Informal non-paper presented by Germany

Informal consultative process pursuant to General Assembly resolution 72/55 “Problems arising from the accumulation of conventional ammunition stockpiles in surplus”

1. By adoption of resolution 72/55, the General Assembly encouraged States to participate in open, informal consultations within the framework of the respective resolution, focusing on matters of conventional ammunition management within the United Nations system and beyond, and with a view to identifying urgent issues pertaining to the accumulation of conventional ammunition stockpiles in surplus on which progress can be made and that may constitute a basis for convening a group of governmental experts (GGE).

2. By the same resolution, the General Assembly requested the Secretary-General to convene a GGE in 2020 taking into account the discussions in the open, informal consultations. The Secretary-General will convene the GGE for three one-week sessions in 2020 and report back to the General Assembly for its seventy-fifth session.

3. The 2020 GGE will be the second on the topic of conventional ammunition. A 2008 GGE submitted a comprehensive report on the problems arising from the accumulation of conventional stockpiles in surplus, noting the need to endorse a whole-life-management approach as well as to enhance international cooperation and assistance. The GGE importantly concluded that problems from accumulation of surplus are largely the result of inadequate stockpile management policies and practice. In 2008, the General Assembly, in taking up the specific recommendation of the GGE, requested that the United Nations develop the International Ammunition Technical Guidelines (IATG). The IATG were thus completed in 2011 and since updated in 2015.

4. In subsequent years, States continued to address conventional ammunition through the respective biennial General Assembly resolution. Momentum to address conventional ammunition as a standalone issue of concern culminated in the adoption of resolution 72/55 that requested the establishment of a second GGE to be informed by substantive, informal consultations. As outlined in resolution 72/55, the humanitarian impact of accidental ammunition depot explosions has resulted in death, destruction and the disruption of livelihoods. Moreover, diversion from ammunition stockpiles has contributed to the intensity and duration of armed conflict and has sustained armed violence around the world. Thus, the General Assembly has recognized the urgency of addressing both the security and safety risks emanating from ineffective management of conventional ammunition.

General overview of proceedings

1 The following paper provides an overview of the informal consultative process undertaken in 2018 and 2019 in the framework of General Assembly resolution 72/55. The conclusions presented herein are drafted under the responsibility of Germany, main sponsor of 72/55. The summary reflects Germany’s understanding of the proceedings, discussions and key points raised.

2 A/63/182.

3 A/63/61.

4 www.un.org/disarmament/un-saferguard/guide-lines/
Against this backdrop and pursuant to resolution 72/55, Germany convened a series of informal consultations, open to all States, exploring the multi-dimensional challenges posed by the accumulation of conventional ammunition stockpiles in surplus, with particular focus on the dual challenges of unplanned explosions at munition sites and the diversion of munitions to unauthorized recipients. Drawing upon the content, purpose and objectives of resolution 72/55, six informal consultations were convened at United Nations Headquarters in February, March and October 2018, as well as February, May and September 2019. The informal consultations were supported by expert discussants from Member States, United Nations entities, international and regional organizations, and technical non-governmental partners. Exchanges among States were informed by presentations from diverse stakeholders, including Conflict Armament Research (CAR), the Geneva International Centre for Humanitarian Demining (GICHD), Ammunition Management Advisory Team (AMAT), Mines Advisory Group (MAG), as well as United Nations entities such as the UN Institute for Disarmament Research (UNIDIR), UN Mine Action Service (UNMAS), UN Office for Disarmament Affairs (UNODA) and the UN Office on Drugs and Crime (UNODC). Other international and regional organizations contributed substantively to the discussions, including INTERPOL, the Arms Trade Treaty (ATT) Secretariat, the Organization of American States (OAS) and the Economic Community of West African States (ECOWAS).

States actively engaged in the informal consultations generating a considerable body of substance in support of the forthcoming work of the 2020 GGE. Consultations explored a range of themes derived from resolution 72/55, thus expansively addressing the safety and security challenges arising from conventional ammunition stockpiles in surplus. The central themes of the informal consultations included technical aspects of stockpile management, including existing standards and guidelines; international cooperation, assistance and capacity-building efforts; surplus assessments; the prevention of diversion through life-cycle management; and good practice frameworks at the national, subregional, regional and global levels that address the safety and security challenges arising from conventional ammunition stockpiles.

