



ICRC

**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**

26 June – 7 July 2006

**Statement by the International Committee of the Red Cross
New York, 29 June 2006**

The International Committee of the Red Cross (ICRC), on behalf also of the National Red Cross and Red Crescent Societies and their International Federation, welcomes the opportunity to address the Review Conference of the UN Programme of Action on Small Arms and Light Weapons.

Serious violations of international humanitarian law such as direct attacks against civilian populations, pillage of civilian goods and forced displacements of populations are universally condemned whenever they occur. In nearly every context, small arms and light weapons are the preferred tools for committing such acts. Yet, once the condemnations wane, it is too seldom asked: "Why was it so easy for the perpetrators of such crimes to obtain their arms?" This Review Conference has a responsibility to respond to this question with committed action.

The entire Red Cross and Red Crescent Movement has repeatedly expressed its deep concern over the devastating effects on civilian populations of the unregulated availability of small arms and light weapons. These are effects we witness daily both during and after armed conflicts. The adoption of the Programme of Action in 2001 was an important first step towards addressing this problem at the global level. Unfortunately, we are still far from being able to conclude that the Programme of Action has saved lives on the ground, afforded humanitarian organizations safer access to conflict areas or led to an overall reduction in the availability of illicit small arms.

In key areas, the commitments in the Programme of Action are only of a general nature, making it difficult to assess progress and determine what constitutes adequate implementation in any given area. The ICRC therefore believes that the key task for this Review Conference is to provide more precise guidance as to how certain existing commitments should be fulfilled. We urge action, in particular, in four key areas.

First, the Review Conference could elaborate on the **elements that would be required in order for national laws and procedures for the transfer of small arms to be considered "adequate"**, as is called for in the Programme of Action. This would include requirements intended to evaluate respect by the recipient for existing international agreements and norms relevant to the use of arms, including the rules of international humanitarian law.

In this regard, the ICRC has proposed that the Review Conference acknowledge the commitment made by States Parties to the Geneva Conventions to make international humanitarian law one of the fundamental criteria on which arms transfer decisions are assessed. This important commitment was made by consensus at the 28th International Conference of the Red Cross and Red Crescent in December 2003.

Second, we consider it essential that controls on weapons are matched with equally strict **controls on their ammunition**, an approach already supported by a UN Group of Experts in 1999. While it may take decades to significantly reduce the vast numbers of weapons already in circulation, their devastating human costs could be limited more rapidly through stricter controls on ammunition.

Third, the Review Conference could support the work of the Group of Governmental Experts on arms brokering, to be established later this year, by calling for the **development of common global norms to regulate arms brokering activities**. We believe this is the only way to effectively prevent the activities of those arms brokers who exploit weak and inconsistent national regulations to orchestrate weapons transfers into areas where they facilitate violations of international humanitarian law.

Finally, a **comprehensive strategy** is needed to reduce the devastating effects of unregulated small arms availability and misuse. In our view, this should include reducing the vulnerability of people and communities at risk from small arms violence; assisting those that have already become victims; ensuring systematic training in international humanitarian law and human rights law for arms bearers and implementing violence-prevention strategies that address the causes of armed violence in specific settings.

What is at stake in this process is the safety and well-being of countless people who face injury, death, displacement from their homes, threats to their livelihoods and constant fear of armed violence as a result of the easy availability and misuse of small arms and light weapons. In the broader sense, peace, development, post-conflict reconciliation and the rule of law are at stake. The ICRC urges all participants to keep this in mind as you address the issues before this important Conference.