

## V. The Global Framework for Through-life Conventional Ammunition Management

GIOVANNA MALETTA AND SELMA MUSTAFIĆ

Weak management of weapons and ammunition poses a significant challenge to peace, security and development. Despite this, no international instrument addressed this problem specifically and there has been consistent resistance to efforts to include ammunition within the scope of the 2001 United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (UNPOA).<sup>1</sup> This regulatory gap was recognized by a group of governmental experts that the UN General Assembly established in 2020 to consider problems arising from the accumulation of surplus conventional ammunition stockpiles.<sup>2</sup> As a result, in 2021 the General Assembly established an open-ended working group (OEWG) with the mandate 'to elaborate a set of political commitments as a new global framework that will address existing gaps in through-life ammunition management'.<sup>3</sup>

The OEWG concluded its work in 2023 having held four substantive sessions involving state representatives in 2022 and 2023. There was also a series of informal consultations that involved international and regional organizations, non-governmental organizations (NGOs) and other non-state actors. Following this process, the OEWG developed a set of recommendations for the establishment of a new Global Framework for Through-life Conventional Ammunition Management.<sup>4</sup> The framework was formally adopted by the UN General Assembly in December 2023.<sup>5</sup>

The Global Framework is a voluntary, cooperative framework that seeks to promote safe, secure and sustainable management of conventional ammunition. It contains 'a set of political commitments for strengthening and

<sup>1</sup> Davis, I. and Maletta, G., 'Multilateral regulation of inhumane weapons and other conventional weapons of humanitarian concern', *SIPRI Yearbook 2023*, pp. 460–61; and United Nations, General Assembly, Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, A/CONF.192/15, 20 July 2001, pp. 7–22.

<sup>2</sup> UN General Assembly Resolution 72/55, 'Problems arising from the accumulation of conventional ammunition stockpiles in surplus', 4 Dec. 2017; and United Nations, General Assembly, Report of the group of governmental experts established pursuant to General Assembly resolution 72/55 on problems arising from the accumulation of conventional ammunition stockpiles in surplus, A/76/324, 14 Sep. 2021, paras 83–85.

<sup>3</sup> UN General Assembly Resolution 76/233, 'Problems arising from the accumulation of conventional ammunition stockpiles in surplus', 30 Dec. 2021, paras 17–20. See also Davis and Maletta (note 1), pp. 460–61.

<sup>4</sup> United Nations, General Assembly, Final report of the open-ended working group to elaborate a set of political commitments as a new global framework that will address existing gaps in through-life ammunition management, A/78/111, 16 June 2023.

<sup>5</sup> UN General Assembly Resolution 78/47, 'Through-life conventional ammunition management', 4 Dec. 2023.

promoting existing initiatives on, and addressing existing gaps in, through-life conventional ammunition management'.<sup>6</sup> This section continues by describing the objectives and content of the Global Framework. It then outlines the disagreements that persisted through its drafting and adoption. The section closes by looking ahead to the future implementation and review of the framework.

## Objectives and contents

The Global Framework is a politically binding document that establishes a comprehensive approach to the management of all types of conventional ammunition throughout its life cycle.<sup>7</sup> This approach is articulated in the 15 objectives 'for safe, secure, and sustainable through-life conventional ammunition management' that are at the core of the framework (see box 10.1).

For each objective, the framework outlines measures to address both safety- and security-related risks that poorly managed ammunition could generate as well as other, cross-cutting measures. The measures are divided into two sets: 'common enabling measures' that all states commit to adopt; and 'additional possible enabling measures' that states may pursue based on their capacity and specific needs and priorities.<sup>8</sup>

Measures to address security-related objectives include those that aim to mitigate the risk of diversion. Among these are the use of end-user documentation, the strengthening of marking and tracing procedures, and the voluntary sharing of relevant information.<sup>9</sup>

Measures to address safety-related objectives focus on steps that could be taken to prevent unplanned explosions at ammunition sites and other associated risks. These include the surveillance of national stockpiles to assess the condition of the ammunition and the improvement of risk-reduction processes. The latter can include establishing limits on the quantity of explosives that can be present at ammunition sites or ensuring that these sites are at a safe distance from people or critical infrastructure.<sup>10</sup> The reference to risk-reduction processes, which are quite common in the context of humanitarian mine action, is especially innovative in relation to weapon and ammunition management.

The cross-cutting measures include building upon existing and relevant instruments and mechanisms (e.g. the International Ammunition Technical

<sup>6</sup> UN General Assembly Resolution 78/47 (note 5), para. 2.

