Excellency,

I write further to our productive discussions that occurred during the informal consultations on 2nd June 2016 in preparation for the forthcoming Sixth Biennial Meeting of States (BMS6) to consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects.

Prospective Outcome Document

On the basis of the comments received from delegations on “Draft 3” of the prospective outcome document, my team and I were able to refine the text, which I am pleased to share with you as “Draft 4”. A PDF version of “Draft 4” is attached to this letter and a Microsoft Word version of the document is available on the BMS6 website: www.un.org/disarmament/bms6/.

As I indicated during our consultations, the present version of the prospective outcome document, i.e. “Draft 4” will form the basis of our work at BMS6. I understand from the Secretariat that this draft will be translated into all the official languages of the United Nations in order to facilitate our deliberations.

As was the practice with BMS5, I stand ready to hold further informal consultations on the draft document during the course of next week. These consultations could take place between 9:00 a.m. and 10:00 a.m., during lunch time, or after 6:00 p.m. so that they do not overlap with any of the plenary sessions. I will announce these informals at the plenary.

BMS6, 6th – 10th June 2016

May I reiterate that at BMS6 we will only have one week within which to reach a meaningful, consensus-based outcome. Thus, strict time management will be of the utmost importance in enabling us to achieve our shared goal of an outcome that can represent a meaningful contribution in advance of RevCon 3.

I intend to use the same working methods as were successfully employed during past Programme of Action meetings. As agreed by Member States, and in keeping with previous meetings, there will be no general debate and we will instead move directly into the thematic debate on Monday, 6th June.
I reiterate my request for delegations that have provided inputs either through working papers or oral comments, to stand ready to explain their contributions and, where relevant, to re-formulate them based on a spirit of constructive flexibility.

To date, my team and I have made every effort to ensure an open, transparent approach to our discussions. I intend to continue this approach throughout BMS6, in order to arrive at an outcome document that is built by Member States and owned by Member States.

I look forward to seeing you at BMS6, which will be held from Monday, 6th to Friday, 10th June 2016, in Conference Room 4 (CB).

Please accept, Excellency, the renewed assurances of my highest consideration.

E. Courtenay Rattray
Ambassador/Permanent Representative
of Jamaica to the United Nations

To: All Permanent Representatives and
Permanent Observes to the United Nations
New York
I. Consideration of the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, at the national level, the regional level – including through regional and subregional arrangements and organizations – and at the global level, and in light of the 2030 Agenda for Sustainable Development

1. Building on the agreed outcome documents of RevCon2 and BMS5; and also bearing in mind the MGE2 discussions, including the Chair’s Summary.


3. Noting the importance of national laws, regulations and administrative procedures, interagency coordination, and, where they exist, national action plans to the full and effective implementation of the PoA.

4. Noting the increase in the illicit on-line trade in small arms and light weapons, including their parts and components.

5. Underlining the growing importance of brokering activities in the international transfer of small arms and light weapons, and noting the need to establish cost-effective control measures to prevent illicit brokering.

6. Emphasizing the importance of end-user certificates and end-use certification to small arms and light weapons export licensing procedures.

7. Recognizing that the standards and procedures that States establish for the management and security of small arms and light weapons stockpiles, in line with the provisions of the PoA, are a prerogative of States.

8. Noting the importance of the adequate management of small arms and light weapons stockpiles, including sustainable life-cycle management, for minimizing the risk of diversion, including through theft, loss and unauthorized re-export, of small arms and light weapons to illicit markets, illegal armed groups, terrorists and other unauthorized recipients, for preventing accidental explosions and protecting the environment, and for improving the control, storage and registration of small arms and light weapons.

9. Stressing the importance of stockpile management and security, not only to the storage of small arms and light weapons, but also to their transportation, movement and transfer, at the national level.

10. Noting that the inadequate management of stockpiles of small arms, light weapons and ammunition remains a concern, due to the risk of their diversion to illicit markets.

11. Recognizing the importance of preventing, combating and eradicating the illicit use of explosive materials, especially materials used for terrorism and transnational organized crime.

12. Noting the opportunities new technologies, when available, can offer for enhanced stockpile management and security.

13. Noting that voluntary national reports on the implementation of the PoA can serve, inter alia, to provide a baseline for measuring progress in PoA implementation; build confidence and promote transparency; provide a basis for information exchange and action; and serve to identify needs and opportunities for international assistance and cooperation, including the matching of needs with available resources and expertise.

