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Permanent Mission Of The Republic
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To The United Nations
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10 June 2021

Excellency,

I am pleased to invite you to the **next open informal consultations** in preparation for the Seventh 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 (BMS7), to be convened from 26 to 30 July 2021 in New York. These consultations will be held virtually via MS Teams on **Tuesday, 15th June, 9.30am**. A technical note and the link to the meeting will be circulated alongside this letter.

The main objective of these consultations on Tuesday, 15th June 2021 is to: convey to Member States the current status of preparations especially on the BMS7 agenda items, discuss the proposed format/modalities of the BMS7 meeting as well as brief on the status and composition of the Bureau.

We will continue our substantive deliberations and exchange of views on “Draft 1” of what could become the Outcome Document of BMS7 in a separate meeting scheduled for Thursday, 17th June 2021.

BMS7 Agenda, modalities/format, Bureau, and other issues

My team and I continue our efforts to find agreement on the exact formulation of the indicative agenda items. We expect to make further progress in the coming days and also hope that the substantive discussions we have started could prove helpful to address remaining concerns which have been raised in our discussions on the agenda.

I attach again the previous proposal of 26th April 2021¹ to this letter (Annex 1) for your reference, and will brief delegations on the work my team and I have carried out since. Please note that I do not intend to re-open discussions on the agenda items during our consultations on 15th June, but rather provide you with an update on where we stand in the spirit of transparency.

¹ https://meetings.unoda.org/section/poa-bms7-2021_informal-consultations/

On the modalities/format of BMS7, it looks likely at this stage that a large majority of our meetings during the week of BMS7 would be held in-person. The current cap of one person per delegation and the need to spread out across several conference rooms currently remains in place.

I propose that all of our in-person meetings are conducted in a hybrid format, making use of the Interprefy platform, which would enable experts and delegates outside the conference rooms and in capitals to follow and intervene during the meeting. However, it should be noted that hybrid meetings reduce the time of each session from 3 to 2 hours. To make the best use of our time, I propose to hold virtual informal consultations on the draft outcome document in the mornings of BMS7.

I am attaching a proposed tentative timetable for BMS7 for your review to this letter (Annex 2).

I have had informal-informal consultations with some of the nominees to the Bureau. I plan to hold the first informal Bureau meeting next week with those Member States² who have been nominated to date to the Bureau of BMS7 by their regional groups.

I hope to have a complete Bureau in due course and thus encourage all regional groups to nominate the remaining Bureau members as soon as possible. Please be reminded that each regional group can nominate three members to the Bureau, except for the Africa Group – the Group from which the Chair-designate has been nominated – who can nominate two Bureau members.

Draft 1 of the Outcome Document

As you will recall, we discussed the “zero draft” of the Outcome Document at our previous consultations, which has enabled me to enrich the draft based on the views you shared on 21st May 2021 and submitted in writing thereafter.

I attach “Draft 1” of the Outcome Document to this letter (Annex 3), as the basis for upcoming consultations on 17 June and thereafter. It is still a preliminary, non-exhaustive draft reflecting the inputs received from many delegations. It attempts to reflect the broad range of priorities which have been raised by delegations. The document will continue to be subject to reviews throughout the preparatory process and at BMS7 itself.

In line with past practice, I have not yet elaborated the “Way Forward” sections of each substantive theme, nor identified items for possible inclusion on the “Other issues” section (section 5).

² Algeria (Africa), Germany (WEOG), Hungary (Eastern Europe), Latvia (Eastern Europe), Philippines (Asia-Pacific).

The upcoming consultations will be dedicated to discussions on Draft 1. I would like to invite delegations to make concrete and action-oriented proposals on each of the agenda items which can further enrich the draft outcome document as we move closer to BMS7.

I also encourage delegations to submit their inputs in writing after the consultations and to submit working papers, both of which will enable us to enrich the draft outcome document further. All communication and questions can be sent to conventionalarms-unoda@un.org.

