Outcome of the Eighth 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

1. In the context of the Eighth 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 Programme of Action and the International Tracing Instrument at the national, regional and global levels, including means of enhancing modalities and procedures for international cooperation and assistance. [para 1 of zero draft 3]

2. States reaffirmed their respect for and commitment to their obligations under international law and the purposes and principles enshrined in the Charter of the United Nations, as well as those set out in the Programme of Action, including its eighth to eleventh preambular paragraphs. [para 2 of zero draft 3]

3. States reiterated that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects and underlined the importance of States assuming strong national ownership of the full and effective implementation of the Programme of Action and the International Tracing Instrument. [para 3 of zero draft 3]

4. States noted the detrimental impact of the illicit trade in small arms and light weapons on the respect for international humanitarian law and international human rights law. [para 4 of zero draft 3]

5. States expressed concern about the humanitarian and socioeconomic consequences of the illicit trade of small arms and light weapons, their excessive and destabilizing accumulation and uncontrolled proliferation. [para 5 of zero draft 3]

6. States acknowledged that the full and effective implementation of the Programme of Action and the International Tracing Instrument is vital for sustainable peace, security, socioeconomic development, human rights and the protection of civilians, also as outlined in the relevant references on small arms and light weapons in the Secretary-General’s Agenda for Disarmament.

7. States recognized the need for the equal, full and meaningful participation of women in all decision-making, where applicable, and implementation processes relating to the Programme of Action and the International Tracing Instrument and encouraging mainstreaming gender perspectives into their
implementation efforts to address the differential impact of the illicit trade in small arms and light weapons on women, men, girls and boys. [para 9 of zero draft 3]

8. States reiterated the need for the full and effective implementation of all the principles and consensual provisions of the Programme of Action and the International Tracing Instrument and recognizing the provisions contained in the outcome documents of previous Biennial Meetings of States, Review Conferences and relevant General Assembly resolutions. [para 8 of zero draft 3]

9. States recognized the importance of preventing, combating and eradicating the illicit trade of small arms and light weapons in efforts to prevent and combat domestic and transnational organized crime, terrorism, drug trafficking, trafficking in persons, money laundering, and the illegal exploitation of natural resources. [para 26 of zero draft 3]

10. States called for the further strengthening of international cooperation and assistance in preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, including by taking into account the needs expressed by recipient States; ensuring the adequacy, effectiveness and sustainability of assistance programmes; effectively coordinating initiatives among donors and between donors and recipients; and making optimal use of global, regional and subregional expertise and resources, including from developing countries.

11. States reaffirmed the importance of identification of individuals and groups engaged in the illegal manufacture, trade, brokering, stockpiling, transfer, possession, as well as financing for the acquisition of illicit small arms and light weapons and taking action under appropriate national law against such groups and individuals. [para 6 of zero draft 3]

12. States recognized that the development of appropriate normative frameworks, dedicated structures, procedures and capabilities, including doctrine, organisational development as well as adequate training, equipment, personnel, finance, infrastructure and security management, are required to build sustainable capacities to manage small arms and light weapons stockpiles throughout their life-cycle. [para 78 of zero draft 3]

13. States noted the importance of effective tracing of small arms and light weapons to combat the illicit trade in small arms and light weapons in conflict and post-conflict settings. [para 49 of zero draft 3]

14. States recognized the importance of developing or establishing strict national regulatory frameworks for the marking, recording and tracing of small arms and light weapons, in line with the International Tracing Instrument to prevent and combat the diversion and the illicit international transfer of small arms and light weapons to unauthorized recipients. [para 50 of zero draft 3]

15. States reaffirmed the need to implement the commitments on marking, record-keeping and tracing contained in the International Tracing Instrument regardless of the materials or methods used in the manufacture of small arms and light weapons. [para 58 of zero draft 3]

16. States took note of the establishment of the OEWG to elaborate a set of political commitments as a new global framework that will address existing gaps in through-life ammunition management. [para 7 of zero draft 3]
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 regional and global levels.

