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## National Implementation of the United Nations Small Arms Programme of Action and the International Tracing Instrument: An Analysis of Reporting in 2009–10

Interim Version, June 2010

*By Sarah Parker*



A Working Paper of the Small Arms Survey

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# List of abbreviations

<b>ASEAN</b>	Association of Southeast Asian Nations
<b>BMS</b>	Biennial Meeting of States
<b>CASA</b>	United Nations Coordinating Action on Small Arms
<b>DRC</b>	Democratic Republic of the Congo
<b>ECOWAS</b>	Economic Community of West African States
<b>EFE</b>	European Firearms Experts
<b>FYROM</b>	Former Yugoslav Republic of Macedonia
<b>INTERPOL</b>	International Criminal Police Organization
<b>ITI</b>	International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument)
<b>IWETS</b>	INTERPOL's International Weapons and Explosives Tracking System database
<b>NAP</b>	National Action Plan
<b>NCA</b>	National Coordination Agency
<b>NPC</b>	National Point of Contact
<b>OCO</b>	Oceania Customs Organisation
<b>PoA</b>	Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
<b>PoA-ISS</b>	Programme of Action Implementation Support System
<b>RECSA</b>	Regional Centre on Small Arms and Light Weapons
<b>SARPCCO</b>	Southern African Regional Police Chiefs Cooperation Organisation
<b>UNDP</b>	United Nations Development Programme
<b>UNODA</b>	United Nations Office for Disarmament Affairs

## About the author

Sarah Parker is a consultant researcher with the Small Arms Survey. She has been engaged in small arms research since 2005 and has co-authored several publications on different aspects of Programme of Action implementation, including *International Assistance for Implementing the PoA to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects: Findings of a Global Survey* (UNIDIR, 2006) and *Implementing the UN Programme of Action on Small Arms and Light Weapons: Analysis of the National Reports Submitted by States from 2002 to 2008* (UNIDIR, 2008). She served on the Australian delegation at the Third Biennial Meeting of States and as a consultant to the chair during the Open-ended Working Group on an Arms Trade Treaty in 2009.

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## About this report

United Nations member states are to convene in New York from 14 to 18 June for the Fourth Biennial Meeting of States (BMS<sub>4</sub>) to consider the national, regional, and global implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA), as stipulated in General Assembly Resolution 64/50.

Following informal consultations with states, international and regional organizations, and representatives of civil society and academia in Geneva, Kigali, Lima, New York, and Sydney, the chair-designate of BMS<sub>4</sub>, Ambassador Pablo Macedo, Permanent Representative of Mexico to the United Nations, identified the following themes for focused consideration during BMS<sub>4</sub>: (a) preventing and combating the illicit trade in small arms and light weapons across borders; (b) international cooperation and assistance; and (c) strengthening of PoA follow-up mechanisms and preparations for the 2011 Open-ended Meeting of Governmental Experts and the 2012 Review Conference.<sup>1</sup> The fourth theme for consideration at BMS<sub>4</sub>—implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (the International Tracing Instrument, or ITI)—is identified in operative paragraph 7 of General Assembly Resolution 64/50.

This interim report aims to contribute to BMS<sub>4</sub> discussions by providing an analysis of national reports submitted by UN member states to the Secretary-General from January 2009 until May 2010. Accordingly, it focuses on the themes identified for consideration at BMS<sub>4</sub>. A final report to be published after the conference will provide a comprehensive analysis of all national reports submitted in 2010, including those submitted after the publication of this report, as well as an overview of the outcomes of BMS<sub>4</sub>.

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<sup>1</sup> Letter from the chair-designate to UN member states, New York, 12 March 2010.

## Contents

This report is divided into three parts. The first part provides a statistical overview of reporting by states from January 2002 to May 2010. It also reports on the findings of a survey conducted by the Small Arms Survey to verify the existence of and contact details for National Points of Contact (NPCs), as well as the status of National Coordination Agencies (NCAs) and National Action Plans (NAPs).

The second part provides an overview of states' implementation of the following BMS<sub>4</sub> themes: (a) preventing and combating the illicit trade in small arms and light weapons across borders; and (b) international cooperation and assistance. Since national reports under review contain almost no specific information on the third theme identified by Ambassador Macedo—strengthening of PoA follow-up mechanisms—consideration of this theme will be included in the final report, pending discussion at BMS<sub>4</sub> and the submission of additional national reports that address the issue in detail.

The third part of the report is dedicated to states' reporting on the International Tracing Instrument; only information provided by states that made specific reference to the International Tracing Instrument is included and analysed.

Key observations and discussion points arising from the analysis of the national reports are included at the end of each section. All cited texts are drawn from relevant 2010 national reports unless otherwise indicated.

## Methodology

A total of 544 national reports have been submitted since the PoA was adopted in 2001.<sup>2</sup> The analysis covers all reports submitted in 2009 and 2010<sup>3</sup> and builds

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<sup>2</sup> UN member states have provided 543 national reports; the Permanent Observer Mission of the Holy See to the UN also submitted a report (which consists of a note verbale stating that the Holy See has nothing to report on the issue).

<sup>3</sup> With respect to national reporting for 2010, this report includes only national reports submitted to the UN Office for Disarmament Affairs (UNODA) and posted on the dedicated website—the Programme of Action Implementation Support System (PoA-ISS)—by 6 May 2010. Unless otherwise indicated, citations are drawn from 2010 national reports; the exception is Indonesia (2009). See PoA-ISS (n.d.d) for all submitted national reports.



on three previous analyses of national reports published in 2004, 2006, and 2008.<sup>4</sup> As part of the review of national reports, information regarding the BMS<sub>4</sub> themes was first identified; it was then classified according to the PoA or International Tracing Instrument commitment it reflected and inserted into tables to allow for comparisons across states. As official UN translations of the 2010 national reports were not yet available at this writing, the Small Arms Survey arranged for external consultants to provide the relevant analysis for non-English national reports.

The Small Arms Survey carried out a series of inquiries to determine the accuracy of NPC contact details provided by states and the responsiveness of NPCs. The findings of these inquiries are outlined in the section on National Points of Contact and National Coordination Agencies in Part I of this report. Other than this, no attempt was made to verify the information provided in national reports, or to assess whether activities reported by states fulfil their commitments under the PoA or the ITI. 📄

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<sup>4</sup> See Kytömäki and Yankey-Wayne (2004; 2006) and Cattaneo and Parker (2008).

# I. Statistical overview of reporting trends

## Introduction

The PoA does not require states to submit national reports.<sup>5</sup> Nor does the PoA specify the frequency with which states should report, or the type of information they should include in their reports. Nevertheless, most states have participated at least once in the reporting process, and national reports continue to serve as an important—and sometimes the only—source of information on states' efforts to implement the PoA. In addition, most states have utilized, in whole or in part, the PoA reporting template that forms part of the Assistance Package developed under the auspices of the Coordinating Action on Small Arms (CASA) mechanism.<sup>6</sup>

## Global reporting trends, 2002–10

States have been invited to report on an annual basis through the General Assembly resolution on the illicit trade in small arms and light weapons in all its aspects (the so-called omnibus resolution).<sup>7</sup> However, a proposal put forward during BMS<sub>3</sub> calls on states to report on a biennial basis, coinciding with the Biennial Meetings of States.<sup>8</sup>

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<sup>5</sup> The recommendation to provide reports is contained in paragraph II.33 of the PoA, in which states request the UN Secretary-General, through UNODA, 'to collate and circulate data and information provided by States on a voluntary basis and including national reports, on implementation by those States of the Programme of Action'.

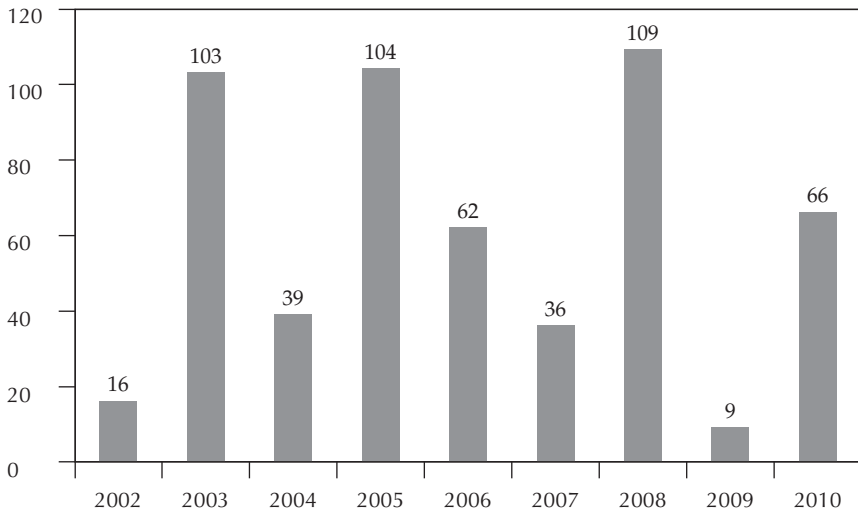
<sup>6</sup> The United Nations Development Programme (UNDP), the United Nations Institute for Disarmament Research, UNODA, and the Small Arms Survey jointly developed an Assistance Package to help member states prepare their national reports. The assistance package and reporting guidelines were first developed in 2003 and then revised in 2005; downloads are available at UNDP (n.d.).

<sup>7</sup> This resolution has been presented for discussion at the General Assembly annually since 2001. See UNGA (2010) for the most recent version.

<sup>8</sup> See UNGA (2008, s. IV(IV), para. 29(a)).

Figure 1 **National reports, by year, 2002–mid-2010**

Number of reports



From 2002 to mid-2010, 152 member states and the Permanent Observer Mission of the Holy See to the UN reported at least once on their implementation of the PoA, while 41 member states have yet to submit their first report (8 states in Africa; 9 in the Americas; 14 in Asia; 8 in Oceania; and 2 in Europe).<sup>9</sup> Since BMS<sub>3</sub> in July 2008, Libya, Malawi, and Tunisia submitted reports for the first time. Annex 1 provides a breakdown of reporting in each year. The number of national reports submitted in each year since 2002 is shown in Figure 1.<sup>10</sup>

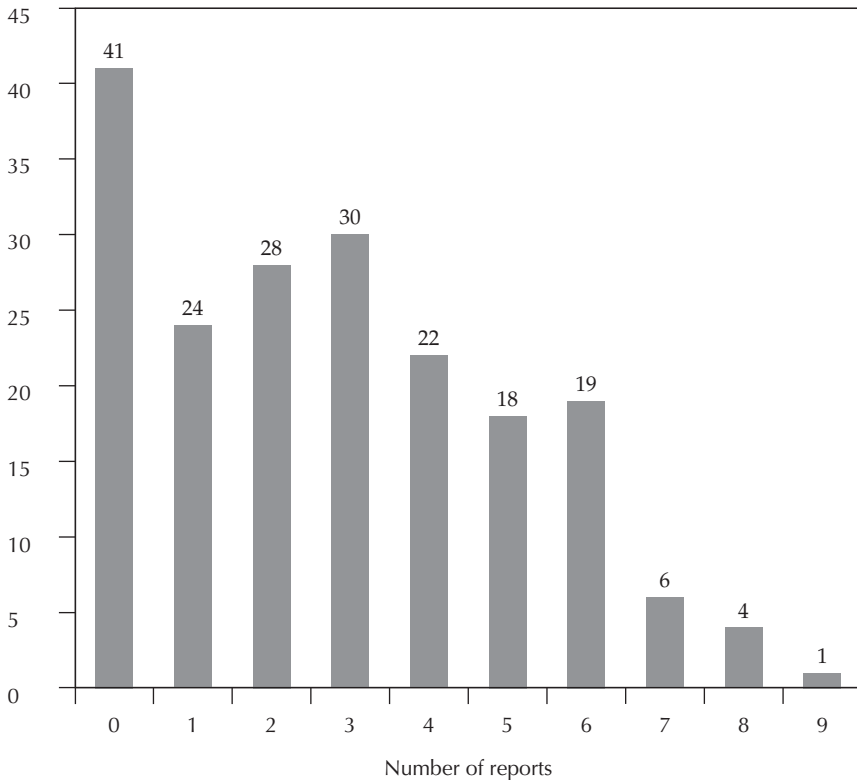
Figure 1 shows that reporting activity was most intense during BMS years (2003, 2005, and 2008), with more than 100 states reporting in each of those years.

<sup>9</sup> The 41 member states are Afghanistan, Antigua and Barbuda, Bahamas, Belize, Bhutan, Brunei Darussalam, Cape Verde, Comoros, Dominica, the Democratic People's Republic of Korea, Eritrea, Guinea, Guinea-Bissau, Guyana, Kiribati, Kuwait, the Lao People's Democratic Republic, Madagascar, Maldives, Micronesia, Mongolia, Montenegro (which became a UN member state on 28 June 2006), Myanmar, Nauru, Nepal, Palau, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Seychelles, Singapore, Somalia, Suriname, Timor-Leste, Tonga, Turkmenistan, Tuvalu, Uzbekistan, and Vanuatu.

<sup>10</sup> This report only includes national reports submitted and posted on the PoA-ISS website by 6 May 2010.

Figure 2 **Number of reports submitted by states, 2002–mid-2010**

Number of states



There was a smaller spike in 2006, the year in which the UN Review Conference was held.<sup>11</sup>

With only 66 national reports, 2010 has so far experienced the lowest level of reporting for any BMS year. The year 2009 experienced the lowest level of reporting ever, with only nine states submitting national reports. This may be a reflection of a gradual trend towards biennial as opposed to annual reporting, which was encouraged during BMS<sub>3</sub> and reflected in the outcome document

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<sup>11</sup> The full title of the meeting is United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

of that meeting.<sup>12</sup> However, combined with the low levels of reporting witnessed so far in 2010, it may also mark the beginning of a decline in interest, commitment, or enthusiasm—or reporting fatigue.

The number of reports submitted by member states varies, with 24 states having submitted only one report since the adoption of the PoA in 2001, and only one state, Australia, having submitted a national report every year.<sup>13</sup> Figure 2 shows the number of states that have reported between zero and nine times.

