

support for the Secretary-General's proposal to report problems of access to the Council.

In order to improve the work of the protection of civilians in armed conflict, speakers noted the need for the Council to ensure that parties to the conflict and peacekeeping complied with international humanitarian law and human rights. Most speakers condemned sexual violence and shared the view that those responsible for that crime should be brought to justice. The representative of the United States applauded the adoption by the Third Committee of the General Assembly of a draft resolution calling on States to end impunity by prosecuting those responsible for sexual violence.⁹⁴ The representative of the United Kingdom emphasized that United Nations peacekeeping missions should have a crucial role in tackling sexual violence,⁹⁵ and several speakers expressed concern about acts of sexual exploitation and abuse by United Nations peacekeepers. The representative of South Africa stressed that it was important to ensure that all peacekeepers were adequately trained before deployment to address the specific needs of women and children.⁹⁶

With regard to the functions of the proposed special representative on the prevention of genocide and mass atrocities, the representative of the Russian Federation requested that the Secretary-General provide more details on the broadening mandate of the Special Representative. He stated that this would help the Council to clarify what exactly was meant by the term "mass atrocities" and how the new mandate would

interface with the work of other agencies in the United Nations system.⁹⁷

Regarding the proposed establishment of a working group on protection of civilians, the representatives of France, Italy, Slovakia, Liechtenstein and Senegal welcomed the initiative.⁹⁸ The representative of Panama emphasized that, before developing new structures, there was a need to address the Council's working methods.⁹⁹ The representative of the Russian Federation expressed reservations, however, because he felt it was a bureaucratic step, and that instead of developing new bureaucratic structures the United Nations should be ready to act quickly in alignment with international humanitarian law and decisions of the Security Council.¹⁰⁰ While welcoming the idea of inviting Council members to informal briefings by the Office for the Coordination of Humanitarian Affairs, the representative of the United States was not convinced that a formal working group was necessary.¹⁰¹

A number of speakers expressed concern about the impact of cluster munitions on civilians and supported measures aimed at restricting their use. Noting that cluster munitions continued to be legitimate weapons when employed properly and in accordance with existing international humanitarian law, the representative of the United States opined that the Convention on Certain Conventional Weapons was the right framework in which to take up that issue.¹⁰²

⁹⁴ Ibid., pp. 19-22. The draft resolution was adopted by the General Assembly as resolution 62/134.

⁹⁵ S/PV.5781, pp. 11-12.

⁹⁶ Ibid., pp. 14-15.

⁹⁷ Ibid., pp. 8-9.

⁹⁸ Ibid., pp. 12-14 (France); pp. 16-17 (Italy); pp. 22-23 (Slovakia); S/PV.5781 (Resumption 1), pp. 15-17 (Liechtenstein); and pp. 8-9 (Senegal).

⁹⁹ S/PV.5781, pp. 10-11.

¹⁰⁰ Ibid., p. 9.

¹⁰¹ Ibid., pp. 19-22.

¹⁰² Ibid.

40. Small arms

Decision of 19 January 2004 (4896th meeting): statement by the President

At its 4896th meeting, on 19 January 2004, the Security Council included in its agenda the report of the Secretary-General on small arms of 31 December 2003.¹ The report reflected initiatives undertaken to

implement the recommendations of the Secretary-General on ways and means in which the Council could contribute to dealing with the question of illicit trade in small arms and light weapons in situations under its consideration.²

¹ S/2003/1217, submitted pursuant to the statement by the President of 31 October 2002 (S/PRST/2002/30).

² Recommendations contained in the Secretary-General's report on small arms of 20 September 2002 (S/2002/1053).

