small arms survey

Issue Brief

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What the National Reports Reveal

Trends in UN PoA and ITI Reporting

Introduction

UN member states will convene in New York on 1–5 June 2015 for the Second Open-ended Meeting of Governmental Experts to discuss the implementation of the 2001 Programme of Action on Small Arms (PoA),[1] including the associated 2005 International Tracing Instrument (ITI)[2] (UNGA, 2012). The PoA and ITI are politically binding instruments through which UN member states have undertaken to implement a range of small arms control measures to address the illicit trade in small arms and light weapons.

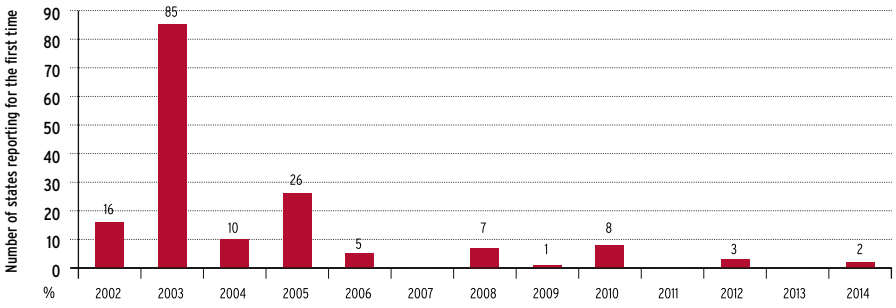
The PoA encourages UN member states to provide, on a voluntary basis, national reports on their implementation of the PoA (UNGA, 2001, para. II.33).[3] The ITI requires states to submit reports on its implementation, which may form part of their PoA reports (UNGA, 2005, para. 36). Such reports constitute the primary source of information on states' efforts to implement the two instruments, but they are also important tools for sharing information on challenges affecting implementation (including resource and capacity constraints) and for communicating cooperation and assistance needs. Fourteen years after the adoption of the PoA and ten years after the adoption of the ITI, a large number of national reports are available, providing a valuable—and, in some instances, the only—source of information on the status of PoA and ITI implementation.

This Issue Brief presents an overview of reporting practices under the PoA and ITI by reviewing two complementary sets of information. The first section considers global statistics on the frequency of UN member states' reporting between 2002 and 2014,[4] paying special attention to regional trends. The second section provides a thematic analysis of PoA and ITI implementation by assessing states' responses to the UN Office for Disarmament Affairs (UNODA) reporting template[5] on five key themes: manufacture, international transfers, marking, record-keeping, and tracing.

The Issue Brief's main findings include the following:

- Overall participation in the reporting process since the PoA's adoption has been substantial: 163 of 193 UN member states (84 per cent) have submitted at least one national report and 137 (71 per cent) have submitted at least two reports since 2002. However, 30 states (16 per cent) have never reported on their PoA or ITI implementation and 26 (13 per cent) have only reported once.
- Despite the move to biennial—as opposed to annual—reporting and the introduction of a new reporting template in 2011, the rate of reporting has decreased since 2008.
- The region with the highest reporting rate is Europe, with 98 per cent of European states having issued at least one national report between 2002 and 2014. The region with the lowest reporting rate is Oceania, with only 43 per cent of states having reported at least once since 2002.
- At least 169 states have indicated they have established a national point of contact (NPC) for the PoA; of these states, 120 have also provided contact information for an ITI NPC (see Box 2 on page 5).

Figure 1 **Number of states reporting for the first time, by year, 2002–14**



Source: UNODA (n.d.b)

- While 73 countries (representing 45 per cent of the 163 countries that reported at least once) state that manufacturing takes place on their territories, 93 countries (57 per cent) confirm they have laws or regulations covering the manufacture of small arms. At the same time, 157 (96 per cent) report having laws or regulations on the international transfers of small arms.
- Demand is high for technical and financial support, including training and cooperation, in the development of laws and regulations on transfers of small arms (50 states, or 31 per cent of reporting states), on building capacity for record-keeping (62 states, or 38 per cent), and on developing procedures for tracing (59 states, or 36 per cent).
- The new reporting template made available to states in 2011 makes it easier for them to submit reports, but it has led them to provide less information and fewer details, while the opportunity to use national reports to share best practices and experiences on small arms control measures has been restricted.

Statistical overview

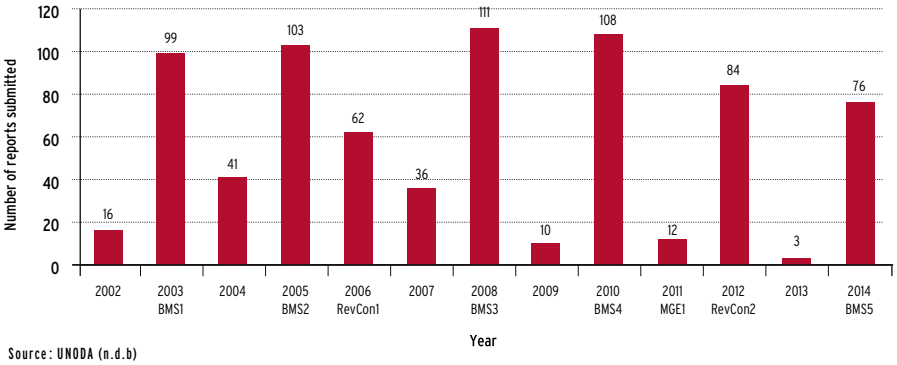
This section provides statistics on the frequency of states' reporting on PoA and ITI implementation. It documents reporting trends over time at the global and regional levels.

Global reporting

Since the adoption of the PoA, a total of 761 national reports[6] have been submitted. Of the UN's 193 member states, 163 (84 per cent)[7] have submitted at least one national report, while 30 (16 per cent)[8] have never reported (UNODA n.d.b; see Figure 3 overleaf).[9] Since the 2012 Small Arms Survey analysis (Parker and Green, 2012), five states have reported to the PoA for the first time: the Maldives, Montenegro, and South Sudan in 2012, and Singapore and Somalia in 2014. Figure 1 (see previous page) illustrates the number of states that reported for the first time—in any given year between 2002 and 2014—since the implementation of the PoA.

The new reporting template introduced by UNODA in 2011 has been widely used by reporting states (see Table 1).[13] In both 2012 and 2014, roughly 80 per cent of all reports used the new template. While several countries started using the new template in 2014,[14] others

Figure 2 **National reports by associated meeting year, 2002–14**



Source: UNODA (n.d.b)

Table 1 **Number and percentage of reports using the 2011 UNODA reporting template, 2011–14**

	2011	2012	2013	2014
Total reports submitted	12	84	3	76
Using national templates	2	6	0	7
Using old UNODA template	9	12	1	8
Using new UNODA template	1	66	2	61
Proportion using new template	8%	79%	67%	80%

Source: UNODA (n.d.b)

States are encouraged to report on their implementation of the PoA every two years[10] to coincide with Biennial Meetings of States to consider the implementation of the PoA (BMSs) and conferences to review progress made in implementing the PoA (Review Conferences or 'RevCons'). The ITI explicitly requires biennial reporting by states (UNGA, 2005, para. 36).

Higher rates of reporting have consistently coincided with BMSs and RevCons (see Figure 2).[11] Conversely, in years in which neither a BMS nor a RevCon was convened, the reporting rate was quite low (see Figure 2),[12] reflecting the clear establishment of biennial reporting after 2008 (BMS3).

that had used the new template in the past reverted to using a national or the old UNODA reporting template (such as Kenya, Mali, Pakistan, and Togo). Although it was expected to ease the reporting task and improve the comparability of reports,[15] the new template has not yet led to an increase in the global level of reporting. Box 1 discusses the changes in reporting practices introduced by the new template.

Regional reporting

Figure 3 shows the frequency with which states have reported in the period 2002–14, broken down by region.

Box 1 What difference does a template make? Reflections on the quality of reports since the adoption of the new template

In 2011 UNODA developed and made available to UN member states a reporting tool that allows them to submit their national PoA and ITI reports online. This is the latest in a series of efforts to support states' reporting. Prior to that, in 2003, under the auspices of the Coordinating Action on Small Arms mechanism and with support from the Small Arms Survey, three UN agencies–UNODA, the UN Institute for Disarmament Research, and the UN Development Programme–had jointly developed an assistance package to help states with their national reports. The package, which included reporting guidelines, was revised in 2005. A separate set of guidelines on ITI reporting was developed after the ITI was adopted (UNGA, n.d.).

The reporting tool introduced in 2011 is divided into thematic sections and includes a series of predominantly closed-ended, 'yes/no' questions with opportunities to expand on some responses, while the previous versions consisted of a series of predominantly open-ended questions that largely reproduced the PoA language. The revised reporting template has had several impacts on reporting practices.