Bearing in mind the different situations, capacities and priorities of States and regions, States resolve to undertake the following measures to prevent, combat and eradicate the illicit manufacture and trade in small arms and light weapons in all its aspects:

At the national level

17. To put in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective national control over the whole life cycle of small arms and light weapons in all its aspects, including their manufacture, within State’s areas of jurisdiction and the export, import, transit, trans-shipment or retransfer of such weapons. [para 11 of zero draft 3]

18. To enforce and apply adequate national controls to the entire life cycle of small arms and light weapons, in accordance with national legal frameworks, to minimize the risk of diversion and the illicit international transfer of small arms and light weapons to unauthorized recipients, including illegal armed groups, criminals and terrorists. [para 12 of zero draft 3]

19. To identify and take advantage of complementarities in the national implementation of the Programme of Action and the International Tracing Instrument and global instruments, as well as sub-regional and regional instruments, to which a State is a Party, including on national reporting. [para 42 of zero draft 3]

20. To encourage the development and implementation of national action plans, capacity-building programmes and/or other national policies which address all stages of the life cycle of a weapon, in support of the implementation of the Programme of Action, and which enable States to define national priorities and targets, and to coordinate the implementation of strategies, stakeholder involvement and resources allocation. [para 13/18 of zero draft 3]

21. To highlight progress made under indicator 16.4.2 of the 2030 Agenda for Sustainable Development in national reports on the implementation of the Programme of Action and the International Tracing Instrument, in order to minimize administrative reporting burdens. [para 14/29 of zero draft 3]

22. To consider establishing voluntary national and regional targets in support of the implementation of the Programme of Action and the International Tracing Instrument, with a view to ensuring that national and regional ownership and priorities underpin resource mobilization, assistance requests and the assistance programmes. [para 41 of zero draft 3]

23. To submit voluntary national reports on the implementation of the Programme of Action for the Fourth Review Conference in 2024 in a timely manner, recognizing the importance of such reports to assess progress made in the implementation of the Programme of Action, to build confidence and promote transparency, as well as to identify needs and opportunities for international cooperation and assistance. [para 45 of zero draft 3]
24. To enhance inter-agency coordination and cooperation to identify and act against groups and individuals involved in the illegal manufacture, trade, brokering, stockpiling, transfer, possession, as well as financing for acquisition, of illicit small arms and light weapons. [para 15 of zero draft 3]

25. To apply measures to prevent diversion to illicit markets to terrorists and unauthorized recipients.

26. To enhance inter-agency information exchange systems to prevent the diversion of small arms and light weapons, including, where applicable, feasible and in compliance with national law, but not limited to national small arms and light weapons registries and licensing authorities, customs, border control, law enforcement and criminal justice services which enhance operational efficiency. [para 16 of zero draft 3]

27. To strengthen the cooperation with civil society, youth, victims and survivors of armed violence, parliamentarians, industry and the private sector for the full and effective implementation of the Programme of Action and international Tracing Instrument. [para 17 of zero draft 3]

28. To make every effort, in accordance with national laws and practices and in accordance with applicable bilateral agreements, to prevent the unauthorized re-exports of small arms and light weapons, including by stipulating the parameters for the timing of re-exports and to consult the original exporting State before the retransfer of those weapons. [para 19 of zero draft 3]

29. To ensure that consistent with national laws and regulations, national small arms and light weapons transfer decisions respect international humanitarian law and international human rights law. [para 20 of zero draft 3]

30. To refuse transfer of small arms and light weapons where there is an overriding risk that they could be used to commit or facilitate serious violations of international humanitarian and human rights law. [para 21 of zero draft 3]

31. To take effective measures to prevent and combat illicit brokering of small arms and light weapons.

32. To apply, consistent with relevant national laws, regulations and administrative procedures, to prevent the illicit conversion of replica, blank-firing or toy guns into functional weapons and make such illicit conversions a criminal offence. [para 34 of zero draft 3]

33. To take effective measures to prevent and combat the illicit online trade in small arms and light weapons taking place within the areas of jurisdiction of concerned States, including measures to ensure effective control, consistent with domestic law, over their export, import and transit. [para 35 of zero draft 3]

34. To put in place, as appropriate, and consistent with national laws, regulations and administrative procedures, practical measures to detect postal shipments which include illicitly trafficked small arms and light weapons, both fully assembled and disassembled. [para 43 of zero draft 3]

