

**THE THIRD MINISTERIAL REVIEW CONFERENCE OF THE NAIROBI
DECLARATION ON THE PROBLEM OF THE PROLIFERATION OF ILLICIT
SMALL ARMS AND LIGHT WEAPONS IN THE GREAT LAKES REGION AND
THE HORN OF AFRICA**

Nairobi, 20th – 21st June 2005

**Ministerial Declaration on Practical Implementation of Small Arms Action in
the Great Lakes Region and the Horn of Africa**

We, the Ministers for Foreign Affairs and other Plenipotentiaries of the countries of the Great Lakes Region, the Horn of Africa and bordering states signatories to the Nairobi Protocol for Prevention, Control and Reduction of Small Arms and Light Weapons, namely; Burundi, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Sudan, Uganda and the United Republic of Tanzania, meeting at Nairobi on 20th and 21st of June 2005 on the occasion of *The Third Ministerial Review Conference of the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa*;

Reaffirming the inherent right of States to individual or collective self-defence as recognized in Article 51 of the United Nations Charter;

Expressing our continued concern with the problem of the proliferation of illicit small arms and light weapons in the Great Lakes Region and the Horn of Africa and the devastating consequences they have had in sustaining armed conflicts and armed crime, degrading the environment, fuelling the illegal exploitation of natural resources and abetting terrorism and other serious crimes in the region;

Mindful of the continued need to prevent, combat and eradicate the illicit manufacturing of, excessive and destabilising accumulation of, trafficking in, illicit possession and use of small arms and light weapons, ammunition and other related materials, owing to the harmful effects of those activities on the security of each State and the sub-region, their social and economic development and their right to live in peace;

Conscious of the UN Security Council Resolution 1325 (2000) where it reaffirmed the important role of women in the prevention and resolution of conflicts and in peace building, and stressed the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision making with regard to conflict prevention and resolution;

Welcoming the signature of the Dar-es-Salaam Declaration emanating from the First Summit of Heads of State and Government in November 2004, which committed Governments in the Region, *inter-alia*, to engage in effective Disarmament, Demobilization and Reintegration (DDR) processes, and to promote common policies to put to an end the proliferation of illicit small arms and light weapons, as well as anti-personnel mines and, in that regard, harmonize and ensure the implementation of existing agreements and mechanisms;

Welcoming the International Workshop on Global Principles for Arms Transfers held in Dar es Salaam in February 2005 and the progress made towards creating consensus on the need for global principles for arms transfer controls and the

agreement on the implementation of the Nairobi Protocol, which are consistent with the principles of the proposed Arms Trade Treaty;

Congratulating the SADC States on the entry into force of the SADC Firearms Protocol in July 2004 and encouraging Southern African Governments to expedite its implementation;

Noting further the initiative of Algeria, Mali and Namibia to host regional Governmental experts meetings to prepare for the UNPoA Biennial Member States (BMS) reporting session of 2005;

Congratulating ECOWAS for establishing a new Small Arms Unit and a Small Arms Programme (ECOSAP) to continue and strengthen the work previously done by the Programme for Coordination and Cooperation on Security and Development (PCASED) to provide political guidance and oversight in the implementation of the regional commitments on small arms and light weapons;

Noting the recommendations of the Report of the UN Secretary General's High Level Panel on Threats, Challenges and Change of 2005; particularly in its recognition of the role of Sub-Regional and Regional Organizations including the Nairobi Secretariat in the UNPoA comprehensive approach to the small arms problem;

Welcoming the Madrid Agenda as proposed and agreed upon during the international summit on democracy, terrorism and security held in Madrid, Spain on 8th to 11th March, 2005 in remembrance and honour of all victims of terrorism and those who confront its threat;

Noting the imminent entry into force in July 2005 of the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their parts and Components and ammunition, supplementing the United Nations Convention Against Trans-national Organized Crime;

Reaffirming the commitment undertaken by our Governments in support of:

–The United Nations' Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects of July 2001, and the discussions on its implementation in Africa (2002) and at the United Nations First Biennial Meeting of States to consider progress made in implementing the United Nations Programme of Action in New York (2003);

–The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Trans-national Organized Crime of June 2001, and taking

into account the compatible elements thereof in the African Convention on the Prevention and Combating of Terrorism;