In his report, the Secretary-General noted significant progress in developing an international instrument to enable States to identify and trace illicit small arms and light weapons; recognizing the importance of disarmament, demobilization and reintegration in post-conflict situations; encouraging States to establish the necessary legislation to ensure effective control over the export and transit of small arms and light weapons; and enhancing transparency in armaments. He also pointed out encouraging indications in Member States' efforts to provide technical and financial support to the INTERPOL Weapons and Explosives Tracking System; assist the Secretariat in establishing the small arms advisory service; and identify the links between the illicit trade in small arms and light weapons and the illicit exploitation of natural and other resources. Nonetheless, the Secretary-General noted limited progress in coordination between the Council and the General Assembly, as a structured interaction had not yet been established. The Secretary-General also called for further efforts from Member States to enforce all Council resolutions on sanctions, including those imposing arms embargoes; bring their national legislation into compliance with the Council's measures on sanctions; and establish monitoring mechanisms to identify and allow coercive measures against States that deliberately violated arms embargoes. The Secretary-General stated that the implementation of the recommendation for a more vigorous and expeditious pursuit of arms embargoes against countries or regions threatened by armed conflict presented a mixed picture, where some arms embargoes had been effectively deployed, although the restriction on the supply of ammunition to areas of instability required more attention. He also noted that the need to finance disarmament, demobilization and reintegration programmes through the assessed budget for peacekeeping remained an issue of concern.

Statements were made by all members of the Council and the representatives of Armenia, Canada, Colombia, Costa Rica, Egypt, India, Indonesia, Ireland (on behalf of the European Union),³ Japan, Mali,

³ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Serbia and Montenegro, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

Mexico, New Zealand (on behalf of the Pacific Islands Forum),⁴ Norway, Peru, the Republic of Korea, the Syrian Arab Republic, Sierra Leone, South Africa, Switzerland, Ukraine and Zimbabwe.

The Council was briefed by the Under-Secretary-General for Disarmament Affairs, who expressed hope that the meeting, which was being held in the wake of the first 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, as well as the establishment of an open-ended working group to negotiate an international instrument to enable States to identify and trace illicit small arms and light weapons, would contribute to strengthening the achievements obtained.⁵

Most speakers acknowledged that small arms and light weapons posed a grave threat to international peace and security, and welcomed the report of the Secretary-General. The majority of the speakers called for full implementation of the Programme of Action, and expressed support for the open-ended working group created by the General Assembly to negotiate an international instrument on tracing illicit small arms and light weapons.⁶ A number of speakers advocated closer interaction between the Security Council and the General Assembly; concurred with the Secretary-General's emphasis on the disarmament, demobilization and reintegration of former combatants in post-conflict areas; pointed out the link between the illicit trade in small arms and exploitation of natural resources; and underlined the need for a monitoring mechanism to assure stricter enforcement and compliance with arms embargoes and other sanctions in place.

The representative of Algeria affirmed that the Council should make further use of the means of action conferred on it by the Charter of the United Nations to fight the illicit trade in small arms, and that it should remind Member States of their obligation to enforce

⁴ Australia, Fiji, the Marshall Islands, Micronesia (Federated States of), Nauru, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu aligned themselves with the statement.

⁵ S/PV.4896, p. 3.

⁶ The working group was established by General Assembly resolution 58/241.

arms embargoes more rigorously and effectively in conformity with Article 41 of the Charter.⁷

The representative of South Africa expressed the belief that the negotiations in the General Assembly would produce a practical and effective instrument that would assist Member States in tracing the origin of weapons, and would also facilitate the effective implementation of arms embargoes, as mandated under Chapter VII of the Charter.⁸ The representative of the Philippines stated that the General Assembly's focus on establishing universal norms and making rules to control the proliferation of small arms and light weapons was not mutually exclusive of the Council's concerns regarding practical measures such as arms embargoes and disarmament, demobilization and reintegration in conflict situations. He advised that the Council should not be overburdened with the same issues already under consideration by the Assembly, and, endorsed by Brazil, supported the holding of consultations between the presidencies of the Council and the Assembly to identify complementarities and avoid duplication in their work.⁹ The representative of Colombia argued that while there was a lack of compliance with arms embargoes by Member States and no significant progress on legislation to ensure effective control, there had been even less progress in the recommendations whose implementation depended directly on the Council, including failure to enhance interaction with the General Assembly. He also raised the question whether the Council could deal with illicit trade in small arms under Chapter VII of the Charter in the same way as it used resolution 1373 (2006) to fight terrorism, bearing in mind that the former constituted an equal or even greater threat to international peace and security.¹⁰