On the one hand, it has made it easier for states to complete a report, since it is easier and less time-consuming to tick 'yes/no' boxes, which make up the required response to the majority of questions, than to draft narrative responses. In addition, these closed-ended questions increase the likelihood that states will include information pertinent to the theme. Thus, rather than asking, 'What national standards and procedures exist for the management and security of [small arms and light weapons] stocks held by [state agencies]?' (as per the old reporting template), the new template asks whether a state has put standards and procedures in place and, if so, whether they include elements such as appropriate locations, access control, physical security measures, and so on, as stipulated in the PoA (UNGA, 2001, para. II.17). This approach makes it easier to determine whether a state is implementing specific–as opposed to general–commitments. The new template also makes it easier to compare information provided by states and the status of their implementation efforts. It facilitates stocktaking exercises, such as 'x number of states have manufacturing controls in place and y number do not'.

On the other hand, states may be tempted to reply 'yes' to all the questions, since a 'no' response is a less acceptable (and more embarrassing) outcome in a document than simply highlighting what is being done and omitting information on what is not being done, which open-ended questioning permits. Furthermore, a 'yes/no' response does not always provide a complete answer to a question, nor does it allow states to indicate their partial implementation of PoA or ITI commitments. While a state may thus answer 'yes' to the question dealing with whether it ensures that all state-held small arms are uniquely marked, it may not have the opportunity to explain, for example, that 'the marking machines we were given have broken down, so we have only managed to mark half the police weapons'. This makes it more difficult to assess with any certainty whether and to what extent states are implementing their PoA and ITI commitments. Moreover, it would be useful to indicate the exact period covered by national reports. This is not clear in reports that use the new reporting template. They indicate a year–'2014'–but do not indicate, for instance, 'this report covers implementation efforts undertaken between 2012 and 2013'.

On a final note, one thing that is clear is that the new reporting template has not led to a significant or noticeable increase in the number of submissions of national reports (see Table 1 and Figure 2).

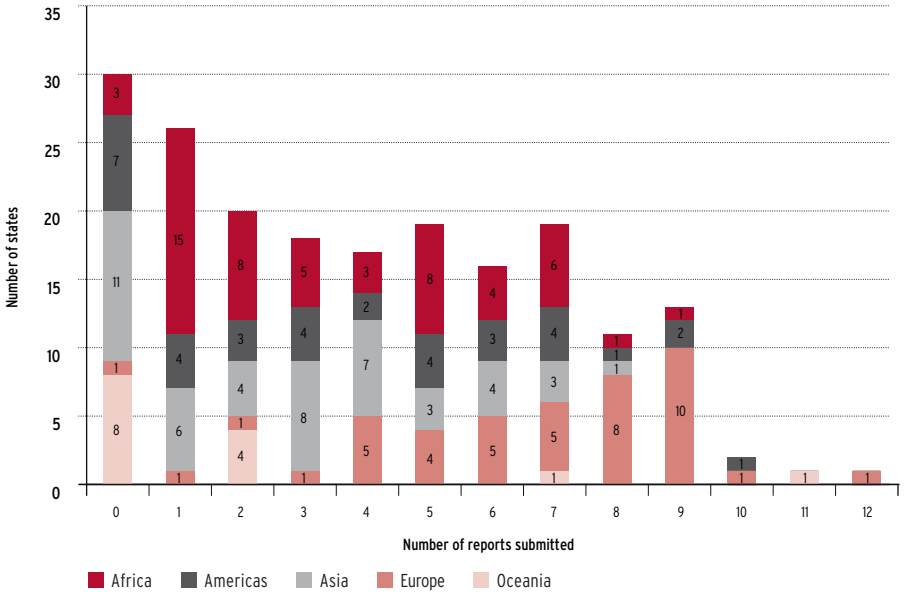
Overall, it illustrates that 26 states (13 per cent) have reported only once and more than half (111 states, or 58 per cent) have reported four times or fewer. In contrast, however, 82 states (42 per cent) have reported five times or more since the adoption of the PoA. Two states—Australia and the Former Yugoslav Republic of Macedonia—have reported almost every year (with a total of 11 and 12 reports, respectively).

Among the 30 states that have never reported, the greatest number are in Asia (11 states, representing 37 per cent of states that have never reported). In Oceania, eight states (representing 57 per cent of all the states in the region) have never submitted a national report, while one outlier has reported 11 times (Australia). Of the 26 states that have reported only once, 15 (58 per cent) are in Africa (representing 28 per cent of the continent's states). In contrast, many European states have reported six, seven, eight, or nine times,[16] with only one European state never having reported (San Marino).

Although Europe accounts for only 43—or 22 per cent of—UN member states, the region has submitted the highest number of reports since 2002, in both absolute and proportional terms: 287 of 761 reports, or 38 per cent. Africa is also a strong contributor, with 54 UN member states (28 per cent of the states) located in the region and 182 reports (24 per cent of all reports) generated by states in the region. The contribution of the Americas closely matches the region's UN membership, with 35 UN member states (18 per cent of the states) being responsible for 132 national reports (17 per cent of all reports). Asia, on the other hand, could be considered an 'under-reporter', with 47 UN member states (25 per cent of the states) contributing just 134 national reports (18 per cent of all reports). And finally, Oceania remains the lowest contributor, in absolute and proportional terms, with 14 UN member states (7 per cent of all states) contributing just 26 national reports (3 per cent of the reports) (see Figures 4a and 4b overleaf).

Figure 5 (overleaf) examines the percentage of states per region that submitted a national report each year. It too shows that European states are the most frequent reporters (with spikes of 70–80 per cent of European

Figure 3 **Frequency with which states have submitted reports, by region, 2002–14**



Source: UNODA (n.d.b)

Finally, Figure 6 contrasts reporting and non-reporting states per region, with the darker shade indicating the percentage of states that reported at least once and the lighter shade indicating the percentage of states that never reported. In the Americas and Asia, 20 and 23 per cent of states in each region, respectively, never reported; meanwhile, in Africa and Europe, only 6 and 2 per cent of countries in the region, respectively, never reported. Oceania had the highest rate of non-reporting (57 per cent) during the period under review.

Figure 4a **Percentage of UN member states, per region, 2002–14**

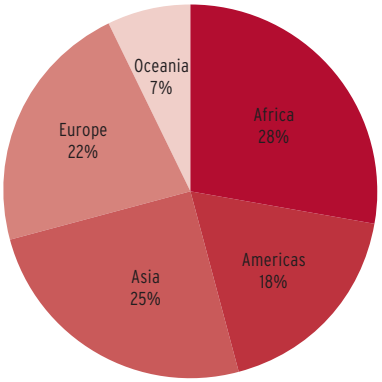
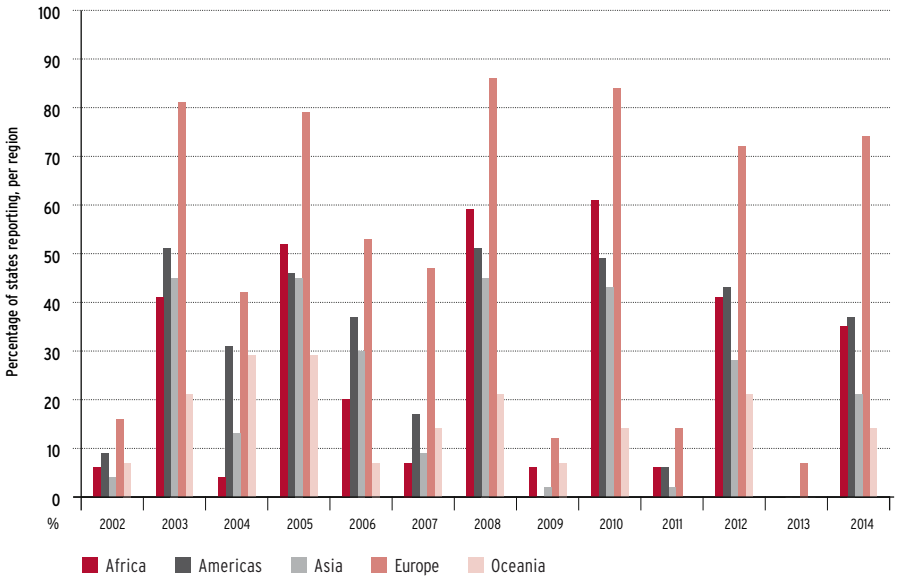
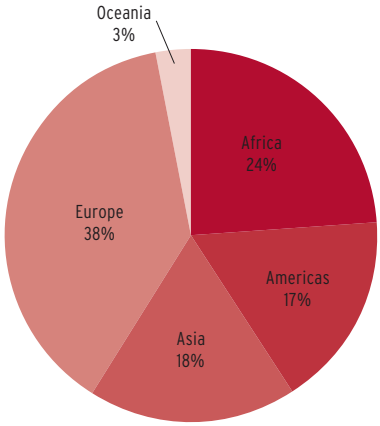


