



**STATEMENT BY MR. NIRUPAM SEN, PERMANENT REPRESENTATIVE, ON
SMALL ARMS AT THE UNITED NATIONS SECURITY COUNCIL ON
FEBRUARY 17, 2005**

Mr. President,

As we are speaking in the Council during this year for the first time, I would like to take the opportunity to welcome the presence of new members of the Security Council, Argentina, Denmark, Greece, Japan and Tanzania and extend our good wishes to them.

Mr. President,

We thank you for convening this open debate of the Security Council on Small Arms, though we would like to reiterate our view that thematic debates should have no place in the Security Council and that these are best left to the General Assembly. We are particularly aware of the complexity and lethality of the proliferation of illicit trafficking in Small Arms and Light Weapons. Over the last two decades, thousands of innocent civilians in India have fallen victim to the acts of the terrorists who use such illicitly obtained weapons for their nefarious activities. Since 1990, the Government of India has seized close to 40,000 such weapons whose markings indicate unmistakably external origin.

We remain deeply concerned that Small Arms and Light Weapons continue to pose grave danger to the security of States. Such weapons have disrupted political stability and social harmony, derailed pluralism and democracy and hampered growth and development. They have also fuelled international terrorism and internal conflicts. In some regions, there is a clear linkage with trade in narcotic drugs and the illicit exploitation of natural and strategic resources. In others they have fuelled civil strife and civil war. Their indiscriminate and irresponsible use, particularly by non-State actors, has caused enormous humanitarian concern that is evident in its most potent form in Africa, particularly in some of the countries of Central and Western Africa.

India welcomes the Report of the UN Secretary-General contained in document S/2005/69, on the ways and means by which the Security Council could contribute to this issue. We have been closely following this issue in both the General Assembly and the Security Council and remain committed to supporting all international endeavours to curb and eradicate the illicit trafficking of such weapons.

India has had the privilege to chair the Group of Governmental Experts on Small Arms and Light Weapons. We are also actively participating in the Open-ended Working Group currently negotiating an international instrument to enable States to identify and trace in a timely and reliable manner illicit Small Arms and Light Weapons. We accord a high priority to this exercise.

Efforts towards evolving an instrument on Marking and Tracing of illicit Small Arms and Light Weapons should be seen in the context of the overall implementation of the UN Programme of Action adopted in 2001. An important underlying theme of our collective effort is to help in the international efforts to combat terrorism. Indeed, the Programme of Action had highlighted the fact that the illicit trade in Small Arms and Light Weapons fuels crime and terrorism. This instrument, we believe, would contribute substantially to the efforts to combat terrorism. We are happy to note the reference from the report of the monitoring Committee in the UN Secretary General's Report which states that "combating weapons smuggling has to definitely be an active part of the fight against terrorism" and adds that all States should be encouraged to adopt the measures incorporated in the UN Programme of Action.

Mr. President,

Illicit trade occurs because of illicit production, or because licit production or licit stocks enter the grey and black markets, thus swelling the illicit weapons market. These weapons end up in the possession of criminals, exacerbating problems for law enforcement agencies and, worse, get into the hands of unscrupulous arms brokers, ending up in areas of conflict and in the hands of extremists and terrorists. The Programme of Action recognises that stringent measures are needed to ensure that there are effective controls over legal transfers of Small Arms and Light Weapons.

India follows a strict policy with regard to export of Small Arms and Light Weapons that includes the requirement for end-user certificates on a government-to-government basis and a ban on exports to countries under UN arms embargo. It is our hope that all other States would also undertake an obligation not to supply such weapons to non-state actors and would insist on authenticated end-user certificates to ensure effective control over the export and transit of such weapons, and not seek exemptions over State-to-State transactions or for transactions related to national security priorities. The international community on its part must also ensure that the trade in arms flows only through channels authorised by both the exporting and the importing Governments.

Mr. President,

India remains committed to seeking stronger and more binding mechanisms to ensure cooperation for our collective security. The final instrument that emerges from the Open-Ended Working Group on Marking and Tracing should reflect not only the concerns and priorities of all Member States but also the expectations of the wider international community. While States are committed to the eradication of illicit trafficking in Small Arms and Light Weapons in all its aspects, this commitment can be effectively translated into concrete action and tangible results only if it is backed by a legal obligation.

We also believe that arms are only the means of delivery and it is availability of illicit ammunition that allows them to be used as instruments for spreading violence and committing terrorist acts.

India, therefore, ideally favours a legally binding instrument and the inclusion of ammunition and explosives within the scope of the instrument in order to tackle the issue in a comprehensive manner.

Mr. President,

The boundaries between crime, conflict and terrorism are blurred in the context of illicit Small Arms and Light Weapons. Trafficking in illicit arms straddles not only organised crime, but conflicts and activities of terrorist and insurgent groups who may be aided and abetted either directly by States or indirectly through individuals who are part of State structures. We, therefore, believe that obligations undertaken by Member States under the instrument must include all Small Arms and Light Weapons, whether they are manufactured for government or private use or for export on a State-to State-basis.

Mr. President,

Multilateral diplomacy has achieved a modest measure of success in dealing with the threat posed by illicit trade in Small Arms and Light Weapons. The adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in July 2001 reflected the commitment of the international community to deal with this issue. The Programme of Action outlines a realistic, achievable and comprehensive approach to address the problem at national, regional and global levels. We hope that the Biennial Meeting of States in 2005 will provide an opportunity to review the effectiveness of the Programme of Action in achieving its objectives and to consider further measures for its full and effective implementation.

Thank you, Mr. President.

BACK TO TABLE OF CONTENTS