Several speakers remarked on States' legal use of small arms and light weapons for defence purposes. The representative of Algeria suggested that a precise analysis of the factors generating and developing the trade in small arms would help to clarify the concepts and prevent lumping illegal flows together with the legal trade in small arms covered by Article 51 of the Charter.¹¹ Similarly, the representative of Costa Rica proposed that there was a need to adopt binding norms

defining when the use of weapons was legitimate and under what conditions arms transfers could be authorized.¹² The representative of Colombia asserted that export control mechanisms should not be based on criteria that took into account only the views and interests of the countries that produced and exported small arms, without considering the interests of importing countries, particularly those countries affected by the illicit trade in small arms. He stressed that criteria such as respect for human rights, existence of internal conflicts, and imbalances between defence and development expenditures were by their very nature subjective criteria and, if applied by exporting countries, could violate the right of all States to import and possess small arms for their self-defence in accordance with Article 51 of the Charter. The use of such criteria also tended to violate the principle of non-intervention, as they had the effect of deciding unilaterally what should be the security and defence needs of the importing country.¹³ The representative of Romania acknowledged that countries had the right to self-defence and that arms production and transfers were therefore legitimate, but stressed that such transfers needed to be carefully controlled by government policies and regulations, and that clear and strict criteria on arms exports should be implemented.¹⁴

The President (Chile) made a statement on behalf of the Council,¹⁵ by which the Council, *inter alia*:

Welcomed all efforts already undertaken by Member States, and called upon them to fully implement at the national, regional and international levels the recommendations contained in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted on 20 July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

Reiterated its call upon all Member States to effectively implement arms embargoes and other sanction measures imposed by the Council in its relevant resolutions, and urged Member States in a position to do so to provide assistance to interested States in strengthening their capacity to fulfil their obligations in this regard; encouraged Members to undertake vigorous actions aimed at restricting the supply of small arms, light weapons and ammunitions to areas of instability; further encouraged Member States to provide the sanctions Committees

⁷ S/PV.4896, pp. 18-19.

⁸ *Ibid.*, p. 28.

⁹ *Ibid.*, p. 7 (Philippines); and p. 14 (Brazil).

¹⁰ *Ibid.*, pp. 29-30.

¹¹ *Ibid.*, p. 19.

¹² S/PV.4896 (Resumption 1), p. 15.

¹³ S/PV.4896, p. 30.

¹⁴ *Ibid.*, p. 4.

¹⁵ S/PRST/2004/1.

with available information on alleged violations of arms embargoes, and also called upon Member States to give due consideration to the recommendations of the related reports;

Reiterated the importance of carrying out disarmament, demobilization and reintegration programmes, an increasingly essential component of peacekeeping mandates, as comprehensively and effectively as possible in post-conflict situations under its consideration.

**Decision of 17 February 2005 (5127th meeting):
statement by the President**

At its 5127th meeting, on 17 February 2005, the Council included in its agenda the report of the Secretary-General on small arms of 7 February 2005,¹⁶ which elaborated on further implementation of his 12 recommendations. In his report, the Secretary-General commended progress in the areas of tracing illicit small arms and light weapons; enforcement of Council resolutions on sanctions; disarmament, demobilization and reintegration in post-conflict situations; illicit brokering in small arms and light weapons; and participation in reporting instruments on arms transparency. He also expressed support for the practice of establishing mechanisms to support, monitor and assess the implementation of sanctions and to provide technical advice to sanctions committees, and a more vigorous effort by the Council to adopt measures to identify and punish those who violated arms embargoes. The Secretary-General, however, noted that no assistance had yet been received from Member States for the establishment of the small arms advisory service, and stated that more remained to be done on the links between illicit small arms and light weapons and the illicit exploitation of natural resources. He recommended that the Council and the General Assembly establish a committee for further cooperation between the two organs. He called for the Council to adopt a comprehensive and regional approach to disarmament, demobilization and reintegration and address cross-border activities; not only the political and security aspects but also the social and economic aspects of disarmament, demobilization and reintegration needed to be addressed.

¹⁶ S/2005/69, submitted pursuant to the statement by the President of 19 January 2004 (S/PRST/2004/1), in which the Council requested an update on the further implementation of the recommendations contained in the report of 20 September 2002 (S/2002/1053).