-The OAU Bamako Declaration on the Common African Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons of December 2000;

-The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa of March 2000; its Coordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa SAEM/GLR.HOA/1 of November 2000 and its Implementation Plan SAEM/GLR.HOA/2 of November 2000;

-The recommendations for Improved Capacity on small arms and light weapons action of the Second Ministerial Review Conference of the Nairobi Declaration held in April 2004 including its annexes, the Nairobi Protocol and activity schedule; the terms of reference of the Friends of Nairobi Declaration and the training curricula for senior management, practitioners and civil society;

Welcoming the expedient ratification by some State Parties of the Nairobi Protocol for Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa;

Encouraging State Parties that have not yet ratified the Nairobi Protocol for Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa to do so;

Commending those State Parties to the Nairobi Declaration that have commenced the implementation of National Action Plans for Arms Management and Disarmament;

Further Commending the work undertaken by the Nairobi Secretariat in:

-Developing the work-plan for the implementation of the Nairobi Protocol;

-Work-shopping minimum standards and best practices on key areas of the implementation of the Nairobi Protocol;

-Developing the operational guidelines for regional harmonization of legislation [Annex A];

-Promoting the rapid ratification of the Nairobi Protocol by the State Parties;

- Supporting the creation and launch of National Focal Points in the region;
- Providing capacity to emerging National Focal Points;

- Organizing the Third Ministerial Conference;

- Piloting the Training Curricula for Senior Management and Practitioners and for Civil Society;

- Establishing a Civil Society Dialogue Forum;

- Developing consultations with States signatories for common approaches to the UN interim Ministerial meeting 2005;

Welcoming the contribution of civil society organisations in supporting the implementation of the Nairobi Declaration and sensitising society as to the dangers of the proliferation and trafficking of small arms and light weapons and, in particular, for providing technical assistance and support to the Nairobi Secretariat;

Commending the Nairobi Secretariat for *constituting* a Committee of Experts drawn from some States signatories to the Nairobi Declaration and the Nairobi Protocol, and finalizing the draft Agreement establishing the Regional Centre on Small Arms in the Great Lakes Region and the Horn of Africa (RECSEA);

Thanking the Government of Kenya for hosting and supporting the Nairobi Secretariat;

Thanking the UK Government through the Department for International Development (DFID), and the Royal Government of The Netherlands for their financial support for the implementation of the Nairobi Declaration through their financial support to the Nairobi Secretariat and State Parties engaged in National Action Plans;

Commending State Parties Signatories to the Nairobi Declaration and the Nairobi Protocol for establishing National Focal Points and undertaking various activities in the implementation of the Nairobi Protocol;

Finally, we accept the request by the Transitional Federal Government of Somalia and invite them to fully accede to the Nairobi Declaration and comply with all the procedures, guidelines and protocols developed by the Ministerial Declaration from its inception in 2000;

We, therefore, the Ministers and Plenipotentiaries agree to accept the Federal Republic of Somalia as the 12th member of this initiative and include the

Federal Republic of Somalia as the signatory to the 3rd Ministerial Review Conference and Declaration.

We do hereby declare our commitment to continue to take all necessary steps to prevent, combat and eradicate the trafficking in, and the proliferation of Small Arms and Light Weapons, ammunitions and other related materials in the region.

To this end, our governments will, *inter-alia*, undertake to:

1. Fully Implement the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa, by:

a). *Calling upon* State Parties that have not done so to ratify the Nairobi Protocol;

b). *Committing* the State Parties to identify and mobilize the necessary resources to ensure the effective implementation of the Nairobi Protocol;

c). *Committing the State Parties to implement the approved Nairobi Protocol Activity Schedule (Annex B);*

d). *Completing* the process of harmonization of legislation at national level by 28 April 2006;

e). *Mandating* the National Focal Points to, *inter alia*;

–Ensure the timely delivery of implementation of the Nairobi Protocol at National level.