**Table 1 National reports by region, 2002–mid-2010**

		Africa	Americas	Asia	Europe	Oceania
	<b>No. of states in region</b>	<b>53</b>	<b>35</b>	<b>47</b>	<b>44</b>	<b>14</b>
2002	Reports	3	3	2	7	1
	Regional %	6	9	4	16	7
2003	Reports	24	18	23	35	3
	Regional %	45	51	49	80	21
2004	Reports	2	10	6	17	4
	Regional %	4	29	13	39	29
2005	Reports	28	16	21	35	4
	Regional %	53	46	45	80	29
2006	Reports	11	13	14	23	1
	Regional %	21	37	30	52	7
2007	Reports	4	6	4	20	2
	Regional %	8	17	9	45	14
2008	Reports	31	18	21	36	3
	Regional %	58	51	45	82	21
2009	Reports	2	0	1	5	1
	Regional %	4	0	2	11	7
2010	Reports	16	6	12	30	2
	Regional %	30	17	26	68	14

<sup>12</sup> See footnote 8.

<sup>13</sup> While Australia is recorded as having submitted a total of nine national reports, one for each year since the adoption of the PoA in 2001, its national report for 2006 was not submitted until September 2008, according to UNODA sources.

## Regional reporting trends, 2002–10

Table 1 breaks down reporting between 2002 and 2010 according to region. The regional and sub-regional categories used here are based on the geographical classification established by the United Nations Statistics Division. For each year, the rows show the number of states in each region that reported as well as the percentage of reporting states in each region. For example, in 2010, 16 African states submitted national reports, representing 30 per cent of the total number of member states in the region.

Table 1 reveals that states in Europe have submitted the highest number of reports each year in absolute terms. Figure 3 illustrates that Europe is also consistently the region with the highest proportion of states reporting each year.

Figure 3 **Overview of reporting by region (%), 2002–mid-2010**

% of states in region that reported

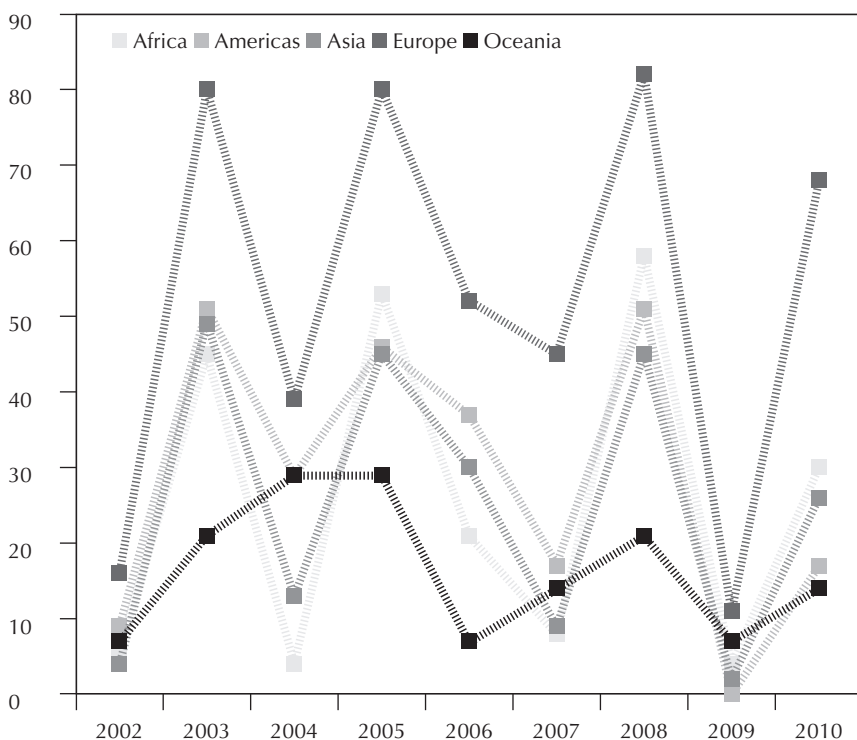


Figure 4 provides an overview of the number of reports submitted by states according to region.

Figure 4 **Frequency of reporting by region, 2002–mid-2010**

Number of reports

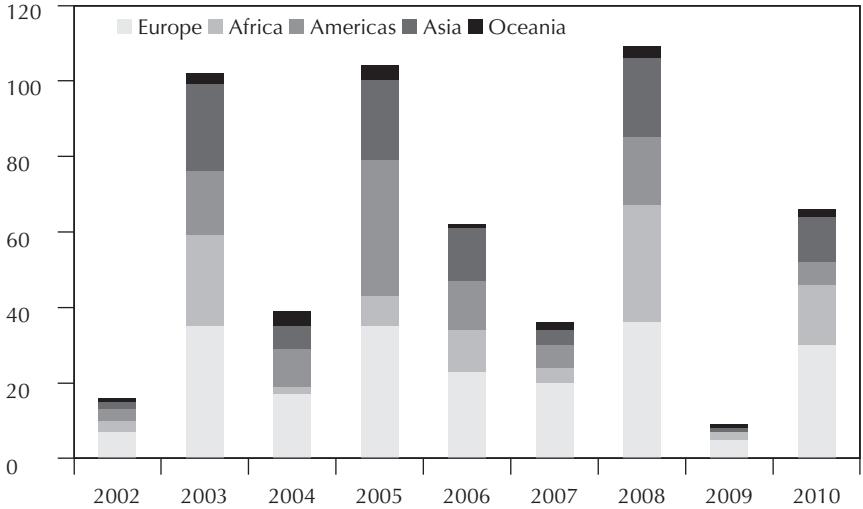


Figure 5 **Overall reporting by region, 2002–mid-2010**

■ Reported ■ Never reported

Percentage reporting

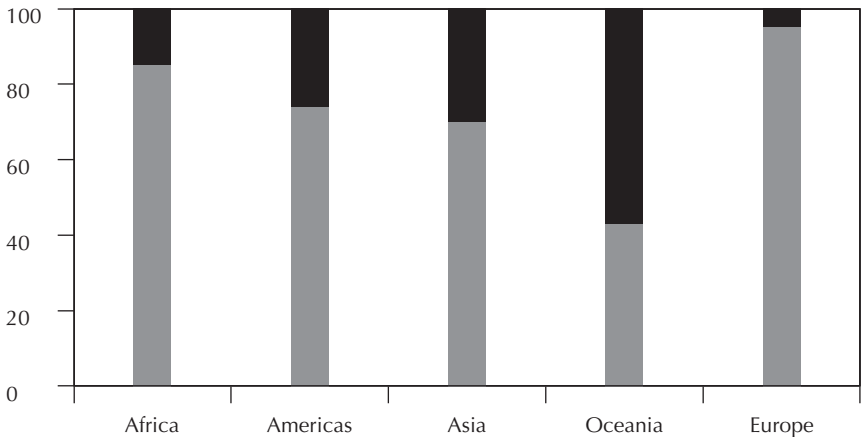


Figure 5 provides the overall figures for reporting by region, with the lighter shade indicating the percentage of states that have reported, and the darker shade indicating the percentage of states that have never reported. For example, in the overall reporting period, 95 per cent of European member states have reported, while five per cent have not.

In terms of the frequency of reporting, Table 2 provides a breakdown of the number of states that reported once, twice, and so on, per region. For example, the table shows that 13 African states have reported twice but no African state has reported every year.

Table 2 **Frequency of reporting by states, by region**

No. of reports	0	1	2	3	4	5	6	7	8	9	Total
Africa	8	12	13	8	6	3	2	1	0	0	53
Americas	9	4	4	7	3	5	2	0	1	0	35
Asia	14	4	6	11	7	3	2	0	0	0	47
Oceania	8	2	2	0	0	0	1	0	0	1	14
Europe	2	2	3	5	6	6	12	5	3	0	44
<b>Total</b>	<b>41</b>	<b>24</b>	<b>28</b>	<b>31</b>	<b>22</b>	<b>17</b>	<b>19</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>193</b>

## Sub-regional reporting trends, 2002–10

Reporting patterns were also analysed in the context of the sub-regional groupings established by the UN Statistics Division.

### *Africa*

As shown in Figure 4, reporting in Africa peaked in 2003, 2005, and 2008, and less dramatically in 2010 (with 24, 28, 31, and 16 reports submitted, respectively).

Since the adoption of the PoA in 2001, no state in Africa has reported every year. Libya, Malawi, and Tunisia reported for the first time in 2010. Togo has reported seven times, which is the highest number of reports submitted by any state in the region.



## *Americas*

As revealed in Figure 4, reporting in the Americas peaked in 2003, 2005, and 2008 (with 18, 16, and 18 reports, respectively). In addition, a significant number of reports (13) were submitted in 2006, the Review Conference year. To date, however, 2010 has seen one of the lowest levels of reporting by the region, with only six states submitting national reports, even though 2010 is a BMS year and the chair-designate for the BMS, Ambassador Macedo of Mexico, is from the region. No national reports were submitted in 2009—the lowest level of reporting ever for the Americas.

Since the adoption of the PoA in 2001, no state in the Americas has reported every year. Mexico has reported eight times, which is the highest number of reports submitted by any state in the region.

## *Asia*

As Figure 4 shows, reporting during the first year of PoA implementation was low in several regions, with only two Asian states submitting reports. Reporting in Asia peaked in 2003, 2005, and 2008 (with 23, 21, and 21 reports, respectively). Reporting in the region was also high in 2006, the year of the Review Conference, with 14 reports submitted. A less dramatic increase in reporting can be observed in 2010—a BMS year—with 12 national reports being submitted by Asian states. As with almost every other region, 2009 saw the lowest level of reporting for Asia, with only one report submitted by Indonesia.

Since the adoption of the PoA in 2001, no state in Asia has reported every year. China and Japan have reported six times, which is the highest number of reports submitted by any state in the region.

## *Europe*

In Europe, as in other regions, reporting during the first year of PoA implementation was low, with only seven states submitting reports (see Figure 4). Since then, however, reporting in the region has been consistently strong, with 40–80 per cent of European states reporting each year, except in 2009, which saw the lowest level of reporting ever, with only five national reports submitted. As was the case in other regions, reporting in Europe also peaked

in 2003, 2005, and 2008 (with 35, 35, and 37 reports, respectively); a relative spike has already occurred in 2010, with 30 reports being submitted so far. Unlike other regions, however, Europe did not register a particular peak in 2006, when the Review Conference was held.

Despite the high level of reporting, no state in Europe has reported every year, although Belarus, Hungary, and the former Yugoslav Republic of Macedonia (FYROM) have reported eight times, which is the highest number of reports submitted by any state in the region. The only states in Europe that have never reported are San Marino and Montenegro, in Southern Europe.

### *Oceania*

In Oceania, unlike other regions, there is no pattern of a peak in reporting during BMS years. The highest number of states to have submitted a report in any given year is four in 2004 and 2005 (almost 30 per cent of the states in the region).

Australia is the only state in the region (and the world) to have reported every year since 2001.<sup>14</sup>

## **National Points of Contact/National Coordination Agencies**

Under paragraph II.5 of the PoA, states undertook to establish or designate ‘a national point of contact to act as liaison between States on matters relating to the implementation of the Programme of Action’. Under paragraph II.4, states also undertook to establish or designate ‘national coordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects’. In addition, although the PoA does not expressly call on states to prepare National Action Plans on small arms, the development of NAPs allows states to pursue implementation of their PoA commitments in an integrated, systematic fashion, and is consistent with the spirit of the PoA.

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<sup>14</sup> Previous reporting analyses did not indicate Australia as having reported in 2006. However, a national report for Australia for that year is now available on the PoA-ISS website; it was provided to UNODA in September 2008. Author correspondence with UNODA, 26 April 2010.

As of May 2010, 151 states and the Holy See had communicated the contact details of their NPCs on small arms to the UN Office for Disarmament Affairs (UNODA). By the first BMS in 2003, 122 NPCs were already in place; there has not been a significant increase in the number of NPCs in recent years. The overview of national reports on the Programme of Action Implementation Support System (PoA-ISS) website and other sources document which states appear to have established NPCs with respect to their PoA implementation; however, the sources do not reveal the accuracy of the contact details provided, nor the extent to which those NPCs are functional.

In an effort to answer these questions, the Small Arms Survey prepared a brief questionnaire on NPCs, NCAs, and NAPs, and between 8 March and 16 April 2010 attempted to contact all NPCs listed on the PoA-ISS website to (a) confirm whether the contact details are correct and (b) request that the NPCs complete the questionnaire.<sup>15</sup> Annexe 3 provides details of the questionnaire issued to NPCs.<sup>16</sup>

### *Methodology*

Attempts were made to contact a total of 146 of the 151 NPCs listed on the PoA-ISS website. The remaining five NPCs (Bahrain, Chile, Egypt, Malaysia, and the Philippines) could not be contacted because no contact details were available, only the identity of the government ministry or department where the NPC is located. As a result, there was insufficient information to pursue inquiries.<sup>17</sup>

The following steps were taken to contact and identify NPCs:

- 1) The questionnaire was sent by email to 122 NPCs.<sup>18</sup> It was sent in whichever of the six UN languages was most relevant to the country in question.

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<sup>15</sup> The list of NPCs and their contact details can be accessed at PoA-ISS (n.d.a).

<sup>16</sup> The annexe is available online; see Small Arms Survey (2010).

<sup>17</sup> Following the regional meeting in Bali, additional information pertaining to the Philippines' NPC was posted on the PoA-ISS website. This information was not available until after the inquiries were made for this interim report, however.

<sup>18</sup> This included all 121 NPCs for which an email address was available in a national report or on the PoA-ISS website, plus Peru's NPC, whose email address was obtained during a telephone call to the number listed on the PoA-ISS website.

- 2) Telephone calls were made to 110 NPCs.<sup>19</sup>
- 3) If no response to the first email was received, and the telephone call did not produce satisfactory results, a follow-up email was sent between three and four weeks after the first email.

