

Annex

Outcome on 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

I. Introduction

1. In the context of the Fourth Biennial Meeting of States 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, States considered 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. They noted that the Fourth Biennial Meeting represented the second opportunity to consider the implementation of the International Instrument, since its adoption on 8 December 2005, in accordance with A/RES/63/72.
2. At the time of convening the Fourth Biennial Meeting, States had already submitted national reports that included information on the implementation of the International Instrument. Through national reports, States provided information on their experiences in its implementation and provided information on bilateral, regional and international cooperation and assistance efforts they had provided or could provide. They also provided information on the difficulties they had encountered in implementing the International Instrument and highlighted areas where international cooperation and assistance could help to advance its implementation.
3. States identified the marking and tracing of small arms and light weapons as a key mechanism for national, regional and/or international efforts to prevent, combat and eradicate illicit small arms and light weapons. They agreed to cooperate in identifying and tracing illicit small arms and light weapons in a timely and reliable manner, including by strengthening their ability to do so.

II. Implementation of the International Instrument

4. States noted that laws, regulations and administrative procedures related to the implementation of the International Instrument have been integrated into the national processes of many States, in accordance with its paragraph 24, and that the process of strengthening national implementation in a number of States was under way:

- a) Marking:^a States considered the critical importance of marking to the implementation of the tracing instrument. In particular, they noted that although many small arms and light weapons may have been marked at the point of manufacture, many weapons lacked any or sufficient markings to ensure the effective tracing of these weapons were such weapons later exported or smuggled out of the country. States also noted that many markings may have been partially or completely obliterated. In this regard, States highlighted the importance of full implementation and the need to facilitate enhanced technical capacity to mark all small arms and light weapons and recover obliterated markings.
- b) Record-keeping:^b States considered the requirement of the instrument to ensure that proper records are maintained and for a sufficient length of time. Many states noted that in order for markings to be of real value, proper records would need to be maintained, especially in a form that made such records easily and quickly accessible. Many states noted the value of technology in creating a comprehensive system of records, although States used a variety of recordkeeping methods.
- c) Cooperation in tracing:^c States welcomed the efforts of many States, regional organizations and international organizations that have provided educational outreach to promote the implementation of the instrument. Many States noted the effectiveness of bilateral arrangements in deepening implementation of the tracing instrument. States also noted the need for more expertise in the technical areas of tracing and encouraged the wider diffusion of this expertise to States that need such assistance. States also encouraged the need to establish where they do not exist information sharing arrangements as a means to expand cooperation in tracing and noted the need to incorporate tracing into existing arrangements.

III. International cooperation and assistance in implementation of the International Instrument

- 5. States took note of the importance of cooperation among States in different regions of the world, and the successes of sharing tracing information to the effort to combat the illicit trafficking in small arms and light weapons. However, States also noted the latest analysis by the Small Arms Survey that suggested more work needs to be done to foster wider and deeper cooperation.
- 6. States took note of the efforts by different regional organizations and Centres to provide marking machines for those nations that lacked the capacity to ensure the marking of firearms in inventory, at the point of confiscation and at the point of

^a A/60/88 and Corr.2, annex, sect. III.

^b Ibid., sect. IV.

^c Ibid., sect. V.

importation. States welcomed this development and encouraged States and organizations in a position to do so to continue this effort.

7. Some States emphasized the need for greater practical steps to increase cooperation, including the circulation of national marking practices and the identification of points of contact and more regular communication with those contacts.
8. States highlighted the ever greater importance of tracing as a means to combat the global threat of illicit trafficking, a threat that appears to have grown since the Instrument was adopted. States recognized that the challenges of illicit trafficking must be met with greater and more sustained effort by individual States, including efforts in the field of tracing small arms and light weapons.
9. States noted the continued efforts at the regional level to promote the Instrument and strengthen its implementation, including a capacity-building workshop on the Instrument for ECOWAS States, held in the Czech Republic from 14 to 18 September 2009. Some States also stressed the importance of coordination among international bodies such as INTERPOL that can offer assistance in tracing illicit weapons.

The way forward

10. With a view to ensuring and expediting the full and effective implementation of the International Tracing Instrument, States reached the following understandings:
 - a) States recognize that establishing the legal framework is not enough without the technical and human capacity to implement the International Instrument. Therefore, States in a position to do so were called upon to render, upon request, technical, financial and other assistance, both bilaterally and multilaterally, in building national capacity in the areas of marking, record-keeping and tracing in order to support the effective implementation of the International Instrument by all States;
 - b) States in a position to do so were called upon to render, upon request, technical, financial and other assistance, both bilaterally and multilaterally, in building national capacity in the areas of development of national legislation, regulations or administrative procedures, as necessary;
 - c) States that had not yet done so were encouraged to exert every effort to designate national points of contact to exchange information, in accordance with the paragraph 31 (a) of the International Instrument where it is stated that a name and contact information should be

provided to the United Nations, which will distribute the information among Member States. Thus, interaction between national points of contact for the purpose of implementing the International Instrument is to continue and be further enhanced at the bilateral, regional and international levels;

- d) In reporting on their implementation of the International Instrument, in accordance with its paragraph 36, States were encouraged to use the proposed United Nations template because it is considered a useful tool to enhance comparability of reporting information and allows States to evaluate and determine the effectiveness of the Instrument in enhancing cooperation in tracing. This report may include, where appropriate, national experiences in tracing illicit small arms and light weapons; quantitative data that would enable States to assess the effectiveness of the Instrument in enhancing cooperation in tracing; and measures taken in the area of international cooperation and assistance. States were encouraged to submit their reports well advance of biennial meetings and review conferences;
- e) States were encouraged to support the role of the United Nations in promoting the International Instrument. States were also encouraged to support the role of INTERPOL in assisting in the implementation of the Instrument, particularly its role in facilitating cooperation by States in the tracing of illicit small arms and light weapons;
- f) The web-based Programme of Action Implementation Support System can serve as a useful tool for practitioners and policymakers involved in the implementation and reporting procedures for the International Instrument. States were encouraged to benefit from this resource and to support it, where appropriate;
- g) States were encouraged to strengthen, as appropriate, the efforts undertaken by regional organizations in order to support the implementation of the International Instrument, including, where appropriate, exploring regional frameworks and mechanisms. States were also encouraged to develop, where appropriate, legislation that includes provisions for the mutual exchange of information and intelligence, which can facilitate tracing, and to harmonize tools and practices for marking and tracing. Furthermore, States were encouraged to consider improving the availability of information on traced illicit small arms and light weapons among appropriate agencies at the national, regional and international level, in conformity with paragraphs 14 and 15 of the Instrument, as this may significantly contribute to preventing small arms and light weapons from being diverted. States were also called upon to support, where appropriate, the distribution of marking machines to enable States to mark existing State inventories of small arms and light weapons in

addition to newly seized or newly imported or manufactured small arms and light weapons;

- h) States were encouraged, as appropriate, to enhance bilateral, regional and international cooperation in line with the International Instrument;
- i) States recognized the important role civil society plays in promoting the full implementation of the International Instrument.