Fifth 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

16-20 June 2014

Statement of the International Committee of the Red Cross

New York, 19 June 2014
Mr. Chairman,

The International Committee of the Red Cross (ICRC) would first like to thank you for the opportunity to present its views in this session.

In the majority of countries in which it works, the ICRC is witness to the high costs for civilians of insufficient controls on the availability of small arms and light weapons (SALW). The humanitarian consequences of the widespread availability of SALW can be reduced by controlling the availability of such weapons on the one hand, but also by ensuring that those who obtain weapons will use them in a manner that respects the rules of International Humanitarian Law.

The Programme of Action on Small Arms and Light Weapons aims at ensuring a better control over the supply of these weapons. The ICRC encourages States to continue to work on the implementation of the Programme of Action. The ICRC also welcomes the adoption of the Arms Trade Treaty (ATT), last year. This new international legally binding instrument established a global norm to prevent arms transfers when there is a manifest risk that war crimes or serious violations of human rights will be committed.

Faithfully implemented, the ATT will contribute to the reduction of armed violence. Together with the Programme of Action, the International Tracing Instruments and regional instruments on arms availability, the ATT clearly marks a commitment of States to address the humanitarian concerns related to arms availability.

An efficient control of weapon supply will reduce human suffering during armed conflict, and will enhance development efforts. In considering post-conflict reconstruction and the Sustainable Development Goals, which will build upon the Millennium Goals, States should recall the devastating impact of the proliferation of SALW: it prolongs conflicts, facilitates violations of international humanitarian and human rights law, and puts civilians at high risk of death or injury from weapons-related violence. The threat to civilians remains even after armed conflicts have ended. Human suffering continues, often for years, after hostilities are over, as the widespread availability of these arms engenders a culture of violence, undermines the rules of law and threatens efforts at reconciliation.
Furthermore, we would like to stress that controlling arms supply is not only a key issue in peacetime, but also during armed conflict. For example, it is important for armed forces to ensure a proper stockpile management so as to avoid that the weapons fall into hands of those who would commit serious violations of IHL.

Reducing human suffering caused by the availability of small arms and light weapons will be achieved by an effective implementation of the existing instruments. Therefore, the ICRC encourages States to enhance the capacity building measures carried out in the framework of the Programme of Action. Demand-oriented efforts will help to address the problems in each specific national context.

Within the limits of its mandate and with its expertise in International Humanitarian Law (IHL), the ICRC offers assistance to States by advising them how to apply IHL-based transfer criteria. For this purpose, the ICRC developed in 2007 a Practical Guide on Applying International Humanitarian Law in Arms Transfer Decisions. An update of this Guide, in accordance with the newly adopted ATT, will be published later this year. Furthermore, the ICRC continues providing practical support to States for the training of armed, security and police officers, and promotes respect for IHL by non-State groups. We also provided advice to States which were integrating such criteria into their national legislation.

Mr. Chairman,

It is now over a decade ago that the Program of Action was adopted, and since then we have seen considerable improvements in the regulation of the availability of small arms and light weapons and in transparency of arms transfers. However, the goal of reducing human suffering through a better control of arms availability is far from being fully reached. Openly acknowledging the gap that exists between the commitments made in political and legal instruments on the one hand and the transfer practice of certain States on the other is a necessary step in the process. We therefore urge States to reaffirm their commitments during this Fifth Biennial Meeting on the PoA, and to explore how the implementation of these commitments could be strengthened. The humanitarian concern, which is not only an ICRC concern but one of all States present here, should be the leading principle in the discussions this week.

Thank you.