### *Outcome of attempts to verify NPC contact details*

**Email addresses.** Of the 122 emails initially sent out, 46 (38 per cent) resulted in contact of some kind, though not all of the email addresses were correct. In some cases, the persons who responded to the email indicated that they were not the NPC and provided alternative contact details for the NPC<sup>20</sup> or indicated they would forward the message to the correct person.<sup>21</sup> In some cases, the person contacted did not understand the nature of the request (and was certainly not the NPC)<sup>22</sup> or the response came from a person who was different from the one identified on the UNODA list.<sup>23</sup> In four cases, a successful email address was found through an alternative source.<sup>24</sup>

Attempts to contact the other 76 states using email addresses listed on the PoA–ISS website failed. In 40 per cent of cases there was no response, and in 22 per cent there was a failure to deliver, indicating the email was faulty or incorrect.<sup>25</sup> Figure 6 provides an overview of the outcomes of attempts to contact NPCs via the email addresses contained in their national reports or the PoA–ISS website.

**Telephone numbers.** A total of 126 telephone calls were made in an effort to contact 110 NPCs (for many of which more than one phone number is listed).

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<sup>19</sup> One or more telephone numbers were available via national reports or the PoA–ISS website for 133 of the NPCs. In 23 cases, however, it was not necessary to make telephone contact because a satisfactory response to the initial email was received. A total of 110 NPCs were thus approached via telephone.

<sup>20</sup> For example, India.

<sup>21</sup> For example, Croatia, Kazakhstan, Namibia, and the Republic of Korea.

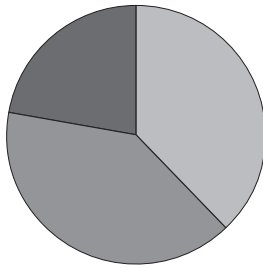
<sup>22</sup> For example, Senegal.

<sup>23</sup> For example, the Democratic Republic of the Congo (DRC).

<sup>24</sup> The four cases were Fiji, Kazakhstan, Panama, and the Republic of Korea.

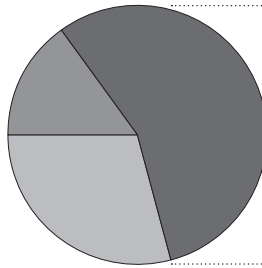
<sup>25</sup> A total of 85 emails were sent to the remaining 76 states, for many of whom more than one email address was listed. In 54 cases there was no response, and in the remaining 31 cases there was a failure to deliver, indicating the email was faulty or incorrect.

**Figure 6 Overview of attempts to contact NPCs by email**

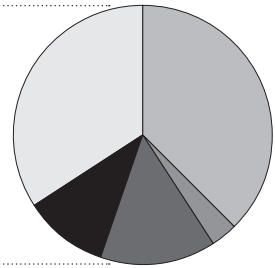


- Contact (38%)
- No response (40%)
- Delivery failure (22%)

**Figure 7 Overview of attempts to contact NPCs by telephone**



- Contact made (29%)
- Follow up required (15%)
- Other (56%)



- No response (19%)
- Invalid number (21%)
- Fax (2%)
- Busy (8%)
- Answering machine (6%)

In 37 cases (29 per cent) the telephone call was answered. In some cases, persons who answered the phone responded that it was the wrong number for the NPC,<sup>26</sup> forwarded the call to another number,<sup>27</sup> or suggested trying another number.<sup>28</sup>

The other 89 calls made to NPCs were unsuccessful for a variety of reasons. In 19 cases (15 per cent) further follow-up was required due to language limitations on time zone constraints (see next section). In the remaining 70 cases there was no response, the number was invalid or incorrect, the number dialled was consistently busy, the telephone number turned out to be a facsimile number, the call was answered by an answering machine, or the number was blocked for some reason.

Figure 7 provides an overview of the outcomes of attempts to contact NPCs via the telephone number contained in their national reports or the PoA-ISS website.

<sup>26</sup> For example, Belarus, Estonia, Guatemala, and Kazakhstan.

<sup>27</sup> For example, Estonia.

<sup>28</sup> For example, Belarus.

## *Detailed responses to the email questionnaire*

Only 44 NPCs responded to the questionnaire emailed to them.<sup>29</sup> While the Small Arms Survey is still following up on a number of responses to clarify and confirm information provided, the preliminary findings are set out below.

**NPCs.** Annexe 4 provides details of the responses provided with respect to NPCs.<sup>30</sup> The responses overwhelmingly indicate that NPCs are hosted by or housed in the ministry of foreign affairs or its equivalent; in some instances, however, several departments and ministries are involved—as in the Democratic Republic of the Congo (DRC) and the Gambia. Six states reported that the NPC is an office or a desk officer based in a particular department.<sup>31</sup>

**NCA.** Twenty of the 44 NPCs that responded confirmed that there is a National Coordinating Agency or National Commission on Small Arms in their country.<sup>32</sup> An overview of responses received is provided in Annexe 5.<sup>33</sup> A further ten NPCs indicated that a formal NCA or National Commission has not been established in their country, but that informal inter-ministerial consultations relating to small arms issues do take place on a regular basis.<sup>34</sup> Annexe 6 provides details of the agencies involved in the informal inter-ministerial consultations mentioned by respondents.<sup>35</sup>

**NAPs.** The final question posed to NPCs as part of the survey was whether their country has a National Action Plan (that is, a document setting out the country's

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<sup>29</sup> The 44 NPCs are Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Chile, China, Colombia, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, DRC, Estonia, Finland, France, the Gambia, Germany, Hungary, India, Iraq, Ireland, Jamaica, Japan, Latvia, Liberia, Liechtenstein, Mali, Mexico, Mozambique, the Netherlands, Panama, Peru, Poland, Romania, the Russian Federation, Slovakia, Slovenia, Sri Lanka, Sweden, Switzerland, the United Kingdom, the United States, and Uruguay.

<sup>30</sup> The annexe is available online; see Small Arms Survey (2010).

<sup>31</sup> For example, Austria, Bulgaria, Finland, India, the Netherlands, and Poland.

<sup>32</sup> The 20 NPCs are Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Côte d'Ivoire, DRC, the Gambia, India, Iraq, Japan, Liberia, Mali, Mozambique, Panama, Peru, Romania, Slovenia, Sri Lanka, Switzerland, and Uruguay.

<sup>33</sup> The annexe is available online; see Small Arms Survey (2010).

<sup>34</sup> The ten NPCs are Austria, Cyprus, Czech Republic, Finland, France, the Netherlands, the Russian Federation, Sweden, the United Kingdom, and the United States.

<sup>35</sup> The annexe is available online; see Small Arms Survey (2010).

strategy for small arms control and management). Only nine confirmed that their country does have an NAP.<sup>36</sup> The Dutch NPC sent a copy of the relevant policy document, while France, Japan, and Switzerland sent web links to their NAPs, which were verified. Cyprus indicated its NAP was provided to UNODA during BMS<sub>3</sub> and was available on the PoA–ISS website. Iraq and Mali promised to send copies of their NAPs at a later date. Burundi noted that its NAP was in the process of being verified and could not be sent; similarly, Panama reported that it was in the process of updating its NAP for BMS<sub>4</sub> and was therefore unable to send a copy. During the eight-week research period, the Small Arms Survey was only able to locate and view four NAPs.

Nineteen NPCs responded that their country does not have an NAP.<sup>37</sup> A further eight indicated they were in the process of developing an NAP,<sup>38</sup> with Côte d’Ivoire and the Gambia commenting that they were waiting for the results of national surveys to inform their NAPs, and the DRC stated that it requires funding in this regard. Sri Lanka also noted that the development of its NAP had been halted due to lack of funds. Three NPCs pointed out in response to this question that their countries have laws and regulations governing the issue of small arms control,<sup>39</sup> with Uruguay commenting that its regulations ‘act as the national action plan’. The remaining nine NPCs either did not respond to this question or clarification was being sought regarding their responses at the time of writing.

## Observations and discussion points

One of the aims of the study conducted by the Small Arms Survey was to gather information on NPCs, NCAs, and NAPs and verify their existence exclusively through direct contact with NPCs. Following BMS<sub>4</sub>, the Small Arms Survey

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<sup>36</sup> The nine NPCs are Burundi, Cyprus, France, Iraq, Japan, Mali, the Netherlands (which noted that the NAP is in the form of a ‘policy document’), Panama, and Switzerland.

<sup>37</sup> The 19 NPCs are Austria, Belgium, Bulgaria, China, Denmark, Estonia, Finland, Germany, Hungary, India, Ireland, Jamaica, Latvia, Liechtenstein, Poland, the Russian Federation, Slovakia, the United Kingdom, and the United States.

<sup>38</sup> The eight NPCs are Côte d’Ivoire, DRC, the Gambia, Liberia, Mali, Mozambique, Peru, and Sri Lanka.

<sup>39</sup> The three NPCs are Chile, the Czech Republic, and Uruguay.

will publish a final report with a more extensive analysis of how many states have NPCs, NCAs, and NAPs, based on additional information produced by the study and gathered from national reports and other secondary sources. However, the objective at this stage was to provide insight into: (a) how easy is it to contact or reach NPCs; and (b) how responsive or helpful NPCs are (and, indirectly, their awareness of their countries' implementation of PoA commitments such as establishing an NCA and developing a NAP).

The overall findings of this exercise were as follows: of the 151 NPCs the Small Arms Survey attempted to contact using contact details provided by national reports or the PoA-ISS website:

- The existence and identity of the NPC was confirmed in **52** cases.
- Contact was made, but the existence or identity of the NPC could not be confirmed, in **30** cases.
- In **69** cases, no successful contact was possible (though several inquiries are ongoing).
- Only **44** NPCs responded to the questionnaire emailed to them.<sup>40</sup>

In other words, the Small Arms Survey was able to confirm the existence and identity of just over one-third of the NPCs listed. Given the important role NPCs play in PoA implementation, especially in terms of communicating states' needs and coordinating activities, this is a disappointing outcome.

The results of the Survey's preliminary inquiries into NPCs highlight one of the weaknesses in the PoA reporting system: in the absence of a mechanism to monitor and verify states' implementation efforts, information in national reports must be taken at face value. And yet, even a small investigation such as this one, which merely scratches the surface of implementation by attempting to ascertain an objectively verifiable fact—such as 'Does country X have a functioning NPC?'—raises serious questions about implementation.

Given the poor response rate and the unreachability of many NPCs, the most important of these questions is whether NPCs are acting as a 'liaison' between

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<sup>40</sup> Brazil also responded to the questionnaire after the preparation of this report. Information provided by Brazil and any other states that respond to the questionnaire will be included in the final report.



states as envisaged under the PoA. Are states experiencing difficulty contacting other states? How are they liaising with each other if they cannot be contacted? Are states communicating with each other on PoA issues through means other than their NPCs? What role do other agencies have? 🗨️

## II. Thematic trends in PoA reporting

### Introduction

This section of the report analyses information provided by states with respect to the following two themes chosen for focused consideration during BMS<sub>4</sub>: (a) preventing and combating the illicit trade in small arms and light weapons across borders; and (b) international cooperation and assistance. Many reports provide little or no information specifically addressing the BMS<sub>4</sub> themes. Although they stem from the PoA itself, it is important to note that the focus themes for BMS<sub>4</sub> were announced by the chair-designate in March 2010—after the 31 January deadline set by UNODA for the submission of national reports.

### Preventing and combating the illicit trade across borders

The central provision in the PoA that relates to border controls is paragraph II.27, which provides that states undertake:

*To establish, where appropriate, subregional or regional mechanisms, in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders.*

States are also encouraged to enhance cooperation with the International Criminal Police Organization (INTERPOL) to identify groups and individuals engaged in the illicit trade in small arms and light weapons (para. II.37), and ‘enhance cooperation, the exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in small arms and light weapons in all its aspects’ (para. III.7).

The identification of borders and customs as a topic for consideration is timely. Some states identified ‘strengthening border controls’ as an important PoA implementation issue during the discussion of ‘other issues’ (agenda item 9(d)) at BMS<sub>3</sub>.<sup>41</sup> The BMS<sub>3</sub> outcome document also encourages states to enhance practical cooperation among border and customs control agencies to help combat the illicit trade in small arms and light weapons across borders.<sup>42</sup> Moreover, the national reports of many states list border and customs controls as a priority issue to be considered at a BMS.<sup>43</sup>

The following overview of information provided in national reports on borders and customs is divided into two main sections: the first describes some of the challenges identified by states in this area, and the second details some of the measures and responses states have adopted to enhance customs and border controls at the national and transnational level.

## Challenges

The following are among the border-specific challenges identified by states in their national reports:

- Porous borders (four states).<sup>44</sup>
- Open coastline (two states).<sup>45</sup>
- Lack of capacity at border posts (four states).<sup>46</sup>
- Refugee influx (two states).<sup>47</sup>

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<sup>41</sup> See UNGA (2008, s. IV(IV), para. 28(e)).

<sup>42</sup> See UNGA (2008, s. IV(I), paras. 7(b), 7(e), 7(l)).

<sup>43</sup> See the discussion under ‘Future priorities’ in Cattaneo and Parker (2008, p. 129).

<sup>44</sup> The four states are Bangladesh, Kenya (‘porous borders with unstable neighbouring states’), Liberia (which notes that inaccessible border areas are one of the constraints it faces in the context of strengthening border control and security), and Niger.

<sup>45</sup> The two states are Bangladesh and Indonesia (Indonesia, 2009).

<sup>46</sup> The four states are Botswana, Lesotho, Liberia, and Niger.

<sup>47</sup> The two states are Kenya and Niger. Kenya states that ‘the mode of trafficking [small arms and light weapons] is linked to increased incursions by refugees and displaced persons; trade and transfers by merchandise transporters, herders, gun dealers, bandits and local traders’; Niger refers to refugees from Chad.

- Cattle rustling (one state).<sup>48</sup>
- Established smuggling routes (one state).<sup>49</sup>
- Smuggling of dismantled firearms (one state).<sup>50</sup>

## Measures to enhance border and customs controls

This part of the report provides details of some of the measures and responses states have implemented to address problems associated with customs and borders. Information in national reports was included and categorized in this section if it related to measures addressing the physical movement of arms across borders or information sharing among law enforcement agents on trans-border operations. Limited information on the transit of weapons was also included. However, the authorization processes for granting transit permits, for example, and other information on export control systems more generally are not included.

### *National measures*

**National legislation and penalties.** In describing the measures taken to address customs and border issues, some states cite or explain the legislation or regulations they have adopted; some states report that they are considering regulating and criminalizing arms smuggling.<sup>51</sup> Several states provide details of the penalties imposed for arms smuggling across their borders (see Table 3).