At the regional level

35. To recognize the existing regional road maps to address the illicit trade in small arms and light weapons and encourage the adoption, establishment and the further strengthening, where appropriate and as agreed by the States concerned, of relevant and applicable regional and subregional instruments, mechanisms, targets and good practices to complement the global process and support the full and
effective implementation of the Programme of Action and the International Tracing Instrument. [para 22 of zero draft 3]

36. To consider the establishment and implementation of further regional and/or subregional action plans which could include goals and targets, measurable objectives and concrete indicators with a view to address the illicit trade in small arms and light weapons in a comprehensive, sustainable and coordinated manner in respective regions. [para 23 of zero draft 3]

37. To reinforce coordination between relevant regional and subregional organizations and mechanisms, on the one hand, and States and international organizations, on the other. [para 24 of zero draft 3]

38. To promote and strengthen border cooperation and subregional, regional and cross-regional coordination and information-sharing mechanisms, including the sharing of good practices and peer-to-peer exchanges, between law enforcement agencies, customs, and export and import licensing authorities, with a view to preventing and combating the diversion of small arms and light weapons to unauthorized recipients across borders. [para 25 of zero draft 3]

At the global level

Armed violence and the broader peace, security, and sustainable development nexus

39. To ensure that the national, regional and global implementation of the Programme of Action is integrated into the implementation of the 2030 Agenda for Sustainable Development, including all relevant Goals and targets, in particular Sustainable Development Goal 16, and efforts undertaken as part of the Decade of Action. [para 28 of zero draft 3]

40. To acknowledge that the full and effective implementation of the Programme of Action and the International Tracing Instrument is vital for sustainable peace, security, socioeconomic development and the protection of lives, also as outlined in the relevant provisions on small arms and light weapons in the Secretary-General’s Agenda for Disarmament. [para 27/30 of zero draft 3]

41. To ensure the equal, full, effective and meaningful participation of women, including in leadership roles and as agents of change, in all policy, planning and implementation processes, mechanisms and fora and at all levels related to the implementation of the Programme of Action, in line with the 2030 Agenda for Sustainable Development, General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control, and other relevant United Nations resolutions, especially UN Security Council Resolution 1325 consistent with national laws and regulations. [para 32 of zero draft 3]

42. To take account of the differing impacts of the illicit trade in small arms and light weapons on women, men, girls and boys by collecting, where feasible, disaggregated data by sex, age and disability and utilizing analysis mechanisms to inform evidence-based gender-sensitive policymaking and programming with a view to strengthening the full and effective implementation of the Programme of Action at all levels. [para 33 of zero draft 3]
**Programme of Action in the context of conflict and post-conflict settings**

43. To ensure the safe, secure and effective management of all small arms and light weapon stockpiles in conflict and post-conflict situations. [para 36 of zero draft 3]

44. To encourage and enable States emerging from conflict, in cooperation with other States, multilateral organizations and civil society, to build sustainable capacity which enables national authorities to fully and effectively implement the Programme of Action and the International Tracing Instrument, and to assume strong national ownership. [para 37 of zero draft 3]

45. To encourage the consideration, as relevant, of provisions related to preventing and combating the illicit trade in small arms and light weapons in the relevant mandates of United Nations and regional peace support operations, in particular the collection, identification, recording, tracing and destruction of illicit small arms and light weapons and support to national capacity-building efforts to prevent and combat the diversion of and illicit trade in small arms and light weapons. [para 38 of zero draft 3]

46. To strengthen national capacities to fully comply with arms embargoes decided by the Security Council in accordance with the Charter of the United Nations. [para 39 of zero draft 3]

47. To seek to reinforce national control measures in line with other relevant sub-regional, regional, and global instruments to which a State is a Party, with a view to preventing and reducing the risks of diversion, illicit manufacturing and trafficking of small arms and light weapons noting the complementary character of such instruments and frameworks. [para 40 of zero draft 3]

48. To provide humanitarian and recovery assistance, by States in a position to do so, to victims and survivors of armed conflict and armed violence, and consistent with existing State obligations. [para 44 of zero draft 3]

49. To request the Secretariat to prepare an analysis, within existing resources, of progress in the implementation of the Programme of Action and International Tracing Instrument, based on available information, including information submitted and/or provided by Member States, for presentation at the Fourth Review Conference for its consideration and appropriate follow up. Prior to its presentation at the Fourth Review Conference, the findings and recommendations will be shared with Member States in informal meeting(s). [para 46 of zero draft 3]

