

CO-CHAIRMEN'S SUMMARY REPORT

OF

THE ASEAN REGIONAL FORUM (ARF)

Confidence Building Measures (CBMs)
Seminar
on
Conventional Weapons Transfers

21-22 February, 2001

Phnom Penh, Kingdom of Cambodia

**CO-CHAIRMEN'S SUMMARY REPORT
OF THE ARF CBMs SEMINAR
ON
CONVENTIONAL WEAPONS TRANSFERS
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1. The ARF CBMs Seminar on Conventional Weapons Transfers was held in Phnom Penh, Kingdom of Cambodia, on 21-22 February 2001. The Seminar on Conventional Weapons Transfers was hosted by the Royal Government of Cambodia, and co-sponsored by the Governments of Canada and Japan, and the UN Trust Fund. It was co-chaired by H. E. Dr. CHEM Widhya, Permanent Secretary, Ministry of Foreign Affairs and International Cooperation, Kingdom of Cambodia, and H. E. Mr. Donowaki MITSURO, Special Assistant to the Minister for Foreign Affairs of Japan, Mr. Denis CHOUINARD, Deputy Director, Head of Research, Non-Proliferation, Arms Control and Disarmament Division, Department of Foreign Affairs and Trade, Government of Canada.
2. The Seminar was attended by distinguished representatives of Australia, Brunei Darussalam; Kingdom of Cambodia; Canada, People's Republic of China, the European Union, Republic of India, Republic of Indonesia; Japan, Democratic People's Republic of Korea, Republic of Korea, Lao People's Democratic Republic; Malaysia; Republic of Mongolia, Union of Myanmar; New Zealand, Republic of the Philippines; Russian Federation, Republic of Singapore; Kingdom of Thailand, United States of America, Socialist Republic of Viet Nam, and the UN Department of Disarmament. The list of delegates appears as ANNEX A. The Agenda of the Seminar appears as ANNEX B. The Programme of Activities appears as ANNEX C. Papua New Guinea was not able to attend the Seminar due to technical difficulties.
3. His Excellency Mr. HOR Namhong, Senior Minister and Minister of Foreign Affairs and International Cooperation kindly opened the Seminar. His opening remarks appears as Annex D. H.E. Mr. Rey Pagtakhan, Secretary of State for Asia Pacific of Canada, also graced the occasion by contributing his opening remark, which appears as ANNEX E. H.E. Mr. Gotaro Ogawa, Ambassador Extraordinary and Plenipotentiary of Japan also delivered an opening remark, which appears as Annex F.
4. The first session began with a presentation by Mr Kao Kim Hourn, Executive Director of the Cambodian Institute for Cooperation and Peace, on the outcome of the Track II Conference on Small Arms and Light Weapons Proliferation and Trade in the Asia Pacific held on the 19-20 February, 2001, in Phnom Penh. The recommendations made by the track two event were actively considered by the delegates.

5. The value of the United Nations Conventional Arms Register (UNCAR) as a confidence building measure and the need to strengthen the United Nations Conventional Arms Register constituted the focus of the first session. H.E. Mr. Rafael Mariano Grossi, Chairman of the 2000 Group of Governmental Experts on the UNCAR provided the participants with an overview of the history of the register and of its value as a confidence building and transparency measure. He pointed out that although the register covers over 90% of the trade in the seven categories of major conventional weapons there remains work to be done. Although participation has remained consistent at around 90 states, a large number of states, as of yet, do not participate regularly. The importance of submitting nil returns was stressed because it would improve the level of transparency and participation. Mr. Nazir Kamal of the United Nations Department for Disarmament Affairs, explained the process of submitting a return to UNCAR. He also presented the simplified means to submit a nil return. The final presenter on UNCAR, at this session, Dr Owen Greene of Bradford University, described the achievements of the register in the first ten years of its existence, in particular, its reinforcement of the emerging norm of transparency in the international community and its facilitation of dialogue and also discussed issues and priorities for its future development. The session concluded with a presentation by Lt. Gen. Chau Phirun who presented Cambodia's views on the register and informed the audience of the recent submission of their first return to UNCAR. This was noted and applauded by the seminar.

6. In plenary session 2, Maj. Gen. Nem Sowath, Deputy Director General of Defense Service, outlined the concept of Cambodian Defense White Paper, expressing Cambodia's striving effort to integrate itself into the international community. He indicated that because of the importance of the development and security, it is essential for Cambodia to restructure its armed forces to meet the new challenges and to reveal her authentic strategic security policy in order to promote CBMs.

7. Mr. William Malzahn, Officer of the US State Department, recommended that all ARF members should participate in the UNCAR and should provide national points of contact on Arms Register.

8. Mr. Beijer of the European Union presented the EU's Experience on networks of information sharing, consisting inter-alia of (1) Export control, which is not subjected to the Common Rules, (2) Convergence of national policies through application of a Code of Conduct established in 1998, (3) Improving administrative rules by using the best practices approach, (4) Develop rules in new areas in the computer age, and (5) Reinforcing Arms Brokering rules.