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<sup>48</sup> Kenya reports that large areas (two-thirds) of its territory are inhabited by armed nomadic pastoral communities that engage in cattle rustling and live across common borders with Ethiopia, Somalia, Sudan, and Uganda, and that instability arises from the cross-border manifestation of pastoral conflicts. Joint consultations and disarmament programmes have been conducted with Uganda and Ethiopia to restore peace and order among the nomadic pastoral communities that straddle the common border. However, Kenya notes that—'with respect to the joint operations with Uganda to combat the cross-border raids—'[T]he processes continue to face setbacks due to lack of funds to sustain the processes, collaboration among the partners and effective development interventions.'

<sup>49</sup> Slovenia reports that illicit weapons are smuggled along established smuggling routes leading from Turkey via the Western Balkan countries to the European Union in lorries, ships, and cars. Most weapons are reportedly smuggled in lorries or regular buses that run daily between the Western Balkans and the European Union; they are mostly shipped as unaccompanied packages left on the bus by smugglers and collected by recipients at the final destination.

<sup>50</sup> Botswana reports that it faces a problem with combating the smuggling of dismantled firearms, components, and ammunition closely linked to the trafficking of other illicit goods.

<sup>51</sup> These states include China, Jordan, Moldova, New Zealand, the Philippines, and Tunisia.

**Table 3 Examples of penalties for unauthorized small arms and light weapons transfers and smuggling**

Country	Imprisonment/punishment	Fine
Australia	Up to 10 years	AUS 275,000 (USD 245,000)
Estonia	Up to 5 years	'a pecuniary punishment'
Ireland	5 years	Up to EUR 10 million (USD 13 million)
Japan	Up to 7 years	JPY 30 million (USD 325,000)
Latvia <sup>52</sup>	Up to 10 years/community service	100 x the minimum monthly wage (with or without the confiscation of property)
Lithuania	Up to 10 years	Not specified
Sweden <sup>53</sup>	Up to 2 years	'a fine' (unspecified)

**Enhanced border measures.** States provided many examples of measures undertaken to enhance border protection, including: increasing border security through the deployment of additional or specialized forces;<sup>54</sup> introducing physical security measures;<sup>55</sup> reducing the number of border crossings;<sup>56</sup> and increasing patrols and investigation capabilities at sea.<sup>57</sup>

<sup>52</sup> If it is a repeat offence, the penalty is increased to 5–12 years, or a fine not exceeding 200 times the minimum monthly wage, with or without the confiscation of property. If the act is committed by an organized group, the penalty is increased to 8–15 years, with confiscation of property, and with police supervision for a term not exceeding 3 years.

<sup>53</sup> If the offence amounts to 'gross smuggling', the sentence imposed may be six months to six years. Notably, intent is not required, and negligence is also punishable.

<sup>54</sup> These states include Bangladesh, India, Kenya, and Slovenia. Slovenia reports that it has established mobile anti-smuggling units at border posts; these are trained and equipped (with endoscopes, contraband detectors, laser distance metres, and various testers) to examine and search transport vehicles.

<sup>55</sup> India, for example, reports on the erection of a fence with ground sensors and floodlights on the Line of Control along the international border in Jammu and Kashmir.

<sup>56</sup> Bosnia and Herzegovina, for example, reports that it is considering a resolution that will reduce the number of border crossings for the future transport of weapons and military equipment so that the movement of such items can only be conducted over designated border crossings.

<sup>57</sup> The states include Jordan, Malaysia, and Yemen.

**Monitoring.** Several states provided details of some of the measures undertaken to monitor arms shipments on their territory, such as: monitoring transport and transport agents;<sup>58</sup> scrutinizing and authenticating transit permits and other documentation,<sup>59</sup> including, in the case of Switzerland, ensuring that the original transit licence is returned to the State Secretariat for Economic Affairs when it expires, to prevent expired licences from being used in an illegal manner; and keeping records of arms entering and leaving the territory. For example, Bosnia and Herzegovina reports that it is in the process of implementing the US TRACKER system, which will ensure complete and centralized monitoring of data on weapons that are imported, exported, and transported through its territory. Germany reports that customs authorities carry out selective checks on flows of goods ‘not motivated by any concrete suspicion’. New Zealand reports that when goods transit through its territory, the owner of the ship or aircraft must provide customs with an electronic inward report of all goods on board. The Russian Federation states that if arms are being transported by air, they are prohibited from flying over Russian territory without landing for customs control and registration.

**Physical inspections.** A number of states report that physical inspections of goods imported into or exported from their territories are or may be carried out,<sup>60</sup> and that this may involve x-raying cargo<sup>61</sup> or taking samples for analysis.<sup>62</sup>

**Notification.** Several countries report that they require prior notification before a shipment of arms may exit and, in some instances, enter their territory,<sup>63</sup> or that they are considering regulations that would require such notification.<sup>64</sup>

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<sup>58</sup> The states include Austria, Bangladesh, FYROM, and the Russian Federation.

<sup>59</sup> The states include China, FYROM, Indonesia, Romania, Slovenia, and Switzerland.

<sup>60</sup> These states include Bahrain, China, New Zealand, the Philippines, Slovenia, and Switzerland. Bahrain reports that the coast guard inspects small vessels that enter its territorial waters to prevent smuggling.

<sup>61</sup> For example, FYROM, Morocco, and New Zealand.

<sup>62</sup> For example, Slovenia.

<sup>63</sup> These states include FYROM, the Netherlands, and Romania.

<sup>64</sup> For example, Bosnia and Herzegovina, which is considering a resolution that would require notice 48 hours before a shipment of weapons, military equipment, or other dangerous goods would be permitted to cross the border.

The length of time stipulated for notifications varies. For example, FYROM requires importers to notify the ministry of interior 48 hours before a shipment's arrival at the border; Romania requires exporters to notify the export control authority 5 days before the export is to take place, and importers to provide notice within a maximum of 10 days after the import took place. Examples of the details states require as part of the notification include serial numbers, the means of transport, the route, and the exit location.

**Escorting goods.** Several states reported that arms shipments are escorted through their territory to the end user or the other border post if the arms are in transit.<sup>65</sup> For example, Andorra reports that, if a dealer on Andorran territory is selling to an overseas customer, the police will transport the arms to the border. The Philippines reports that, once appropriate customs duties are paid for imports, police officers escort the small arms to the police storage site, where they remain until the appropriate licences to possess firearms are processed.

**Considerations at the authorizing stage.** Austria reports that, in the context of granting import, export, and transit licences, permission may be 'subject to time limits and provisions concerning the means of transportation, safety measures, itinerary and border crossing'. Slovenia reports that the Slovenian Customs Administration has developed a computerized risk assessment tool to determine which transactions are 'higher risk' and which are 'lower risk', and to allocate resources accordingly. In addition, a special system for rapid communication of alarms and warnings to the operational base was developed within the customs intranet (PIAC Infonet), which reduces response times.

### *Transnational measures*

#### **Cooperation**

**Joint trans-border exercises among countries.** Fourteen states provided information on cross-border cooperation activities undertaken to combat arms smuggling. Some simply confirmed that they cooperate with neighbours as part of their border management strategy.<sup>66</sup> Others gave examples of bilateral arrange-

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<sup>65</sup> These states include Andorra, FYROM, and Kenya.

<sup>66</sup> For example, FYROM and Malaysia.

ments on cooperation between law enforcement agents to fight cross-border crime<sup>67</sup> or joint border patrols and operations.<sup>68</sup>

**Exchange and sharing of timely information (intelligence, judicial, financial).**

Many states provided details on information sharing activities, including agreements and treaties on mutual administrative and technical assistance between customs administrations.<sup>69</sup> Malaysia gave a detailed description of the information exchange measures contemplated by the Association of Southeast Asian Nations (ASEAN) Plan of Action to Combat Transnational Crime, designed to strengthen regional commitment to combat transnational crime such as arms smuggling. This plan calls for a compilation of national laws and regulations of ASEAN states pertaining to arms smuggling; typology studies to determine trends and modus operandi of arms smuggling in the region; and intelligence exchange and cooperation in border and customs control among ASEAN countries, as well as the European Police Office (EUROPOL), INTERPOL, and other organizations.

**Sharing of expertise and exchange of information and training on national**

**experiences.** Latvia reports: '[H]aving developed an effective strategic goods export controls system, created education system for customs officers as well as designed substantial data bases, Latvia has actively engaged in outreach activities to several Central and East European countries in recent years.' Furthermore, Latvia writes that in December 2009 its ministry of foreign affairs, in cooperation with the US Department of Energy and the Latvian Association of Logistics, organized a seminar for entrepreneurs and customs officers on practical and legal aspects of strategic goods circulation among local entities involved. Australia

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<sup>67</sup> Examples were provided by Denmark, Estonia, Hungary (which has entered into agreements with Serbia and Romania, though these have not yet entered into force, and which has begun similar discussions with Poland), the Philippines (which is in negotiations with Indonesia and talks with Malaysia), and Sweden.

<sup>68</sup> Examples were provided by the DRC, Germany, Indonesia, Liberia (with Côte d'Ivoire, Guinea, and Sierra Leone), Malawi (with Mozambique, Tanzania, and Zambia), Mozambique, and Niger. Indonesia reports that through joint investigations and interrogations with its neighbours, it has gathered information that some groups smuggled various types of arms to be used in conflict areas such as Aceh and the border with Papua New Guinea (Indonesia, 2009).

<sup>69</sup> These states include Germany, Latvia, Malaysia, Morocco, the Philippines, Slovenia, and Sweden.



reports that officials are helping Papua New Guinea agencies strengthen customs, immigration, and aviation and maritime safety and security.

**Training and teaching of investigative techniques.** Sweden reports that, as part of Operation Crossfire, the customs and police services have arranged training concerning weapons legislation, weapons technique, and handling, targeting customs officers involved in operational control activities, such as physical checks and customs audits. Germany reports that, in the framework of the Stability Pact for South Eastern Europe, it has provided training and specialization of border police forces. Malaysia reports that one of the objectives of the ASEAN Plan of Action to Combat Transnational Crime is to develop regional training programmes to enhance existing capabilities in investigation, intelligence, surveillance, detection, monitoring, and reporting, through sharing experiences among law enforcement officers and compiling lessons learned from national training programmes. Japan reports that it has been providing training to customs officers and other assistance to Cambodia, Kenya, the Philippines, Thailand, and Vietnam as part of a bilateral capacity building project for customs.

**Role of international and regional organizations in facilitating cooperation.** States reported extensively on the activities undertaken by international and, especially, regional organizations in facilitating cooperation. These include:

- the Baltic Sea Region Border Control Cooperation, which is aimed at combating international crime and enhancing cooperation between the law-enforcing agencies in the Baltic Sea region;<sup>70</sup>
- the ASEAN Senior Officials Meeting on Transnational Crime, which explores measures to promote cooperation with international agencies dealing with transnational crime;
- the Economic Community of West African States (ECOWAS);
- the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), which has conducted joint cross-border operations and training aimed at preventing, combating, and eradicating illicit small arms trafficking;

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<sup>70</sup> Reported by Moldova. Created in 2000, this initiative covers police and customs from the 13 Southern European countries.

- the Southeast European Cooperative Initiative, through which parties assist each other in prevention, investigation, prosecution, and curbing of cross-border crime;
- the Commonwealth of Independent States' Agreement on Cooperation for the Suppression of Illicit Manufacturing and Circulation of Firearms, Munitions, Explosives, and Explosive Devices;<sup>71</sup>
- the European Commissioners Task Force, referred to as the European Firearms Experts (EFE), established to strengthen European cooperation to combat smuggling;<sup>72</sup> and
- the Oceania Customs Organisation (OCO), which is engaged in assessing trafficking patterns in the Pacific region.

For the most part states did not provide much detail on the workings of these organizations or their impact on arms smuggling in the region, but New Zealand did explain in detail that OCO members submit reports of seizures, methods of transportation, and methods of concealment to the New Zealand Customs Service, which produces and publishes the report on behalf of the OCO. An Internet-based information and reporting system (CENCOMM 2) is used by a number of OCO member countries. Collaboration between regional bodies has resulted in a number of quality outputs, including regional surveys, training opportunities, generic tool kits, and model law development, as well as contributions to policy advice that have had mutual benefits.

In addition, Armenia proposes the creation of a regional mechanism for dialogue and consultation among law enforcement agencies of the region on matters related to small arms, which could include the following elements:

- the establishment of a regional register of small arms and light weapons;
- harmonization of national export control laws and regulations; and
- the exchange of national lists of registered brokers.

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<sup>71</sup> The Russian Federation reports that this agreement was signed in November 2008.

<sup>72</sup> Denmark reports that this body has established a common information system on weapons, and the EFE is working on a European Weapons Dictionary to ensure standardized terminology in the exchange of information.

**Cooperation with INTERPOL.** Twenty-two states reported on their cooperation with INTERPOL.<sup>73</sup>

### **Assistance and capacity building**

**Equipment needed to combat the illicit trade across borders.** Several states reported on their need for assistance with border control.<sup>74</sup> Some specify that they require equipment such as vehicles and motor bikes<sup>75</sup> or modern surveillance equipment;<sup>76</sup> Liberia reports on the need for ‘trained man power/operatives in modern method[s] of arms control’.

Other states reported that they have provided assistance in the form of equipment. Australia, for example, reports that it is providing support to Tonga to build capacity in selected areas such as investigation, intelligence, and compliance; Australia has earmarked funds for a new x-ray machine for the Tongan customs service. Japan reports it provided cars and communication equipment to police in Iraq to enhance the capacity of border police.

**Funding.** Kenya reports that it received financial and technical support from the United Nations Development Programme (UNDP) for the Garissa Armed Violence Project and a programme to curb the proliferation of small arms to help stabilize the security situation among pastoral communities. One of the outputs of the project is the ‘systematic cross-border dialogue with countries bordering pastoral districts’.