Figure 5 **Percentage of states reporting, by region, 2002–14**



Source: UNODA (n.d.b)

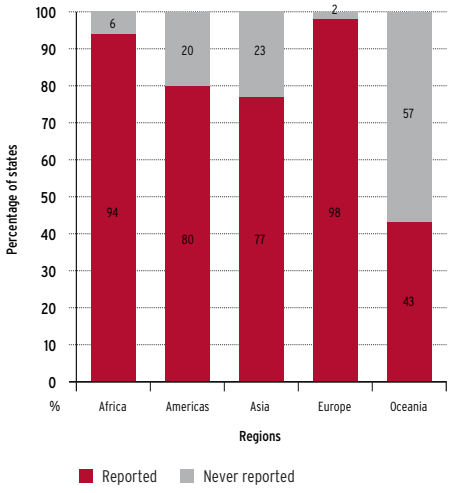
Figure 4b **Percentage of reports submitted per region, 2002–14**



Source: UNODA (n.d.b)

states submitting national reports in some years, and with an average of 51 per cent of states reporting annually).[17] Conversely, Oceania has the lowest proportional rate of states reporting, with the highest reporting rate for this region at only 29 per cent in 2004–05 (an average of 14 per cent of Oceania's states report each year). The reporting rates of states in Africa, the Americas, and Asia match one another quite closely, with averages of 26, 29, and 22 per cent of states in those regions reporting each year, respectively.

Figure 6 **Percentage of reporting vs. non-reporting states, by region, 2002–14**



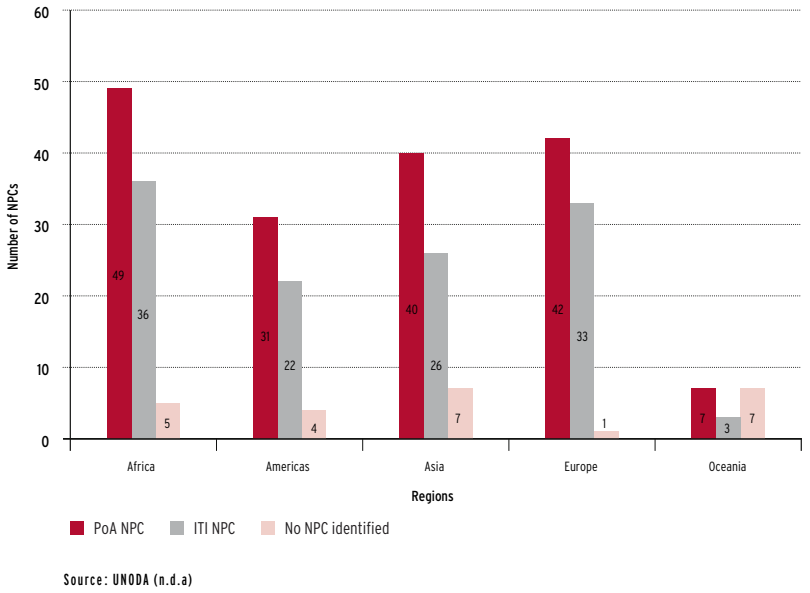
Source: UNODA (n.d.b)

Box 2 **National points of contact**

A state's national point of contact (NPC) is an important aspect of PoA and ITI implementation. States have undertaken to establish NPCs to act as liaisons between states and to facilitate the sharing of information on the implementation of these instruments; furthermore, in the context of the ITI, NPCs conduct weapons tracing (UNGA, 2001, para. II.5; 2005, para. 25; McDonald, 2006, p. 110). While states are increasingly appointing a single NPC for both instruments, some nominate an NPC dedicated to the PoA and a separate one for the ITI. The PoA Implementation Support System—established and maintained by UNODA—provides a list of PoA and ITI NPCs as reported by states (UNODA, n.d.a).

As of 31 December 2014, 169 of 193 UN member states (88 per cent) had provided information on their PoA NPCs, indicating a 16 per cent increase in the number of NPCs since 2008.[18] Of these 169 states, 120 had also submitted information on their ITI NPCs, many of which are the same points of contact as the PoA NPCs.[19] At the regional level, all but one of the European countries have provided information on their NPCs, while only four countries in the Americas and five in Africa have not provided such information. Seven countries in Asia and another seven in Oceania have not provided the contact details for their NPC (see Figure 7).

Figure 7 **Number of identified NPCs per region, as of 31 December 2014**



Source: UNODA (n.d.a)

The UNODA website contains information provided by states on their NPCs from several sources, including national reports, *notes verbales*, and written information from permanent UN missions, as well as statements made during the First Open-ended Meeting of Governmental Experts, RevCons, BMSs, and regional meetings (UNODA, n.d.a). While this comprehensive approach increases the number of states for which NPC details are available,[20] the information is not always current, as noted in a previous Small Arms Survey report on the implementation of the UN PoA (Parker, 2011, pp. 22-27). In fact, when attempts were made to contact 122 NPCs listed on the UNODA website by email in 2010, only 39 per cent of these attempts resulted in a contact of some kind (in some of these cases the person reached was not the NPC). A further 39 per cent received no response and 22 per cent resulted in delivery failures due to incorrect email addresses. Similarly, attempts to contact NPCs by telephone resulted in contact being made in only 29 per cent of cases (although, again, not always directly with the NPC), while 15 per cent of the calls required follow-up and 56 per cent remained unanswered (pp. 24-25).

The reliability and accuracy of the information provided on the UNODA website could be improved if states made a concerted effort to provide updated information on their NPCs directly to UNODA as and when changes occur. Since UNODA is not mandated to verify the information it receives from states regarding NPCs, the responsibility for providing accurate and complete information rests entirely with UN member states.

Thematic overview

This section unpacks information provided by states to determine the reported level of PoA and ITI implementation around the world with respect to five thematic areas: manufacture, international transfers, marking, record-keeping, and tracing. It does not assess the adequacy or effectiveness of measures taken to implement the PoA and ITI, nor does it verify the information provided by states; rather, it collates self-reported implementation efforts.

Following a brief discussion of methodology, this section presents a statistical overview for the five thematic areas, providing focused analysis on sub-themes such as end-user certificates (EUCs) in the context of international transfers. It then examines responses provided by states to the template questions regarding their need for international assistance with respect to each of the themes covered in this Issue Brief.

Methodology

This thematic overview draws on states' national reports. It collates self-reported information on the implementation in the five key thematic areas of manufacture, international transfers, marking, record-keeping, and tracing.

Information contained in national reports was captured in a separate spreadsheet for each thematic area. The questions that appear in the new UNODA reporting template were used as the basis for gathering information from national reports. For states that did not use the new reporting template, the authors analysed corresponding information provided in the relevant national reports and subsequently answered the template questions on behalf of each state.[21] All available reports were considered; if several reports were available for the same state, the most recent report

was relied on (and supplemented by previous reports if necessary).

Manufacture

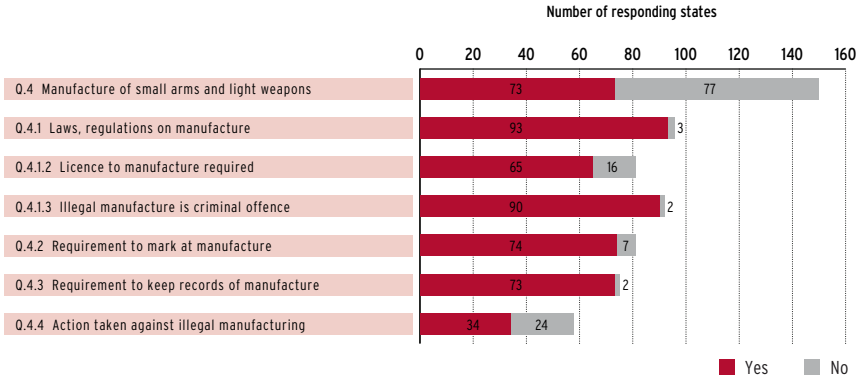
Several commitments in the PoA pertain to the manufacture of small arms. These include undertakings to: put in place laws, regulations, and administrative procedures to exercise effective control over production (UNGA, 2001, para. II.2); establish illegal manufacture as a criminal offence (para. II.3); identify groups and individuals engaged in illegal manufacture and take action against them (para. II.6); mark small arms at the time of manufacture (para. II.7);[22] and keep records of manufactured small arms (para. II.9).[23]

The 'manufacture' section of the reporting template starts by asking whether small arms are manufactured in the responding state (Q. 4). If that question is answered in the affirmative, follow-up questions address the existence of laws to control manufacturing (Q. 4.1), a licensing requirement (Q. 4.1.2), and criminal offences for illegal manufacture (Q. 4.1.3), as well as marking (Q. 4.2) and record-keeping (Q. 4.3) requirements for manufactured small arms, and whether action has been taken against groups and individuals engaged in illegal manufacture (Q. 4.4).

