 November 1948) recommended the Security Council pursue the study of the regulation and reduction of conventional armaments and armed forces through the Commission for Conventional Armaments.
- A/RES/41 (I) (14 December 1946) recommended that the Council formulate practical measures to provide for the general regulation and reduction of armaments and armed forces, and to assure that such regulation and reduction will be generally observed. In effect this resolution was a reiteration of the Council's obligations under the UN Charter.
- S/RES/1732 (21 December 2006) welcomed the report of the Working Group on General Issues of Sanctions and requested its subsidiary bodies to take note of methodological standards and best practices proposed in the report.
- S/RES/1674 (28 April 2006), S/RES/1296 (19 April 2000) and S/RES/1265 (17 September 1999) on protection of civilians in armed conflict expressed support for the inclusion within peacekeeping mandates of clear terms for DDR and noted that the excessive accumulation of small arms pose impediments to the provision of humanitarian assistance and has a potential to endanger the lives of civilians.
- S/RES/1653 (27 January 2006) recognised that the link between illegal exploitation of natural resources, illicit trade in those resources and in arms, fuels and exacerbates conflicts in the Great Lakes region and called upon countries in the region to enforce the arms embargo.
- S/RES/1631 (17 October 2005) was the first resolution on cooperation between the UN and regional organisations.
- S/RES/1625 (14 September 2005) affirmed the Council's determination to strengthen prevention of conflict capacities by combating illicit trade of arms and the use of mercenaries.
- S/RES/1612 (26 July 2005),

S/RES/1539 (22 April 2004), S/RES/1460 (30 January 2003), and S/RES/1379 (20 November 2001) on children and armed conflict expressed intention to consider taking steps to address the linkages between the illicit trafficking in small arms which can intensify the impact of conflict on children.

- S/RES/1609 (24 June 2005) established cross-border joint mechanisms to monitor arms embargoes between UNOCI, UNMIL and UNAMSIL, and to implement DDR programmes.
- S/RES/1467 (18 March 2003) addressed for the first time cross-border issues in West Africa and recognised that the proliferation of small arms poses a threat to peace and security in West Africa.
- S/RES/1325 (31 October 2000) on women, peace and security, emphasised the need to take into account special needs of women in DDR programmes.
- S/RES/1312 (31 July 2000) on Ethiopia-Eritrea requested the parties to facilitate the deployment of mine action experts under the UN Mine Action Service and to provide technical assistance to the parties to carry out emergency mine action.
- S/RES/1261 (25 August 1999) recognised the deleterious impact of the proliferation of small arms on the security of civilians, particularly children.
- S/RES/1209 (19 November 1998) encouraged the Secretary-General to explore means for collection, sharing and dissemination of information on illicit small arms flows in Africa, welcomed the ECOWAS moratorium, and encouraged states to support the moratorium.
- S/RES/1196 (16 September 1998)

expressed willingness to consider, whenever it establishes arms embargoes, measures to assist their effective implementation, and stressed that arms embargoes should have clearly established objectives and provisions for regular review with a view to lifting them when the objectives are met.

- S/RES/1173 (12 June 1998) prohibited the direct or indirect import from Angola of all diamonds that were not controlled through the certificate of origin regime.
- S/RES/1144 (19 December 1997) created specialised training units within UNMIBH to address key public security issues, such as refugee returns; organised crime, drugs, corruption and terrorism; and public security crisis management (including crowd control); as well as training in the detection of financial crime and smuggling.

Côte d'Ivoire

- S/RES/1643 (15 December 2005) established an embargo on the direct or indirect import of rough diamonds from Côte d'Ivoire and appointed a diamond expert within the Group of Experts.
- S/RES/1584 (1 February 2005) established the Group of Experts on Sanctions in Côte d'Ivoire.

DRC

- S/RES/1856 (22 December 2008) and S/RES/1756 (15 May 2007) requested MONUC to enhance DRC demining capacities.

Haiti

- S/RES/1840 (14 October 2008) renewed the mandate of MINUSTAH and recognised the need to assist the government in monitoring and reforming the national police, as well as recognising the

need to advance security sector reform and reform the judiciary and correctional systems.

