

including regional organizations, on follow-up to the report of the Secretary-General, and encourages the Secretary-General to continue consultations on this subject and to take concrete actions aimed at enhancing the capacity of the United Nations to improve the protection of civilians in armed conflict;

21. *Expresses its willingness* to work in cooperation with regional organizations to examine how these bodies might better enhance the protection of civilians in armed conflict;

22. *Decides* to establish immediately an appropriate mechanism to review further the recommendations contained in the report of the Secretary-General and to consider appropriate steps by April 2000 in accordance with its responsibilities under the Charter;

23. *Decides* to remain actively seized of the matter.

44. Small arms

Initial proceedings

Decision of 24 September 1999 (4048th meeting): statement by the President

At its 4048th meeting, held on 24 September 1999 in accordance with the understanding reached in its prior consultations, the Council included the item entitled “Small arms” in its agenda. Following the adoption of the agenda, the President (the Netherlands) noted that the Council was holding a ministerial meeting on the question of small arms in the context of the challenges facing the international community in this regard.¹

At the outset, the Secretary-General acknowledged the importance of addressing the problem of small arms and light weapons, which posed one of the key challenges in preventing conflict in the next century. He stated that small arms were not only primary tools of violence in many conflicts, but also aggravated the violence associated with terrorism and organized crime. In his view, there was probably no single tool of conflict so widespread, so easily available and so difficult to restrict as small arms. Citing the General Assembly’s decision to convene a conference on all aspects of illicit arms trafficking no later than 2001, the Secretary-General urged the international community to seize the opportunity provided by that conference to demonstrate its political will and its commitment to reversing the global proliferation of small arms. The larger efforts to promote peace and security, he stressed, depended to a greater extent on how the smaller, more specific

challenges of limiting the tools of war and violence were tackled.²

The representative of France pointed to the “proliferation of internal conflicts” in which the distinction between combatants and civilians was blurred, and noted that this type of conflict lent itself best to small arms and light weapons. He called for a multifaceted, integrated approach to address the problem.³

The representative of the United Kingdom noted that most of the conflicts had taken place in the developing world, but most of the firearms were made in the industrialized world.⁴

The representative of Malaysia maintained that the United Nations, particularly the Council, could and should play a critical role in checking the proliferation of small arms. The challenge before the Council was to define the problem, which had many complexities — political, legal, technical, economic and social — and formulate appropriate and effective approaches to deal with it.⁵

The representative of Canada highlighted the devastating impact of small arms by pointing out that civilians constituted over 80 per cent of casualties in armed conflict and more than a million people died each year as a result of those conflicts, with 90 per cent of those deaths caused by small arms.⁶

¹ S/PV.4048, p. 2.

² *Ibid.*, pp. 2-3.

³ *Ibid.*, pp. 3-4.

⁴ *Ibid.*, pp. 4-5.

⁵ *Ibid.*, pp. 7-8.

⁶ *Ibid.*, pp. 8-10.

The representative of Namibia stressed that the effort to rid Africa of its superfluous small arms was a shared responsibility for the region's leaders as well as for the international community as a whole.⁷

The representative of Gabon underlined the urgent need to adopt or strengthen measures, on the national, regional and international levels, to regulate the proliferation of small arms and light weapons,⁸ while the representative of Gambia called on the Council to make constructive efforts to ensure the effectiveness of arms embargoes.⁹

The representative of the United States maintained that it was time to address the economy of war that supported illicit arms flows, as, in many instances, these transactions were fuelled by sales of gemstones, precious metals and narcotics.¹⁰

A number of other speakers made statements sharing the concern at the proliferation of small arms and light weapons, and calling for a coherent approach in addressing the question taking into account all aspects of it. Most speakers agreed that the Council had its own distinctive role to play, including improving the effectiveness of arms embargoes and strengthening disarmament, demobilization and reintegration efforts.¹¹

At the same meeting, the President made the following statement on behalf of the Council:¹²

The Security Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, in view of which its attention is drawn inevitably to small arms and light weapons as the most frequently used weapons in the majority of recent armed conflicts.

The Council notes with grave concern that the destabilizing accumulation of small arms has contributed to the intensity and duration of armed conflicts. The Council also notes that the easy availability of small arms can be a contributing factor to undermining peace agreements, complicating peace-building efforts and impeding political, economic and social

development. In this regard, the Council acknowledges that the challenge posed by small arms is multifaceted and involves security, humanitarian and development dimensions.

The Council is deeply concerned that countries involved in, emerging from, or close to protracted armed conflicts are particularly vulnerable to violence resulting from the indiscriminate use of small arms in armed conflict. In this regard, the Council recalls the report of the Secretary-General of 8 September 1999 on the protection of civilians in armed conflict and its resolution 1265 (1999) of 17 September 1999.

The Council emphasizes that the right of individual and collective self-defence recognized in Article 51 of the Charter and the legitimate security demands of all countries should be fully taken into account. The Council recognizes that small arms are traded globally for legitimate security and commercial considerations. Bearing in mind the considerable volume of this trade, the Council underlines the vital importance of effective national regulations and controls on small arms transfers. The Council also encourages the Governments of arms-exporting countries to exercise the highest degree of responsibility in these transactions.