50. To ensure coordination between national focal points responsible for the implementation of the Programme of Action and national focal points responsible for implementing the Women, Peace and Security agenda, including in responding to relevant sections of voluntary national reports, and to encourage the sharing of good practice and experiences between them at national, regional and global levels on harmonizing national policies, including action plans, on small arms and light weapons and the Women, Peace and Security agenda. [para 47 of zero draft 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

Bearing in mind the different situations, capacities and priorities of States and regions, States resolve to undertake the following measures to prevent, combat and eradicate the illicit manufacture and trade in small arms and light weapons in all its aspects:

51. To reinforce efforts to mark, record and trace small arms and light weapons in accordance with the provisions of the International Tracing Instrument and to maintain, develop or establish effective national legal and administrative frameworks for this purpose, including, where applicable, information exchange among relevant national authorities with a view to including all relevant information when responding to tracing requests in a timely and effective manner. [para 51 of zero draft 3]

52. To reinforce the judicial and law enforcement cooperation between States on tracing requests to facilitate criminal investigations and criminal justice response. [para 52 of zero draft 3]

53. To encourage, as relevant, the consideration of provisions related to the International Tracing Instrument in the mandates of United Nations and regional peace support operations, in particular marking, recording keeping and tracing of small arms and light weapons. [para 53 of zero draft 3]

Implications of new technologies in strengthening the implementation of the ITI

54. To strengthen cooperation with the private sector and industry for the development of technologies that improve the marking, record-keeping, tracing and safe, secure and effective storage of small arms and light weapons. [para 54 of zero draft 3]

55. To take note of recent technologies, such as data matrix codes, radio frequency identification and biometrics, to strengthen the identification and record-keeping of small arms and light weapons. [para 55 of zero draft 3]

56. To continue exchanging views on recent developments in small arms and light weapons manufacturing, technology and design, in particular polymer and modular weapons, and firearms produced by 3D printing. [para 56 of zero draft 3]

57. To implement the commitments on marking, record-keeping and tracing contained in the International Tracing Instrument regardless of the materials or methods used in the manufacture of small arms and light weapons. [para 58 of zero draft 3]

58. To assess ways of addressing the recent developments in small arms and light weapons manufacturing, technology and design, particularly through strengthening international cooperation by technology transfer, technical assistance and financial support by States in a position to do so. [para 59 of zero draft 3]

59. To continue consideration at the Fourth Review Conference of the proposal of an open-ended technical expert group to develop agreed recommendations to ensure the full implementation of the International
Tracing Instrument and Programme of Action in light of recent developments in small arms manufacture technology and design, with a view to recommending, by consensus, its establishment. Such consideration may include inter alia exchange of views on mandate, funding, time frame and modalities [para 57 of zero draft 3]

C. Consideration of international cooperation and assistance, including capacity-building, and means of enhancing modalities and procedures for international cooperation and assistance

Bearing in mind the different situations, capacities and priorities of States and regions, States resolve to undertake the following measures to prevent, combat and eradicate the illicit manufacture and trade in small arms and light weapons in all its aspects:

60. To note the need for adequate, measurable, sustainable, and timely international cooperation and assistance to ensure the full and effective implementation of the Programme of Action and the International Tracing Instrument. [para 61/67 of zero draft 3]

61. To encourage States in a position to do so, to share expertise, provide financial support, transfer knowledge, resources, equipment and technology, explore south-to-south and triangular cooperation, and build institutional capacities to strengthen border control, customs and law enforcement to prevent diversion, in particular, loss and theft, through safe, sustainable, secure and efficient management of stockpiles of small arms and light weapons. [para 63 of zero draft 3]

62. To explore ways to ensure and further strengthen comprehensive international assistance related to all aspects of the life cycle management of small arms and light weapons. [para 69 of zero draft 3]

63. To encourage the sharing of good practices and lessons learned of modalities and procedures for international cooperation and assistance to target and further encourage the mainstreaming of gender and youth considerations in the implementation of the Programme of Action. [para 76 of zero draft 3]