- S/RES/1702 (16 August 2006) prolonged the mandate of MINUSTAH, recognising the need to further the goals of DDR programmes.

Lebanon

- S/RES/1680 (17 May 2006) called for further efforts to disband and disarm Hezbollah and to restore fully the Lebanese government's control over all Lebanese territory.
- S/RES/1559 (2 September 2004) urged withdrawal of all foreign forces from Lebanon, disarmament of all Lebanese and non-Lebanese militias and extension of the Lebanese government's control over all Lebanese territory.
- S/RES/1365 (31 July 2001) welcomed the continued contribution of UNIFIL to operational demining and stressed the necessity to provide the Government of Lebanon and UNIFIL with any additional maps and records on the location of mines.

Liberia

- S/RES/1683 (13 June 2006) partially lifted the arms embargo (for limited supplies of weapons and ammunition) but requested that the Liberian government mark weapons and ammunition, maintain a registry, and formally notify the sanctions committee.

Sierra Leone

- S/RES/1829 (4 August 2008) established UNIPSIL, a fully integrated UN mission and peacebuilding support office, replacing UNIOSIL
- S/RES/1289 (7 February 2000) welcomed the intention of the Secretary-General to establish within UNAMSIL a landmine action



office responsible for awareness training of UNAMSIL personnel and for the coordination of mine action activities of NGOs and humanitarian agencies operating in Sierra Leone.

Somalia

- S/RES/1425 (22 July 2002) noted with serious concern the continued flow of weapons and ammunition supplies to and through Somalia from sources outside the country, in contravention of the arms embargo, which severely undermined peace and security and the political efforts for national reconciliation in Somalia.

Arms Embargoes

- S/RES/1737 (23 December 2006) on Iran, on proliferation-sensitive nuclear and ballistic missile programmes, and ban on the export of conventional arms and related material from Iran.
- S/RES/1718 (14 October 2006) on the DPRK, on heavy weapons.
- S/RES/1701 (11 August 2006) on non-governmental armed forces in Lebanon.
- S/RES/1596 (18 April 2005) on DRC, expanded the existing arms embargo on non-governmental armed forces.
- S/RES/1591 (29 March 2005) expanded the embargo to the whole territory of Darfur, Sudan (not just on non-governmental armed forces).
- S/RES/1572 (15 November 2004) on Côte d'Ivoire.
- S/RES/1556 (30 July 2004) on non-governmental armed forces in Darfur, Sudan.
- S/RES/1546 (8 June 2004) on non-governmental armed forces in Iraq.
- S/RES/1521 (22 December 2003) on Liberia, expanded the embargo to include a ban on timber products as well as targeted sanctions

against individuals violating the embargo.

- S/RES/1493 (28 July 2003) on non-governmental armed forces in Ituri, North and South Kivu in the DRC.
- S/RES/1343 (7 March 2001) on Liberia.
- S/RES/1298 (17 May 2000) on Eritrea and Ethiopia.
- S/RES/1209 (19 November 1998) on Rwanda, gave the Commission of Inquiry a specific mandate to focus on the sources of illicit arms flow.
- S/RES/1171 (5 June 1998) on non-governmental armed forces in Sierra Leone.
- S/RES/1160 (31 March 1998) on the Federal Republic of Yugoslavia.
- S/RES/1132 (8 October 1997) on Sierra Leone, also imposed an embargo on diamonds and petroleum.
- S/RES/1013 (7 September 1995) established a Commission of Inquiry to monitor the arms embargo in Rwanda.
- S/RES/1011 (16 August 1995) on non-governmental armed forces in Rwanda.
- S/RES/918 (17 May 1994) on Rwanda.
- S/RES/864 (15 September 1993) on non-governmental armed forces in Angola.
- S/RES/788 (19 November 1992) on Liberia.
- S/RES/733 (23 January 1992) on Somalia.
- S/RES/700 (17 June 1991) the Iraq 661 sanctions committee was given a mandate to monitor the arms embargo.
- S/RES/687 (3 April 1991) called for the elimination, under international supervision, of Iraq's WMD and ballistic missiles with a range greater than 150 kilometres, together with related items and

production facilities.

