

Statement by Robert G. Joesph, Undersecretary of State for Arms Control and International Security, at the United Nations Conference to Review Progress Made in 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, June 27, 2006

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Mr. President, distinguished colleagues, it is my honor to present the views of my government at this important conference.

I want to begin by thanking the President of the Review Conference, Ambassador Kariyawasam, for his leadership and effort in setting the stage for what should be a successful Review Conference. We look forward to constructive engagement with all States present today to build upon this work. The United States believes it is important for all of us to speak with one voice concerning the grave matter of the international illicit trade in small arms and light weapons. To do so, we should start with a full and focused review of our progress, and document that review in a manner that strengthens our collective commitment to effective action.

As a first step, we must make our positions clear. So let me be very clear: the United States believes it is critical to our collective interests that we act to stem the illicit trade in small arms and light weapons. The United States believes strongly in the agreed Program of Action and is committed to its implementation. We will put forth detailed plans that we think the Review Conference should adopt, including advancing the effectiveness of export controls, the destruction of excess, loosely secured or otherwise at-risk stockpiles of small arms and light weapons, and implementing the marking and tracing instrument.

My delegation is here today with a positive agenda -- an agenda for effective action to address the illicit trafficking in small arms and light weapons, covering military style arms such as shoulder-fired missiles and rocket systems, light mortars, machine guns and automatic rifles.

But, with the goal of making an effective contribution to stopping the international illicit trade in small arms and light weapons, I will be equally clear about those actions we will not accept. In this regard, we agree with the remarks made by the Secretary General to this conference yesterday, namely that the Program of Action is not "intended to deny law-abiding citizens their right to bear arms in accordance with their national traditions" and that our efforts should be "directed toward illegal weapons and not legal ones."

The U.S. Constitution guarantees the rights of our citizens to keep and bear arms, and there will be no infringement of those rights. The United States will not agree to any provisions restricting civilian possession, use or legal trade of firearms inconsistent with our laws and practices. Many millions of American citizens enjoy hunting and the full range of firearm sports, and our work will not affect their rights and opportunities. As an officer of the Executive Branch of my government, I took an oath to protect the Constitution -- a duty that is an honor to uphold.

The long-established U.S. positions on two other topics also remain unchanged. First, we are resolute in our belief that regulating ammunition is beyond the mandate of this body and would be ineffective, prohibitively costly, and is best addressed elsewhere -- if at all. And second, while we will of course continue to oppose the acquisition of arms by terrorist groups, we recognize the rights of the oppressed to defend themselves against tyrannical and genocidal regimes and oppose a blanket ban on non-state actors. We believe lengthy debates on these topics will only serve to distract us from our areas of agreement and dilute the collective will required to combat the international illicit trade in small arms and light weapons.

Finally, we will not agree to a document that obfuscates the main problem, namely that of "illicit trade," or which seeks to substitute an expansive and unworkable set of international regulations for specific and targeted actions of proven worth.

We must strive to take effective action. It is critical to our collective interests that we act here and elsewhere to stem illicit weapons flows across national borders or acquisition efforts by rogue regimes or by States that are known to support terrorist organizations. The key to achieving this goal lies not in creating new textual language, but in overcoming the political impediments to implement what has already been agreed upon and having the courage to take meaningful, but sometimes difficult, actions today that will prevent serious adverse consequences tomorrow.

The United States enters these proceedings with the strong desire, backed up by demonstrated accomplishments, to conduct a serious review of the progress that has been made in implementing the original Program of Action. To that end, the United States supports: aggressive steps to implement the recently concluded agreement on the marking and tracing of weapons; effective controls on weapons transfers — both import and export — as well as robust end-user certification; strengthening controls over international brokers; effective stockpile management of weapons under state control; and the destruction of government-declared surplus and illicit weapons. And, while we will not accept formal negotiations or a formal agreement on transfer controls, we are willing to consider text that encourages the adoption of a set of principles on arms transfers. These steps, taken collectively, will reduce the international illicit trade in small arms and light weapons.

Not only is the United States prepared to endorse language to this effect in this conference, but more importantly and without regard to conference outcomes, the United States will continue to implement the actions noted above through enforcement of robust export controls and end-user certification processes, as well as through our cooperation with others. By our analysis, the United States is one of less than a dozen countries that have shown progress in implementing all aspects of the Program of Action.

The U.S. commitment to implementation of the Program of Action can be seen in our arms export control structures, our law enforcement efforts, and our significant programs of cooperation and assistance.

The United States has a robust and transparent system of laws and regulations governing national holdings, manufacture and the international movement of small arms and light weapons. All

firearms, by law, are marked at the time of manufacture and import. In addition, we have some of the strongest laws of any State concerning third-party transfers of weapons. The United States is also one of only a handful of countries to assert universal jurisdiction on all U.S. weapons or citizens involved in the arms trade, no matter where they are located. A robust end-use monitoring system and a tough legal framework for enforcement support this export control regime.

In terms of cooperation and assistance, since agreement on the Program of Action, the United States has allocated over \$37 million to destroy 900,000 small arms and light weapons, as well as over 18,600 MANPADS in 25 countries around the world. Just this month, I endorsed plans to start new programs in four African States, as well as initiating what we expect to be a long and productive relationship with the Nairobi-based Regional Center for Small Arms. Moreover, we have a long track record of helping others enhance the security of their national stockpiles and improving the border controls and customs services so important to stopping illicit trade of all types.

Additionally, the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), works effectively in our country to enforce our firearms laws. Internationally, ATF offers a variety of training courses related to firearms and ballistic identification and firearms tracing for international law enforcement professionals. ATF also cooperates in more than 20,000 foreign tracing requests per year for our foreign law enforcement partners.

We are particularly pleased with the progress that has been made on this issue in various regional bodies such as the OAS, OSCE and NATO. Based on the documented success of these bodies, success measured in terms of working agreements and on-the-ground results, we feel that these are the most vital venues for meaningful next steps.

There should be no debate regarding the serious and disturbing collateral effects caused by the illicit international trade in small arms and light weapons. Indeed, the deleterious and disproportionate effects they have on innocent civilians, underdeveloped nations, and those states trying to recover from the ravages of war and conflict are beyond dispute. It is for this reason that this Review Conference must remain focused on the issue at hand -- illicit trade. We must focus on substance and not process. Accordingly, the United States will not commit to another Review Conference. We will only consider proposals regarding follow-on actions that are focused, practical, and intended to strengthen the implementation of the Program of Action.

The United States is proud of its commitment to the tenets of the Program of Action and of our demonstrated achievements in its implementation. Mr. President, we look forward to working with you and all States present to identify and overcome those obstacles that remain to expanding and strengthening implementation of what we all agreed in 2001.

Thank you.