Figure 8 provides an overview of how many states replied 'yes' to the broader questions on manufacture, while the specific questions regarding the nature of markings applied to manufactured weapons and record-keeping practices are reviewed in the sections on marking and record-keeping (see Figures 11, 14, and 16 overleaf). As Figure 8 shows, the overall level of PoA implementation regarding manufacturing controls is good. Although only 73 states (45 per cent of all 163 reporting states)[24] report that small arms are manufactured on their territories, and 77 (47 per cent) indicate they do not produce small arms, 93 states (57 per cent) confirm they have laws to regulate manufacture.

It is likely that even more non-producing states have manufacturing controls in place; however, the online version of the reporting template automatically bypasses the remaining questions on manufacture if a state replies 'no' to the question of whether it manufactures small arms and light weapons. This is problematic as it may suggest that if a state does not manufacture small arms, it is not required to have manufacturing controls in place. Yet even if a state intends to prohibit all forms of weapons manufacturing, it should still regulate the activity; in this case, in order to prevent it from occurring at all, and in other cases, to prevent the occurrence of unauthorized manufacturing, including craft manufacture (home-made weapons). States that use a hard copy of the reporting template—in which all the questions are displayed—can (and do) still respond to the questions on manufacture even if they tick 'no' to the question of whether they are engaged in manufacturing.

Figure 8 **Manufacture: number of 'yes' and 'no' responses in national reports**



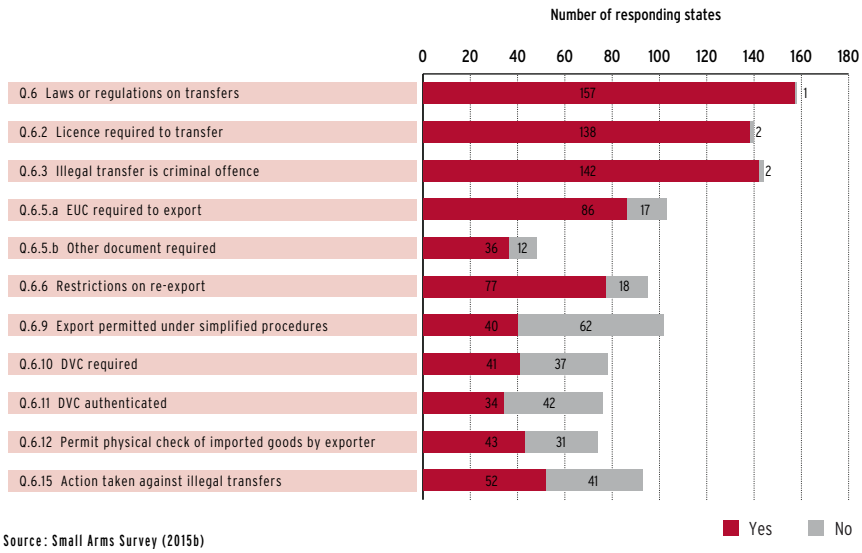
Source: Small Arms Survey (2015b)

International transfers

The PoA provisions on international transfers (import, export, transit, and transshipment) include undertakings to: put in place laws, regulations, and administrative procedures to exercise effective control over export, import, transit, and re-export (UNGA, 2001, para. II.2); identify groups and individuals engaged in illegal transfer and take action against them (para. II.6); keep records of transfers (UNGA, 2001, para. II.9; 2005, paras. 11–13); and establish an effective national system of export and import licensing or authorization, as well as measures on international transit and for assessing applications for export authorizations in accordance with states' existing responsibilities under relevant international law (UNGA, 2001, para. II.11).

The section on international transfers is one of the most detailed of the reporting template. After asking whether states have regulations on transfers (exports, imports, transit, and retransfers) (Q. 6), the template investigates whether the country licenses transfers (Q. 6.2) and criminalizes illicit transactions (Q. 6.3). It includes further questions specific to exports, inquiring about the existence of EUCs (allowing an exporting country to authenticate the intended recipient of the shipment) (Qs. 6.5, 6.7, 6.8), of non-re-export clauses (Q. 6.6), and of post-delivery controls (such as a delivery verification certificate, or DVC) (Qs. 6.10–6.12), and whether action has been taken against groups and individuals engaged in illegal transfers (Q. 6.15). Import marking (Q. 6.13) and record-keeping practices relating to international transfers (Q. 6.19) are also addressed. The findings regarding these topics are

Figure 9 **International transfers: number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

included in the sections on marking and record-keeping (see Figures 12, 15, and 16 overleaf).

Figure 9 provides a summary of the responses provided by member states to the questions on transfers. The overwhelming majority of reporting states indicate they have regulations in place to govern international transfers (157, or 96 per cent), with a large majority confirming this includes a requirement to obtain a licence or authorization to transfer (138, or 85 per cent) and that it is a criminal offence to transfer without such a licence or authorization (142, or 87 per cent).

Responses to questions regarding documentation associated with export authorizations and post-delivery controls are less frequent, however. As illustrated in Figure 9, of the 157 states that report having transfer controls in place, only 86 (53 per cent of the 163 reporting states) report that they require an EUC, while 36 (22 per cent) report using 'other types of end-user documentation', such as 'import certificates' or other 'authorizations from the importing country'. Only 41 (25 per cent) indicate they require a DVC. A further 43 countries (26 per cent) report permitting the physical check of imported weapons by the initial exporter, a significant measure against post-shipment diversion that allows exporters to come on site to verify the nature and quantity of delivered items and the actual end user of the shipment.

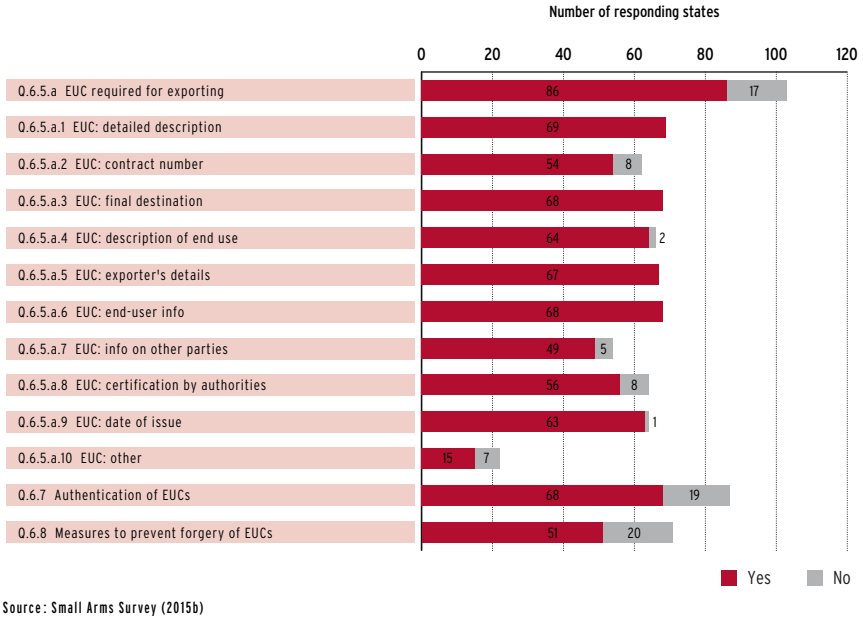
Figure 10 unpacks responses by states to detailed questions on EUCs (Qs. 6.5.a, 6.7, and 6.8). It illustrates that the majority of the 86 states that confirm they require an EUC before authorizing an export of small arms and light weapons include the following elements identified in the reporting template: a description of the shipment concerned (69 states, or 42 per cent of all reporting states), the final destination (68, or 42 per cent), information on the intended end users (68, or 42 per cent) and the exporter (67, or 41 per cent), a description of the intended end use (64, or 39 per cent), and the date of issue (63, or 38 per cent). In addition, 68 exporters (42 per cent) report that they verify or seek to authenticate EUCs, a key measure to avoid EUC falsification—a common practice employed to divert weapons (McDonald, 2008, pp. 155–59).

Marking

The marking of weapons and the keeping of records are essential to the tracing of small arms. In particular, marking ensures that weapons can be uniquely identified and traced to the producer and, in some cases, to the country of last legal import; from these points, changes in ownership can be traced to the point at which the weapon was diverted to the illicit market.[25]

Both the PoA and the ITI include measures on the marking of small arms at manufacture (UNGA, 2001, para. II.7; 2005, para. 8(a)) and on the marking of illicit small arms (UNGA, 2005, para. 9) or weapons that are seized, confiscated, or collected (UNGA, 2001, para. II.16). The ITI includes additional provisions with

Figure 10 **EUCs: number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

respect to marking at import (UNGA, 2005, para. 8(b)), the marking of state-held weapons (para. 8(d)), and the marking of small arms transferred from state stockpiles to civilians (para. 8(c)). The new reporting template includes several questions investigating national marking practices, reflecting the requirements of the PoA and the ITI.