**Technical expertise.** Japan reports that it has been offering technical assistance in relation to investigations and prosecutions involving illicit trafficking in small arms and light weapons; it has sent experts to Asia, Africa, and Latin

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<sup>73</sup> The 22 states are Austria, Belgium, Bosnia and Herzegovina, Botswana, Côte d’Ivoire (which reports that it is the headquarters for INTERPOL for West and Central Africa), Denmark, DRC, FYROM, Indonesia, Latvia, Lithuania, Moldova, Mozambique, Norway, the Philippines, Romania, Senegal, Slovenia, Sweden, Switzerland, the Russian Federation, and Togo. Slovenia notes: ‘All major cases of seized weapons or thefts of weapons in Slovenia are reported to Interpol SG in Lyon. Unfortunately, we have no practical experience with the operation of the system and its applicability.’

<sup>74</sup> For example, Bangladesh.

<sup>75</sup> These countries include Kenya and Liberia.

<sup>76</sup> As mentioned by Niger.

America to provide training in relevant investigation techniques. Switzerland reports that its customs authority deploys up to two experts (one customs expert and one border guard expert) to the United Nations Operation in Côte d'Ivoire. Sweden reports that, in 2005, Swedish law enforcement agencies initiated a long-term multidisciplinary intelligence project—Project Crossfire—targeting smuggling of firearms into and between the countries of the Baltic Sea region. The project has reportedly identified smuggling of firearms under cover of legal arms trade, problems with deactivated firearms that are reactivated by criminals, and a new trend involving the illegal manufacture or conversion of gas pistols and start/signal pistols into fully functional firearms.

Kenya reports that it requires financial and technical assistance to set up universally acceptable border posts for screening and control of movement in and out of the country, especially along the 'porous' borders with Ethiopia, Somalia, Sudan, and Uganda.

## Observations and discussion points

While states have asserted that they have bilateral and regional arrangements in place to strengthen border controls, few provide operational details or specifics on the impact or outcome of these arrangements. It is clear that regional organizations play a crucial role in coordinating and facilitating border cooperation activities, which is not surprising given the transnational nature of the issue and the PoA's emphasis on regional approaches.<sup>77</sup> More information on how these regional mechanisms operate could assist other states and regions in establishing similar networks.

## International cooperation and assistance

Section III of the PoA contains the bulk of the provisions on international cooperation and assistance (see Annexe 2). In the review of national reports, information pertaining to international cooperation and assistance has been divided into assistance-related activities (including assistance required, assist-

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<sup>77</sup> See UN (2001, para. II.27).

ance received, assistance provided) and cooperation-related activities, and further subdivided into the themes reflected in Section II of the PoA. The aim of this part of the report is to provide an overview of the types of assistance and cooperation activities undertaken by states.

### *Assistance-related activities*

#### **Assistance required**

Although it was acknowledged and indeed emphasized during BMS<sub>3</sub> that ‘national reports could be used as a tool for communicating assistance needs’,<sup>78</sup> few states specifically refer to assistance they require in their national reports in 2009 or 2010. Some identify challenges they face with respect to PoA implementation, but they do not expressly request assistance to overcome those challenges. Based on requests for assistance or descriptions of challenges faced concerning PoA implementation in the national reports of 14 states, the following themes were identified:

- Awareness raising.<sup>79</sup>
- Legislation and regulations.<sup>80</sup>
- Law enforcement, including training and equipment.<sup>81</sup>
- Customs and borders.<sup>82</sup>
- Weapons storage and stockpile management.<sup>83</sup>
- Collection and destruction.<sup>84</sup>

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<sup>78</sup> See UNGA (2008, s. IV(I), para. 3).

<sup>79</sup> Mentioned by Bangladesh, Kenya, Lesotho, Liberia, and Malawi.

<sup>80</sup> Mentioned by Botswana, Burkina Faso, Iraq, Liberia, Malawi, and Mozambique.

<sup>81</sup> Mentioned by Armenia, Bosnia and Herzegovina, Burkino Faso, Colombia, Kenya, Iraq, Mozambique (although Mozambique notes it is receiving assistance from UNDP in this regard), Niger, and Yemen. Armenia comments that it would be useful to have a regional mechanism to facilitate dialogue and consultation among regional law enforcement agencies on small arms and light weapons matters.

<sup>82</sup> Mentioned by Armenia, Bangladesh, Botswana, Colombia, Kenya, Lesotho, Malawi, Niger, and Yemen.

<sup>83</sup> Mentioned by Belarus, Bosnia and Herzegovina, Botswana, Colombia, DRC, Lesotho, Liberia, Mozambique, and Niger.

<sup>84</sup> Mentioned by Bangladesh, Bosnia and Herzegovina, Burkina Faso, Iraq, Malawi, and Niger.

- Marking and tracing.<sup>85</sup>
- Record-keeping, principally establishing a computerized, central register.<sup>86</sup>
- Information sharing.<sup>87</sup>
- NPCs and NCAs.<sup>88</sup>

## Assistance received

In their national reports, states report having received the following forms of assistance:

- Awareness raising.<sup>89</sup>
- Legislation and regulations.<sup>90</sup>
- Training and education.<sup>91</sup>
- Stockpile management.<sup>92</sup>
- Collection.<sup>93</sup>
- Destruction.<sup>94</sup>
- National strategy development.<sup>95</sup>
- NPCs and NCAs.<sup>96</sup>
- NAPs.<sup>97</sup>

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<sup>85</sup> Mentioned by Bangladesh, Burkina Faso, DRC, Kenya, Lesotho, Malawi, and Mozambique.

<sup>86</sup> Mentioned by Bosnia and Herzegovina, Botswana, Lesotho, Moldova, Mozambique (although Mozambique reports it is already receiving some assistance from Viva Rio in this regard), and Niger.

<sup>87</sup> Mentioned by Bangladesh and Burkina Faso (which indicates it needs support from regional and international partners to exchange information and train experts).

<sup>88</sup> Mentioned by Iraq, Kenya, Lesotho (which also requires assistance to develop a national strategy and NAP), Liberia, Malawi, and Togo.

<sup>89</sup> Mentioned by Liberia, Malawi, and Mozambique.

<sup>90</sup> Malawi reports that it has established a Special Commission to review the Firearms Act of 1967, and that the Institute for Security Studies in South Africa is supporting the process.

<sup>91</sup> Mentioned by Bosnia and Herzegovina, Latvia, Liberia, Moldova, and Mozambique (which receives training on destruction techniques for law enforcement officials).

<sup>92</sup> Mentioned by Belarus, Liberia, Moldova, and Mozambique.

<sup>93</sup> Mentioned by Mozambique.

<sup>94</sup> Mentioned by Bosnia and Herzegovina, DRC, Liberia, Moldova, Mozambique.

<sup>95</sup> Mentioned by Bosnia and Herzegovina, Kenya, and Mozambique.

<sup>96</sup> Mentioned by Bosnia and Herzegovina and Liberia.

<sup>97</sup> Mentioned by Mozambique.

In addition, the DRC points out that it has received financial assistance indirectly (with funds managed by international or UN agencies) and that it would prefer to receive technical and financial assistance directly, without intermediary donors.

## **Assistance provided**

In their national reports, states report that they provided the following forms of assistance:

- Awareness raising.<sup>98</sup>
- Legislation and regulations.<sup>99</sup>
- Training.<sup>100</sup>
- Action-oriented research and seminars.<sup>101</sup>
- Support to regional organizations.<sup>102</sup>
- Stockpile management.<sup>103</sup>
- Collection.<sup>104</sup>
- Destruction.<sup>105</sup>
- Marking and tracing.<sup>106</sup>
- Demobilization, disarmament, and reintegration.<sup>107</sup>

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<sup>98</sup> Mentioned by Germany, Japan, Senegal, Slovenia, and Switzerland.

<sup>99</sup> Mentioned by Australia and the Netherlands.

<sup>100</sup> Mentioned by Belarus, Côte d'Ivoire, Germany, Japan, the Netherlands, Sweden, and Switzerland.

<sup>101</sup> Mentioned by Australia, Austria, Belgium, Denmark, Estonia, Finland, Germany, Japan, Ireland, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Sweden, Switzerland, and the United Kingdom.

<sup>102</sup> Mentioned by Belgium, Germany, Japan, Luxembourg, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom.

<sup>103</sup> Mentioned by Australia, Belgium, Finland, Germany, Hungary, Japan, Lithuania, the Netherlands, New Zealand, Norway, Slovenia, Sweden, Switzerland, and the United Kingdom.

<sup>104</sup> Mentioned by Australia, Belgium, Japan, and Lithuania.

<sup>105</sup> Mentioned by Australia, Austria, Belgium, Denmark, Germany, Hungary, Japan, Lithuania, the Netherlands, New Zealand, and Sweden.

<sup>106</sup> Mentioned by Lithuania and the Netherlands.

<sup>107</sup> Mentioned by Australia, Denmark, Germany, Ireland, Japan, Liechtenstein, Lithuania (disbandment of illegal armed groups in Afghanistan), New Zealand, Norway, Sweden, Switzerland, and the United Kingdom.

- Children, including efforts to prevent the use of child soldiers, the demobilization and reintegration of child soldiers, and dealing with the effects of conflicts on children and youth.<sup>108</sup>
- NPCs, NCAs, and NAPs.<sup>109</sup>

### *Cooperation-related activities*

Cooperation activities reported by states include the following:

- Customs and borders.<sup>110</sup>
- Engagement with INTERPOL.<sup>111</sup>
- Use of INTERPOL's International Weapons and Explosives Tracking System database (IWETS).<sup>112</sup>
- Participation in regional activities and organizations.<sup>113</sup>
- Exchange of information.<sup>114</sup> Activities listed include the submission of reports to the UN Register of Conventional Arms or regional bodies such as the Organization for Security and Co-operation Europe and the European Union working party on arms exports (COARM) as well as bilateral arrangements with neighbouring countries, including exchanges between police bureaus.

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<sup>108</sup> Mentioned by Australia, Belgium, Germany, Japan, Liechtenstein, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom.

<sup>109</sup> Mentioned by Belgium, Botswana, Germany, Luxembourg, and the Netherlands.

<sup>110</sup> Mentioned by Australia, Germany, Japan, Mozambique, New Zealand, the Philippines, and Sweden. For more details, see 'Preventing and combating the illicit trade across borders', above.

<sup>111</sup> See footnote 73.

<sup>112</sup> Mentioned by Belgium, Denmark, DRC, Japan, Indonesia, Latvia, Lithuania, Moldova, the Philippines, the Russian Federation, and Togo. Estonia reports that it has access to IWETS, but has not used it yet; Sweden and Switzerland confirm that they do not use IWETS. Lithuania also suggested IWETS could be upgraded into a database containing information on missing firearms.

<sup>113</sup> Mentioned by Belarus, Bosnia and Herzegovina, Botswana, Burkina Faso, Côte d'Ivoire, Finland, FYROM, Hungary, India, Indonesia, Japan, Jordan, Libya, Lithuania, the Netherlands, New Zealand, Moldova, Norway (participates in the Schengen Information System and uses it to trace small arms and light weapons), the Philippines, Poland, the Russian Federation, Slovenia, Sweden, and Ukraine.

<sup>114</sup> Mentioned by Andorra, Australia, Belgium, Bosnia and Herzegovina, FYROM, Latvia, Lithuania, the Netherlands, New Zealand, Poland, Romania, the Russian Federation, Slovenia, Sweden, Tunisia, Ukraine, and the United Kingdom.



- Cooperation with civil society,<sup>115</sup> including civil society representation on the National Commission.<sup>116</sup>
- Enhancing mutual legal assistance, such as through multilateral or bilateral agreements.<sup>117</sup>
- Participation in seminars and workshops.<sup>118</sup>
- Cooperation among NPCs.<sup>119</sup>

In addition to reporting on the types of cooperation activities that are taking place, some states suggest additional cooperation activities to combat the illicit trade in small arms. For example, as noted above, Armenia suggests that transparency and confidence-building measures be introduced, including a regional register of small arms; the harmonization of national export control laws and regulations; and the exchange of national lists of registered brokers within sub-regional or regional frameworks.

## Observations and discussion points

At this writing, there is insufficient information in national reports to quantify the type and amount of assistance that was received or provided in 2009 or 2010. Indeed, such quantification was not the objective of this section of

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<sup>115</sup> Mentioned by Belgium, Bosnia and Herzegovina, Côte d'Ivoire, FYROM, Germany, Ireland, Iraq, the Netherlands, the Philippines, Romania, Sweden (which has a Parliamentary Forum on Small Arms and Light Weapons), and the United Kingdom.

<sup>116</sup> Côte d'Ivoire reports that five of the 17 members of its National Commission are from civil society; FYROM reports that the non-governmental sector was invited to be represented on the National Commission to revise the Law on Weapons. The DRC and Niger also report that civil society is represented on their NCAs.

<sup>117</sup> Mentioned by Estonia, Indonesia, and Malaysia. Malaysia notes that it initiated and led the negotiations on the Treaty on Mutual Legal Assistance in Criminal Matters among ASEAN member countries in 2004, and that it has also concluded bilateral treaties on mutual assistance in criminal matters with Australia, Hong Kong, and the United States, and bilateral extradition treaties with Australia, Hong Kong, Indonesia, Thailand, and the United States.

<sup>118</sup> Mentioned by China, DRC, India, Ireland, Japan, Moldova, Romania, and Togo.

<sup>119</sup> Mozambique reports: 'Mozambique is one of the 4 [Southern African Development Community] Member Countries where the National Focal Point Coordinators were tasked with the responsibility to develop the Standard Operating Procedures (SOPS) for NFPs for Regional Cooperation. This work was performed with the coordination of SARFCCO Secretariat and technical assistance of Safer Africa.'

the report. Rather, a determination of the nature and quality of reporting on this area of the PoA was sought. The following are general observations based on the reports submitted in 2009 and 2010:

- **Scope:** States often provided only selected examples of the assistance they provided or received. Few submitted a comprehensive overview of assistance provided or received, such as details pertaining to the year in which an activity was implemented, the duration of the assistance, or the financial amount of the assistance provided or received. Conversely, states rarely limited their reports to activities carried out within the reporting period.
- **Mutually reinforcing reporting:** The assistance reported by a donor or recipient state was not necessarily reported by the corresponding donor or recipient state.
- **Use of the template:** The majority of states that reported used the reporting template, or at least the headings of the reporting template; although it helps states frame their responses, the template does not encourage states to list the types of assistance they would like to receive or provide.
- **Impact:** Many states describe the activities they have engaged in or contributed to, but almost none give any assessment or information regarding the perceived impact the assistance had, or the findings or output of the project.