The Council was briefed by the Under-Secretary-General for Disarmament Affairs and statements were made by all members¹⁷ and the representatives of Australia, Canada, Costa Rica, Egypt, India, Indonesia, Luxembourg (on behalf of the European Union),¹⁸ Mali, Mexico, Nigeria, Norway, Peru, the Republic of Korea, the Republic of Moldova, Senegal, South Africa, Switzerland, Turkey, Ukraine, Venezuela (Bolivarian Republic of) and Zambia.

The Under-Secretary-General provided an overview of the report and stated that although the open-ended working group to negotiate an international instrument to enable States to identify and trace illicit small arms and light weapons was moving closer to reaching an agreement, it was far from reaching consensus on issues such as the nature of the international instrument.¹⁹

Most speakers welcomed the report and called for the Council's continued attention to small arms and light weapons. The speakers emphasized, inter alia, the need to establish a group of governmental experts to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering; encourage all States to establish legislative measures to ensure effective control over the export and transfer of small arms; address the link between the illicit trade in small arms and the exploitation of natural resources; respect the right of States to self-defence and self-determination; and adopt a stronger monitoring mechanism to identify violators of arms embargoes. The representative of Greece added that countries would have to exert restraint when exporting to conflict areas, even when an arms embargo had not been imposed.²⁰

A number of speakers called for a comprehensive approach to the complex consequences of small arms proliferation, which included, but were not limited to, diversion to terrorist groups, human rights violations, and interruption of development, human security and democracy. As part of such an approach, the speakers

¹⁷ Japan was represented by the Special Assistant to the Prime Minister in charge of Foreign Affairs and former Minister for Foreign Affairs of Japan.

¹⁸ Albania, Bulgaria, Croatia, Iceland, Liechtenstein, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

¹⁹ S/PV.5127, pp. 2-3.

²⁰ *Ibid.*, p. 13.

suggested that the Council should include provisions relating to the disarmament, demobilization and reintegration of former combatants in the mandates of peacekeeping operations. The representative of Costa Rica asserted that the transfer of military material should be banned from States whose military units or security forces participated in systematic violation of human rights, and expressed regret that the Secretary-General's report made no reference to the need for an international and legally binding instrument to stop transfers of weapons that contributed to such violations. He added that the Council had not exercised its responsibility stemming from Article 26 of the Charter, which recognized the link between development and disarmament and called for the least diversion of human and economic resources for armaments.²¹

The majority of the speakers welcomed the discussion on a draft international instrument to identify and trace illicit small arms during two sessions of the open-ended working group, and hoped for further progress in overcoming the disagreements on the nature of the instrument and the inclusion of ammunition. A number of speakers stated that the instrument should be legally binding,²² while the representative of the Philippines asserted that the question of legal obligation should not be a wedge issue because the illicit trafficking in small arms and light weapons was already criminalized in many jurisdictions.²³ The representative of Mexico argued that the instrument should be legally binding not only to ensure its effectiveness but also to set a positive precedent for future negotiations on other issues related to small arms and light weapons in the United Nations.²⁴ Others voiced their opinion that the

instrument should be both legally binding and include ammunition.²⁵

The representative of the United States warned that the international instrument under discussion should be practical and effective, and that it should not interfere with existing commitments in other forums.²⁶ The representative of Ukraine added that each element in the tracing of illicit small arms and light weapons should remain a national prerogative, and that any arrangement to be established or strengthened by a new international instrument on tracing should not duplicate, complicate, or diminish the effectiveness of existing mechanisms.²⁷

The speakers also supported the Secretary-General's recommendation of greater interaction with the General Assembly and INTERPOL. The representative of Switzerland suggested that the presidential statement to be issued would gain from mentioning the need for increased cooperation with INTERPOL in tracing small arms and light weapons.²⁸ The representative of South Africa expressed his view that, although the General Assembly bore the primary responsibility for overseeing and monitoring initiatives on illicit brokering of small arms and light weapons within the framework of the Programme of Action, the Council should continue its involvement in the issue.²⁹ The representative of Egypt noted that for a better coordination in the strategies of the two entities the Council should take into account the distinction between its mandate and the more comprehensive role of the General Assembly. He also believed that before establishing a committee to oversee that effort as proposed by the Secretary-General, it was necessary to take steps to achieve the required transparency in the work of the Security Council committees on arms embargoes against particular regions.³⁰ On the other hand, the representative of India expressed the view that thematic debates should have no place in the Council and were best left to the General Assembly.³¹

²¹ S/PV.5127 (Resumption 1), pp. 14-15.