Many States welcomed the regular, informal consultations with a view to informing the work of the 2020 GGE. There was substantive exchange on the treatment of conventional ammunition under existing political and legal frameworks. Some noted that the treatment of ammunition under existing frameworks is a patchwork as ammunition control measures in the various instruments are fragmented. Various proposals were made with regards to the focus of study of the GGE, including diversion and its contribution to the protraction and escalation of armed conflict, terrorism and crime. Some supported a comprehensive mandate that addresses safety and security, including illicit trade and diversion. The value of the IATG in supporting States in the improvement of ammunition stockpile management was noted and reference was made to the resources provided by the corresponding United Nations knowledge management platform UN SaferGuard.5 Progress made in the development of the IATG and establishment of the UN SaferGuard Programme since the first GGE in 2008 was further underscored.

To further enrich the informal consultative process, Germany convened a series of discussions on conventional ammunition with interested States at the regional level with a view to leveraging expertise located in capitals and to provide States with the opportunity to exchange

5 www.un.org/disarmament/ammunition
with regional partners. Discussions were held with interested States in Abidjan, Addis Ababa, Vienna, Bangkok, Lima and Kingston in October and November 2018 and January, March and September 2019 respectively. Issues addressed in these regionally-focused discussions included good practices in ammunition management at the national and regional levels; imports, exports and related control regimes; and diversion and trafficking trends. States exchanged various views on ammunition management practices as well as on the applicable legal and normative frameworks at the national, subregional, regional and global levels.

9. UNIDIR organized a series of thematic seminars over the same period to frame key issues and inform processes pertinent to the management of conventional ammunition. The seminars aimed to facilitate dialogue and generate ideas with a view to making progress at the national, regional and global levels. Two thematic seminars were convened in Geneva, in November 2018 and March 2019, and one in New York in May 2019. The seminars helpfully unpacked key elements of resolution 72/55 and assisted States in exploring ammunition from several vantage points, including by detailing a range of technical, normative and legislative considerations. The seminars identified two overarching issues—managing the risks related to the safety of ammunition to prevent unplanned explosions at munitions sites; and addressing the diversion of ammunition to unauthorized recipients, which is an enabling factor for insecurity and escalation of armed violence and conflict. Regarding the latter, discussions highlighted that, beyond stockpiles, diversion can occur by multiple means, including illicit brokering, unauthorized retransfers and diversion in-transit. Consequently, it was suggested that conventional ammunition control be considered more systematically, recognizing the linkages between supply-side controls, stockpile management and monitoring and reporting as a means to promote coordinated action at the national, regional and international levels.6

Key substantive issues

10. Drawing upon the considerable pool of knowledge generated over the course of the informal consultative process, several key substantive issues can be highlighted as particularly pertinent to future work in this area, including in the context of the discussions of the 2020 GGE. The four elements provided below should be considered non-exhaustive and without prejudice to additional areas that were raised during the informal consultations, regional discussions and within the framework of UNIDIR’s thematic seminars. Germany invites States to consider these substantive issue areas as part of the related discussions before the 2020 GGE and beyond.

11. Duality of safety and security concerns and enhancing security. The challenges associated with conventional ammunition stockpiles in surplus, as concluded by the 2008 GGE, are largely the result of inadequate stockpile management. Therefore, a holistic approach that addresses the safety of stockpiles, but also prevention of diversion, is crucial. Significant progress has been made regarding safety aspects, principally through the development and dissemination of the IATG. Nevertheless, unsafe, unserviceable and surplus ammunition stockpiles continue to pose a risk to the safety of people and to critical infrastructure upon which they depend. Consideration of a comprehensive approach to safe and secure management of ammunition, rooted in responsibility and accountability, would be of great benefit in this regard.

6 Reports of the seminar series are available in English, Spanish and French on the UNIDIR webpage and provide a comprehensive overview of key findings and discussions [www.unidir.org/publications](http://www.unidir.org/publications)
Surplus assessments, in particular, are an important tool to mitigate explosion, pollution and diversion. In line with the call of operative paragraph 2 of resolution 72/55, States are encouraged to determine the size and nature of their surplus stockpiles of conventional ammunition and to seek external assistance, as required. In the same vein, addressing the diversion threat is paramount to responding effectively to problems emanating from surplus stockpiles. In addition to mitigating diversion from stockpiles, efforts to address diversion by other means could be explored, including pre-transfer risk assessments, end-use certification and monitoring and reporting. Monitoring and reporting is a particularly under-developed area that would greatly benefit from further analysis and guidance. In addition to standalone consideration of these elements, the interconnectivity among them also merits further consideration. Stemming the diversion of ammunition to conflict-affected areas is especially critical and, in this regard, supply-side controls could be considered more closely. Access to and availability of conventional ammunition are serious concerns with regards to the operations of terrorist groups and non-state armed groups. Diversion is also attractive for the manufacture of improvised explosive devices (IEDs) as ammunition, explosives and military demolition items can be misused in a wide range of IED types.

