Revitalization of the UN Programme of Action on Small Arms and Light Weapons
Working Paper submitted by the Republic of the Philippines

For the 4\textsuperscript{TH} UN 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 and the International Tracing Instrument

Introduction

1. The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (hereinafter referred to as ‘UN Programme of Action’), adopted in 2001, is one of the earliest comprehensive frameworks in addressing the illicit trade of small arms and light weapons.

2. Since the UN Programme of Action adoption in 2001, two major treaties and two global instruments were negotiated and adopted covering the scope of small arms and light weapons, namely: The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (generally known as the Firearms Protocol) which entered into force in July 2005; and the Arms Trade Treaty which entered into force in December 2014. In 2005, Under the UN Programme of Action, states adopted the International Tracing Instrument (ITI), ensuring that weapons are marked and records are efficiently managed, and that weapons can be traced through international cooperation. Most recently, the Global Framework for Through-Life Ammunition Management was adopted in 2023.

3. For more than two decades of implementing the UN Programme of Action, a number of gains and milestones have been achieved in the areas of international cooperation and assistance, national action plans and legislations, arms trafficking and diversion controls, stockpile management and disposal, tracing, ammunition control, regional initiatives, and civil society engagements.

4. What gives life to the UNPOA process are efforts of States to be guided by the UN Programme of Action; it is about the interlinkages and interoperability of various treaties, political declarations and global instruments, and the various sectors working along these fields.

5. Consistent with our national commitment to be a trusted partner, committed peacemaker and a credible pathfinder for solutions in the UN and in its effort to build partnerships for peace and sustainable development, the Philippines has been working to find enduring solutions for overcoming common challenges through dialogue, consensus-building, and collaborative problem-solving. In this regard, we propose the revitalization of the UN Programme of Action through the following efforts:

As a Partner:

6. About the Regional Roadmap and how it aims to support the ASEAN Declaration on Combating Arms Smuggling:

The Regional Roadmap on Weapons Regulation in Asia-Pacific is a Philippine-initiated dynamic document outlining milestones, challenges, inputs/resources, and possibilities towards a regional mechanism on weapons regulation. It draws from national experiences to
establish effective common practices. Launched in Manila last 13 December 2023, it builds on a complementary regional process in the ASEAN, the ASEAN Declaration on Combating Arms Smuggling, and other efforts of various formal regional and sub-regional mechanisms that cover conventional and emerging weapons. It also highlights the interoperability with other instruments and mechanisms already present in Asia Pacific and ongoing efforts in the region, including the role of civil society. The Regional Roadmap is part of a shared noble aspiration for regional peace and stability and was initiated to establish a comprehensive framework for weapons regulation.

6.1. In this regard, without prejudice to other regional initiatives, the Philippines proposes the inclusion of a preambular paragraph making a reference to the Regional Roadmap on Weapons Regulation:

45. Notes the launch of the Regional Roadmap on Weapons Regulation initiated by the Philippines on December 13, 2023 in Manila. The Regional Roadmap complements the adoption of the ASEAN Declaration on Combating Arms Smuggling and lays down various aspects of synergies among various global tool and instruments.

7. UNSCAR

Promote UNSCAR as the primary international assistance mechanism in addressing weapons regulation. Acknowledge the contribution of UNSCAR to international assistance and cooperation and implementation of the PoA over the course of a decade since its inception. Developing countries prefer tapping the support of UNSCAR because it allows states to design the program based on their needs at that period of time. UNSCAR has, over the years, supported developing countries, through its Implementing Partners in the region, and has shown its dedication in furthering international cooperation and assistance. UNSCAR can play a key function in an envisaged structured procedure for international cooperation and assistance for the implementation of the Programme of Action and the International Tracing Instrument. UNSCAR was a key partner in the work of the Philippines towards crafting a Regional Roadmap on Weapons Regulations. It should be noted that UNSCAR is the only multilateral grant giving mechanism that is available to civil society organizations. Civil society’s efforts directly linked to national and regional efforts are crucial in the implementation of the UNPOA.

The Philippine proposes the addition of the text below under Section V (C) of the Draft Outcome Document:

7.1 Promoting UNSCAR
“xx. To promote UNSCAR as a support mechanism for states to access. Projects in partnership with civil society within the region should be prioritized.”

7.2 Encouraging contributions to UNSCAR
“xx. Member States in a position to do so are encouraged to financially contribute to UNSCAR and to participate in its strategic planning. Projects in partnership with civil society within the region should be prioritized.”

As a Pathfinder:
8. Interoperability with other treaties, global instruments, and political declarations.