14. Highlighting the utility of exchanging information on standards and practices used by States to combat the illicit trade in small arms and light weapons.

15. Considering the policy implications of 3D-printed small arms, including the problem of illicit manufacturing, for the implementation of the PoA.

16. Welcoming the adoption of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal (SDG) 16 and SDG Target 16.4.
17. Acknowledging, in line with the 2030 Agenda, that sustainable development cannot be realized without peace and security and that peace and security will be at risk without sustainable development.

18. Noting that the illicit trade in small arms and light weapons has implications for the realization of several SDGs, including those relating to peace, justice and strong institutions, poverty reduction, economic growth, health, gender equality, and safe cities.

19. Underlining the importance of the full and effective implementation of the PoA and ITI for attaining SDG Goal 16 and SDG Target 16.4.

20. Highlighting the utility of SDG Target 16.4 in establishing baselines and measuring progress in national-level implementation of the PoA and ITI, including progress made in the implementation of national action plans, where they exist.

21. Encouraging States to develop indicators, based on the PoA and ITI, which could be used to measure progress made in the implementation of SDG Target 16.4, drawing, as appropriate, on the experiences of other UN processes.

22. Reaffirming the importance of promoting dialogue and a culture of peace through education and public awareness programmes on the problems of the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.

23. Noting that the full and effective implementation of the PoA helps to prevent the acquisition of small arms and light weapons by terrorists, thus reducing the potential impact of their attacks.

Way Forward

24. To ensure that destroyed and deactivated small arms and light weapons are rendered permanently inoperable such that illicit reactivation is physically impossible, and recognizing the value of adopting relevant best practices in this regard.

25. To encourage the utilization of good practices and lessons learned, including the voluntary use of standardized implementation guidelines for the full and effective implementation of the PoA.

26. To strengthen border controls by establishing and enforcing laws, regulations and administrative procedures that effectively combat the illicit trade in small arms and light weapons across borders.

27. To reinforce, as necessary, cross-border cooperation, at the national, subregional and regional levels, in addressing the problem of the illicit trade in small arms and light weapons in all its aspects as a common but differentiated responsibility.

28. To coordinate, as appropriate, national-level implementation of the PoA with relevant subregional, regional and international obligations, and with related issues and processes, including disarmament, demobilization, and reintegration; border controls; organized crime; terrorism; urban crime; relevant resolutions of the Security Council and the General Assembly; and related capacity-building initiatives.

29. To take into account complementarities between the PoA and relevant subregional, regional and global instruments in which Member States participate, including those that are legally binding, in order to enhance, as appropriate, national-level coordination on the implementation of the PoA.

30. To share, and as necessary implement, best practices in physical stockpile management and security in order to prevent the diversion of small arms and light weapons to the illicit markets, illegal armed groups, terrorists and other unauthorized recipients, including in conflict and post-conflict situations.

31. To continually assess national stockpiles for surpluses and to responsibly dispose, preferably through destruction, of small arms and light weapons that no longer meet operational needs.

32. To submit comprehensive national reports on PoA implementation in time for the PoA’s Third Review Conference in 2018.

33. To combine reporting under the PoA with reporting under other instruments, including regional ones, and thus minimize administrative reporting burdens.

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1 E.g. biodiversity, climate change, desertification, sustainable consumption & production, UN Energy, UN Water
34. To encourage States, in reporting on their implementation of the PoA, to highlight progress made in implementing the relevant goals and targets of the 2030 Agenda on Sustainable Development.

35. To request the Secretariat, for the Third Review Conference, to conduct an analysis of national PoA and ITI reports in order to, inter alia, identify implementation challenges and opportunities, help strengthen future implementation efforts, and guide, inter alia, actors in assisting States, upon their request, in implementing the PoA, including the UN regional centres for peace and disarmament.

36. To establish or strengthen subregional, regional and cross-regional cooperation, coordination and information-sharing mechanisms, including the sharing of best practices, in order to support PoA implementation.

37. To draw, as appropriate, on subregional and regional efforts, including those of the UN regional centers, to develop and share best practices and standards for combating the illicit trade in small arms and light weapons.