²² S/PV.5127, p. 6 (United Kingdom); p. 8 (Argentina); p. 10 (Brazil); p. 13 (Greece); p. 18 (Denmark); p. 19 (France); p. 22 (Luxembourg, on behalf of the European Union); p. 26 (Canada); p. 29 (Mexico); p. 30 (Peru); S/PV.5127 (Resumption 1), p. 3 (Nigeria); p. 4 (Senegal); p. 6 (Turkey); p. 8 (Indonesia); p. 10 (India); p. 12 (Norway); p. 13 (Moldova); and p. 15 (Costa Rica).

²³ S/PV.5127, p. 16.

²⁴ *Ibid.*, p. 29.

²⁵ *Ibid.*, p. 6 (United Kingdom); p. 8 (Argentina); p. 23 (Luxembourg); and p. 30 (Peru); S/PV.5127 (Resumption 1), p. 6 (Turkey); and pp. 10-11 (India).

²⁶ S/PV.5127, p. 5.

²⁷ *Ibid.*, p. 24.

²⁸ *Ibid.*, p. 28.

²⁹ *Ibid.*, p. 22.

³⁰ *Ibid.*, p. 31.

³¹ S/PV.5127 (Resumption 1), p. 9.

The President (Benin) made a statement on behalf of the Council,³² by which the Council, *inter alia*:

Recognized that the dissemination of illicit small arms and light weapons had hampered the peaceful settlement of disputes, fuelled such disputes into armed conflicts and contributed to the prolongation of such armed conflicts;

Encouraged the arms-exporting countries to exercise the highest degree of responsibility in small arms and light weapons transactions according to their existing responsibilities under relevant international law;

Noted with appreciation that regional actions on illicit trade in small arms and light weapons in all its aspects had been strengthened in recent years;

Welcomed the ongoing efforts by the open-ended working group established by the General Assembly in resolution 58/241 to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons;

Welcomed the inclusion of man-portable air defence systems, on an exceptional basis, in the United Nations Register on Conventional Arms;

Called upon all Member States to enforce all Council resolutions on sanctions, including those imposing arms embargoes, and to bring their own domestic implementation into compliance with the Council's measures on sanctions;

Underlined the fact that the issue of the illicit trade in small arms and light weapons must be addressed together with the disarmament, demobilization and reintegration process in the post-conflict phases.

Deliberations of 20 March 2006 (5390th meeting)

At its 5390th meeting, on 20 March 2006, the Council included in its agenda the report of the Secretary-General on small arms of 17 February 2006,³³ concerning the initiatives undertaken to implement his recommendations. In his report, the Secretary-General commended the adoption of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons; noted the enhancement of the INTERPOL Weapons Electronic Tracing System; welcomed the emphasis on the importance of inter-mission cooperation; and recommended that the Council explicitly articulate the role of peacekeeping missions regarding disarmament, demobilization and reintegration in the mandates of

peacekeeping operations. The Secretary-General also supported the continuing attention paid by the Council to the links between the illicit exploitation of natural resources and the illicit trade in small arms; the initiatives on control over the export and transit of small and light weapons; the practice of establishing mechanisms to support, monitor and assess the implementation of sanctions and provide technical advice to sanctions committees; and the growing participation of Member States in the reporting instruments on armaments.

The Council heard a briefing by the Officer-in-Charge of the Department for Disarmament Affairs and statements were made by all Council members³⁴ and the representatives of Australia, Austria (on behalf of the European Union), Brazil, Cambodia, Canada, Colombia, Egypt, Fiji, Guatemala, Guyana (on behalf of the Rio Group),³⁵ Indonesia, Nigeria, Norway, Papua New Guinea (on behalf of the Pacific Islands Forum),³⁶ the Republic of Korea, Saint Kitts and Nevis, Senegal, Sierra Leone, South Africa, Ukraine and Uruguay.