The observations and findings derived from national reports on this issue raise a number of questions regarding how states are communicating their cooperation and assistance needs and resources in practice:

- States have been encouraged to include assistance needs in their national reports, but to what extent are states that are in a position to *provide* assistance actually consulting the national reports of potential recipients to determine priority needs?
- Now that the PoA Implementation Support System and the related database on matching needs and resources developed by the UN Institute for Disarmament Research (UNIDIR) is available on the PoA–ISS website,<sup>120</sup> to what extent is it necessary or useful to continue to encourage states to request assistance

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<sup>120</sup> See PoA–ISS (n.d.b).

through their national reports (especially given that it seems to have had limited success)?

- What are states' perceptions of how well the database on matching needs and resources is working? Are they aware of its availability and applicability to them?
- In practice, how do states that have received financial and technical support communicate their needs to donor states? How do donor states become aware of projects they wish to fund?<sup>121</sup> And what role do international, regional, and non-governmental organizations play in linking the two? 📄

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<sup>121</sup> New Zealand, for instance, makes the point that 'New Zealand is willing and able to offer further advice and assistance to address the small arms challenge. We are careful, however, to ensure that we only offer assistance when requested to do so by the states concerned.'

# III. Reporting under the International Tracing Instrument

## Introduction

Adopted by the UN General Assembly on 8 December 2005, the International Tracing Instrument commits states to undertake a number of measures to ensure the adequate marking and record-keeping of small arms and light weapons and to strengthen cooperation in tracing illicit firearms.<sup>122</sup> With Resolution 61/66 of 6 December 2006, the General Assembly decided that the first meeting of states to consider ITI implementation would be held within the framework of BMS3.<sup>123</sup> The resolution also encouraged states to include information on their implementation of the ITI in their national reports on PoA implementation, and states have committed to reporting on their implementation of the ITI every two years.

In its note verbale in advance of BMS4, inviting states to submit their national reports on the implementation of the PoA and the ITI, UNODA encourages states to submit 'one integrated report' containing information on the implementation of the PoA and on the ITI and to refer to the guidelines on implementation.<sup>124</sup> This review finds that UNODA's encouragement went largely unheeded.

At this writing, only 43 states reported on their implementation of the ITI, or at least mentioned the ITI in their national reports. Of these, 23 states submitted a separate report on their implementation of the ITI, as distinct from their marking and tracing commitments under the PoA.<sup>125</sup> In some instances, these reports consist of mere assertions that the provisions of the ITI are being

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<sup>122</sup> See UNGA (2006) and PoA-ISS (n.d.c).

<sup>123</sup> See UNGA (2007).

<sup>124</sup> Note verbale from UNODA to member states dated 11 December 2009.

<sup>125</sup> The 23 states are Bahrain, Bulgaria, Colombia, Finland, Guatemala, India, Japan, Kenya, Lesotho, Lithuania, Mexico, Mozambique, the Netherlands, New Zealand, Portugal, Romania, the Russian Federation, Slovakia, Sweden, Switzerland, Ukraine, the United Kingdom, and Uruguay.

implemented, without further elaboration.<sup>126</sup> Other states note that their 2010 reports provide an update only of their ITI report submitted in 2008.<sup>127</sup> A further nine states indicate that the report submitted is their national report on PoA *and* ITI implementation;<sup>128</sup> however, in most instances, they do not refer to the commitments of the ITI, but rather describe their activities under the marking, record-keeping, and tracing commitments in the PoA. Eleven states mention the ITI somewhere in their national report (such as by acknowledging that they participated in the negotiations), but they do not report on their implementation efforts.<sup>129</sup> The remaining 23 states that reported in 2010 do not mention the ITI at all in their national report (though they may provide information on their implementation of some or all of the PoA commitments on marking, record-keeping, and tracing).<sup>130</sup>

The following analysis only includes information on the implementation of the ITI as part of national reports submitted in 2010 as long as they were posted on the PoA–ISS website by 6 May 2010. It is acknowledged that many states include details that are relevant to their implementation of the ITI in their reports on implementation of the marking and tracing commitments of the PoA. For example, many indicate that weapons must be marked at the time of manufacture with the name of the manufacturer, the country of manufacture, and the serial number, which are requirements of both the PoA (para. II.7) and the ITI (para. 8(a)). However, unless a state has indicated that the information was being provided as part of its report on ITI implementation (as opposed to PoA implementation) or the state made at least one reference to the ITI, it has not been credited with having reported on the ITI.

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<sup>126</sup> For example, Liberia reports: ‘Liberia subscribes to conditions of marking and tracing of weapons in line with the ITI and the ECOWAS Convention on Small Arms and Light Weapons and their Related Materials. However, since the country is under arms embargo, the UN peace keeping force performs the task.’

<sup>127</sup> For example, Bulgaria.

<sup>128</sup> The nine states are China, DRC, Ecuador, Germany, Latvia, Liberia, Liechtenstein, Morocco, and Poland.

<sup>129</sup> The 11 states are Australia, Bangladesh, Belarus, Botswana, Burkina Faso, Estonia, Ireland, Libya, Moldova, Norway, and the Philippines.

<sup>130</sup> The 23 states are Armenia, Austria, Belgium, Bosnia and Herzegovina, Burundi, Côte d’Ivoire, Cuba, Denmark, DRC, FYROM, Hungary, Iran, Iraq, Libya, Luxembourg, Malawi, Malaysia, Moldova, Senegal, Slovenia, Togo, Tunisia, and Yemen.

The reason for this approach is that the aim of this section of the report is to analyse states' implementation of their ITI commitments (including their awareness of those commitments and their obligation to report specifically on ITI implementation) with a view to informing the BMS<sub>4</sub> discussions on ITI implementation as distinct from the PoA.

## National Points of Contact

Under paragraph 25 of the ITI, states undertake to designate one or more NPCs to exchange information and act as liaison on all matters relating to the implementation of the ITI.

In some national reports, states indicate that the NPC for matters relating to ITI implementation is the same as the NPC for PoA implementation.<sup>131</sup> Other states list their NPCs on PoA implementation and on the ITI separately even though they identify the same person or entity for both.<sup>132</sup> In the case of Colombia, there are two points of contact on ITI implementation, one of which is the same as the NPC for PoA implementation. Several states provided details of one or more NPCs for ITI implementation that were distinct from their NPCs on PoA implementation.<sup>133</sup> The remaining states that provided separate reports on their ITI implementation do not offer details of their NPCs on ITI implementation.<sup>134</sup>

Overwhelmingly, states reported that NPCs on ITI implementation were based in ministries of foreign affairs (predominantly the arms control and export policy division or its equivalent), although some reported that NPCs operate within the ministry of defence, the ministry of the interior, or the national police.

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<sup>131</sup> For example, Belarus, China, Germany, and Latvia.

<sup>132</sup> For example, Lithuania, Slovakia, and Switzerland.

<sup>133</sup> For example, Mozambique, the Netherlands, Poland, Portugal, Romania, and the Russian Federation.

<sup>134</sup> In the analysis of national reports prepared for BMS<sub>3</sub>, it was noted that, as of 13 December 2007, 27 states had provided UNODA with the contact details of their NPCs and a list of ITI NPCs was available on the PoA-ISS website (Cattaneo and Parker, 2008, p. 113). Unfortunately, the list has been temporarily removed from the PoA-ISS website for updating; at this writing, it was thus not clear how many states had NPCs on ITI implementation.

## Marking

### *Marking at time of manufacture*

Under paragraph 8(a) of the ITI states have undertaken to mark small arms and light weapons at the time of manufacture with the name of the manufacturer, the country of manufacture, and the serial number, or an alternative unique user-friendly marking with simple geometric symbols in combination with a numeric and/or alphanumeric code, permitting ready identification of the country of manufacture. They are also encouraged to mark additional information such as the year of manufacture, weapon type/model, and calibre.

### **Marking of small arms and light weapons**

In 2010, 19 states provided information under the marking section of the ITI.<sup>135</sup> Eleven states report that marking at the time of manufacture must indicate the country of manufacture;<sup>136</sup> in addition to these, Bulgaria requires that the state of origin be indicated for firearms destined to the US market. In addition, states indicate that the following information must be marked on the weapon at the time of manufacture: the year of manufacture (nine states);<sup>137</sup> the serial number (12 states);<sup>138</sup> and the manufacturer (17 states).<sup>139</sup> Other details are also required,

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<sup>135</sup> The 19 states are Bangladesh, Belarus, Bulgaria, China, Ecuador, Finland, Guatemala, India, Liechtenstein, Lithuania, Mexico, Mozambique, Portugal, the Philippines, Romania, Sweden, Switzerland, the United Kingdom, and Uruguay.

<sup>136</sup> The 11 states are Bangladesh, Belarus, China, Ecuador, Finland, India, Lithuania, Mexico, Mozambique, Romania, and the United Kingdom (the serial number must indicate the country of origin).

<sup>137</sup> The nine states are Belarus, Bulgaria, China, India, Mozambique, Portugal (with specific reference to firearms for civilian use), Romania, Slovakia, and the United Kingdom (the serial number must indicate the year of manufacture).

<sup>138</sup> The 12 states are Bangladesh, Belarus, Bulgaria, China, Finland, India, Liechtenstein (individual numerical or alphabetical marking), Mexico, Portugal (with specific reference to firearms for civilian use), Slovakia, Sweden ('unique number'), and the United Kingdom (all military and civilian firearms are marked with a unique serial number).

<sup>139</sup> The 17 states are Bangladesh, Belarus, Bulgaria, China ('factory code'), Finland, Guatemala, India, Liechtenstein, Lithuania, Mexico, Mozambique, the Philippines (which notes that all manufacturers must ensure all firearms bear their trademark), Portugal (with specific reference to firearms for civilian use), Romania, Slovakia, Sweden, and the United Kingdom (the serial number engraved on military firearms must include a letter to designate the manufacturer; in addition, civilian firearms must carry the 'name and origin of the maker').

most typically the type, model, and calibre of the weapon. Six states specify the location of the marking.<sup>140</sup>

Most states indicate that legislation requires particular markings as part of the manufacturing process. Of the states that reported that laws requiring particular markings were not in place, several indicated that such legislation is under consideration (for example, New Zealand and Switzerland); others note that markings are applied as a matter of course despite the absence of a legal requirement.<sup>141</sup> Conversely, Uruguay reports that although there are no firearm producers in the country, certain legislation addresses the manufacture of small arms, including marking.

### Marking of ammunition

Although the ITI does not require—or even refer to—the marking of ammunition or ammunition packaging, several states report on their practices in this regard. Two states provide information on the marking of ammunition packaging at the time of manufacture.<sup>142</sup> States indicate that the following information must be marked on ammunition packaging<sup>143</sup> at the time of manufacture:

- the country of manufacture,<sup>144</sup>
- the manufacturer,<sup>145</sup>

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<sup>140</sup> The states are Bulgaria, China, Lithuania, the Russian Federation, Switzerland, and the United Kingdom. Bulgaria notes that one of the two manufacturing companies operating in the country stamps the whole marking on the receiver and marks other parts, including the bolt carrier, with the serial number; the other manufacturer puts the whole marking on 'the lower, the bolt and the barrel'. China writes that '[m]arkings on [small arms and light weapons] should be positioned on the main components of the weapon so as to be clearly visible and not easily worn away'. Lithuania states that the barrel of the firearm should be marked with the official abbreviation of the Republic of Lithuania. The Russian Federation reports that the last three numbers of the markings on military firearms also appear on the trigger, shutter, 'and other parts of the weapon'. Switzerland provided diagrams illustrating where markings are to be placed. The United Kingdom notes that, with respect to military firearms, the serial number is engraved into the metal of the body, trigger mechanism housing, or receiver of the weapon.

<sup>141</sup> For example, Japan and Sweden.

<sup>142</sup> The two states are Finland and Japan.

<sup>143</sup> With respect to Japan, the national report indicates certain markings are required on packaging of 'explosives'; it is not clear whether this requirement extends to packaging of ammunition.

<sup>144</sup> For example, Finland and Japan (requires manufacturers to indicate the 'place' of manufacture).

<sup>145</sup> For example, Finland.



- the batch number;<sup>146</sup>
- the date of manufacture;<sup>147</sup>
- the type;<sup>148</sup> and/or
- the quantity.<sup>149</sup>

Lithuania and the Philippines were the only states to report on the marking of ammunition at the time of manufacture. Lithuania notes that, by law, ‘a manufacturer of arms and ammunition must mark ammunition with the identifying marks of the manufacturer’; the Philippines notes that manufacturers must ensure all ammunition has their trademarks for easy identification.

### *Marking at import*

The ITI also requires, to the extent possible, marking at the time of import permitting the ‘identification of the country of import and, where possible, the year of import’ (para. 8(b)).

Seven states report having a marking requirement for imported weapons.<sup>150</sup> In some instances, states require all imported arms to be marked with the importing country code<sup>151</sup> and/or the year of import.<sup>152</sup> Other states only require imported arms to be marked if certain markings are missing, or the markings have been removed or altered. For example, India reports that if a firearm does not bear the manufacturer’s name, the importer is required to engrave appropriate identification marks identifying the importer. Others report that they prohibit the import of unmarked arms or arms that do not bear specific markings, such as the country of origin.<sup>153</sup>

In some reports it is not clear whether the arms must be marked *prior* to their arrival in the reporting state and as a condition of import, or if such markings

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<sup>146</sup> For example, Finland.

<sup>147</sup> For example, Japan.

<sup>148</sup> For example, Japan.

<sup>149</sup> For example, Japan.

<sup>150</sup> The seven states are China, Guatemala, India, Lithuania, Portugal, Slovakia, and Uruguay.

<sup>151</sup> For example, China, Guatemala, Lithuania (for certain categories of arms), and Uruguay.

<sup>152</sup> For example, China and Uruguay.

<sup>153</sup> For example, Guatemala and India (regarding small arms for the armed forces).

are applied post-import in the event the imported arms do not have the required markings. For example, Portugal and Slovakia both report (in identical language) that the ministry of defence requires that imported arms for military use be marked with the name of the manufacturer, the country of manufacture, and the serial number, and encourages additional markings such as the year of manufacture, the weapon type/model, and the calibre.