38. To encourage, where relevant, subregional and regional organizations to align the timing of their meetings with the regional cycle of meetings, so as to ensure, as appropriate, a maximum of synergies between actions taken at the national, subregional, regional and global levels, such as improved efficiency and the enhanced sharing of information and good practices.

39. To encourage cooperation, coordination and information sharing between subregional, regional and international organizations, specifically with a view to avoiding the duplication of efforts in implementing the PoA.

40. To encourage regional and subregional organizations to identify areas of comparative advantage in tackling the illicit trade in small arms and light weapons.

41. To strengthen the role of UN regional centers for peace and disarmament in supporting PoA implementation.

42. To develop, as appropriate, in coordination with relevant subregional and regional organizations, proposals for assistance in combating the illicit trade in small arms and light weapons.

43. To encourage meetings of national points of contacts in order to strengthen coordination and the exchange of information and best practices between States, including at the subregional and regional levels.

44. To identify opportunities for the strengthened measurement of progress in national implementation of the PoA.

45. To strengthen, as appropriate, the contribution of civil society, and of industry, to the implementation of the PoA.

46. To explore how governments, through their national reports under the PoA and ITI, with the assistance of the UN, can support data collection for relevant SDG indicators.

47. In implementing the PoA and ITI in light of the 2030 Agenda for Sustainable Development, to encourage the establishment and strengthening of cooperation and partnerships at all levels among governments, international and intergovernmental organizations, and civil society.

48. To enhance cooperation with the World Customs Organization (WCO) on WCO-led enforcement operations in combating the illicit trade in small arms and light weapons.

49. To enhance cooperation with INTERPOL and WCO, as well as other relevant organizations, in order to identify and act against groups and individuals involved in the illicit trade in small arms and light weapons, including illegal armed groups, terrorists and other unauthorized recipients.

50. To encourage the UN Security Council to consider, on a case-by-case basis, enhancing the role of UN peacekeeping missions, in line with their mandates and capacities, and in close coordination with host States, in combating the illicit trade in small arms and light weapons, including in the area of arms embargo monitoring.

51. To take account, in post-conflict reconstruction programmes, where appropriate and with the consent of concerned States, of the problems and consequences of the illicit trade in small arms and light weapons in all its aspects, including through peace-building, disarmament, demobilization and reintegration, and security sector reform.

52. To take account, in post-conflict settings, of the needs of affected States for assistance in implementing the PoA.

53. To take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys in policies and programmes designed to combat the illicit trade in small arms and light weapons.

54. To promote the meaningful participation and representation of women in PoA-related policy-making, planning and implementation processes, including their participation in national small arms commissions and in programmes relating to community safety and conflict resolution, taking into account General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control and subsequent resolutions on that question, as well as

55. To encourage the collection of disaggregated data on gender and small arms and light weapons.
56. To seriously consider increasing funding for policies and programmes that take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys.
57. To take account of synergies with UN counter-terrorism mechanisms in the implementation of the PoA.
58. To enhance international cooperation in combating the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime and terrorism.

II. Consideration of the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, including recent developments in small arms and light weapons technology and their implications for the International Tracing Instrument

59. Recognizing the importance of developing or establishing strict national regulatory frameworks for the marking, recording and tracing of small arms and light weapons, including for purposes of enhancing control over legal transfers and exchanging information on such transfers in accordance with the provisions of the ITI.
60. Recognizing the importance of marking and record-keeping for the management and security of small arms stockpiles, including inventory management and accounting control.
61. Noting the linkages between the implementation of the ITI and the Firearms Protocol for those States that are parties to the Protocol.
62. Noting the complementary role that the exchange of ballistics information and the use of ballistics databases, including the provision of technical and financial assistance for the purpose of strengthening national capacities, can play in combating the illicit trade in small arms and light weapons.
63. Acknowledging the need to implement the commitments on marking, record-keeping, and tracing contained in the ITI regardless of the material or method used in the manufacture of small arms and light weapons, including polymer frames/receivers and additive manufacturing techniques.
64. Acknowledging the need to identify in national laws and regulations, including in modular weapons, the essential or structural component for the purpose of unique marking in line with paragraph 10 of the ITI.
65. Consider the policy implications of 3D-printed small arms, including the problem of illicit manufacturing, for the implementation of the PoA.
66. Noting that the tracing of illicit small arms and light weapons in conflict and post-conflict situations can support broader conflict prevention, crisis management and peacebuilding policies and programmes.
67. Highlighting the utility of conflict tracing in combating the illicit trade in small arms and light weapons, including illicit brokering, by helping to prevent the diversion of legally transferred small arms and light weapons to illicit markets.
68. Noting that the effective tracing of small arms and light weapons can serve to strengthen measures that combat the illicit trade in small arms and light weapons.