9. The combating of Illicit Transfers of Conventional Weapons was discussed in session three. Dr. Herbert L. Calhoun of the United States of America described the evolution of codes of conduct emphasizing the importance of developing codes of conduct concerning small arms and light weapons. Mr. Paul Beijer of the European Union spoke about the EU-US declaration referring to it as a statement of intent, which demonstrates a common EU-US vision on various matters including export controls. He spoke of the development of a draft set of elements for an international code of conduct and expressed a hope that a regional approach will initiate thinking in this area. Mr. Zhang Hong Bin of the People's Republic of China spoke of the importance of addressing the root causes of armed conflict and the importance of a country and region specific approach to these issues. He also highlighted the importance of sovereignty. Mr. A.M. Fachir of Indonesia presented a paper on small arms and light weapons that was received by the participants. Of note is the need to empower the existing relevant regional mechanisms and consolidate their activities.

10. Session three continued with a presentation by Brigadier General (ret) Henny J. van der Graaf, project manager EU assistance in curbing small arms and light weapons in Cambodia. The seminar was encouraged to hear about the dedication of the EU to assist Cambodia in eliminating accumulations of small arms and light weapons. Col. Sar Moline of Cambodia presented Cambodia's ongoing efforts to deal with small arms in the country. In particular he stressed that disarmament can not be successfully conducted unless there is close and broad cooperation and coordination between national, regional, international levels as well as the local communities, NGOs and international organizations. Mr. Bernard Lynch of Australia presented a proposal for an ARF Declaration on Small Arms and Light Weapons. This proposal was welcomed by the delegates who agreed to continue further deliberation in the light of the forthcoming UN Conference in July. Mr. Youn Jong Kwon of the Republic of Korea briefed the Seminar on the results of the Small Arms session of the ARF EGM held in Seoul.

11. In session four, Ambassador Mitsuro Donowaki reviewed intensified efforts being made by the United Nations and by various regional organizations in preparation for the United Nations Conferences on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

12. The ASEAN Regional Forum, which is the only regional forum in this part of the world dealing with the issue of peace and security in this region, should indeed make its best efforts for the success of the UN Conference, because by doing so the interests of not only this region but also of the entire international community will be well served.

13. Also, since the July UN Conference is supposed to be only the beginning of a long process for the eventual solution of the problems of small arms and light weapons, increased involvement of the ARF in the coming years in implementing the programme of action to be adopted by the Conference will no doubt be a vital contribution to such a process.

14. Ms. Peggy Mason of Canada and Chair of the UN Group of Governmental Experts study pursuant to General Assembly resolution 54/54V presented the highlights of the final report. Her presentation emphasized elements that were needed to regulate the activities of arms brokers.

15. Ms. Mason emphasized that national legislation to control brokers does not replace the effective implementation of export controls but rather serves to complement existing legislation. International cooperation and assistance will be essential in ensuring that brokering legislation would be enforced effectively.

16. The Participants highly appreciated the positive and significant efforts made by the Royal Government of Cambodia in joining the UNCAR and publishing its Defense White Paper contributing to the Confidence Building. Moreover, the Seminar also took note with appreciation the Cambodian Government's policy in collecting and destroying small arms and light weapons.

17. The Seminar expressed its appreciation for the warm hospitality and the excellent arrangements rendered by the Royal Government of Cambodia as hosting country to all participants to the Seminar.

18. The Seminar thanked the Governments of Japan and Canada, and the United Nations for their sponsorship of this Seminar.

19. The participants deliberated the Co-Chairmen's Summary Report including the points that merited particular attention. The participants endorsed the Summary Report.



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Numerous ideas and recommendations were discussed for future ARF consideration during the seminar and the following merit particular attention:

United Nations Conventional Arms Register

- All ARF countries are encouraged to participate in the United Nations Conventional Arms Register;
- ARF points of contact for the United Nations Conventional Arms Register should be circulated;

Documents on Defence Policy

- ARF members are encouraged to develop and circulate documents on defence policy;

Small Arms and Light Weapons (SALW)

- The sovereign rights of States should be respected in the international efforts to tackle illicit trafficking;
- A comprehensive and integrated approach to SALW should take into account specific regional, sub-regional and national situations;
- Improve national controls over legal transfers, including marking and tracing, in order to prevent diversion to illicit trade or unauthorised destinations;
- Improve the management and security of stocks at the national level;
- Information exchanges should be considered concerning national legislation such as export policies, and national laws and regulations and existing networks for cooperation between law enforcement officials should be improved;
- Facilitate closer cooperation between customs, police and border controls;
- Mandates of UN Peacekeeping operations should contain clear provisions for disarmament including weapons collection and destruction;
- States in a position to do so should provide assistance to states implementing Disarmament, Demobilization and Reintegration (DD&R) programs including assistance with the disposal and destruction of weapons;

- States in a position to do so should provide technical assistance to states to assist in the drafting of national legislation and related training for national authorities;
- The members of the ARF should work to ensure a successful outcome of the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and actively cooperate with the implementation of the outcome of the Conference;
- The ARF Experts Group Meeting to be held in Kuala Lumpur this April may consider the elaboration of an ARF Declaration on Small Arms and Light Weapons as a contribution to ongoing international efforts and processes in this regard. [A draft of the Australian proposal for a Declaration of Responsibilities on Small Arms and Light Weapons is attached as ANNEX G.]