- S/RES/661 (6 August 1990) imposed economic sanctions on Iraq after it invaded Kuwait, providing for a full trade embargo, excluding medical supplies, food and other items of humanitarian necessity.,

Presidential Statements

- S/PRST/2009/1 (14 January 2009) revised the 2003 aide-mémoire to assist Council members in including protection of civilian mandates for peacekeeping operations, and expanded consideration for small arms, mines and explosive remnants of war.
- S/PRST/2008/43 (19 November 2008) reaffirmed that disarmament, non-proliferation and arms control are necessary to strengthen international peace and security, noted the link between disarmament and development, expressed concern at increasing global military expenditures and urged states to devote resources to economic and social development.
- S/PRST/2008/28 (17 July 2008) emphasised the need to ensure that all children associated with armed forces and issues relating to children are systematically included in DDR processes with a particular emphasis on education.
- S/PRST/2007/42 (6 November 2007) reaffirmed the role that regional organisations can play in preventing the illicit traffic of small arms, and emphasised the need to take into account in peacekeeping mandates the regional instruments enabling states to identify and trace illegal small arms.
- S/PRST/2007/24 (29 June 2007) noting with concern that the accumulation and illicit manufacture, trade and circulation of small arms

contributed to the prolongation and increase in intensity of armed conflicts and undermined the sustainability of peace; reaffirmed the right to individual or collective self-defence; and requested a Secretary-General's report on a biennial basis starting in 2008.

- S/PRST/2007/12 (17 April 2007) invited the Secretary-General to dispatch an independent mission to assess the monitoring of the Syrian-Lebanese border and to provide recommendations in that regard.
- S/PRST/2007/5 (7 March 2007) asked the Secretary-General to ensure that DDR programmes take specific account of the situation of women and girls associated with armed groups, as well as their children.
- S/PRST/2007/3 (20 February 2007) recognised inter-linkages between security sector reform and other important factors of stabilisation and reconstruction, such as DDR and small arms control.
- S/PRST/2006/39 (20 September 2006) urged regional organisations to improve regional mechanisms for curbing the flow of arms, in particular by encouraging their member states to strengthen their legislation.
- S/PRST/2006/38 (9 August 2006) welcomed the decision of ECOWAS to transform the moratorium into a binding convention.
- S/PRST/2005/30 (12 July 2005) noted that security sector reform should be one of the priorities in the post-conflict environment.
- S/PRST/2005/7 (17 February 2005) called on arms-exporting countries to exercise the highest degree of responsibility in the trade in small arms and requested an update from the Secretary-General on

the implementation of the twelve recommendations contained in his 2002 report on small arms.

- S/PRST/2004/40 (28 October 2004) encouraged gender mainstreaming in DDR processes.
- S/PRST/2003/27 (15 December 2003) endorsed an aide-mémoire by the Secretary-General to assist Council members in including protection of civilian mandates for peacekeeping operations, which contained a set of measures to reduce the illicit trafficking of small arms and to involve ex-combatants in DDR. It also included a series of measures on mine action.
- S/PRST/2003/22 (19 November 2003) on mine action for peacekeeping operations.
- S/PRST/2002/31 (31 October 2002) recognised the role that regional organisations can play in preventing the illicit traffic of small arms, and underscored the importance of regional agreements to prevent the flow of arms into conflict areas.
- S/PRST/2002/30 (31 October 2002) expressed grave concern at the harmful impact of small arms on civilians in situations of armed conflict, took note with appreciation of the Secretary-General's report of September 2002, which outlined twelve recommendations for further action, and encouraged all UN member states to continue efforts towards fully implementing at the national, regional and international levels the recommendations contained in the Programme of Action. It asked the Secretary-General to report by December 2003 on the impact of the twelve recommendations.
- S/PRST/2001/21 (31 August 2001) requested the Secretary-General to submit a report by September 2002 containing specific recommendations

on ways and means in which the Council could contribute to dealing with the question of illicit trade in small arms and light weapons.