Way Forward

69. To continue to mark, record and trace small arms and light weapons in accordance with the provisions of the International Tracing Instrument.
70. To encourage those States and international and regional organizations in a position to do so to provide technical assistance for the development of marking, record-keeping and tracing systems that support implementation of the ITI.
71. To enhance dialogue with industry, especially regarding the effective marking of small arms and light weapons, in light of recent developments in small arms and light weapons manufacturing, technology and design.

72. To urge States in a position to do so to increase assistance to developing countries in order to bridge the technological divide between States in small arms and light weapons marking, record-keeping and tracing systems, where it exists.

73. To consider the implications for the ITI of recent developments in small arms and light weapons manufacturing, technology and design as an input to the PoA’s Third Review Conference in 2018.

74. To engage with INTERPOL and the WCO on the implications of 3D printing for the implementation of the ITI and the PoA.

75. As necessary, upon request, to assist States and relevant bodies, organs and missions of the United Nations, as well as relevant regional organizations, to build capacity for the tracing of small arms and light weapons in conflict and post-conflict situations.

76. In accordance with the provisions of the ITI, to strengthen the tracing of small arms and light weapons in conflict and post-conflict situations, including through the provision of capacity-building assistance, for purposes of identifying and containing the flow of weapons into such zones, providing early warning of destabilizing weapons flows and preventing conflict, including through the voluntary use of tools such as INTERPOL’s IARMS system.

77. To encourage Member States, in accordance with national law and administrative procedures, relevant United Nations entities, intergovernmental, regional and subregional organizations, in a position to do so and where appropriate, to cooperate and share information relevant to the illicit transfer, destabilizing accumulation or misuse of small arms and light weapons with potentially affected States and with relevant United Nations entities, including experts groups assisting sanctions committees and peacekeeping missions.

78. To enhance the exchange of tracing results between appropriate authorities at the national, regional and global levels in conformity with the provisions of the ITI, in order to prevent the diversion of small arms and light weapons to illicit markets.

79. To make full use of information on illicit trade routes and diversion methods, revealed by tracing, in order to strengthen PoA implementation.

80. To enhance cooperation with INTERPOL in identifying and tracing diverted small arms and light weapons.

81. In accordance with the provisions of the ITI, to share and analyse information relating to the illicit trade in small arms and light weapons in order to identify trends and patterns.

82. To strengthen the exchange and use of information on the illicit trade in small arms and light weapons, as well as diversion to illicit markets, including through the use of web-based databases, such as those of INTERPOL (IARMS2 and IBIN3 databases).

III. Consideration of international cooperation and assistance for the full and effective implementation of the Programme of Action and International Tracing Instrument, including capacity-building:

a) Ways to strengthen the implementation of the PoA and ITI through the provision of training, equipment and the transfer of technology

83. Underlining the importance of sustainable outcomes and impacts when designing and implementing cooperation and assistance programmes and, for this purpose, ensuring these programmes have national ownership, and providing for the training of managers and leaders and the establishment of personnel career structures that retain, sustain and strengthen knowledge and skills in recipient States.

2 www.interpol.int/orm-areas/firearms/interpol-illicit-arms-records-and-tracing-management-system-iarms
3 http://www.interpol.int/orm-areas/firearms/interpol-ballistic-information-network-ibin
84. Noting the importance of staff training, adequate infrastructure and equipment, maintenance, inventory management and record keeping to the management and security of small arms and light weapons stockpiles.
85. Stressing the importance of the transfer of technology and equipment, and the accompanying need for measures, such as capacity building, to maintain transferred equipment.

b) Ways to ensure the adequacy, effectiveness and sustainability of assistance for the implementation of the PoA and the ITI, including financial and technical assistance

