

2001 United Nations Conference on the "Illicit Trade in Small Arms and Light Weapons in All its Aspects"

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Good afternoon and welcome.

The UN Conference on the "Illicit Trade in Small Arms and Light Weapons in All its Aspects" is a matter of great importance to the State Department and to me personally.

I will start with a brief presentation on what the UN Conference is mandated to do about the illicit small arms/light weapons trade, what the United States sees as the solution to that problem, and the proposals the U.S. hopes the Conference will adopt in its Program of Action.

When I finish, we'll open it up for questions. At that point, I'll be joined by several members of the U.S. delegation to the Conference: Enrique Perez from Treasury; John Sandage, from the Office of the Legal Advisor at State; and from the Political-Military Affairs bureau, Giovanni Snidle, Herb Calhoun, and Ed Peartree. Although not a member of the delegation, we've included Don Beck from the Office of Defense Trade Controls because of his expertise in the U.S. export control system. Ambassador Donald McConnell, who will lead the U.S. Delegation, is not with us today.

The number of small arms and light weapons available in the world per se is not our primary concern. Our system provides for the lawful manufacture, trade, and ownership of firearms; the vast majority of the global small arms/light weapons trade consists of lawful, routine, unproblematic transactions for legitimate national defense or law enforcement purposes.

Our concern is the illicit trade, which enables small arms and light weapons to be transferred internationally without regard for the consequences.

UN Conference

To respond to this concern, UN Secretary General Boutros Boutros Ghali, in January 1995, called on all UN members to undertake efforts to control the illicit trade in small arms and light weapons. That was followed by the establishment of two panels of Governmental Experts, both of which issued reports with a series of recommendations on how to address the issue. As a result of their recommendations, a UN General Assembly Resolution was tabled in December 1999, calling for a conference to be held by the end of 2001 to create a Global Program of Action to strengthen international efforts to prevent, combat, and eradicate the illicit trade in small arms and light weapons. That Conference, as you know, will take place in New York, July 9-20, 2001.

U.S. Goals and Objectives for the Conference

In addition to inflicting tremendous human tragedy in terms of innocents killed or forced to become refugees, the conflicts fueled by the illicit small arms/light weapons trade pose a threat to U.S. foreign policy interests – not to mention to the lives of U.S. and other forces deployed on peacekeeping, anti-narcotics, and anti-terrorism missions. Thus, for both humanitarian and foreign policy reasons, the United States supports the objectives of the Conference and is committed to its success.

As indicated earlier, it is our view that the cause of this deplorable situation is the lack of basic export control and enforcement infrastructure in affected regions and the absence of effective mechanisms to control the small arms/light weapons trade internationally. There is little to stop these weapons from clandestinely entering places where they are

causing instability and there is little to stop the illicit movement of these weapons from one region to another. For these reasons, we want the UN Conference to adopt a Program of Action that will start the process of building the necessary infrastructure through politically agreed measures that will significantly mitigate the illicit international trade in these weapons.

What's the best way to do this? We believe that the U.S. has a robust system of export control laws and enforcement procedures that effectively ensure that U.S.-origin small arms and light weapons do not fall into the wrong hands.

We believe that U.S. best practices, which include rigorous export controls and enforcement measures; stockpile security and measures to destroy surplus arms; strengthened embargo enforcement, increased transparency; and restraint in the sale of arms to regions of conflict provide a useful model that we hope others will consider for inclusion in the Conference Program of Action.

What, then, are the elements that the U.S. hopes to have incorporated into the Conference Program of Action? In our view, six key elements are needed to make the program of action fully effective.