- S/PRST/2000/10 (23 March 2000) recognised that action to curb the illegal flow of small arms into areas of conflict can contribute to the success of DDR.
- S/PRST/1999/34 (30 November 1999) expressed intention to consider preventive measures such as the establishment of demilitarised zones and preventive disarmament as well as arms embargoes.
- S/PRST/1999/28 (24 September 1999) recognised the availability of small arms as a factor contributing to the intensity and duration of armed conflicts and in undermining peace agreements, and called for effective implementation of arms embargoes imposed by the Council.
- S/PRST/1999/21 (8 July 1999) recognised the direct impact of small arms on conflicts and their role in destabilisation of post-conflict situations.
- S/PRST/1999/6 (12 February 1999) noted the deleterious impact of the proliferation of arms on the security of civilians, including refugees and other vulnerable populations.
- S/PRST/1996/37 (30 August 1996) were basic principles for peace-keeping mine clearance.
- S/PRST/1995/9 (22 February 1995) recognised that small arms are responsible for most of the deaths in conflicts, and that it has negative consequences for international peace and security, and emphasised the importance of the strict implementation of existing arms embargo regimes. The Council also supported international measures to curb the spread of anti-personnel landmines and to



deal with mines already laid, and reaffirmed deep concern over the humanitarian consequences and emphasised the need to increase mine-clearing efforts by countries concerned with the assistance of the international community.

- S/23500 (31 January 1992) underlined the need for all member states to fulfil their obligations in relation to arms control and disarmament, to prevent the proliferation of WMD; to avoid excessive accumulations and transfers of arms; emphasised the importance of ratification and implementation by states of international and regional arms control arrangements; and recognised that the proliferation of WMD constitutes a threat to international peace and security.

Secretary-General's Reports to the Council

- S/2009/411 (10 August 2009) was a report on UNMIL (Liberia).
- S/2008/654 (16 October 2008) was a report on implementation of resolution 1559 in Lebanon, noting that the Syrian-Lebanese border remained porous and that several states continued to express concern at flows of weapons and fighters.
- S/2008/582 (25 August 2008) and S/2007/382 (26 June 2007) were reports from the Lebanese Independent Border Assessment Team noting that the current state of security on this border was insufficient to prevent arms smuggling.
- S/2008/553 (15 August 2008) was a report on Liberia noting that the activities of ex-combatants continued to be a potential source of instability, as many had not yet benefited from disarmament programmes.
- S/2008/426 (30 June 2008) was on UNOWA.

- S/2008/281 (29 April 2008) was on Sierra Leone.
- S/2008/39 (23 January 2008) was on security sector reform.
- S/2005/135 (2 March 2005) was the report on inter-mission cooperation in West Africa.
- S/2005/86 (11 February 2005) and S/2004/200 (12 March 2004) were reports on ways to address subregional and cross-border issues in West Africa.
- S/2001/331 (30 March 2001) was a report on protection of civilians in armed conflict in which the Secretary-General linked the inclusion of provisions for mine action in peacekeeping mandates as a further sign of progress of the Council towards civilian protection issues.
- S/2001/228 (14 March 2001) was a report on Sierra Leone welcoming the security sector reform activities of the UNAMSIL civilian police.
- S/2000/1092 (15 November 2000) was a report including a reference manual on ecologically safe methods of weapons destruction.
- S/2000/712 (19 July 2000) was the first report on children and armed conflict in which the Secretary-General made ending the threat of landmines a priority, recognising that children are at heightened risk of injury and death.
- S/2000/101 (11 February 2000) was a report on the role of UN peacekeeping in DDR.
- S/1999/957 (8 September 1999) was the first Secretary-General's report on protection of civilians in armed conflict, which noted the impact of anti-personnel landmines on civilians and encouraged states to provide political and financial support to other states to facilitate compliance with the Ottawa Convention.
- S/1998/318 (13 April 1998) was

the Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa.

