Excellency,

I am writing to you in my capacity as Chair-designate of the seventh Biennial Meeting of States (BMS7) to consider the Implementation of the Programme of Action (PoA) to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, to be held in New York from 15 to 19 June 2020.

I thank you, once again, for your trust in Kenya’s ability to lead this process.

BMS7 will be the first meeting in a new cycle of meetings that States unanimously adopted at the Third Review Conference of the PoA last year and which also includes BMS8 (2022) and RevCon4 (2024). It will be our joint responsibility to set an ambitious, realistic agenda in order to further energize efforts to urgently address the illicit trade in small arms and light weapons.

Agenda for BMS7

As I understand it, a number of key issues have to be taken into account when developing the agenda for BMS7 and beyond, in particular, several already-agreed elements.

The following is my summary of the state of play:

1. The follow-up section of the 2001 PoA envisages the convening of Biennial Meetings of States “to consider the national, regional and global implementation of the Programme of Action”. This has been the basis and mandate of all biennial meetings of States. I have taken good note of the recommendation adopted at the Third Review Conference that BMS7 should consider “[...] key challenges and opportunities relating to [...] preventing and combating the diversion and the illicit international transfer of small arms and light weapons to unauthorized recipients”. ¹

2. In line with past practice – and in accordance with the mandate of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (ITI), adopted by consensus in 2005 – it is

In particular, in the context of the ITI, States have discussed since 2011 the challenges related to new technologies such as polymer gun frames (which can make erasing a serial number easier) and modularity (including where to mark a weapon). States have also requested the Secretary-General for a report on this matter, which was published earlier this year.²

Given that a) discussions on this topic have been proceeding since 2011; b) the Secretary-General recommended in 2014 that “States may wish to discuss the possible value of agreeing on a document supplementary to the Instrument, such as an annex”; and c) the availability of a “non-exhaustive list of elements” for such an annex – compiled on the basis of the previous discussions and included in the Secretary-General’s 2019 report³ – it seems timely to now finalize our work on this matter.

Hence, it is my intention to make use of the informal preparatory meetings towards BMS7 to negotiate a possible short Annex to the ITI, based on the elements proposed by the Secretary-General, and with the intention that we adopt such a document at BMS7. The elements are attached to this letter in all UN languages.

3. At the 2012 Review Conference, States agreed that international cooperation and assistance, including capacity-building, should be an integral element of all PoA and ITI meetings⁴ (which they have).

In this context, I find it encouraging that in the past year States have embarked, ably led by my two predecessors, on discussions towards introducing national voluntary target-setting under the PoA and its ITI. This follows from the repeated unanimous call for more measurability in this process⁵ while it retains the primacy of a State-driven approach.

It would be my intention to make use of the preparatory period before June 2020 to discuss the Secretary-General’s recommendations to that end⁶ and to consensually develop a workable approach to national target-setting in the field of small-arms control efforts. The emphasis should be on how global PoA meetings can strengthen national implementation, on a basis of constructive cooperation, voluntary engagement, and non-interference.

BMS7 could adopt a decision on this topic.

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² A/CONF.192/BMS/2014/1.
³ A/74/187, paragraphe 77-83.
4. Furthermore, at the Third Review Conference, States decided that the agenda of BMS8 (2022) should be decided at BMS7.7

5. Lastly, I understand from past meetings that States value the possibility to bring up other topics of concern under a dedicated agenda item.

Given the above points, my initial suggestion for the agenda of BMS7 is the following:

A. Implementation of the Programme of Action at the national, regional and global level, including the diversion and international transfers to unauthorized recipients.

B. International Tracing Instrument, including consideration and adoption of a supplementary annex to the ITI.

C. International cooperation and assistance, including national target-setting.

D. Agenda of BMS8.

E. Other issues.

Outcome / results of BMS7

With regard to the possible results of BMS7, it is my intention to develop the following documents:

a. A Chair’s Summary, capturing discussions of BMS7;

b. A consensually agreed supplementary Annex to the ITI (see A/74/187, paragraphs 69-83);

c. A consensually agreed decision on developing national target-setting;

d. A consensually agreed decision on the agenda of BMS8.

Working methods

I intend to continue working in the same manner as previous meetings under the Programme of Action have. This means we will aim at holding a solid, informal, inclusive preparatory process in the run-up to BMS7.

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Information consultations

I would like to invite you to our first round of open, informal consultations on 21 January, 2019. I would be very grateful if you could contribute your government’s views and suggestions during the consultations. In particular it would be appreciated if you could share initial national ideas on how to bring forward the possible agenda and outcome of BMS7. This ensures that the preparations for BMS7 will be timely and fully inclusive.

Let me stress that throughout the coming year I will be available for bilateral consultations on any issue that may be of concern to you regarding BMS7, as is my team.

Please accept, Excellency, the renewed assurances of my highest consideration.

Lazarus O. Amayo
Ambassador, Permanent Representative of the Republic of Kenya to the United Nations

To: All Permanent Representatives and Permanent Observers to the United Nations
New York