Marking at the time of manufacture

The PoA and ITI both stipulate that markings made at the time of manufacture should be unique and should identify the country of manufacture, the manufacturer, and the serial number (UNGA, 2001, para. II.7; 2005, para. 8(a)). Under the ITI states have also undertaken to encourage the marking of additional information such as the year of manufacture, weapon type or model, and calibre (UNGA, 2005, para. 8(a)). While 73 states report that manufacturing takes place on their territories (see Figure 8), 74 (45 per cent of the 163 reporting states) report requiring the marking of weapons at the time of manufacture (see Figure 11).[26] Of the 74 states that report requiring such marking, the majority confirm they mark the name of the manufacturer (60 states), the country of manufacture (58), and the serial number (65)—or 37, 36, and 40 per cent of the 163 reporting states, respectively. Fewer states require that the marking include the year of manufacture (50 states), the weapon type or model (47), and the calibre (44)—or 31, 29, and 27 per cent of the 163 reporting states, respectively. Twenty-one states (13 per cent) require 'other' markings, such as proof marking or the identification of the end user if the weapons are designed for national armed forces. Only five states report that they allow exceptions to the requirement to mark weapons at the time of manufacture. Such exceptions may apply to weapons produced by a national manufacturer outside the country's territory, or in the case of weapons manufactured by an individual and destined for that person only.

Marking of imported small arms

Under the ITI, states have undertaken—to the extent possible—to require simple markings on imported small arms to permit identification of the country of import and the year of import; they have also committed themselves to requiring a unique marking if a weapon does not already bear one (UNGA, 2005, para. 8(b)). Figure 12 shows that 88 countries (54 per cent) report requiring that small arms be marked at the time of import, and that 77 (47 per cent) report that they ensure imported small arms that do not bear a unique marking upon arrival be given such a marking to prevent the circulation of unmarked weapons in their territories. Fifty-three states (32 per cent) confirm imported small arms are marked with the country of import and 43 (26 per cent) confirm they are marked with the year of import. Fifty states (31 per cent) report that they include other information in the marking at import, such as the name of the manufacturer, the serial number, the model number, the calibre, and the year of manufacture.

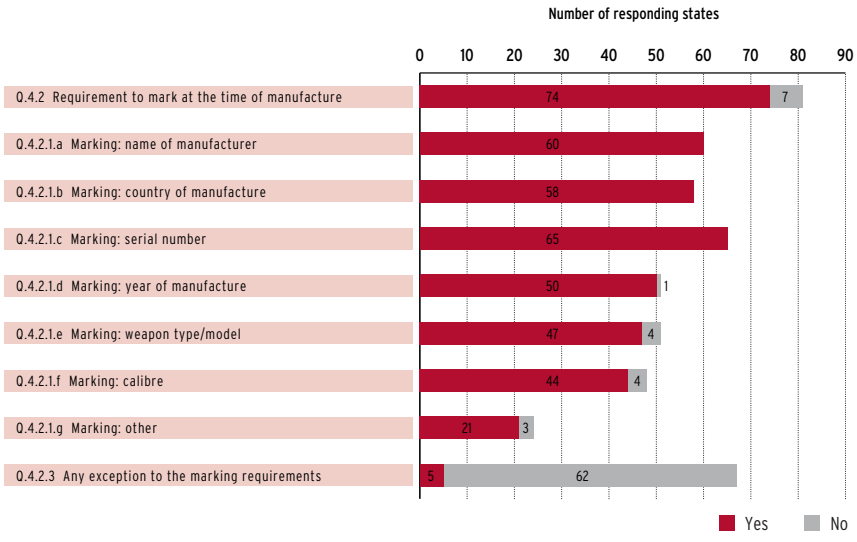
This response suggests that the import-marking requirement may not be well understood, and that some respondents using the reporting template may be taking it to mean that imported small arms must be marked (with manufacture markings), not that they must be given *additional* markings to indicate the country and year of import.

Only 12 states (7 per cent) note there are exceptions to the requirement to mark at the time of import, usually with respect to arms imported temporarily for exhibition, collection, or competitions—as stipulated in the ITI (UNGA, 2005, para. 8(b))—or for weapons destined for the armed forces.

Other marking

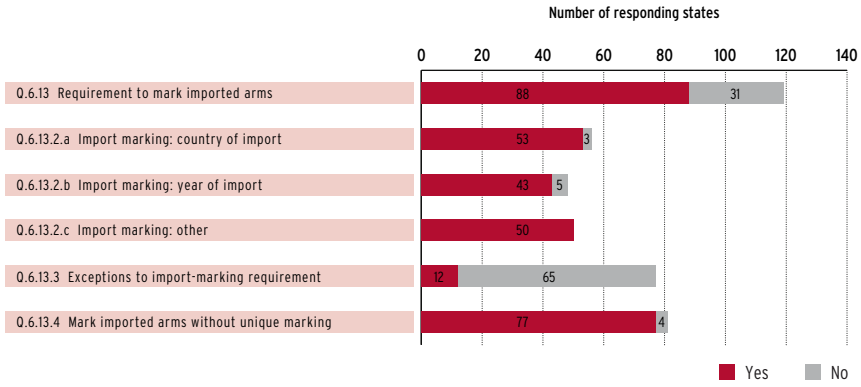
The reporting template requests information on general marking measures, reflecting the ITI requirements that states ensure weapons transferred from state stockpiles to civilians be appropriately marked at the time of transfer (UNGA, 2005, para. 8(c)) and that state-held weapons be duly marked (para. 8(d)). The template also echoes the PoA

Figure 11 **Manufacture markings: number of 'yes' and 'no' responses in national reports**



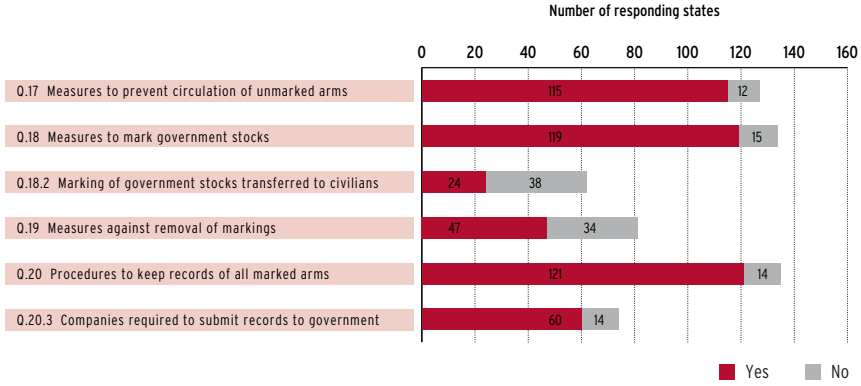
Source: Small Arms Survey (2015b)

Figure 12 **Import markings: number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

Figure 13 **Other marking: number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

provision calling on states to prevent the circulation of unmarked small arms (UNGA, 2001, para. II.8) and the ITI requirement to encourage manufacturers to develop measures to prevent the removal or alteration of markings (UNGA, 2005, para. 8(e)).

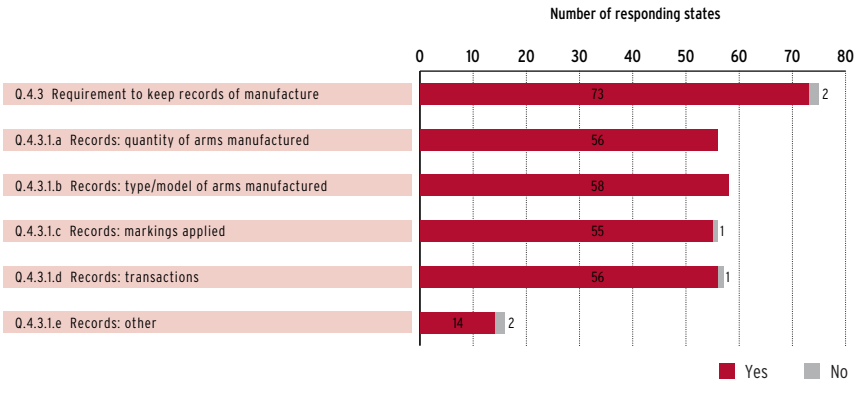
As Figure 13 shows, a high proportion of states report having measures to counter the circulation of unmarked weapons (115 states, or 71 per cent), to mark government-held stockpiles (119, or 73 per cent), and to keep records of markings (121, or 74 per cent). Fewer states report that they ensure appropriate markings are in place on weapons transferred from state stockpiles to civilians (24, or 15 per cent)—although some states respond 'no' because they do not permit such transfers. Fewer than one-third of the states report that they encourage manufacturers to develop measures against the removal of markings (47 states, or 29 per cent).