- S/24111 (17 June 1992) An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping and S/1995/1 (25 January 1995) its supplement

Reports on Small Arms

- S/2008/258 (17 April 2008)
- S/2006/109 (17 February 2006)
- S/2005/69 (7 February 2005)
- S/2003/1217 (31 December 2003)
- S/2002/1053 (20 September 2002)

Panel or Group of Experts Reports

- S/2009/290 (5 June 2009) was a report from the Liberia sanctions panel of experts.
- S/2008/598 (9 October 2008) was a report from the group of experts on Côte d'Ivoire sanctions which noted that security threats persist because DDR remains largely incomplete.
- S/2007/777 (28 December 2007) was an annual report of the Sierra Leone sanctions committee which encouraged the Council to streamline the legal basis for sanctions in Sierra Leone.

Integrated Peacebuilding Cooperation Frameworks

- PBC/3/GNB/1 (23 September 2008) on Guinea-Bissau
- PBC/2/SLE/1 (3 December 2007) on Sierra Leone
- PBC/1/BDI/4 (21 June 2007) on Burundi

Letters

- S/2007/753 (28 November 2007) expanding the mandate of UNOWA, in particular giving it the task to mainstream security sector reform into development strategies in the West Africa region.

- S/2008/697 (10 November 2008) was the concept paper presented by Costa Rica for the thematic debate on strengthening collective security through general regulation and reduction of armaments: the safest road to peace and development.
- S/2001/1129 (29 November 2001) and S/2001/1128 (26 November 2001) was an exchange of letters between the Secretary-General and the Council establishing UNOWA.
- S/2001/732 (25 July 2001) was a letter from Colombia on issues for an open debate on the question of small arms.
- S/1996/621 (24 July 1996) was a letter from Germany proposing a seven-point action programme on anti-personnel mines including the adoption of a global ban on anti-personnel landmines.

Security Council Meeting Records

- S/PV.6017 and resumption 1 (19 November 2008) was an open debate on maintenance of international peace and security: strengthening collective security through general regulation and reduction of armaments.
- S/PV.5632 and resumption 1 (20 February 2007) was an open debate on security sector reform.
- S/PV.4858 (13 November 2003) was an open debate on the issue of mine action for peacekeeping.
- S/PV.3689 (15 August 1996) was an open debate on mine clearance.

Open Debates on Small Arms

- S/PV.5881 and resumption 1 (30 April 2008)
- S/PV.5390 and resumption 1 (20 March 2006)
- S/PV.5127 (17 February 2005)
- S/PV.4896, and resumption 1 (19 January 2004)

- S/PV.4720, and resumption 1 (18 March 2003)
- S/PV.4623 and resumption 1 (11 October 2002)
- S/PV.4362 (31 August 2001)
- S/PV.4355 and resumption 1 (2 August 2001)
- S/PV.4048 (24 September 1999)

General Assembly Resolutions

- A/RES/63/240 (24 December 2008) endorsed action against the illicit trafficking of arms through an arms trade treaty.
- A/C.1/63/L.39 (17 October 2008) established an open-ended working Group tasked to negotiate the terms of an arms trade treaty.
- A/RES/61/72 (6 December 2006) requested the Secretary-General to seek the views of member states regarding risks arising from the accumulation of surplus conventional ammunition stockpiles and regarding national ways of strengthening controls on conventional ammunition.
- A/RES/60/77 (8 December 2005) on the prevention of the illicit transfer and unauthorised access to and use of man-portable air-defence systems.
- A/C.1/60/L.55 (12 October 2005) was an international instrument (adopted by the General Assembly on 8 December 2008) to enable states to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.
- A/RES/55/255 (31 May 2001) was the Protocol against Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.
- A/RES/52/38 (9 December 1997) requested the Secretary-General

to assist and provide such services as may be necessary to fulfil the tasks entrusted to him by the Anti-Personnel Mine Ban Treaty.

- A/RES/50/70[B] (12 December 1995) requested the Secretary-General to establish a group of governmental experts on small arms.
- A/RES/46/36[L] (9 December 1991) established the UN Register of Conventional Arms.
- A/RES/43/75[I] (7 December 1988) was the first Assembly resolution tackling arms transfers and illicit arms trafficking.