Tentative Timetable for Informal Consultations

Mindful of the limited amount of time we have left ahead of BMS7, I propose the following tentative timetable for the months of June.

Tuesday, 15 June, 9.30am to 11.30 am	Informal consultations on BMS7 preparations/current status, format/modalities of the BMS7, and the Bureau
Thursday, 17 June, 8.45am to 10.45am	Informal consultations on Draft 1, beginning with item A
Tuesday, 22 June, 3pm to 5pm	Informal consultations on Draft 1 continued
Thursday, 24 June, 3pm to 5pm	Informal consultations on Draft 1 continued
Friday, 25 June, 10am to 12pm	Informal consultations on new technologies, facilitated by Belgium

This hopefully will enable us to develop a solid Draft 2 of the Outcome Document for further discussion in July.

I look forward to a productive and constructive exchange of views at next week's consultations.

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



Martin Kimani, PhD, EBS
Ambassador and Permanent Representative
of the Republic of Kenya to the United Nations

To: All Permanent Representatives
and Permanent Observers to the United Nations
New York

Annex 1 – Draft Agenda BMS7

- A.** 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, and the global level, including considerations to preventing and combating the diversion and the illicit international transfer of small arms and light weapons to unauthorized recipients.³
- B.** 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 an exchange of views on the implications of the developments in small arms and light weapons manufacturing, technology and design, taking into account all views and proposals of Member States, as well as relevant deliberations during previous meetings and relevant GA resolutions adopted by consensus.⁴
- C.** Consideration of international cooperation and assistance, including capacity-building, for the full and effective implementation of the Programme of Action and the International Tracing Instrument, and including the proposals on the establishment of a dedicated fellowship training programme on small arms and light weapons as well as national, regional and global target-setting.⁵
- D.** Decision on agenda of BMS8⁶
- E.** Other issues and topics of relevance for the effective implementation of the Programme of Action and the International Tracing Instrument.⁷

³ Based on the chair's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#).

⁴ Based on the chair-designate's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#), and following open informal consultations on 28 April 2021, plus Member States' response/proposals submitted to the Chair on 30 April 2021. Thereafter the Chair-designate drafted the compromise language which has been shared with delegations and is the basis of ongoing outreach to delegations by the Chair-designate.

⁵ Based on the chair-designate's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#) and revised in line with India's proposal during the informal-informal consultations on 28 April 2021, supported by other States, and follow up bilateral consultations.

⁶ Based on the chair-designate's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#).

⁷ Based on the chair-designate's proposal of the draft agenda as of his [letter circulated on 26 April 2021](#).

Annex 2 – Initial proposal for BMS7 timetable as of 10 June 2021

Monday, 26 July 2021	Tuesday, 27 July 2021	Wednesday, 28 July 2021	Thursday, 29 July 2021	Friday, 30 July 2021
	9-10.30am Virtual only Informal consultations on Draft outcome document (English only)	9-10.30am Virtual only Informal consultations on Draft outcome document (English only)	9-10.30am Virtual only Informal consultations on Draft outcome document (English only)	9-10.30am Virtual only Informal consultations on Draft outcome document (English only)
11am to 1pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	11am to 1pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	11am to 1pm Virtual only Statements by international and regional organizations, followed by non-governmental organizations and civil society	11am to 1pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	11am to 1pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)
<i>Break</i>	<i>Break</i>	<i>Break</i>	<i>Break</i>	<i>Break</i>
3pm to 5pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	3pm to 5pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	3pm to 5pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	3pm to 5pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)	3pm to 5pm Hybrid (in-person in CR 1, 2 3 and Interpretrefy)

Annex 3

DRAFT 1, 10 June 2021

The below is without prejudice to the agreement of the agenda items for BMS7. All agenda items are bracketed.