The first element is a robust export control system. Five ingredients constitute a robust export control system:

- First, a commitment at the highest levels of government. If commitment at the top is lacking, any system put in place is likely to fail.
- Second, a legal framework to control the export of small arms and light weapons. In the United States, our exports of military equipment are controlled by the Arms Export Control Act, which is in turn implemented through the ITAR – the International Traffic in Arms Regulations. These two, in our view, provide a useful model to other countries.
- Third, a robust export control system needs a fair and transparent licensing system that allows for proper approval and review of all export transactions. In the United States, the ITAR provides for a licensing system that is administered by the State Department's Office of Defense Trade Controls, or DTC.
- A fourth ingredient of a robust export control system is an effective enforcement program to prevent and detect violations, and prosecute violators. For this purpose, the U.S. has developed a comprehensive system that ensures that military equipment ultimately goes to an approved end-user and, if there is any unauthorized deviation, that appropriate legal action is taken.
- The final component of a robust export control system is policy coordination with other governments. With regard to small arms and light weapons, the upcoming UN Conference is perhaps the ultimate manifestation of an effort to ensure necessary policy coordination.

A second element we want to see incorporated into the Conference Program of Action is an effective brokering measure. We already know the consequences of a global system with only a handful of national brokering laws: wherever a weak link can be found, there will be brokers waiting to exploit it. In 1996, the U.S. Congress amended the Arms Export Control Act to include controls on brokering. Though still relatively early in its implementation, we believe this legislation can, like our export control system, serve as a useful model for others in the international community to consider, and we will be pushing for its inclusion in the Program of Action.

A third key element we believe is needed in the Program of Action is an appropriate set of measures to address surplus weapons and unsecured stockpiles. Such weapons continue to be a major source of insecurity and risk in affected regions where they may play a role in re-igniting hostilities, undermining peace agreements, and fueling regional crime. We want to lead the charge in addressing this problem. I'll have more to say on that in a moment.

The fourth key element we recommend for the Program of Action is transparency. Revealing sources and destinations often makes those who operate in the shadows less willing to engage in illicit trade. Transparency can be an important corrective in places where the temptation of some government authorities to look the other way is a way of life.

The fifth key element – or perhaps in this case we should say characteristic – we believe needs to be incorporated into the Program of Action is a regional approach. We recognize that since SA/LW (small arms/light weapons) affect regions differently, some measures may work better in one region than in another. Because every region has to be taken into account, in the UN Conference, countries from each region need to ensure that measures that are effective for them are found in the Program of Action.

Finally, we believe it important to enforce UNSC embargoes. If UNSC sanctions and embargoes were more fully respected, a number of bad actors including the UNITA (National Union for the Total Independence of Angola), the insurgents in Liberia, the RUF (Revolutionary United Front) in Sierra Leone, the Taliban in Afghanistan, and the governments of Iraq, Rwanda, and Somalia would not have been able to wage war so effectively in those regions where so much death and destruction is currently taking place.

I had previously mentioned our efforts in the area of stockpile management and destruction of surplus stocks. We hope to use this Conference and the Program of Action to expand the commitment of nations to destroying surplus small arms and light weapons and to practicing responsible stockpile management. The U.S. is leading these efforts by offering technical and financial assistance for the destruction of excess stockpiles or weapons abroad that have been collected or seized. Last year, Congress appropriated \$2 million for this purpose. We see this as a valuable tool and will be seeking greater funding for it in the coming years.

As part of our destruction program, we are working with the Governments of Norway and Germany in assisting the Government of Albania with the destruction of over 100,000 recovered weapons. Working bilaterally with individual governments, and multilaterally with EU partners, we are focusing our efforts in post-conflict regions in South America, Africa, Asia, and Southeastern Europe. In the future, we expect this program to gain momentum and foster similar efforts by other states to reduce the potential supply of illicit small arms and light weapons.

Conclusion

Let me conclude by emphasizing what this Conference is not about – and that is the legal manufacture of, trade in, and possession of firearms. By definition, lawful manufacture, trade and possession are under some form of national control. Moreover, the Conference mandate specifically excludes consideration of domestic gun control issues, and rightly so in my view. Lawful manufacture, trade and possession are not the problem.

The U.S. opposes efforts to further restrict the lawful manufacture, trade and possession of firearms. However, it is deeply committed to stamping out the illegal trade in these weapons around the world.

With that, let me open the discussion up your questions and our panel.

Thank you.

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