Reports to the General Assembly

- A/63/334 (26 August 2008) were the reports of the group of governmental experts to examine the parameters for an arms trade treaty.
- A/63/182 (28 July 2008) was the report of the group of governmental experts on ammunitions.
- A/62/163 (30 August 2007) was a report from the group of governmental experts on how to enhance international cooperation in combating and illicit brokering.
- A/55/631 (5 December 2000) was the Rocard-Konaré Report on the role of a small arms control regime in stemming small arms and light weapons proliferation.
- A/54/258 (19 August 1999) and A/52/298 (27 August 1997) were reports of the group of governmental experts on small arms.
- A/54/155 (29 June 1999) was a report on the problem of ammunition and explosives.
- A/51/182 (1 July 1996) included guidelines for international arms transfers.
- A/46/301 (9 September 1991) was a Secretary-General's study on ways and means of promoting



transparency in international transfers of conventional arms.

Other Documents

- A/AC.227/2009/1 (20 July 2009) was the report of the Open-Ended Working Group towards an Arms Trade Treaty: establishing common international standards for the import, export and transfer of conventional arms.
- CD/1863 (19 May 2009) was the draft decision by the UN Conference on Disarmament for the establishment of a programme of work for the 2009 session.
- A/63/279 (11 August 2008) was a report of the Secretary-General on the work of the Advisory Board on Disarmament Matters.
- S/2006/997 (22 December 2006) was the final report of the Working Group on General Issues of Sanctions.
- A/60/705 (2 March 2006) was a report of the Secretary-General on DDR
- A/CONF.192/15 (9-20 July 2001) was the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.
- S/2000/319 (17 April 2000) was a note of the president of the Council on the establishment of the Working Group on General Issues of Sanctions.

- UNDP Human Development Report 2007/2008
- *The Human Security Brief 2007 – Dying to Lose: Explaining the Decline in Global Terrorism*, Simon Fraser University, Canada
- *Armament, Disarmament and International Security*, SIPRI, 2008 and 2009 Yearbooks

General Resources on Disarmament

- Disarmament: A guide to resources throughout the UN System on the topic of disarmament www.un.org/issues/m-disarm.html
- UN Office for Disarmament Affairs www.un.org/disarmament
- UN Institute for Disarmament Research www.unidir.org
- Bhaskar Menon, *Disarmament: A Basic Guide*, United Nations, 2001
- Reaching Critical Will www.reaching-criticalwill.org
- NGO Committee on Disarmament, Peace and Security disarm.igc.org
- Disarmament Times disarm.igc.org/dtimes.php

Treaties, Conventions and Organisations

- Convention (II) with Respect to the Laws and Customs of War on Land and its Annex: Regulations concerning the Laws and Customs of War on Land, The Hague, 29 July 1899
- Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (12 August 1949)
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects
- Multilateral Arms Regulation and Disarmament Agreements (includes all international treaties and regional nuclear weapons free zones): <http://>

disarmament.un.org/TreatyStatus.nsf

- The Wassenaar Arrangement on Export controls for Conventional Arms and Dual-Use Goods and Technologies www.wassenaar.org

Conventional Weapons

- UN Office of Disarmament Affairs: Small Arms/Armed Violence (includes links to all small arms-related issues and treaties)
- Programme of Action Implementation Support System www.poa-iss.org/
- CASA: UN Coordinating on Small Arms Mechanism: www.un-casa.org
- UN DDR Resource Centre www.unddr.org
- *Small Arms and Light Weapons: Selected United Nations Documents*, United Nations, Department for Disarmament Affairs, July 2008 Edition
- *Integrated Disarmament, Demobilization and Reintegration Standards*, Inter-Agency Working Group on DDR, <http://www.unddr.org/iddrs/01>
- *Security System Reform and Governance*, DAC Guidelines and Reference Series, OECD, 2005
- The SIPRI Arms Transfer Database <http://armstrade.sipri.org>
- UN Register of Conventional Arms
- Arms Management in Africa
- Arms Trade Treaty, A Nobel Peace Laureates' Initiative
- Federation of American Scientists, The Arms Sales Monitoring Project
- The Center for Defense Information, Small Arms and Light Weapons:
- International Action Network on Small Arms www.iansa.org
- *Small Arms Survey 2008: Risk and Resilience*, Cambridge University Press, 2008
- The Norwegian Initiative on Small Arms Transfers www.nisat.org
- Nobel Peace Laureates' International Code of Conduct on Arms Transfers, May 1997