The Council emphasizes that the prevention of illicit trafficking is of immediate concern in the global search for ways and means to curb the wrongful use of small arms, including their use by terrorists.

The Council welcomes the various initiatives that are currently under way, globally and regionally, to address the issue. These initiatives at the regional level include the moratorium of the Economic Community of West African States on the production and trade in small arms, the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, the European Union Joint Action on Small Arms, and the European Union Code of Conduct on Arms Exports. At the global level, the Council welcomes the negotiation process on the elaboration of an international convention against transnational organized crime, including a draft protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials.

The Council emphasizes the importance of regional cooperation in tackling the issue of illicit trafficking in small arms. Initiatives, such as the work done by the Southern African Development Community and the Southern African Regional Police Commissioners Coordinating Organization, illustrate how regional cooperation can be harnessed to tackle small arms proliferation. The Council recognizes that while regions may sometimes benefit from the experiences of others, one region's experience cannot be extended to others without taking into account their different characteristics.

The Council also welcomes and encourages efforts to prevent and combat the excessive and destabilizing accumulation of and illicit trafficking in small arms, and invites Member States to involve civil society in these efforts.

⁷ Ibid., p. 16.

⁸ Ibid., p. 17.

⁹ Ibid., pp. 18-19.

¹⁰ Ibid., pp. 19-20.

¹¹ Ibid., pp. 6-7 (Slovenia); pp. 10-12 (the Russian Federation); pp. 12-13 (Argentina); pp. 13-14 (Brazil); pp. 14-15 (China); pp. 15-16 (Bahrain); and pp. 20-21 (the Netherlands).

¹² S/PRST/1999/28.

The Council notes with satisfaction the growing attention paid within the United Nations system to the problems associated with the destabilizing accumulation of small arms. The Council welcomes the initiative by the Secretary-General for Coordinated Action on Small Arms, designed to ensure a coherent and coordinated approach to the small arms issue within the United Nations system.

The Council notes that although the humanitarian impact of small arms in a conflict situation is verifiably serious, a detailed analysis is not available. The Council therefore requests the Secretary-General to include specifically the humanitarian and socio-economic implications of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade, in relevant studies he is currently undertaking.

The Council calls for effective implementation of arms embargoes, imposed by the Council in its relevant resolutions. The Council encourages Member States to provide the sanctions committees with available information on alleged violations of arms embargoes and recommends that the chairmen of the sanctions committees invite relevant persons from organs, organizations and committees of the United Nations system, as well as other intergovernmental and regional organizations and other parties concerned, to provide information on issues relating to the implementation and enforcement of arms embargoes.

The Council also calls for measures to discourage arms flows to countries or regions engaged in or emerging from armed conflicts. The Council encourages Member States to establish and abide by voluntary national or regional moratoria on arms transfers with a view to facilitating the process of

reconciliation in these countries or regions. The Council recalls the precedents for such moratoria and the international support extended for their implementation. The Council recognizes the importance of incorporating, as appropriate, within specific peace agreements, with the consent of the parties, and on a case-by-case basis within United Nations peacekeeping mandates, clear terms for the disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition. The Council requests the Secretary-General to provide the negotiators of peace accords with a record of best practice based upon experience in the field.

The Council requests the Secretary-General to develop a reference manual for use in the field on ecologically safe methods of weapons destruction in order better to enable Member States to ensure the disposal of weapons voluntarily surrendered by civilians or retrieved from former combatants. The Council invites Member States to facilitate the preparation of such a manual.

The Council welcomes the recommendations of the Group of Governmental Experts on Small Arms, including the convening of an international conference on the illicit arms trade in all its aspects no later than 2001, noting the offer by Switzerland to host the conference. The Council encourages Member States to participate actively and constructively in the conference and any preparatory meetings, taking into account the recommendations contained in this statement, with a view to ensuring that the conference makes a meaningful and lasting contribution to reducing the incidence of illicit arms trafficking.

45. Role of the Security Council in the prevention of armed conflicts

Initial proceedings

Decision of 30 November 1999 (4073rd meeting): statement by the President

At its 4072nd meeting, held on 29 November 1999 in accordance with the understanding reached in its prior consultations, the Security Council included the item "Role of the Security Council in the prevention of armed conflicts" in its agenda. The President (Slovenia), with the consent of the Council, then invited the representatives of Australia, Bangladesh, Belarus, Croatia, Egypt, Finland, the Islamic Republic of Iran, Iraq, Japan, the Libyan Arab Jamahiriya, Liechtenstein, New Zealand, Nigeria, Norway, Pakistan, the Republic of Korea, Senegal, South Africa, the Sudan, Ukraine, the United Arab

Emirates and Zambia, at their request, to participate in the discussion, without the right to vote.

The Secretary-General stated that it was clear that the prevention of armed conflicts was one of the main tasks of the Organization, and yet the United Nations found itself dealing with the effects of conflict rather than its roots. He noted that the case for prevention was that it was cost-effective, in financial as well as in human terms. He informed the Council that he had tried to strengthen the capacity of the United Nations for preventive diplomacy, preventive disarmament, preventive deployment and both pre-conflict and post-conflict peacebuilding. However, efforts would fall short unless they were complemented by a renewed