Record-keeping

The next step in ensuring the traceability of weapons is to keep a record of their production and circulation. The PoA requires states to ensure that comprehensive and accurate records be kept for as long as possible on the manufacture, holding, and transfer of small arms and light weapons under their jurisdiction (UNGA, 2001, para. II.9). While the ITI does not stipulate the nature of the transactions that must be recorded, it simply requires states to ensure that accurate and comprehensive records be established 'for all marked small arms and light weapons' within their territory in order to enable tracing in a timely and reliable manner (UNGA, 2005, para. 11). Neither the PoA nor the ITI stipulates who should keep the records, but the relevant questions in the reporting template ask what records are kept by manufacturers, importers and exporters, and the state itself.

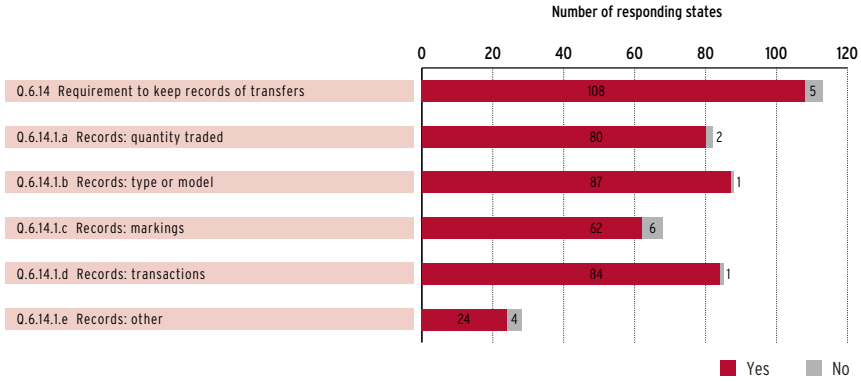
This section analyses responses in national reports to questions pertaining to the content and duration of records covering the following areas: records kept by manufacturers, records kept by importers and exporters, and state-held records.

Figure 14 **Record-keeping by manufacturers: total number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

Figure 15 **Record-keeping by importers and exporters: number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

Contents of records

Records kept by manufacturers. Of the 163 states that have reported at least once, 73 (45 per cent) report requiring manufacturers to keep records of their activities (see Figure 14). Manufacturers are required to keep records of the quantity of arms manufactured in 56 states (34 per cent), the type or model in 58 states (36 per cent), the markings applied in 55 states (34 per cent), and the record of details for all transactions (such as the identity of the buyer or seller, the country to which the arms are to be delivered or from which they are to be purchased, and the date of delivery) in 56 states (34 per cent).

Records kept by exporters and importers. Both the PoA and the ITI stipulate that states should keep records of small arms transfers (UNGA, 2001, para. II.9; 2005, para. 12). This requirement is reflected in the new reporting template in the form of a question as to whether importers and exporters are required to keep records of their activities (Q. 6.14). Since the state agency responsible for issuing import and export licences and authorizations may also keep records, the template gives states the opportunity to provide information on whether that is the case:

> What records relating to [small arms and light weapons] are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, [small arms and light weapons] held by State agencies such as the armed forces etc)? (Q. 20.1)

Yet since this is an open question—in contrast to the closed question posed regarding importers and exporters—specific information on state-held records of *transfers* is less frequently provided in national reports.[27] Furthermore, the template does not request information on record-keeping for small arms that transit or are transshipped through a state's territory, and so this information is also omitted from national reports that use the reporting template.

As illustrated in Figure 15, 108 states (66 per cent) report that importers and exporters must keep records of their activities. The response rate is much higher than for the similar question posed regarding records kept by manufacturers (73 states, or 45 per cent). This can be attributed to the fact that some 77 states report that manufacture does not take place on their territories and so there is no requirement for manufacturers to keep records. Eighty states (50 per cent of all states who reported at least once) require that records contain information on the quantities of small arms traded, 87 (53 per cent) require that records include information on the types of weapons transferred, and 84 (52 per cent) require that information on transactions be maintained. In contrast, only 62 states (38 per cent) report that they require information on the markings appearing on transferred weapons to be kept.

Duration of record-keeping

While the PoA stipulates that records should be kept 'for as long as possible' (UNGA, 2001, para. II.9), the ITI includes a more specific requirement that records pertaining to marked small arms be kept 'indefinitely'—to the extent possible—or at least 30 years for manufacturing records and 20 years for all other records, including records of import and export (UNGA, 2005, para. 12). The perpetual keeping of records is increasingly facilitated by the computerization of data and is essential to ensuring the traceability of small arms.[28]

Figure 16 provides a comparison of states' responses on the duration of record-keeping for manufacture, transfers, and state-held records.

Records of manufacture. Figure 16 shows that a total of 26 states (16 per cent of the 163 reporting states) have reported that they require manufacturing records to be kept indefinitely, while 2 (1 per cent) report they require records to be kept for 50 years and a further 6 (4 per cent) report they require records to be kept for 30 years.

This means a total of 34 states (21 per cent) have indicated that they are in compliance with the requirement in the ITI to keep records pertaining to marked small arms and light weapons 'indefinitely', to the extent possible, or at least 30 years in the case of manufacturing records (UNGA, 2005, para. 12(a)). By contrast, 6 states (4 per cent) report

that they require manufacturing records to be kept for 20 years; 14 (9 per cent) more report they must be kept for at least 10 years; and a further 6 (4 per cent) indicate manufacturing records must be kept for fewer than 10 years (usually giving a figure of 5 or 7 years). In total, 26 states (16 per cent) report figures that indicate they are not in compliance with the requirements of the ITI.

Records of transfers. Figure 16 also illustrates that a total of 30 states (18 per cent) have reported that they require records of transfers to be kept indefinitely, while 1 (1 per cent) reports it requires records to be kept for 50 years, 7 (4 per cent) report they require records to be kept for 30 years, and a further 7 (4 per cent) report they require records of transfers to be kept for 20 years. This means a total of 45 states (28 per cent) have indicated that they are in compliance with the requirement in the ITI to keep records pertaining to marked small arms 'indefinitely', to the extent possible, or at least 20 years in the case of records on import and export (UNGA, 2005, para. 12(b)). By contrast, 13 states (8 per cent) report that they require records of transfers to be kept for at least 10 years and a further 14 (9 per cent) indicate such records must be kept for fewer than 10 years (usually giving a figure of 5 or 7 years). In total, 27 states (17 per cent) report figures that indicate they are not in compliance with the requirements of the ITI.

Records kept by the state. It is difficult to provide an overview of how long records are kept by state agencies based on national reports. This is partly because the two questions posed in the reporting template in this context are open questions:

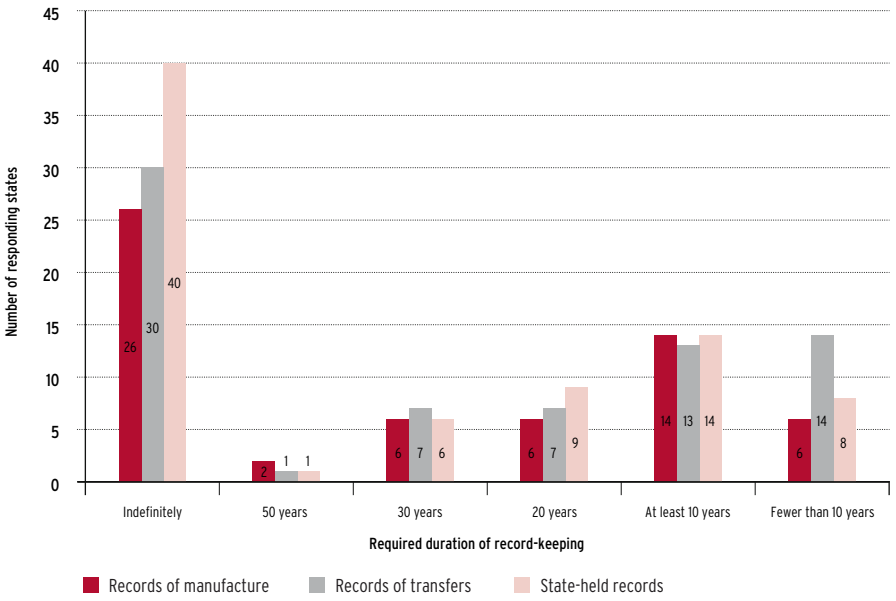
> What records relating to [small arms and light weapons] are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, [small arms and light weapons] held by State agencies such as the armed forces etc)? (Q. 20.1)
>
> How long does the government keep such records? (Q. 20.2)

In contrast, the template questions on the keeping of records of manufacture and transfer give states the option to tick 'indefinitely', '30' or '20' years, or 'other', with a space to provide details. As a consequence, some states provide detailed explanations of their record-keeping practices, elaborating, for instance, that while records of imports and exports are kept electronically and are therefore stored indefinitely, supporting documents are not stored electronically and are thus only stored for seven years. Other states indicate that records are stored by a given agency for ten or 20 years and subsequently 'archived', suggesting they are stored indefinitely somewhere. Some states indicate that records of certain transactions are kept for ten years, while others are kept for 20 years, and so on.