Outcome of the Seventh 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' responsibility for combating illicit trafficking of SALW
- Link between illicit trafficking of SALW and organized transnational crime, terrorism and drug trafficking, money laundering, illegal exploitation of natural resources
- Nexus between peace, security, and development, including the detrimental effect SALW trafficking has on socioeconomic development.
- Emphasis on human security
- SG's Disarmament Agenda
- Drivers/root causes of the illicit trade in SALW
-

A. [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, and the global level, including considerations to preventing and combating the diversion and the illicit international transfer of small arms and light weapons to unauthorized recipients.]]⁸

- Review of the implementation of actions agreed at the RevCon3 and previous PoA meetings

PoA in the context of preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients at all levels

1. *Effective national controls*

- Applies to all aspects of the life cycle of small arms and light weapons
 - o Export/import/transit/trans-shipment, including certification processes, end-user certificates, post-shipment verifications and risk assessments

⁸ Based on the chair's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#).

- Transportation security
- Importance of risk diversion indicators
- Risk assessment for transfers and export controls
- Illicit brokering
- Manufacturing of SALW
 - Enforcement of laws and procedures
 - Cooperation and exchange
 - Illicit manufacturing
- PSSM / stockpile management
- Marking and record-keeping
- Illicit transfers to unauthorized recipients
- Identification of surplus weapons
- Destruction
- Identification of individuals and/or groups involved in the illicit trade and its financing / Unauthorized recipients
- Strengthening national organizational capabilities to mitigate diversion risks
 - Capacities of export and important licensing authorities
 - Judicial mechanism
- Integration of ammunition management into SALW control efforts
 - 2020 GGE on ammunition to ensure safe and secure ammunition management to prevent diversion and eliminate unintended detonations
- Parts and components
-

2. *Cooperation to prevent and combat the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients*

- Importance of dialogue and exchange of views
- Information exchange to identify diversion points and trafficking routes
- Customs control
- Cross-border cooperation
- Cooperation between exporting, importing and transit-states
- Generating data on trafficking patterns
- Complementarity of regional, subregional, and global frameworks
-

3. *Addressing emerging challenges related to the PoA*

- Ban of development and trade of toy guns that can be converted to functional weapons
- Illicit online trafficking
- Trafficking of disassembled weapons parts
- Reactivation and conversion of SALW
-

4. *Strengthening measurability and progress*

- National reporting, including on SDG indicator 16.4.2
- National and regional target setting to increase measurability of progress
- Synergies with other global instruments, including on national reporting and exchange on lessons learned
- Role of research, civil society, including women's civil society organizations, and industry
-

5. *Importance and role of regional organizations, mechanisms, and instruments*

- Importance of the role regional and sub-regional organizations, mechanisms, and instruments which complement the global process
- Regional and sub-regional cooperation
- Regional best practices
- Regional roadmaps
-

6. *PoA in the context of conflict and post-conflict settings*

- Impact of the illicit trade in SALW
- Destruction of surplus weapons in post-conflict settings to break the cycle of violence and reduce illicit trafficking of SALW
- Required national capacities
- UN and regional peace support operations, including SALW management and tracing
- Increase capacities to monitor and enforce UN Security Council arms embargoes
- Destruction of surplus of weapons in post-conflict settings
-

7. *Armed violence and the broader peace, security, and sustainable development nexus*

- Holistic approach to SALW control within the framework of the 2030 Agenda for Sustainable Development, including all its Goals and targets
 - o Encourage national efforts to integrate the implementation of the PoA into national efforts on the implementation of the 2030 Agenda
 - o Goal 16, targets 16.1 and 16.4 on armed violence reduction and peaceful and just societies
- Gender-responsive approach to implementation of PoA and ITI at all levels
 - o Differing impacts of SALW on men, women, boys, and girls
 - o Disproportionate impact on women and girls
 - o Link between disarmament, arms control, and the Women, Peace and Security agenda, in particular the prevention pillar
 - o Full and effective implementation of PoA can reduce gender-based violence
 - o Relevance to the implementation of SDG 5 on gender equality
- Full and effective participation of women's in all policy and implementation processes
- Disproportionate impact of the illicit trade on SALW on children and youth
-