The Officer-in-Charge of the Department for Disarmament Affairs welcomed the adoption of a politically binding international instrument to enable States to trace illicit small arms, but stressed that the challenge was to take the necessary steps to ensure the full implementation of the instrument. She welcomed the fact that the General Assembly had decided to establish a group of governmental experts to consider further steps to enhance international cooperation to prevent, combat and eradicate illicit brokering. She also noted that the wide diversity of views expressed in debates during the preparatory session for the 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

³⁴ Peru was represented by the Minister for Foreign Affairs.

³⁵ Argentina, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of) aligned themselves with the statement.

³⁶ Australia, Fiji, Kiribati, the Marshall Islands, Micronesia (Federated States of), Nauru, New Zealand, Palau, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu aligned themselves with the statement.

³² S/PRST/2005/7.

³³ S/2006/109, submitted pursuant to the statement by the President of 17 February 2005 (S/PRST/2005/7).

showed the complexity of the challenges posed by illicit small arms.³⁷

Most speakers called for more effective implementation of disarmament, demobilization and reintegration programmes, and supported the Council's decision to include provisions for such programmes in the mandates of United Nations peacekeeping operations. The speakers emphasized, *inter alia*, the need to address cooperation with the General Assembly, INTERPOL, civil society, and non-governmental organizations; issues regarding women and children in the areas of conflict; the link between illicit small arms and exploitation of natural resources; the establishment of a monitoring system to enhance the implementation of arms embargoes; the creation of national legislation to stop the diversion of legal weapons; and the root causes of small arms proliferation, such as a weak State, porous borders, unemployment, poverty and social injustice. Speakers also welcomed the establishment of a group of governmental experts to consider further steps to enhance international cooperation to prevent illicit brokering in small arms and light weapons, and hoped for more progress in the upcoming United Nations conference to review progress made in the implementation of the Programme of Action. The representative of the Russian Federation expressed his belief that the Programme of Action was aimed at preventing and eradicating the illicit trade in small arms and light weapons, and therefore it was too early to consider extending its scope to monitoring the legal transfer of weapons.³⁸ The representative of Indonesia stated that, although he commended the Council's commitment to eradicating the illicit trade in small arms and light weapons, it was necessary to remind the Council that the problem was of a broader dimension than the mandate of the Council and that a tremendous amount of work was being done in the General Assembly.³⁹

Most speakers welcomed the adoption of the international instrument by the General Assembly as an important achievement and called for commitments from Member States for its full implementation. A number of speakers, however, expressed regret at the non-binding nature of the instrument and hoped it would develop into a legally binding international

mechanism.⁴⁰ The representative of the United Republic of Tanzania stated that the Council could not afford "to remain aloof" when its intensive efforts in conflict prevention or peacekeeping were undermined by the proliferation of small arms and light weapons. He also asserted that because presidential statements had brought little change in the conduct of actors on the ground, a universal, binding framework on small arms and light weapons would best serve the Council's resolve to act.⁴¹ The representative of Ghana also expressed his reservations regarding the instrument's purely political and voluntary nature.⁴² Several speakers added that the instrument should have included provisions on ammunition,⁴³ and others concurred on the need for stricter controls on the supply and transfer of ammunition.⁴⁴

Several speakers encouraged the Council to support negotiations on an arms trade treaty, which would include legally binding standards for transfers of all conventional arms, including heavy weapons, small arms and light weapons, and which would also have the effect of strengthening the effectiveness of arms embargoes imposed by the Council.⁴⁵ A number of speakers welcomed the proposal by Argentina for a draft resolution on small arms and light weapons, and expressed their belief that such a resolution would strengthen the Council's position on the issue.⁴⁶ The representative of Sierra Leone, echoing the statement by the representative of Argentina, asserted that the Council should not continue to issue presidential statements but needed to go beyond its expression of

⁴⁰ S/PV.5390, p. 5 (Peru); p. 6 (Qatar); p. 18 (Denmark); p. 23 (Austria, on behalf of the European Union); p. 25 (Guyana, on behalf of the Rio Group); p. 31 (South Africa); p. 33 (Brazil); p. 35 (Colombia); S/PV.5390 (Resumption 1), p. 5 (Senegal); and p. 10 (Nigeria).

⁴¹ S/PV.5390, p. 10.

⁴² *Ibid.*, p. 20.

⁴³ *Ibid.*, pp. 10-11 (Congo); p. 23 (Austria, on behalf of the European Union); p. 31 (South Africa); and p. 33 (Brazil).