<sup>7</sup> United Nations, General Assembly, First Committee, Briefing by the chairperson of the open-ended working group on ammunition, 23 Oct. 2023. See also Davis and Maletta (note 1), pp. 460–61.

<sup>8</sup> United Nations, A/78/111 (note 4), section III, paras 12–14.

<sup>9</sup> United Nations, Briefing by the chairperson of the OEWG (note 7); and United Nations, A/78/111 (note 4), annex.

<sup>10</sup> United Nations, Briefing by the chairperson of the OEWG (note 7); and United Nations, A/78/111 (note 4), annex.

**Box 10.1.** Objectives for safe, secure, and sustainable through-life conventional ammunition management

1. Use, promote and, where appropriate, enhance relevant international standards, guidelines and good practices on safe, secure and sustainable through-life conventional ammunition management
2. Adopt specific needs-driven and sustainable approaches to international cooperation and assistance, tailored to national, subregional or regional contexts, and prioritizing full recipient participation and ownership
3. Support, where appropriate, regional and subregional mechanisms that address through-life conventional ammunition management
4. Prioritize the sustainability of relevant national authorities' capabilities in through-life conventional ammunition management
5. Strive for the adequate systematic and sustainable surveillance of conventional ammunition in national stockpiles
6. Employ adequate risk reduction processes for the management of national conventional ammunition stockpiles
7. Establish adequate through-life systems for inventory management and record-keeping of conventional ammunition under national ownership and control
8. Promote supply chain transparency to comprehensively minimize and mitigate the risks of diversion when authorizing conventional ammunition transfers
9. Mitigate the risk of post-transfer conventional ammunition diversion, including through end-user certificates and functionally equivalent documents in accordance with bilaterally determined clauses
10. Deny unauthorized recipients, including criminals, organized criminal groups and terrorists, access to usable cached, abandoned and uncleared conventional ammunition and its energetic material
11. Enhance the marking and tracing of conventional ammunition under national ownership and control
12. Foster voluntary information-sharing on subregional, regional and international conventional ammunition diversion and illicit trafficking
13. Enhance, where consistent with national laws, data collection and analysis by competent national authorities on diverted conventional ammunition
14. Strengthen gender mainstreaming and the full, equal, meaningful and effective participation of women in through-life conventional ammunition management
15. Encourage cooperation with relevant stakeholders, including non-governmental organizations and civil society, academia, research institutions and industry, to enhance through-life conventional ammunition management

*Source:* Quoted from United Nations, General Assembly, Final report of the open-ended working group to elaborate a set of political commitments as a new global framework that will address existing gaps in through-life ammunition management, A/78/111, 16 June 2023, annex, p. 9.

Guidelines, IATG), strengthening gender mainstreaming and effective female participation in ammunition management, and cooperation with key stakeholders, including NGOs, industry and academia.

The Global Framework contains a section dedicated to international cooperation and assistance in the field of ammunition management, which is regarded as being instrumental to the successful fulfilment of its objectives.<sup>11</sup> It encourages states that are in need to seek assistance and states that are in a position to do so to respond to these requests. The framework also envisages the possibility of states requesting assistance through the UN SaferGuard programme on ammunition management, other international and regional organizations, bilateral cooperation or NGOs.

Finally, states agreed on a series of follow-up measures.<sup>12</sup> These include plans to convene a Meeting of States in 2027, preceded by a preparatory meeting in 2025. In the meantime, states tasked the UN Office for Disarmament Affairs (UNODA), acting as the secretariat overseeing this process, to develop a template to facilitate voluntary initial reporting of steps taken at the national level to implement the Global Framework.

### **Filling a regulatory gap, but disagreements remain**

The main international instrument for cooperation on regulating small arms and light weapons (SALW)—the UNPOA—does not include ammunition. The adoption of the Global Framework thus fills a regulatory gap in the international framework for SALW controls. The Global Framework covers ‘all types of conventional ammunition “from small-calibre ammunition to the largest conventional ammunition”’.<sup>13</sup> The inclusion of small-calibre ammunition was considered particularly important by several South American and African states that are most negatively affected by illicit proliferation of SALW and ammunition.<sup>14</sup>

However, during the process of drafting and adopting the Global Framework, a few points of disagreement emerged among states. For instance, Belarus and Russia openly disassociated themselves from the final report of the OEWG. In doing so, they raised concerns that they reportedly did not signal during the drafting and earlier discussions of the report. Russia, in particular, objected to the inclusion of what it considered to be non-relevant gender-related language and the lack of a ‘categorical prohibition’ on the transfer of ammunition to ‘entities not authorized by the government of the recipient state’.<sup>15</sup> Another contentious point related to the language used to

<sup>11</sup> United Nations, A/78/111 (note 4), annex, section IV.