The Russian Federation reports that this ITI requirement is not applicable since state forces only use domestically produced small arms as opposed to imported weapons.

### *Marking of weapons transferred from state stockpiles to civilian use*

In the context of arms transfers from government stockpiles to permanent civilian use, ITI paragraph 8(c) requires states to apply appropriate markings to any small arms and light weapons that are not already marked in a way that allows them to be traced. The markings must permit the identification of the country from whose stockpiles the transfer of the arms is made.

The United Kingdom is one of two states to include information on this commitment, noting that all firearms that are surplus to police requirements are destroyed and that ‘the [Ministry of Defence] operates a total ban on small arms re-sale to private companies and individuals’. Between governments, only onward sales are permitted; when these occur, all serial numbers are kept and held indefinitely and a clause is included in an onward sale contract ensuring no resale would be possible without the express written permission of the British government.

Switzerland reports that information regarding the transfer of small arms from the armed forces to private property is kept for 20 years.

### *Marking of state-held weapons*

Paragraph 8(d) of the International Tracing Instrument calls on states to:

*Take all necessary measures to ensure that all small arms and light weapons in the possession of government armed and security forces for their own use at the time of adoption of this instrument are duly marked.*

## Police

Seven states report that firearms held by their police forces are marked.<sup>154</sup> While some do not specify the nature of the markings, others indicate that they include manufacturer markings<sup>155</sup> and serial numbers.<sup>156</sup> Lithuania reports that police firearms are marked with the calibre and, in most cases, the manufacturing state and year of manufacture; in addition, since 2005, they also bear a mark indicating that Lithuania is the importing state. The Netherlands also reports that all service pistols are additionally marked with a unique Dutch police acceptance mark. Sweden reports that police firearms are marked with the words *Tillhör polisen* (police property).

## Armed forces

Twelve states report that firearms belonging to the armed forces are marked.<sup>157</sup> The nature of the specified markings include: country code;<sup>158</sup> type and model,<sup>159</sup> manufacturer;<sup>160</sup> serial number or identification number;<sup>161</sup> and the year of manufacture.<sup>162</sup> Ukraine points out that markings comply with the requirements of intergovernmental normative documents that existed in the Soviet Union and which, although unique, lack the features that indicate a given weapon belongs to Ukraine.

Kenya notes that the Nairobi Protocol requires states to mark all small arms and light weapons in state possession at the time of manufacture with a unique marking, providing the name of the manufacturer, the country or place of

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<sup>154</sup> The seven states are Finland, Guatemala, Lithuania, the Netherlands, New Zealand, Sweden, and Uruguay.

<sup>155</sup> For example, Lithuania and the Netherlands.

<sup>156</sup> For example, Lithuania, the Netherlands, and Sweden.

<sup>157</sup> The 12 states are Bahrain, Colombia, Guatemala, Latvia, Lithuania, Moldova, the Netherlands, the Russian Federation, Sweden, Switzerland, Ukraine, and Uruguay.

<sup>158</sup> Mentioned by Guatemala, Lithuania, and the Netherlands.

<sup>159</sup> Mentioned by Lithuania and the Netherlands.

<sup>160</sup> Mentioned by the Netherlands, the Russian Federation, Sweden, and Ukraine.

<sup>161</sup> Mentioned by Lithuania, the Netherlands, the Russian Federation, Sweden, Switzerland, and Ukraine.

<sup>162</sup> Mentioned by the Russian Federation, Sweden (some types of small arms only—for example, assault rifles), and Ukraine.

manufacture, and the serial number. By the end of 2011, Kenya expects to have marked all state-owned weapons in accordance with this requirement and the provisions of the ITI.

### *Measures by manufacturers*

Paragraph 8(e) of the International Tracing Instrument requires states to ‘[e]ncourage manufacturers of small arms and light weapons to develop measures against the removal or alteration of markings’.

Eight states reported on this aspect of the ITI.<sup>163</sup> Some acknowledge that no special measures against removal or alterations of markings have been developed by manufacturers;<sup>164</sup> some indicate that no such measures are necessary since firearms are not manufactured in their country;<sup>165</sup> others indicate that draft legislation designed to regulate the removal or alteration of markings is under consideration;<sup>166</sup> and several provide details of the types of measures that have been developed. Japan, for example, reports that ‘a measure using laser technology against tampering of marks is adopted’ as a means of preventing the removal or alteration of markings. Liechtenstein notes that new legislation that entered into force in July 2009 requires manufacturers to mark firearms in such a way that the mark can only be modified or removed by mechanical methods. The United Kingdom gave a detailed description of manufacturers’ long-standing marking method that makes removal and alteration difficult.

### *Marking or destruction of illicit weapons*

Paragraph 9 of the International Tracing Instrument urges states to ensure that all illicit small arms found on their territory are uniquely marked and recorded—or destroyed—as soon as possible, and that they are securely stored in the interim.

Few states reported on this provision of the ITI, although several commented on the procedures surrounding the marking of small arms and light weapons

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<sup>163</sup> The eight states are Bahrain, Finland, Guatemala, Japan, Liechtenstein, Lithuania, the Russian Federation, and the United Kingdom.

<sup>164</sup> For example, Finland.

<sup>165</sup> For example, Bahrain, Guatemala, and Lithuania.

<sup>166</sup> For example, New Zealand and Sweden.

designated for destruction (for example, Latvia) and the destruction of surplus firearms (for example, Lithuania). Belarus and the Russian Federation report that unmarked or improperly marked weapons are destroyed or properly marked. India reports that arms that do not bear specified identification marks may not be sold or transferred, and that any person found in possession of a weapon without identification marks would be presumed to have removed the marks unless proven otherwise. The Netherlands reports that if a weapon held by the armed forces is not marked, it will be considered illegal and destroyed. Lithuania declares that once it is confirmed that surplus, confiscated, collected, or seized firearms (which presumably include illicit firearms found on its territory) are unsuitable for further use, they are destroyed.

### *Record-keeping*

In paragraph 11, the ITI commits states to ensure that accurate and comprehensive records are established for all marked small arms and light weapons within their territory and maintained in accordance with paragraph 12, which states that ‘in any case a State will ensure the maintenance of: (a) Manufacturing records for at least 30 years; and (b) All other records, including records of import and export, for at least 20 years’.

The ITI does not specify whether the records should be retained by the state itself or by individuals engaged in weapons manufacturing and trade. Indeed, it indicates that ‘choice of methods for record-keeping is a national prerogative’ (para. 11). Information provided by states on their record-keeping practices has been categorized according to whether, based on information provided by governments, the state or a private individual or company is responsible for maintaining records.

### *Records kept by the state*

#### **Records on manufactured firearms**

Finland reports that it keeps a register for ten years on manufacture of small arms and light weapons and ammunition falling under its jurisdiction and control. Switzerland reports that records pertaining to small arms held by the armed forces are kept for ten years after destruction of the arms. India also

reports that all state-owned ordnance factories maintain detailed records of small arms manufactured by them. Mexico states that the Secretary of National Defence keeps a register of armaments that are manufactured nationally and that are legally imported. Neither India nor Mexico indicates how long such records are maintained.

### **Records on small arms transfers**

Portugal, Romania, Slovakia, and Sweden report that the relevant ministry keeps records of transfers of military weapons and equipment, with Sweden noting that such records are ‘in principle’ kept indefinitely. Finland also reports that documentation on export licences granted by the ministry of defence is kept permanently, and that it keeps a register for ten years on transfer of small arms and light weapons and ammunition falling under its jurisdiction and control.

### **Records on holdings**

**Police.** Seven states report that records are kept of police holdings;<sup>167</sup> some elaborate on the nature of information recorded by the police, such as holdings, use, disposal, theft, and loss of weapons in their possession. Some also note that the police keep records of all permits granted to possess or trade firearms (for example, Sweden). Guatemala also provides details of an ongoing project to improve arms control by government security forces; the project aims to ensure that members of the police force are assigned just one firearm throughout their career.

**Armed forces.** Fifteen states provided information on the maintenance of records with respect to the holdings of armed forces.<sup>168</sup> Some simply assert that they have adequate record-keeping measures in place; others provide details of their registration systems and the nature of the information they record as well as procedures for monitoring the movement of arms and for reporting

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<sup>167</sup> The seven states are Ecuador, Guatemala, Japan, Lithuania, the Netherlands, Sweden, and the United Kingdom.

<sup>168</sup> The 15 states are Bahrain, Ecuador, Japan, India, Kenya, Latvia, Lithuania, Mexico, Mozambique (manual record-keeping system), the Netherlands, Portugal, the Russian Federation, Slovakia, Sweden, and Ukraine.

thefts and losses from state stockpiles. For example, Ukraine notes that all movement of small arms and light weapons is recorded, and that an annual inventory of all firearms and ammunition held by the armed forces is held, during which 20 per cent of the small arms are checked on a piece-by-piece basis. The Russian Federation reports that small arms used by the armed forces are subjected to special control, which takes place as a control shooting. The bullets and shells are then kept within a governmental bank of bullets and shells, which enables law enforcement organizations to investigate cases of illicit use of the arms, to identify lost and stolen weapons, and persons involved in the illicit use of the weapons.

Kenya notes that the Central Firearms Bureau, which currently maintains a register of all civilian-owned firearms, will be upgraded as part of a new policy, so that eventually the Bureau will also maintain an electronic database of all state-owned small arms.

**Civilians.** Fourteen states reported that a competent authority retains records of civilian-held weapons.<sup>169</sup> New Zealand reports that, while the record of pistols, restricted weapons, and military-style semi-automatics is maintained indefinitely, it does not maintain a register of all firearms (such as sporting firearms). However, as the vast majority of such firearms are imported into New Zealand, details of such weapons are in practice captured as part of the import process managed by police. Several states also report that they keep records of transactions and transfers involving small arms.<sup>170</sup> Aside from a few states that report records are kept 'indefinitely',<sup>171</sup> very few states indicate how long records are required to be kept. Lithuania, however, reports that information on its State Arms Register is kept until a particular firearm is destroyed, after which it is transferred to the archives, where it is kept for another 75 years.

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<sup>169</sup> The 14 states are China, Colombia, Japan, India, Kenya, Latvia, Lithuania, Lesotho (records are kept manually), Mozambique (records are kept manually), New Zealand, Portugal, Slovakia, the Russian Federation, and Sweden.

<sup>170</sup> The states are China, Colombia, Latvia, Lithuania, Portugal, and Slovakia.

<sup>171</sup> For example, Lesotho and the United Kingdom.

## *Records kept by individuals and companies*

### **Manufacturers**

Eleven states reported that manufacturers are required to keep records of manufactured arms.<sup>172</sup> Some provided details of the information that must be recorded, such as serial numbers, date of manufacture, manufacturer's markings, type and model, calibre, and transfers. The Philippines reports that firearms manufacturers must submit a monthly report to police as to the types, calibres, and quantities of finished products and sales made during the period as well as the inventory of the products and raw materials in stock.<sup>173</sup> Japan also reports on the requirement that manufacturers of ammunition maintain records, noting that they should record their types and amounts, dates of trades, and names and addresses of customers on the books.

Very few states revealed how long manufacturers' records must be kept. Finland reports that they must be retained for at least ten years after the last entry. Romania reports that registers on manufacture are kept by armourers licensed to produce arms and ammunition for ten years and are then taken over by the Romanian police for archiving. Although there was no indication of how long the police retain the records, elsewhere in the report Romania states that manufacturers are obliged to keep the records for a minimum of 30 years (in accordance with the ITI). Switzerland reports that manufacturers are required to keep records of manufacture, acquisition, and transfer of small arms for ten years, and to hand over the record books to cantonal authorities after this period of time. Japan reports that its law requiring manufacturers to keep records does not stipulate the duration that records should be kept; in practice, however, almost all manufacturers keep the records more than ten years.

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<sup>172</sup> The 11 states are Bulgaria, China, Finland, India, Japan, Morocco, the Philippines, Romania, the Russian Federation, Sweden, and Switzerland.

<sup>173</sup> The Philippines also reports that, to ensure the effective implementation of the ITI, manufacturers must secure a Certificate of Safety from the competent authority; all importation and/or procurement of principal raw materials and components for the manufacture of firearms, ammunition, and major firearm parts must have prior clearance from the chief of police; all manufacturers' employees are screened by the police; arms factories are inspected by the chief of police as often as necessary; and all manufactured firearms, ammunition, and major firearms parts must be deposited with the police for safe-keeping prior to sale.



The United Kingdom did not report on what the current provisions or requirements are under its laws; however, it notes that under the amended European Weapons Directive, by 31 December 2014 member states will be required to have a computerized data filing system to record and maintain details pertaining to every firearm subject to the Directive for at least 20 years. As part of obligation, dealers will be required to maintain a register of details of all firearms received or disposed of by them; upon the cessation of business, such registers shall be delivered to the responsible authority.

## **Dealers**

Five states reported that arms dealers or traders are required to keep records of their transactions, or register such information with the competent authority.<sup>174</sup> Most states do not indicate how long such records must be kept. The Netherlands reports that records must be kept during the period of their licence (five years), but it is not clear whether the records must be kept beyond the duration of the licence and, if so, for how long. Romania reports that records are to be kept for a minimum of 20 years.

### *Records kept by companies going out of business*

The ITI contains a specific provision under which states must require that records pertaining to small arms and light weapons held by companies that go out of business be forwarded to the state in accordance with its national legislation (para. 13). Romania was the only state that reported on this commitment, noting that if an armourer licensed to produce arms ceases its activities, its manufacturing records are taken over by the Romanian police within ten days of the cessation of activities.

## **Tracing**

### *Cooperation in tracing*

Few states provided details of their processes for responding to tracing requests, or of the responsible agencies.<sup>175</sup> Nor did many provide specific examples of

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<sup>174</sup> The five states are China, India, Japan (whose legislation refers to record-keeping by manufacturers of ammunition), the Netherlands, and Romania.