12. **Applicable legal and normative frameworks.** Ammunition has been described as the ‘orphan’ of conventional arms control frameworks insofar as there is no dedicated, international framework to address relevant matters. Stakeholders have underscored that conventional ammunition control measures are present in a number of international and regional instruments, but, taken together, they are relatively fragmented. In general terms, the applicable legal framework is limited in scope. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms (Firearms Protocol) includes associated small arms ammunition, while the ATT covers ammunition associated with the seven categories of the UN Register of Conventional Arms as well as small arms and light weapons. In the ATT framework, focused on legal transfers, ammunition is covered by its provisions related to export, but excluded from those addressing import, transit, brokering and diversion. The Firearms Protocol addresses illicit trafficking, legislative control measures and manufacture. At the regional and subregional levels, ammunition is variously addressed, particularly in relation to small arms and light weapons. Such legally-binding instruments apply only to ratifying States. Consideration of relevant ammunition in the context of the Programme of Action on the illicit trade in small arms and light weapons remains a highly contentious matter. It merits consideration, therefore, whether existing frameworks provide sufficient space for addressing both the safety and security aspects of all types of conventional ammunition, including international cooperation and assistance.

13. **Availability of practical guidance in support of effective stockpile management practices and policies.** Resolution 72/55 positively notes various initiatives at the international, regional and national levels that support States in improving ammunition management, including through application of the IATG. The IATG, publicly available for the voluntary use of interested stakeholders, support States in preventing the growth of surpluses and in addressing wider risk mitigation. The IATG are a central tool to support the safe and secure management of conventional ammunition stockpiles. As such, it is important to sustain efforts to encourage uptake and implementation of this guidance, with particular efforts placed on sensitization, long-term programming within national action frameworks, and the development of sustainable ammunition technical expertise. Given the highly-technical nature of ammunition management,
additional guidance and resources to support States in this endeavor could be considered, including within the framework of the UN SaferGuard Programme and through the work of UNIDIR. Some IATG support resources have been developed, although additional ones may be identified in line with the needs of States.7

14. **Centrality of international cooperation and assistance and means to enhance provision, access and effectiveness.** In addition to the availability of practical guidance, ready access to other means of support, including financial resources and technical expertise, remain central to addressing conventional ammunition matters. Support for physical infrastructure improvements, combined with long-term engagement and capacity-building, is a key component of sustainable cooperation and assistance. National commitment and long-term relationships between actors, both those receiving and those providing assistance, are also key. High-level engagement, including through establishment of national normative and legal frameworks, is central. Exploration of how to improve the provision of, access to and effectiveness of international cooperation and assistance in this field could be a worthy endeavor.

**Conclusions and way forward**

15. In the view of Germany, the informal consultative process facilitated a highly constructive exchange among States on the critical issue of conventional ammunition. Without a dedicated framework, this informal consultative process provided the unique opportunity for consistent exchanges among States focused solely on conventional ammunition.

16. In anticipation of the Secretary-General’s convening of the 2020 GGE, States are invited to consider the four elements outlined above and to further engage with the substance provided herein. The GGE represents an important opportunity to make progress on an issue that, when inadequacies remain, can have devastating impacts for communities, impeding development and stoking instability.

17. As noted in the Secretary-General’s disarmament agenda, *Securing Our Common Future*, effective conventional ammunition management forms part of “disarmament that saves lives” by mitigating the risks of storage depots accidentally exploding in populated areas and of diversion that can fuel conflict and armed violence.8 Germany stands ready to engage proactively with States to support this important call to saves lives.

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7 For example, the UN SaferGuard Programme, in cooperation with GICHD and UNIDIR, published three IATG support guides. The guides are available at: [www.un.org/disarmament/un-saferguard/](http://www.un.org/disarmament/un-saferguard/)