What can be ascertained from states' national reports is that in at least 40 cases (25 per cent), the state keeps some records indefinitely; 1 state (1 per cent) keeps records for 50 years; 6 other states (4 per cent) keep records for 30 years; and some 9 states (6 per cent) keep records for 20 years. This means a total of 56 states (34 per cent) have indicated that they are in compliance with the requirement in the ITI to keep records pertaining to marked small arms 'indefinitely', to the extent possible, or at least 20 years in the case of 'all other records' (UNGA, 2005, para. 12(b)).

By contrast, 14 states (9 per cent) indicate they keep records for at least 10 years and eight indicate such records must be kept for fewer than 10 years. In total, 22 states (13 per cent) report figures that indicate they are not in compliance with the requirements of the ITI (see Figure 16).

Figure 16 **Number of states that require record-keeping for manufacture, transfers, and state-held stockpiles, by duration**

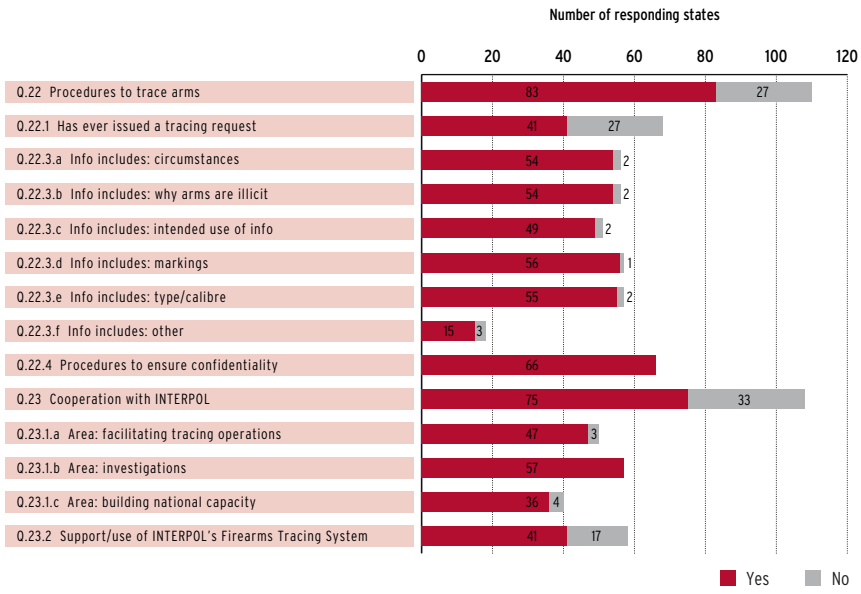


Source: Small Arms Survey (2015b)

Tracing

The ITI contains extensive provisions governing cooperation in tracing, including the nature and content of tracing requests (UNGA, 2005, paras. 16–17) and responses to tracing

Figure 17 **International tracing: number of 'yes' and 'no' responses in national reports**



Source: Small Arms Survey (2015b)

requests (paras. 18–23). These commitments are reflected in the reporting template's section on international tracing through a series of questions regarding, among other points, whether a state has procedures in place to trace small arms (Q. 22), whether it has ever issued a tracing request (Q. 22.1), what information is included in such requests (Q. 22.3), and the nature and extent of any cooperation with INTERPOL, the International Criminal Police Organization (Q. 23).

Figure 17 provides an overview of the responses to these questions in states' national reports. While 83 out of 163 reporting states (51 per cent) confirm they have procedures in place to trace small arms and light weapons, very little information is provided on tracing practices in national reports, with 41 states (25 per cent) reporting having issued a tracing request and only 54 countries on average (33 per cent) giving various types of information on the general contents of such requests (Qs. 22.3.a–e). Twenty-seven states (17 per cent) indicate they do not have procedures in place to trace small arms. In addition, few states provide information on their responses to tracing requests. Some 75 states (46 per cent), however, indicate they have cooperated with INTERPOL on the issue of small arms tracing.

One question in the template asks whether a state has ever issued a tracing request (Q. 22.1), while another question asks how many tracing requests were received during the reporting period (Q. 22.6). If the question on the issuance of tracing requests were also linked to the reporting period under consideration and asked states to specify how many tracing requests were issued—and how many were responded to—more useful data might be generated on trends in tracing requests and illicit trafficking more broadly.

Table 2 **Number of states that would like assistance and that have developed corresponding project proposals based on national reports**

Theme	Question	Reply	Number of states
Manufacture	**Q.5** Does your country wish to request assistance in developing laws, regulations, and/or administrative procedures regarding [small arms and light weapons] manufacture?	Yes	36
		No	96
	Q.5.2 Has your country developed a project proposal for assistance?	Yes	10
		No	28
International transfers	**Q.7** Does your country wish to request assistance in developing laws, regulations, or administrative procedures to exercise effective control over the export, import, transit or retransfer of [small arms and light weapons]?	Yes	50
		No	82
	Q.7.2 Has your country developed a project proposal for assistance?	Yes	15
		No	32
Marking and record-keeping	**Q.21** Does your country wish to request assistance in building capacity for recordkeeping?	Yes	62
		No	71
	Q.21.2 Has your country developed a project proposal for assistance?	Yes	19
		No	36
Tracing	**Q.24** Does your country wish to request assistance in developing procedures to trace [small arms and light weapons]?	Yes	59
		No	70
	Q.24.2 Has your country developed a project proposal for assistance?	Yes	15
		No	40

Source: Small Arms Survey (2015b)

During one of many marking capacity-building projects carried out, a Rwandan Defence Force member stamps post-manufacture marks on army rifles, in Kigali, Rwanda, November 2011. © Benjamin King

International assistance

The PoA and ITI both include commitments with respect to international cooperation and assistance (UNGA, 2001, s. III; 2005, paras. 27–29), encouraging states to provide technical, financial, and other assistance to help other states implement the provisions of the instruments. The reporting template includes a series of questions on international assistance within each thematic area, asking whether the state requires assistance and, if so, what sort of assistance it requires and whether it has developed a project proposal seeking such assistance.

As shown in Table 2, the majority of states respond that they do not require assistance with implementing the commitments relating to manufacture, international transfers, marking and record-keeping, or tracing, with the answer 'no' being reported 319 times (against 207 times for 'yes'). Nevertheless, a number of states do indicate they would like assistance in the domains of manufacture (36 states), international transfers (50 states), record-keeping (62 states), and tracing (59 states).

Notably, the marking and record-keeping section of the template includes a question as to whether the reporting state wishes to request assistance in building capacity for record-keeping (Q. 21), but it does not include an equivalent question regarding marking. As a result, it is not possible to provide a corresponding figure for the number of states that wish to request assistance in building capacity for marking.

States usually describe the assistance they seek as 'technical and financial' support, as well as more training, cooperation, and information sharing. Some states ask for more specific support, such as assistance in the drafting of laws or in capacity building for marking (assistance in the acquisition of marking machines, for instance). Although a number of states indicate that they would like assistance, the number of states that confirm they have developed a proposal for assistance is very low: 10 states report having developed such a proposal for manufacture, 15 for international transfers, 19 for marking and record-keeping, and 15 for tracing.

Conclusion

Overall participation in the reporting process is substantial, with 137 states—71 per cent of all UN members states—having reported twice or more since 2002. However, compliance with the ITI reporting requirement remains relatively poor and PoA reporting is far from systematic. Furthermore, the regional distribution of submissions is uneven; while 98 per cent of states in Europe have reported at least once, for instance, only 43 per cent of states in Oceania have done so. In addition, analysis of reporting trends reveals a significant decrease in the number of reports submitted biennially since 2008. These tendencies highlight opportunities for improvement in reporting practices.

The new UNODA reporting template has enhanced the comparability of reports and has made it easier for states to report. Nevertheless, it has limitations in terms of the comprehensiveness of information and level of detail reported. Indeed, a state may be tempted to tick 'yes' in response to all the questions, which could give

the impression that a state has fully implemented its PoA and ITI commitments even if it has not done so (Parker and Green, 2012, pp. 17–19).

This Issue Brief highlights several positive trends, such as the relatively high number of states reporting to regulate the manufacture and international transfers of small arms. But even in these areas the picture remains incomplete. Indeed, the information states provide usually lacks the level of detail required to assess the quality of national regulations on manufacture and international transfers of small arms—for example regarding the use of EUCs and the marking of weapons at the time of manufacture.