64. To consider that the development of appropriate normative frameworks, dedicated structures, procedures and capabilities, including doctrine, organisational development as well as adequate training, equipment, personnel, finance, infrastructure and security management, with a view to building sustainable capacities to manage small arms and light weapons stockpiles throughout their life-cycle. [para 78 of zero draft 3]

65. To strengthen international cooperation for building capacity of States to address the opportunities and challenges related to recent developments in small arms and light weapons manufacturing, technology and design, in particular polymer and modular weapons. [para 77 of zero draft 3]

66. To support the capacity-building of regional and sub-regional organizations for the provision of tailored policy and operational support and assistance to States in tackling illicit small arms and light weapons. [para 70 of zero draft 3]

67. To recommend the expedient establishment for a dedicated fellowship training programme on small arms and light weapons in order to strengthen technical knowledge and expertise in areas related to the implementation of the Programme of Action and the International Tracing Instrument, particularly in developing countries. [para 75 of zero draft 3]
68. To encourage the use of national reports to communicate assistance requests as well as for the planning and delivery of international cooperation and assistance. [para 71 of zero draft 3]

69. To promote international cooperation and assistance which responds to the needs and implementation priorities identified in national action plans and regional road-maps. [para 72 of zero draft 3]

70. To encourage the funding of assistance projects over several years to allow for sustained capacity building and multi-stakeholder coordination that includes civil society.

71. To develop options for enhancing the international assistance framework in support of the effective implementation of the Programme of Action and International Tracing Instrument, including establishing a structured procedure to process requests by the Secretariat for assistance submitted under the Programme of Action and International Tracing Instrument, for consideration and appropriate follow-up by Member States at the Fourth Review Conference. [para 80 of zero draft 3]

72. To support existing mechanisms aimed at matching needs with expertise and resources. [para 73 of zero draft 3]

73. To encourage the conduct of voluntary baseline assessments, as a joint undertaking by requesting and donor States as mutually agreed, in the context of requests for international cooperation and assistance under the Programme of Action and International Tracing Instrument, with a view to addressing needs in a comprehensive and sustainable manner, preserving and strengthening national ownership of requesting States, and fostering confidence between all stakeholders. [para 79 of zero draft 3]

74. To encourage States in a position to do so, to embed technology transfers in broader cooperation frameworks aiming at building sustainable capacities for the life cycle management of small arms and light weapons, through the establishment of appropriate normative frameworks, dedicated structures, processes and capabilities, including, doctrine, organizational development, as well as adequate training, equipment, personnel, financial, infrastructure and security management, in line with international standards, and to explore south-to-south and triangular cooperation. [para 64 of zero draft 3]

75. To promote international and regional cooperation among the law enforcement, customs, and arms transfer licensing authorities to prevent diversion to unauthorized recipients, including organized criminal groups and terrorists. [para 62 of zero draft 3]

76. To make use of bilateral and multilateral cooperation as well as subregional, regional and global mechanisms to exchange information and experiences, including existing challenges, to expose and cut off illicit arms trafficking channels and to improve the capacity for risk assessments in arms export control processes.[para 66 of zero draft 3]

77. To make use of and strengthen cooperation and information-sharing mechanisms at the international, regional and sub-regional level to share information, experiences, guidelines and good practices between law enforcement agencies, customs, and export and import licensing authorities. [para 68 of zero draft 3]
78. To establish or strengthen subregional, regional, cross-regional and global cooperation, coordination and information-sharing mechanisms in order to enhance the effectiveness of assistance programmes, strengthen the matching of needs with resources, improve dialogue between donors and recipients, avoid duplications and maximize complementarities, and expertise. [para 74 of zero draft 3]

D. Other issues and topics for the effective implementation of the Programme of Action and the International Tracing Instrument.

Bearing in mind the different situations, capacities and priorities of States and regions, States resolve to undertake the following measures to prevent, combat and eradicate the illicit manufacture and trade in small arms and light weapons in all its aspects:

79. To recall the decision, pursuant to the schedule of meetings for the period from 2018 to 2024 agreed upon at the third Review Conference, to convene the fourth 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 in 2024, to be preceded by a preparatory committee meeting in early 2024 of not more than five days. [para 82 of zero draft 3]

80. Exchange of views on RevCon4. [para 83 of zero draft 3]