Appendix 3: Useful Additional Sources

General Resources

- *We the Peoples: the role of the United Nations in the 21st century*, Millennium Report of the Secretary-General of the United Nations, 2000
- *A more secure world: our shared responsibility*, report of the Secretary-General's High-level Panel on Threats, Challenges and Change, 2004

- Mike Bourne, *Arming Conflict: the Proliferation of Small Arms*, Palgrave Macmillan, September 2007
- Denise Garcia, *Small Arms and Security: New Emerging International Norms*, Routledge, 2006
- Geneva Declaration on Armed Violence and Development www.genevadeclaration.org
- *Transparency in Transfers of Small Arms and Light Weapons: Reports to the UN Register of Conventional Arms*, 2003-2006, by Paul Holtom, SIPRI Policy Paper No. 22
- Keith Krause, *Small Arms and Light Weapons: Towards Global Public Policy*, International Peace Academy, March 2007
- Pieter D. Wezeman, *Conflicts and Transfers of Small Arms*, SIPRI, March 2003
- Michael Lipson, "The Reincarnation of COCOM: Explaining Post-Cold War Export Controls", *The Nonproliferation Review*, Winter 1999
- Paul Eavis, "Small Arms and Light Weapons in the Horn of Africa and the Great Lakes Region: Challenges and Ways Forward" *The Brown Journal of World Affairs*, Spring 2002 – Volume IX, Issue 1
- *Small arms and light weapons: The response of the European Union*, European Commission, 2001
- Blood at the Crossroads: Making the case for a global Arms Trade Treaty, Amnesty International, 17 September 2008
- Jim Coe and Henry Smith, *Action against Small Arms: A resource and Training Handbook*, International Alert, Oxfam GB and Saferworld, 2003
- Alan Bryden, *Understanding the DDR-SSR Nexus – Building Sustainable Peace in Africa*, Geneva Center for the Democratic Control of Armed Forces, July 2007
- Emily Schroeder and Lauren Newhouse, *Gender and Small arms: Moving into the Mainstream*, Pretoria: Institute for Security Studies, monograph series No 104, October 2004
- *Africa's missing billions: International arms flows and the cost of conflict*, Oxfam, October 2007
- *Afghanistan: arms proliferation fuels further abuse*, Amnesty International, 3 April 2008
- *A Three-Step Guide to Strengthening the Darfur Arms Embargo: Targeting the Arms Supply Chain*, Christian Dietrich, Human Rights First
- *Great Lakes: Light arms, a scourge for peaceful development*, IRIN, 6 February 2004
- *Assessing the feasibility, scope and parameters of an Arms Trade Treaty (ATT): an NGO Perspective*, Arms Trade Treaty Steering Committee of NGOs, 2007
- *Compilation of Global Principles for Arms Transfers: Revised and Updated*, Arms Trade Treaty Steering Committee, 2007
- *UN Arms Embargoes: Their Impact on Arms Flows and Target Behaviour*, SIPRI and the Special Programme on the Implementation of Targeted Sanctions at the Department of Peace and Conflict Research, Uppsala University, 2007
- *UN arms embargoes: an overview of the last ten years*, Briefing from the Control Arms Campaign: Amnesty International, Oxfam International and IANSA, 16 March 2006

Landmines and Cluster Munitions

- Electronic Mine Information Network <http://www.mineaction.org/>
- The Landmine Monitor Report 2008 <http://www.icbl.org/lm>
- International Campaign to Ban Landmines <http://www.icbl.org/treaty>
- AP Mine Ban Convention <http://www.apminebanconvention.org/>
- Cluster Munitions Coalition <http://www.stopclustermunitions.org/>
- Cluster Munitions Convention: <http://www.clusterconvention.org>
- Mine Action and Effective Coordination: The UN Inter-Agency Policy, 6 June 2005 <http://www.mineaction.org/doc.asp?d=40>
- Portfolio of Mine Action Projects 2009; UN Mine Action Service Annual Report 2007; and UN Inter-Agency Mine Action Strategy: 2006-2010 at www.mineaction.org

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