<sup>12</sup> United Nations, A/78/111 (note 4), annex, section V.

<sup>13</sup> United Nations, Briefing by the chairperson of the OEWG (note 7).

<sup>14</sup> United Nations, General Assembly, Open-ended Working Group on Ammunition, Statement by Colombian, 5 June 2023 (in Spanish); United Nations, General Assembly, Open-ended Working Group on Ammunition, Opening statement by Brazil, 5 June 2023; and United Nations, General Assembly, Open-ended Working Group on Ammunition, Statement by South Africa, 5 June 2023.

<sup>15</sup> United Nations, General Assembly, Open-ended Working Group on Ammunition, Statement by Russia, 9 June 2023 (in Russian; author translation).

refer to the voluntary nature of the commitments included in the framework. Specifically, some states, such as Iran, insisted that this be emphasized in both the preamble and the operational provisions of the text.<sup>16</sup> This was not considered necessary by, for instance, member states of the European Union (EU).<sup>17</sup>

These and other differences resurfaced in November 2023 during the voting on the draft resolution on the Global Framework at the annual session of the UN General Assembly's First Committee. Specifically, a separate vote was called on the part of the preamble explicitly referring to ammunition-related discussions occurring in other forums, such as the 2013 Arms Trade Treaty (ATT) and the UNPOA.<sup>18</sup> This was a sensitive issue and a frequent argument raised during the OEWG sessions since not all states are party to the ATT and considering that ammunition remains outside the scope of the UNPOA.<sup>19</sup> The preamble was eventually retained and the resolution as a whole was adopted by both the First Committee and the General Assembly.<sup>20</sup> In both cases, almost all states voted in favour, none voted against and there were abstentions from 5 states: Belarus, North Korea, Russia, Saudi Arabia and Syria.<sup>21</sup> Saudi Arabia argued that control on ammunition should be decided at the national level, while Syria refrained from engaging with what it considered to be a non-consensual framework.<sup>22</sup>

### Looking ahead: Implementation challenges

The implementation of the Global Framework faces similar challenges to other, related instruments. For instance, like the ATT, the UNPOA and the UN Register on Conventional Arms (UNROCA), the Global Framework will eventually require states to submit reports. Yet, some states are already suffering from 'reporting fatigue' under the existing instruments.<sup>23</sup>

<sup>16</sup> United Nations, General Assembly, Open-ended Working Group on Ammunition, Statement by Iran, 9 June 2023.

<sup>17</sup> United Nations, General Assembly, Open-ended Working Group on Ammunition, Statement by the European Union, 13–17 Feb. 2023.

<sup>18</sup> United Nations, General Assembly, 'General and complete disarmament', Report of the First Committee, A/78/409, 10 Nov. 2023, para. 62. On developments related to the ATT see chapter 12, section I, in this volume. For a summary and other details of the ATT see annex A, section I, in this volume.

<sup>19</sup> United Nations, Second session of the open-ended working group on conventional ammunition, Statement by Russia, Geneva, 15–19 August 2022.

<sup>20</sup> United Nations, A/78/409 (note 18), para. 62.

<sup>21</sup> Namuroy, A., 'Small arms and light weapons', *First Committee Monitor*, vol. 21, no. 5 (4 Nov. 2023), p. 44; United Nations, General Assembly, First Committee, 'Through-life conventional ammunition management', Draft resolution, A/C.1/78/L.41, 11 Oct. 2023; and United Nations, Digital Library, 'Through-life conventional ammunition management: Resolution adopted by the General Assembly', 4 Dec. 2023.

<sup>22</sup> Namuroy (note 21), p. 44.

<sup>23</sup> On reporting under the ATT and UNROCA in 2023 see, respectively, chapter 12, section I, in this volume and section VI of this chapter.

Further, the Global Framework does not make explicit linkages with relevant instruments (e.g. the UNPOA and the ATT) whose implementation is obviously in line with many of its objectives, for example those focused on promoting transparency and preventing the risk of diversion. This may perpetuate difficulties in building synergies among key tools.

Finally, the Global Framework will also need to ensure that the provision of international assistance builds on existing resources and instruments developed in other relevant SALW forums with a view to avoiding duplication and overlap.