–Develop national harmonization of legislation programmes in accordance with agreed guidelines [see annex A];

–Report the advances on national implementation of the Protocol to the Nairobi Secretariat as requested, for information exchange purposes;

f) *Mandating* the Nairobi Secretariat to:

- Facilitate, assist and coordinate all aspects and activities related to the implementation of the Nairobi Protocol;

- Promote the rapid ratification of the Protocol by the State Parties that have not yet done so;

- Report back in writing to Ministers on the progress of ratification and national implementation on a regular basis;

2. Establish a Regional Centre for Small Arms and Light Weapons (RECSA) for the implementation of the Nairobi Declaration and the Nairobi Protocol in the Great Lakes Region and the Horn of Africa by:

a. Approving the Agreement that mandates the establishment of a Regional Centre for Small Arms (RECSA) to ensure a coordinated implementation of the Nairobi Declaration and the Nairobi Protocol (Annex C);

b. Mandating the Nairobi Secretariat to urgently develop a staff manual and a full budget for RECSA ensuring its sustainability, including full staffing requirements, overheads and operational costs;

c. Mandating the Secretariat to finalize the budget and forward it to Member States within a month of the signing of the RECSA Agreement;

d. Requesting the Secretariat to thereafter call an extra-ordinary meeting of the Council of Ministers to discuss the budget for adoption on the basis of an agreeable formula;

e. Urging member States to ensure the continued functioning of the Secretariat, and in particular to:

–i. request the Government of Kenya to consider continuing the present level of support for the Nairobi Secretariat;

–ii. implore the Governments of Uganda and Tanzania to continue supporting the effort;

–iii. request other member States to the Nairobi Declaration to also extend support to the Nairobi Secretariat;

f. Requesting the Government of the Republic of Kenya to expeditiously enter into a host Headquarters Agreement with RECSA;

g. Urging the international community and the Friends of the Nairobi Declaration to commit financial resources in support of RECSA and its approved activities on a regular basis.

3. Further enhance the capacity at the sub-regional and National levels to continue with the implementation of the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, by:

a). Assisting State Parties, that have not yet done so, to develop and implement sustainable and comprehensive National Action Plans for Arms Management and Disarmament;

b). Enhancing the capacity of law enforcement agencies to implement the Nairobi Declaration and the Nairobi Protocol in all its aspects through:

–i. Mandating the National Focal Points to implement the approved Training Curricula for Senior Management and Practitioners at national level as approved by the Second Ministerial Review Conference of April 2004;

–ii. Continuing with the development of the Reference and Operational Manual (ROM) for interaction and co-ordination between National Focal Points and also between National Focal Points and RECSA with a view to implement it in 2006;

–iii. Implementing the Standard Operational Procedures for Joint Operation for Small Arms Control and Reduction that is part of the Reference and Operational Manual (ROM) as soon as Police Chiefs from the sub-region approve it;

c). Improving the capacity of civil society to support the National Focal Points and RECSA in the implementation of the Nairobi Declaration and the Nairobi Protocol by encouraging the implementation of the approved training curricula for organized civil society, in particular among the media and parliamentary communities;

d). Mandating RECSA to take into account gender considerations in its policies relating to the implementation of the Nairobi Declaration and the Nairobi Protocol;

e). Encouraging RECSA to develop region to region interaction and information exchange for lessons learnt and the development of common responses to international initiatives;

f). Mandating RECSA and National Focal Points to hold an annual consultation with research centres to exchange information on existing research that could be utilized in support of the Nairobi Declaration and the Nairobi Protocol implementation; identify research topics relevant to the implementation status of the Nairobi Declaration and Nairobi Protocol; and disseminate the results of the consultation broadly.

We firmly believe that these measures will contribute towards the effective implementation of the Nairobi Declaration and the Nairobi Protocol as well as consolidating the regional and national coordination capacities.

IN WITNESS WHEREOF, We the Ministers for Foreign Affairs and other Plenipotentiaries of the countries of the Great Lakes Region, the Horn of Africa and bordering States signatories to the Nairobi Protocol, have signed this Declaration;

Done at Nairobi on this 21st day of June 2005, in three original texts, in English, French and Arabic languages, all three texts being equally authentic.

For The Republic of Burundi

For The Democratic Republic of Congo

For The Republic of Djibouti

For The State of Eritrea

For The Federal Democratic Republic of Ethiopia.....

For The Republic of Kenya

For The Republic of Rwanda.....

For The Republic of Seychelles.....

For The Transitional Federal Republic of Somalia.....

For The Republic of the Sudan.....

For The Republic of Uganda.....

For The United Republic of Tanzania.....