The marking and record-keeping of small arms in circulation are crucial elements to effective tracing. Yet this research illustrates that implementation of such measures is not universal among UN member states. Indeed, national reports indicate that the application of specific yet essential ITI measures—including on marking and record-keeping—is uneven, hindering efforts to consolidate the fight against the illicit trade in small arms and light weapons.

National reports remain the main source of information on UN member states' PoA and ITI implementation, and the two instruments still constitute the most comprehensive international framework to curb the illicit proliferation of small arms and light weapons. Yet while participation in the reporting process remains strong among some states and regions, gaps in reporting preclude a complete picture of states' progress in implementing the PoA and ITI. In addition, a decline in the number of reports submitted biennially and the broad failure to respect the mandatory reporting requirement under the ITI raise questions about states' overall commitment to the UN small arms instruments. It remains to be seen whether the reporting process under the Arms Trade Treaty—which entered into force in December 2014—will revitalize reporting under the PoA or at least enhance the body of information on states' implementation of arms control measures, including the PoA. In any case, PoA and ITI reporting remains as important as ever, given the undoubted relationship between reporting and actual implementation on the one hand and the continuing destabilization of many states and regions by illicit small arms on the other. It may be time to consider new ways to improve the rate and quality of UN small arms reporting. ■

List of abbreviations

BMS	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
DVC	Delivery verification certificate
EUC	End-user certificate
INTERPOL	International Criminal Police Organization
ITI	International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons
NPC	National point of contact
PoA	United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
PoA–ISS	United Nations Programme of Action Implementation Support System
RevCon	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
UNODA	United Nations Office for Disarmament Affairs

Endnotes

1 United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. See UNGA (2001).

2 International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. See UNGA (2005).

3 The PoA 'request[s] the Secretary-General of the United Nations, within existing resources, through the Department of Disarmament Affairs, to collate and circulate data and information provided by States on a voluntary basis and including national reports, on implementation by those States of the Programme of Action' (UNGA, 2001, para. II.33).

4 National reports submitted on or before 31 December 2014 are included in the analysis provided in this Issue Brief. See endnote 6 for more details.

5 The reporting template is available online but is restricted to country officials; see UNODA (n.d.c). However, UNODA maintains a database with all submitted national reports, which allows the public to read the structure of the template based on PoA and ITI requirements. See UNODA (n.d.b).

6 All national reports submitted between 2002 and 2014 were considered for this analysis. Between 1 January and 15 May 2015, one country (Trinidad and Tobago) uploaded a national report for 2015 to the UN Programme of Action Implementation Support System (PoA–ISS) website, but it is not included in this research.

7 This analysis includes the 193 UN member states. A previous review stated that the Holy See had submitted reports as a Permanent Observer Mission (Parker, 2011, p. 16). These reports have since been removed from the PoA–ISS website; accordingly, they are not included in this analysis.

8 The 30 countries that did not submit a single report by 31 December 2014 are Afghanistan, the Bahamas, Belize, Bhutan, Brunei Darussalam, Cape Verde, Comoros, Dominica, Kiribati, Kuwait, Laos, Micronesia, Mongolia, Myanmar, Nauru, Nepal, North Korea, Palau, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, the Seychelles, Suriname, Timor-Leste, Tonga, Tuvalu, Uzbekistan, and Vanuatu.

9 The online annexe to this Issue Brief provides a detailed breakdown of reporting for each year; see Small Arms Survey (2015a).

10 Although the timing of reporting was not specified in the PoA (UNGA, 2001, para. II.33), UN member states submitted reports on an annual basis. With time, however, there was a gradual trend towards biennial as opposed to annual reporting. This issue was considered during the Third BMS in 2008 and reflected in the outcome document of that meeting

(UNGA, 2008, para. 29(a)). States also noted during the Fourth BMS that 'shifting the reporting schedule to a biennial basis, timed to coincide with biennial meetings of States and review conferences, could prove useful in increasing the number and quality of reports' (UNGA, 2010, para. 34). In the outcome document of RevCon 2, states pledged to increase their efforts to submit reports 'on a biennial basis' (UNGA, 2012, annexe I, para. II.A.2.k); the move towards biennial reporting is now firmly established.

11 The years in question were 2003, 2005, 2006, 2008, 2010, 2012, and 2014.

12 In 2009, states submitted only 10 reports; in 2011 they submitted 12; and in 2013, only 3. For the purposes of this study, the year allocated to a national report coincides with the year indicated on the PoA–ISS website (UNODA, n.d.d). For full details of UNODA's classification system, contact UNODA.

13 In 2003 and 2005, the Coordinating Action on Small Arms mechanism developed reporting guidelines (the 'old' reporting template) using a set of open-ended themes structured around three levels of implementation—national, regional, and international. In 2011, UNODA produced a reporting tool following the PoA and ITI themes, providing a mix of closed-ended and open-ended questions (the 'new' reporting template). See Box 1 for a detailed discussion of the development of the template and an analysis of the advantages and potential pitfalls of the new reporting tool.

14 The states that used the new template for the first time in 2014 were Andorra, Belarus, Bulgaria, Chile, China, Denmark, Eritrea, Guatemala, Jamaica, the Marshall Islands, Serbia, Singapore, Somalia, South Africa, Spain, Uganda, and the United States.

15 See the BMS4 report, which says that 'States noted that the development of a standardized reporting template by the Office for Disarmament Affairs would enhance the comparability among reports' (UNGA, 2010, para. 35).

16 Five European UN member states reported 6 times (12 per cent of all European UN member states), 5 reported 7 times (12 per cent), 8 reported 8 times (19 per cent), and 10 reported 9 times (23 per cent). See Figure 2.

17 In 2012 and 2014, however, Europe exhibited its lowest reporting rates, with 72 and 74 per cent of countries having submitted reports, respectively.

18 There were 146 PoA NPCs in 2008, 151 in 2010, and 168 in 2012 (Cattaneo and Parker, 2008, p. 22; Parker, 2011, p. 23; Parker and Green, 2012, pp. 367–73).

19 No state has reported information for an ITI NPC only.

20 Indeed, not all states report, and not all states that do report include any details of their NPCs in their national reports, so reliance on these reports alone is not sufficient.

21 As not all reports that did not use the new reporting template provide information that is pertinent to all the template questions, the database used to generate the figures provided in this Issue Brief is incomplete.

22 This provision is supplemented by the ITI provision that requires the marking of weapons at manufacture (UNGA, 2005, para. 8(a)).

23 Like the PoA requirement to mark small arms at manufacture, the PoA commitment to keep records of manufacture is supplemented by the relevant provision in the ITI (UNGA, 2005, paras. 11–13).

24 All percentages provided in the thematic section are based on the sample of 163 reporting states. Some states did not provide responses to all template questions; similarly, in national reports, some did not address points raised in the PoA template. Since the graphs in the thematic section of this Issue Brief only show 'yes' and 'no' responses, leaving out the number of questions that states left blank, the total number of responses shown does not necessarily equal 163.

25 For further reading on marking, see, for instance, Bevan and King (2013) on lessons learned from a marking initiative of the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States; see also Persi Paoli (2013) on various marking methods and their strengths and limitations.

26 As noted above, a state should regulate the manufacture of small arms through appropriate laws, regulations, and administrative procedures to prevent unauthorized manufacturing—regardless of whether manufacture takes place on that state's territory. The fact that 74 states indicate that they require marking at manufacture even though only 73 confirm that manufacturing takes place on their territories suggests that some states have manufacturing controls in place even though no manufacturers are currently operating.

27 Although a state would not provide information on the actual records it holds in its national report, it should normally report that it keeps such records and provide some indication of their nature.

28 Being durable items, weapons remain serviceable decades after having been produced. Recent cases of tracing performed by the UN Panel of Experts illustrate that weapons initially transferred in the 1970s and 1980s continue to appear in contemporary battlefields. In 2008, for instance, the Panel of Experts in Sudan found Belgian-produced 106 mm recoilless rifle cartridges used by an armed group in Darfur (the Justice and Equality Movement) in contravention of a UN arms embargo. The tracing of these weapons determined that Belgium produced and exported these weapons to Libya during the 1980s (UNSC, 2008, paras. 217–25). See Holtom, Pavesi, and Rigual (2014) for further examples of unauthorized retransfers.

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The Small Arms Survey is a global centre of excellence whose mandate is to generate impartial, evidence-based, and policy-relevant knowledge on all aspects of small arms and armed violence. It is the principal international source of expertise, information, and analysis on small arms and armed violence issues, and acts as a resource for governments, policy-makers, researchers, and civil society. It is located in Geneva, Switzerland, at the Graduate Institute of International and Development Studies.

The Survey has an international staff with expertise in security studies, political science, law, economics, development studies, sociology, and criminology, and collaborates with a network of researchers, partner institutions, non-governmental organizations, and governments in more than 50 countries.

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