The Way Forward

- National actions
- Regional and sub-regional actions
- Global actions

B. [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 an exchange of views on the implications of the developments in small arms and light weapons manufacturing, technology and design, taking into account all views and proposals of Member States, as well as relevant deliberations during previous meetings and relevant GA resolutions adopted by consensus.]⁹

- Review of the implementation of actions agreed at the RevCon3 and previous PoA meetings

ITI in the context of preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients at all levels

⁹ Based on the chair-designate's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#), and following open informal consultations on 28 April 2021, plus Member States' response/proposals submitted to the Chair on 30 April 2021. Thereafter the Chair-designate drafted the compromise language which has been shared with delegations and is the basis of ongoing outreach to delegations by the Chair-designate.

1. *Tracing*

- Tracing for preventing and combating the diversion and the illicit international transfer of small arms and light weapons to unauthorized recipients
- National capacities to submit and respond to tracing requests
- Investigation and legal cooperation for tracing requests
-

2. *ITI in the context of conflict and post-conflict settings*

- UN and regional peace support operations, in particular for tracing
- Monitoring and enforcing UNSC arms embargoes
- Tracing in conflict- and post conflict zones
-

3. *Recent developments in small arms and light weapons manufacturing, technology and design, in particular polymer and modular weapons, and ways of addressing them*

- Impacts on the effectiveness and applicability to the ITI, including possible requirements for more effective marking, record-keeping, and tracing
- Durable and cost-effective marking options
- Role of manufacturers and exporting States
- Supplementary annex to the International Tracing Instrument
-

4. *Relevance of full and effective implementation to ITI to achieving 2030 Agenda for Development, in particular Goal 16 and target 16.4.*

- Submission of national reporting of the PoA/ITI for data collection purposes under SDG indicator 16.4.2
- Encourage national efforts to integrate the implementation of the ITI into efforts on the implementation of the 2030 Agenda
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The Way Forward

- National actions
- Regional and sub-regional actions
- Global actions

C. [Consideration of international cooperation and assistance, including capacity-building, for the full and effective implementation of the Programme of Action and the International Tracing Instrument, and including the proposals on the establishment of a dedicated fellowship training

programme on small arms and light weapons as well as national, regional and global target-setting.]¹⁰

- Review of the implementation of actions agreed at the RevCon3 and previous PoA meetings
- Need for measurable, sustainable, and timely international cooperation and assistance
- Concrete follow-up steps to enhance cooperation and assistance mechanism
- SG report on assistance requests to inform considerations at BMS8
- Sustainability throughout life-cycle management
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1. Cooperation

- Deepen the cooperation with INTERPOL and transfer-organizations.
- Bilateral and multilateral cooperation through the exchange of information and experience
- Exchange on the challenges States face in achieving cooperation and assistance
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2. Assistance

- National and regional target-setting to strengthen PoA/ITI implementation
 - o Value of assistance requests and indicators to match needs with resources
- Capacity building
 - o Fellowship programme on SALW
 - o Assistance in the areas of marking, recordkeeping, and tracing
- Technical assistance
 - o Transfer of technologies and equipment, including X-ray devices
- Financial assistance
 - o Recognition of the SALIENT fund
-

The Way Forward

- National actions
- Regional and sub-regional actions
- Global actions

¹⁰ Based on the chair-designate's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#) and revised in line with India's proposal during the informal-informal consultations on 28 April 2021, supported by other States, and follow up bilateral consultations.

D. [Decision on agenda of BMS8]¹¹

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The Way Forward

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E. [Other issues and topics of relevance for the effective implementation of the Programme of Action and the International Tracing Instrument.]¹²

¹¹ Based on the chair-designate's proposals of the draft agenda as of his [letter circulated on 26 April 2021](#).

¹² Based on the chair-designate's proposal of the draft agenda as of his [letter circulated on 26 April 2021](#).