⁴⁴ *Ibid.*, p. 12 (Greece); and p. 25 (Guyana, on behalf of the Rio Group); S/PV.5390 (Resumption 1), p. 11 (Norway).

⁴⁵ S/PV.5390, p. 9 (United Kingdom); p. 18 (Denmark on behalf of the European Union); and p. 27 (Sierra Leone); S/PV.5390 (Resumption 1), p. 12 (Norway).

⁴⁶ S/PV.5390, p. 5 (Peru); p. 9 (United Kingdom); p. 13 (Greece); p. 19 (Slovakia); p. 24 (Austria, on behalf of the European Union); p. 26 (Australia); p. 27 (Sierra Leone); p. 33 (Brazil); S/PV.5390 (Resumption 1), p. 10 (Nigeria); and p. 11 (Norway).

³⁷ S/PV.5390, pp. 2-4.

³⁸ *Ibid.*, p. 13.

³⁹ S/PV.5390 (Resumption 1), p. 7.

grave concern in resolution 1209 (1998). He said that the Council should state categorically and unequivocally that the excessive accumulation and circulation of small arms constituted a threat to international peace and security to underline the seriousness of the issue and the determination of the Council to deal with it more effectively.⁴⁷

**Decision of 29 June 2007 (5709th meeting):
statement by the President**

At the 5709th meeting, on 29 June 2007, the President (Belgium) made a statement on behalf of the Council,⁴⁸ by which the Council, *inter alia*:

Recalled its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security;

⁴⁷ S/PV.5390, p. 22 (Argentina); and p. 27 (Sierra Leone).

⁴⁸ S/PRST/2007/24.

Noted with grave concern that the destabilizing accumulation and illicit manufacture, trade and circulation of small arms and light weapons in many regions of the world increased the intensity and duration of armed conflicts;

Reaffirmed the inherent right to individual or collective self-defence consistent with Article 51 of the Charter;

Underlined the need to address this issue and, in this regard, requested the Secretary-General to submit to the Council on a biennale basis a report on small arms;

Stressed the need to implement 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 Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons;

Encouraged increased efforts to end the illicit trade in small arms and light weapons at the national, regional and international levels;

Called upon all Member States to abide by their obligations to observe the arms embargoes established under relevant Council resolutions.

41. General issues relating to sanctions

**Decision of 8 August 2006 (5507th meeting):
resolution 1699 (2006)**

At its 5507th meeting, held on 8 August 2006, the Security Council considered the item entitled "General issues relating to sanctions".¹ The President (Ghana) drew attention to a draft resolution, submitted by Argentina, Denmark, France, Japan, Slovakia, the United Kingdom and the United States;² it was put to the vote and adopted unanimously as resolution 1699 (2006), by which the Council, *inter alia*:

Requested the Secretary-General to take the necessary steps to increase cooperation between the United Nations and INTERPOL in order to provide the sanctions Committees with better tools, to fulfil their mandates more effectively and to give Member States better optional tools to implement those measures adopted by the Security Council and monitored by the Committees, as well as similar measures that might be adopted by the Council in the future, particularly the freezing of assets, travel bans and arms embargoes;

¹ This question was also considered by the Security Council in 2000, 2001 and 2003.

² S/2000/616.

Encouraged Member States to use the tools offered by INTERPOL, particularly the I-24/7 global police communications system, to reinforce the implementation of such measures and similar measures that might be adopted by the Council in the future.

**Decision of 19 December 2006 (5599th meeting):
resolution 1730 (2006)**

At the 5599th meeting, held on 19 December 2006,³ the President (Qatar) drew attention to a draft resolution, submitted by Argentina, Denmark, France, Greece, Japan, Peru, the Russian Federation, Slovakia, the United Kingdom and the United States;⁴ it was put to the vote and adopted unanimously as resolution 1730 (2006), by which the Council, *inter alia*:

Adopted the delisting procedure set forth in the annex to the resolution, and requested the Secretary-General to establish within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive delisting requests and to perform the tasks described in the annex;

³ For more information on the discussion at this meeting, see chap. XI, part III, sect. B, with regard to Article 41 (1) of the Charter.

⁴ S/2006/996.