<sup>175</sup> Germany is among the states that did provide details.

cooperation in tracing. Exceptions include Romania and Mexico. Romania reports that in 2009 its export controls department participated in the exchange of information mechanism and provided data requested by one interested country from South America. Mexico states that it cooperates with the US Bureau of Alcohol, Tobacco, Firearms and Explosives and that 58,371 tracing requests were processed between 2006 and 2009.

### *Cooperation and assistance*

#### **Assistance in capacity building**

As per paragraph 27 of the ITI:

*States in a position to do so will, upon request, seriously consider rendering technical, financial and other assistance, both bilaterally and multilaterally, in building national capacity in the areas of marking, record-keeping and tracing, in order to support the effective implementation of this instrument by States.*

**Assistance provided.** The Netherlands reports that it has provided financial support to the Nairobi-based Regional Centre on Small Arms and Light Weapons (RECSA) and other regional organizations and international non-governmental organizations. The country expresses its willingness to provide further support to states in their effort to implement the ITI, noting that, as priority regions in Dutch small arms policy, the Great Lakes Region, the Horn of Africa, the Balkans, and Afghanistan would be especially eligible for funding.

**Assistance received.** Kenya reports receiving assistance in the form of training of RECSA member states in the marking of state-owned small arms and establishing electronic databases in their respective countries. It also notes that two marking machines were made available in February 2009 and September 2009, enabling it to mark more than 16,800 small arms. In addition, computers for data storage were also provided.

**Assistance required.** The following states included specific requests for assistance with respect to ITI implementation:

- **Bangladesh** needs appropriate modern technology, instruments, machinery, and equipment for arms checking, scanning, and recovery, as well as training

for law enforcement personnel. It also states that cooperation from the UN with regards to training on tracing would be welcomed by Bangladesh to establish an effective tracing mechanism.

- **Burkina Faso** states that it hopes BMS<sub>4</sub> will address assistance and training measures for carrying out the ITI.
- **Kenya** reports that it faces a lack of adequate marking machines and trained personnel to mark both state-owned and civilian-licensed small arms and light weapons by the end of 2011, and a lack of adequate funds for setting up an electronic database.
- **Lesotho** reports that in order to start marking state and civilian firearms in 2011 as planned, it needs technical and financial assistance to buy machines and to train officers to use the marking machines safely and effectively. It is also seeking funds to computerize the Firearms Licensing Office, which is responsible for maintaining records on civilian-held firearms, currently through manual record-keeping. Lesotho police also need to train experts in the actual tracing, 'etching', and destruction of firearms confiscated by the government, which is currently being done with the assistance of South Africa.
- **Mozambique** reports that it is receiving assistance from UNDP and Viva Rio to develop an integrated, digitized national firearms register (as registration is currently done manually). However, it notes that further donor support of USD 700,000 is required for full implementation at the national level, across 11 provinces. Mozambique provides a detailed breakdown of the nature and cost of the anticipated activities, and states that a full proposal is available to donors interested in the project on request. The country also notes that it requires financial support to procure marking equipment.

## **International cooperation in technology development**

No state reported under this section of the ITI.

## **International cooperation with other relevant organizations**

In paragraph 29 of the ITI, states are requested to promote implementation by encouraging initiatives within the framework of the PoA to mobilize the resources and expertise of—and, where appropriate, cooperation with—relevant regional and international organizations.

Finland is one of the few states to report under this section of the ITI, noting its participation in the 1969 Convention for the Reciprocal Recognition of Proof Marks on Small Arms.

## Observations and discussion points

By mid-2010, fewer states had reported under the ITI than in the first year of reporting in 2008.

Details are concentrated in the areas of marking (particularly at the time of manufacture) and record-keeping. In many other areas covered by the ITI, information has been submitted rarely or with little detail.

As for tracing cooperation, INTERPOL seems to have played an important role, together with bilateral agreements for mutual assistance in law enforcement.

In this study, credit is given to states that acknowledge the ITI in their reports, but in reality, relatively few states provided separate, clear, and distinct information relating to their implementation of the ITI. Additional awareness raising seems necessary to ensure states become aware of their obligations with respect to the ITI, including their commitment to report on ITI implementation every two years. 📄

## IV. Looking ahead

This interim report has offered a brief overview of the information provided in states' reports on the BMS<sub>4</sub> themes as of May 2010. An overwhelming characteristic of national reports is that, while they describe the types of activities undertaken to implement the PoA and, to a limited extent, the ITI, they rarely describe the impact of these activities on the illicit trade in small arms. While impact and effectiveness are difficult to quantify, they are crucial factors needed to assess whether the PoA has in fact helped to prevent, combat, and eradicate the illicit trade in small arms.

Two initiatives under development may help enhance the utility of national reporting to an assessment of PoA implementation, including the question of PoA impact and effectiveness.

First, the UN's CASA is developing International Small Arms Control Standards (ISACS) that will not only complement the PoA and guide states in their implementation of PoA commitments, but will also facilitate an objective assessment of whether states have implemented their PoA commitments in full.

Second, UNODA, with the help of the Small Arms Survey, is developing an online reporting tool that builds on and expands the reporting template developed in 2003. It is designed to ensure that states provide more detailed information on their implementation efforts for both the PoA and the ITI *and* to reduce the reporting burden by enabling states to update their information as and when necessary. This consolidation of the reporting commitments is intended to improve the quality of reports and facilitate a better understanding of the status of PoA and ITI implementation.

In addition to incorporating 2010 national reports uploaded to the PoA-ISS website after 6 May 2010, the final report to be published following BMS<sub>4</sub> will provide a more detailed analysis of the new reporting system, as well as a review of the quality of national reports submitted in 2009 and 2010. ▀

# Annexe 1

## Frequency of reporting, 2002–mid-2010

This table is based on information derived from submitted national reports that were made available on the PoA-ISS website between 2002 and 6 May 2010. The crosses indicate years in which a state submitted a national report.

Table 4 **Frequency of reporting, 2002–mid-2010**

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Afghanistan										0
Albania		x	x							2
Algeria		x		x	x		x			4
Andorra					x		x		x	3
Angola					x		x			2
Antigua and Barbuda										0
Argentina		x	x	x	x	x	x			6
Armenia		x		x			x		x	4
Australia	x	x	x	x	x	x	x	x	x	9
Austria		x		x	x	x			x	5
Azerbaijan			x	x						2
Bahamas										0
Bahrain							x		x	2
Bangladesh	x	x							x	3
Barbados		x								1
Belarus	x	x	x	x	x	x	x		x	8
Belgium		x							x	2

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Belize										0
Benin		x		x			x			3
Bhutan										0
Bolivia		x		x	x	x				4
Bosnia and Herzegovina			x	x	x	x	x		x	6
Botswana	x						x		x	3
Brazil		x		x			x			3
Brunei Darussalam										0
Bulgaria	x	x		x	x	x	x		x	7
Burkina Faso	x	x		x			x		x	5
Burundi		x	x	x		x	x		x	6
Cambodia			x				x			2
Cameroon		x								1
Canada		x	x	x	x		x			5
Cape Verde										0
Central African Republic		x								1
Chad		x								1
Chile				x	x		x			3
China		x	x	x		x	x		x	6
Colombia		x		x	x		x		x	5
Comoros										0
Congo, Democratic Republic of the		x							x	2
Congo, Republic of the		x					x			2
Costa Rica	x	x		x						3

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Côte d'Ivoire		x		x			x		x	4
Croatia		x	x	x	x	x	x			6
Cuba		x			x	x	x		x	5
Cyprus							x			1
Czech Republic		x	x	x	x	x	x			6
Denmark				x	x	x	x		x	5
Djibouti		x					x			2
Dominica										0
Dominican Republic							x			1
Ecuador		x			x		x		x	4
Egypt		x		x	x		x			4
El Salvador		x	x	x						3
Equatorial Guinea		x								1
Eritrea										0
Estonia		x					x		x	3
Ethiopia	x						x			2
Fiji			x				x			2
Finland		x	x	x	x	x	x		x	7
France		x		x			x			3
Gabon				x						1
Gambia		x		x						2
Georgia				x	x		x			3
Germany		x	x	x		x	x	x	x	7
Ghana				x		x				2
Greece		x	x	x	x	x	x			6
Grenada			x							1
Guatemala			x	x	x		x		x	5



Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Guinea										0
Guinea-Bissau										0
Guyana										0
Haiti		x								1
Holy See				○						1
Honduras		x	x							2
Hungary	x	x	x	x	x	x	x		x	8
Iceland							x			1
India		x		x		x	x		x	5
Indonesia		x		x				x		3
Iran		x		x			x		x	4
Iraq							x		x	2
Ireland	x	x		x	x		x		x	6
Israel		x	x				x			3
Italy		x		x	x	x	x			5
Jamaica				x			x			2
Japan	x	x		x		x	x		x	6
Jordan		x		x					x	3
Kazakhstan				x	x		x			3
Kenya		x		x	x		x		x	5
Kiribati										0
Korea, Republic of		x		x	x		x			4
Korea, Democratic People's Republic of										0
Kuwait										0
Kyrgyzstan					x					1

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Lao People's Democratic Republic										0
Latvia		x	x	x	x		x		x	6
Lebanon		x	x		x		x			4
Lesotho				x	x		x		x	4
Liberia				x			x		x	3
Libyan Arab Jamahiriya									x	1
Liechtenstein				x			x		x	3
Lithuania	x	x		x	x		x		x	6
Luxembourg		x		x					x	3
Macedonia, former Yugoslav Republic of		x	x	x	x	x	x	x	x	8
Madagascar										0
Malawi									x	1
Malaysia		x		x	x		x		x	5
Maldives										0
Mali		x		x			x			3
Malta			x	x	x	x	x			5
Marshall Islands				x						1
Mauritania				x						1
Mauritius				x			x			2
Mexico	x	x	x	x	x	x	x		x	8
Micronesia, Federated States of										0
Monaco		x	x							2
Moldova, Republic of		x		x	x	x	x		x	6

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Mongolia										0
Montenegro										0
Morocco		x		x	x		x	x	x	6
Mozambique				x			x		x	3
Myanmar										0
Namibia				x	x		x			3
Nauru										0
Nepal										0
Netherlands		x		x			x		x	4
New Zealand		x	x	x		x	x		x	6
Nicaragua		x			x		x			3
Niger		x		x	x		x		x	5
Nigeria				x			x			2
Norway		x		x	x	x	x	x	x	7
Oman		x		x	x					3
Pakistan		x		x			x			3
Palau										0
Panama				x			x			2
Papua New Guinea				x						1
Paraguay		x		x	x	x	x			5
Peru		x		x	x		x			4
Philippines		x		x	x		x		x	5
Poland	x	x		x	x		x		x	6
Portugal		x	x			x	x	x	x	6
Qatar		○		x			x			3
Romania		x		x			x		x	4
Russian Federation	x	x		x	x	x	x		x	7

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Rwanda		x		x			x			3
Saint Kitts and Nevis										0
Saint Lucia										0
Saint Vincent and the Grenadines										0
Samoa										0
San Marino										0
São Tomé and Príncipe		x								1
Saudi Arabia		x			x					2
Senegal		x		x		x	x		x	5
Serbia		x	x	x	x	x	x			6
Seychelles										0
Sierra Leone				x			x			2
Singapore										0
Slovak Republic		x		x			x		x	4
Slovenia		x		x			x		x	4
Solomon Islands		x	x							2
Somalia										0
South Africa		x		x			x			3
Spain		x		x	x	x	x			5
Sri Lanka		x		x	x		x			4
Sudan		x					x			2
Suriname										0
Swaziland							x			1
Sweden		x		x			x		x	4
Switzerland		x	x	x			x	x	x	6
Syrian Arab Republic		x		x	x	x				4

Country	'02	'03	'04	'05	'06	'07	'08	'09	'10	TOTAL
Tajikistan		x								1
Tanzania					x		x			2
Thailand		x		x			x			3
Timor-Leste										0
Togo			x	x	x	x	x	x	x	7
Tonga										0
Trinidad and Tobago		x	x				x			3
Tunisia									x	1
Turkey		x	x	x			x			4
Turkmenistan										0
Tuvalu										0
Uganda		x		x	x		x			4
Ukraine		x	x	x			x		x	5
United Arab Emirates				x	x					2
United Kingdom		x		x			x		x	4
United States	x	x	x	x		x	x			6
Uruguay				x			x		x	3
Uzbekistan										0
Vanuatu										0
Venezuela			x		x					2
Vietnam					x					1
Yemen		x			x				x	3
Zambia				x						1
Zimbabwe				x			x			2
<b>TOTAL reports per year</b>	<b>16</b>	<b>103</b>	<b>39</b>	<b>104</b>	<b>62</b>	<b>36</b>	<b>109</b>	<b>8</b>	<b>66</b>	<b>544</b>

○ indicates that the state submitted a nil report.

## **Annexe 2**

# **Summary of provisions on international cooperation and assistance under the PoA**

1. assisting and promoting conflict prevention (II.4);
2. developing and strengthening partnerships to share resources and information on the illicit trade (III.5);
3. building capacities in areas including:
  - a. the development of appropriate legislation and regulations
  - b. law enforcement
  - c. marking and tracing
  - d. stockpile management and security
  - e. destruction
  - f. collection and exchange of information (III.6);
4. enhancing cooperation, the exchange of experience, and training among competent officials, including customs, police, intelligence, and arms control officials (III.7);
5. developing specialist training on small arms stockpile management and security (III.8);
6. using and supporting INTERPOL's International Weapons and Explosives Tracking System database (III.9);
7. examining technologies that would improve the tracing and detection of illicit trade in small arms and light weapons (III.10);
8. cooperating in tracing illicit small arms and light weapons, in particular by strengthening mechanisms based on the exchange of relevant information (III.11);
9. exchanging information on national marking systems (III.12);
10. enhancing mutual legal assistance and other forms of cooperation in order to assist investigations and prosecutions (III.13);

11. assisting in the destruction or other responsible disposal of surplus stock-piles or unmarked or inadequately marked small arms and light weapons (III.14);
12. providing assistance to combat the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime, and terrorism (III.15);
13. supporting appropriate programmes related to the disarmament, demobilization, and reintegration of ex-combatants (III.16);
14. making greater efforts to address problems related to human and sustainable development (III.17); and
15. developing and supporting action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in small arms and light weapons in all its aspects (III.18).

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