86. Emphasizing that international cooperation and assistance remain essential to the full and effective implementation of the PoA and ITI.
87. Noting that national reports can be used to identify assistance needs and match them with available resources and expertise.
88. Emphasizing that assistance programmes should, in consultation with the recipient country, aim at building sustainable capacity by, inter alia, identifying potential barriers to sustainability at the design phase, along with opportunities for complementary programming that can mitigate these barriers.
89. Noting that the Group of States Interested in Practical Disarmament Measures can serve as a forum for matching needs and resources.
90. Noting the opportunity for synergies between projects designed to support implementation of the PoA and ITI and SDG-related projects.
91. Noting the need to regularly update, where they exist, national action plans in order to reflect, inter alia, progress made in PoA and ITI implementation.
92. Acknowledging the need for financial and technical assistance in support of PoA and ITI implementation, also in light of related commitments undertaken in the 2030 Agenda for Sustainable Development.

Way Forward

93. To explore options for building sustainable capacity for the life-cycle management of small arms and light weapons stockpiles (normative frameworks, structures and procedures, training, personnel management, financing and infrastructure).
94. To take into account, when designing small arms assistance programmes, other related programmes with a view to avoiding duplication, maximizing coordination and complementarity, and enhancing the effectiveness of assistance programmes.
95. To build capacity for enhanced cross-border information exchange and cooperation for the purpose of combating the illicit cross-border trade in small arms and light weapons.
96. To build capacity for small arms and light weapons identification, tracing and control in conflict and post-conflict situations, including through training for risk management, targeting and enforcement.
97. To identify synergies between assistance aimed at supporting small arms marking, record-keeping and tracing and that aimed at strengthening the management and security of small arms and light weapons stockpiles.
98. To increase national capacity to take account of diversion risks when assessing applications for small arms and light weapons-export authorizations, and to put in place, where they do not exist, adequate laws, regulations and administrative procedures to ensure effective control over the export, transit and import of small arms and light weapons, including the use of end-user certificates and end-use certification, and effective legal and enforcement measures.
99. To build national capacity to report on small arms and light weapons that have been seized and which have been recorded and traced.
100. To build national capacity for sustainable life-cycle management of small arms and light weapons stockpiles, including associated equipment and maintenance needs.
101. To ensure the suitability and sustainability of technology and equipment before its transfer.

102. To urge States in a position to do so to provide developing countries, upon request, with critical technology and equipment and related training and maintenance, essential to the effective implementation of the Programme of Action and the International Tracing Instrument.

103. To improve coordination among donors and between donors and recipients, as well as within countries.

104. To ensure national ownership of international assistance projects by, inter alia, involving national authorities in the project planning and implementation cycle and tailoring assistance to local structures and procedures.

105. To increase the sustainability of international assistance through the allocation by the recipient country of financial, administrative and other resources, bearing in mind the different situations, capacities and priorities of States and regions.

106. To identify, prioritize and communicate assistance needs, and to develop specific project proposals to that end.

107. To enhance the effectiveness of assistance frameworks by, inter alia, strengthening measurability, evaluation, and coordination.

108. To encourage the sharing of information on assistance projects, including lessons learned and best practices.

109. To consider the adequacy of existing structures, including:

   a) The region-specific trust funds of the UN regional centres on peace and disarmament.

   b) The UN Trust Facility Supporting Conventional Arms Regulation (UNSCAR).

   c) Funds by other parts of the UN system that contribute to PoA implementation, including DPKO, OCHA, UNDP, UNHCR, UNICEF, UNODC, UN WOMEN.

110. To request the Secretariat:

   a) To present, for consideration at the Third Review Conference, options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements; and for the establishment of programmes for the training of relevant officials, nominated by their respective Governments, in areas related to the implementation of the Programme of Action and the International Tracing Instrument;

   b) To update the comprehensive study on the adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment, particularly to developing countries, since 2001, for the full and effective implementation of the Programme of Action, and to submit this study to the Third Review Conference;

   c) To continue to collaborate with relevant research and training institutions, particularly those from developing countries, on activities addressing the illicit trade in small arms and light weapons, including the sharing of rosters of experts, including experts from developing countries, where relevant;

   d) To include among the globally available web-based resources it provides, relevant information, such as studies, publications and other resources, related to the implementation of the Programme of Action and the International Tracing Instrument.

IV. Other issues and topics of relevance for the effective implementation of the Programme of Action and the International Tracing Instrument