



UNREC FOCUS



SPECIAL KINSHASA CONVENTION

UNREC FOCUS: June 2010 - N°7

ELEVEN STATES OF CENTRAL AFRICA NEGOTIATE A CONVENTION TO CONTROL SMALL ARMS

States conclude negotiations on the Kinshasa Convention on 30 April 2010

UNREC drafted a convention for the control of small arms and light weapons in Central Africa, taking into account international and regional legal instruments and the recommendations of independent international and African experts. The United Nations Standing Advisory Committee on Security Questions in Central Africa (UNSAC) mandated UNREC to draft this legal instrument. Eleven States of the sub-region are members of this Committee: Angola, Burundi, Cameroon, Central Africa Republic, Chad, Congo, Democratic Republic of the Congo (DRC), Gabon, Equatorial Guinea, Rwanda and Sao Tome and Principe.



The 30th ministerial meeting of the Committee (26-30 April, 2010, Kinshasa, DRC) was dedicated to review this draft Convention. After four days of intense negotiations on the basis of the legal instrument drafted by UNREC, the Member States of the Committee concluded the negotiation by consensus on the whole text of the Convention.

The Member States of the Committee adopted, at their 30th meeting, a motion expressing their deep gratitude to the Regional Disarmament Branch and to UNREC for the excellent work done.

Expert Workshop on the legal instrument for the control of small arms in Central Africa - 2 - 3 October 2009.

The "Central Africa Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components that can be used for their Manufacture, Repair and Assembly" known as the "Kinshasa Convention" fills a void represented by the fact that Central Africa was one of the few African sub-regions not to have its own a legal instrument for the control of small arms.

The Secretary-General, in his message to the Committee, considered that such a convention "would represent an important step and would help to reduce violence and bring undeniable dividends in terms of peace and security to the States of the region".

The report of the 30th meeting of the Committee is available on the following website :

www.unrec.org.

The "Central Africa Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components that can be used for their Manufacture, Repair and Assembly" known as the "Kinshasa Convention" fills a void represented by the fact that Central Africa was one of the few African sub-regions not to have its own a legal instrument for the control of small arms.



**29th Ministerial Meeting of UNSAC
9 - 12 November, N'djamena 2009**

Main provisions of the Kinshasa Convention

The specificity of the Convention is to authorize transfers between States while subjecting them to a strict control exercised by the relevant national authorities. The possession of light weapons is prohibited to civilians, but the possession of small arms is subject to an authorization (licence) delivered by the authorities. The manufacture of small arms and light weapons is authorized, but subject to control. Arms have to be marked. Brokering activities and brokers are regulated at the national level.

A tracing mechanism is planned and States have to limit the number of entry points of weapons on their national territory. To build confidence and enhance the control of weapons, national databases must be established and allow for information exchange. A sub-regional database is also planned. States have to review, update and harmonize their legislations. The Member States of the Committee requested the UN Secretary-General to agree to be the depository of the Convention, whereas the Secretary-General of ECCAS is responsible for its implementation.

Signature, ratification, entry into force and implementation

The Kinshasa Convention will be signed during the 31st meeting of the Committee (November 2010, Malabo, Equatorial Guinea). UNREC, the United Nations Office for Disarmament Affairs and the United Nations Office for Legal Affairs will support States in the adoption, signature and ratification processes.

The Member States of the Committee mandated UNREC to draft a Programme of Action for the implementation of the Kinshasa Convention. The Member States will organize national consultations on the draft Programme of Action and will forward their comments to UNREC by 31 July 2010. UNREC will present the revised version of the draft Programme of Action during the 31st Ministerial Meeting of the Committee.

Process of drafting a Convention for Central Africa - 14 May 2003 to 30 April

The Member States of the Committee adopted, in 2003, in Brazzaville, the programme of priority activities for the implementation in Central Africa of the Programme of Action on Small Arms. The Member States of the Committee decided to move to the next step by developing a legal instrument and adopted, at their 25th meeting in May 2007, "the Sao Tome Initiative." This initiative provided for the drafting and adoption of a legal instrument or convention for the control of small arms in Central Africa. Due to its technical expertise and mandate, UNREC was mandated by Member States with the responsibility for drafting this convention and its plan of action.

UNREC thus proceeded with the drafting a draft convention and draft plan of action for its implementation according to the following process:

Date and Organ	Steps of the process
May 2007, 25th Committee, Sao Tome	Adoption of the Sao Tome Initiative providing for the drafting of a legal instrument on small arms
September 2007, 26th Committee, Yaoundé	Confirmation by States of the methodology adopted by UNREC for the drafting of the legal instrument
May 2008, 27th Committee, Luanda	Review by States of the feasibility study on the legal instrument
May 2009, 28th Committee, Libreville	Adoption of a document detailing the elements of a legal instrument
September 2009, UNREC	Drafting by UNREC of the first version of the draft convention
October 2009, first independent expert meeting, Lome	Comments and inputs by independent experts
November 2009, UNREC	Integration by UNREC of the comments of the experts and drafting a second version
November 2009, 29th Committee, N'djamena	Comments and inputs of States
November 2009 – January 2010	National consultations organized by States and comments sent to UNREC
February 2010, UNREC	Integration by UNREC of the comments of States and drafting of a third version
March 2010, second independent expert meeting, Nairobi	Comments and inputs by independent experts
April 2010, UNREC	Integration by UNREC of the comments of the independent experts and drafting of a fourth version
April 2010, 30th Committee, Kinshasa	Negotiations among States and conclusion of the negotiations on the basis of the text submitted by UNREC
July 2010	States make their recommendations on the draft plan of action
August 2010, UNREC	Integration by UNREC of the comments of States on the plan of action and drafting of a second version of the plan
September 2010, first independent expert meeting on the Plan of Action	Comments of independent experts on the draft plan of action
October 2010, UNREC	Integration by UNREC of the comments of independent experts on the plan of action and drafting of a third version of the plan
November 2010, 31st Committee, Malabo	Signing of the Convention and submission by UNREC of the revised version of the plan of action to States