It is important to establish a comprehensive framework for weapons regulation that provides guidance for the development and implementation of an effective and sustainable regulations on the trade and use of weapons in the region. The Regional Roadmap promotes the interoperability with other instruments and mechanisms already present and should be promoted and will not impede ongoing efforts of various instruments.

9. Interconnectedness with other issues:

9.1. Mental health

Various stressors, especially those exacerbated during crises like the COVID-19 pandemic, can lead to mental health issues. For instance, some individuals may resort to gun violence in public spaces due to untreated mental health conditions. Addressing gun violence from this perspective is crucial, as it resonates with contexts where poverty is a root cause of public and mental health issues, and in countries experiencing high rates of suicides and mass shootings. Addressing armed violence through a public and mental health lens involves considering multiple perspectives: (a) Victims and survivors of armed violence often develop mental health issues following the incident so a comprehensive support systems and mental health services are essential for their recovery and well-being; (b) Perpetrators of armed violence may have pre-existing mental health issues, so preventative strategies should include mental health assessments and interventions to address these issues before they manifest in violent behaviors.

The Philippine proposes the addition of a reference to mental health in the Outcome Document

xx. “Recognizing the intricate linkages between gun violence and health, it is acknowledged that armed violence constitutes both a public and mental health concern. Addressing mental health issues necessitates the incorporation of strategies and programs aimed at preventing armed violence while also providing comprehensive social safety nets for victims.”

9.2. Indigenous peoples

Around 80 percent of the world’s conflicts now occur in biodiverse hotspots where Indigenous Peoples live. These biodiverse communities are severely impacted by the unregulated influx of small arms and light weapons, which exacerbates violence and environmental degradation. Indigenous Peoples have long advocated for the respect of their rights and greater inclusion in decision-making processes related to disarmament and security.

Recognizing the unique challenges faced by Indigenous communities, it is crucial to ensure their participation in efforts to control and reduce the proliferation of small arms. This includes acknowledging their traditional knowledge and practices that contribute to environmental stewardship and conflict resolution.

The Philippines, recognizing that armed conflicts are pervasive in indigenous lands, in its Master Plan stated that “supporting just peace and resolution of armed conflicts in the affected areas within the ancestral domain and protecting the human rights of Indigenous Peoples.” By integrating Indigenous perspectives and leadership into national and international SALW
control initiatives, we can develop more effective and culturally sensitive strategies to mitigate the harmful effects of small arms on these vulnerable populations.

The Philippine proposes the addition of a reference to Indigenous Peoples in the Outcome Document

xx. Recognize the disproportionate impact of small arms proliferation in areas where Indigenous Peoples live. The effort to include Indigenous Peoples in mitigating small arms and light weapons proliferation is essential for addressing this issue effectively.

9.3. Nil reporting.

Reporting plays a crucial role in the implementation of the UNPoA by providing transparency, accountability, and a means of sharing best practices and progress among States. Effective reporting allows countries to assess their own efforts in combating the illicit trade in SALW, identify areas for improvement, and learn from the experiences of others. However, there is often a gap in reporting, with many crucial effective national practices and progress not adequately shared or documented. This lack of comprehensive reporting hampers efforts to evaluate the effectiveness of the UN PoA and impedes the exchange of information and lessons learned. Addressing this gap requires enhanced commitment from member states to fulfill reporting requirements and improve the quality and frequency of reporting. Additionally, greater support and resources may be needed to facilitate the collection, analysis, and dissemination of information on arms control measures and initiatives. Likewise, nil reporting should not be interpreted as non-participation or indicator of absence of progress. Nil reporting should be context specific, recognizing the earlier efforts of states where illicit trafficking of SALW is no longer an issue within their territories, and should be an indicator of their progress.

The Philippine proposes the addition of a reference to nil reporting in the Outcome Document:

xx: To provide avenues and space for dialogues that encourage States who have registered ‘nil reporting’ to share their effective control measures, and that nil reporting should not be interpreted as non-participation or indicator of absence of progress.

As a Peacemaker:

10. Acknowledging peace processes in the world, the Philippines highlights as an example, the Bangsamoro peace process.

The Philippine proposes the revision of the paragraph below to add “implementing peace agreements”:

130. To fully apply the provisions of the Programme of Action and the International Tracing Instrument in programmes designed to build peace and security in conflict and post-conflict situations, including disarmament, demobilization and
reintegration, implementing peace agreements, security sector reform and community violence reduction programmes.

The proposed additional phrase is in **bold**. This goes beyond current DDR concepts, the Philippines ‘normalization process’ is defined as ‘putting weapons beyond use’ and reflects the aspirations of communities on their quality of life without the burden of surrender for a people whose right to self-determination is recognized by the State.