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SMALL ARMS SURVEY

IMPLEMENTING THE UNITED NATIONS PROGRAMME OF ACTION ON SMALL ARMS AND LIGHT WEAPONS Analysis of the National Reports Submitted by States from 2002 to 2008

Silvia Cattaneo
and
Sarah Parker



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from 2002 to 2008**

Silvia Cattaneo and Sarah Parker

UNIDIR
United Nations Institute for Disarmament Research
Geneva, Switzerland



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Silvia Cattaneo and Sarah Parker
October 2008

FOREWORD

The draft analysis of the National Reports submitted from 2001 to 2008 by Member States on their implementation of the Programme of Action on the Illicit Trade in Small Arms and Light Weapons, the third such study published since 2004, made a significant contribution to the debate at the 2008 Biennial Meeting of States.

I warmly welcome this instalment in the joint project of the United Nations Development Programme, the United Nations Institute for Disarmament Research, the United Nations Office for Disarmament Affairs and the Small Arms Survey. The success of this project demonstrates how cooperation between United Nations agencies and civil society is beneficial to Member States.

Encouraging regular and standardized reporting, and thus enhancing information exchange, is a key element in improving the overall effectiveness of the Programme of Action. National reports allow the international community to assess the degree of implementation of the Programme of Action nationally, regionally and globally, and to highlight areas where further work is called for or where resources need to be directed. In particular, they permit Member States to report on concerns, showcase best practices and communicate progress. National reports are thus vital elements in the preparation for Biennial Meetings and Review Conferences, and in implementation of the Programme of Action.

National Reports help Member States and civil society evaluate the current health of the Programme of Action and assist in efforts to prevent the illicit trade in small arms and light weapons.

After consultations with Member States, I identified four themes for in-depth consideration at the 2008 Biennial Meeting of States. These themes are international assistance, cooperation and capacity-building; illicit brokering; stockpile management and surplus destruction; and the International Tracing Instrument. In my letter to the Secretary-General of 23 May 2008, I stressed the importance of an analysis of national perspectives contained in National Reports on national, regional and global trends, priorities, challenges and opportunities in implementing the Programme of Action.

The draft analysis answered my call and facilitated the work of the Biennial Meeting of States. The final analysis presented here will no doubt further enhance our understanding of the progress of implementation of the Programme of Action, and help direct future implementation efforts.

I invite Member States, civil society and all stakeholders to study this analysis and its findings. It is a valuable contribution to efforts to strengthen the implementation of the Programme of Action.

The fundamental role of the Programme of Action, National Reports and Biennial Meetings is to respond to the human suffering inflicted by small arms and light weapons and to the damage they do to development, human rights and human security. Small arms and light weapons harm millions worldwide today, let us change that for tomorrow.

Ambassador Dalius Čekuolis
Permanent Representative of Lithuania to the United Nations
Chairman of the Third Biennial Meeting of States on 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

EXECUTIVE SUMMARY

United Nations Member States convened in New York from 14 to 18 July 2008 for the third Biennial Meeting of States to consider 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). Unlike the previous biennial meetings (held in 2003 and 2005), which dealt with implementation of all PoA commitments, this meeting focused on a selected number of issues identified by the Chair designate—Ambassador Dalius Čekuolis—in consultation with states and civil society. These issues were: illicit brokering in small arms and light weapons; stockpile management and surplus disposal; and 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). As a cross-cutting issue, the meeting also discussed international cooperation and assistance and national capacity-building.

The first aim of this report was to give a contribution to the biennial meeting discussions. An interim version was circulated before the meeting, presenting an analysis of national implementation of PoA commitments relating to the biennial meeting focus themes as reflected in the reports that states submitted to the UN Office for Disarmament Affairs. In order to give a comprehensive picture of states' implementation in these areas, the analysis examined all national reports submitted from the adoption of the PoA, covering the period from 2002 to 2008.¹

More generally, the objective of this report is to contribute to PoA implementation by highlighting national policies and practices in the focus areas of discussion, by identifying gaps or inadequacies and by presenting recommendations both of a substantive nature—relating to action in the four thematic areas—and on the reporting mechanism as a whole.

¹ For research purposes, the interim study could not include the analysis of national reports submitted after 26 May 2008. This revised, final version includes information submitted by states after the cut-off date, up to 17 September 2008.

National reporting under the PoA constitutes a wholly voluntary mechanism, the structure and frequency of which have not been formally established. This is reflected in the great variation with which states have reported since 2001: important discrepancies remain in terms of the frequency, breadth and level of detail of the reports submitted to this date. At the same time, national reporting represents an invaluable—sometimes the only—source of information on states' implementation of PoA commitments, as well as a mechanism of information exchange highly valued by states, the majority of which have used it at least once since the adoption of the PoA. Since 2002, 148 UN Member States and the Holy See—which holds the status of UN Permanent Observer—have reported at least once on their implementation of the PoA. Reporting activity has peaked in the years of the Biennial Meetings (2003, 2005 and 2008). 2006, the year of the Review Conference, also registered an increase in reporting. Important disparities remain in the frequency of reporting: while only 3 states have reported every year since 2001 (seven times), 27 have reported once and the majority (34) have reported twice. To date, 44 states have yet to submit their first report.

In terms of reporting by region, Europe boasts the highest level of participation in the reporting mechanism, with 95% of states having reported at least once on their PoA implementation. High levels of reporting are also in Africa (79% of states) and the Americas (74% of states). They are followed by Asia, where 70% of states have reported at least once and Oceania, where 43% states have submitted at least one report.

Significant numbers of states have given information on the thematic issues selected for discussion at the third Biennial Meeting. Measures on arms brokering activities, stockpile management and surplus disposal were addressed, respectively, by 70%, 67% and 74% of reporting states. For 2008, only 62 states submitted reports on their implementation of the International Tracing Instrument. At the same time, from 2002 to 2008, 80% of states have reported on one or more of the PoA commitments on marking, record-keeping and tracing, indicating that the issue is high on national policy agendas.

Reflecting the great variation in the overall quality and level of detail of national reports, information presented on each of these issues ranges from general statements to the effect that relevant policies have been put into place, to detailed descriptions of relevant legal provisions and

practical implementation. Nevertheless, important findings emerge from the analysis.

Based on the national reports, 52 states have in place legal controls on arms brokering; in half of these, controls were established following the adoption of the PoA and often explicitly in implementation of the its relevant provisions. Regional documents and processes were also fundamental in shaping state policy in this regard, as shown by the numerous references to them contained in the reports. The above-mentioned figure, however, includes states that did not provide sufficient details to determine whether the controlled activities constituted brokering as defined in international documents. In this sense, that figure should be considered as a generous estimate; on the other hand, overall trends in national reporting in this area show that the illicit brokering problem has gained solid, albeit slowly increasing, attention from UN Members States.

Among states with no specific controls in place, several are in the process of adopting them through revisions to existing arms export laws; a few state that despite the lack of specific legal provisions the control of small arms brokering activities is covered by other pieces of legislation (for example on arms exports generally or commercial laws). Signalling a more worrisome trend, some states do not seem to perceive illicit arms brokering as an issue affecting them directly. In addition, attention seems to have focused largely on the regulatory dimension of the problem, with a much lower level of activity and reporting on enforcement, implementation and international cooperation. The issue of financing of illicit SALW acquisition has also received very little attention from states, and national action in this domain is either seriously under-reported or significantly lags behind.

Stockpile management and security is also widely addressed in national reports, albeit with great variation in the level of detail provided. Some states merely acknowledge that they have adequate stockpile management and security measures in place, while others provide detailed descriptions and examples of stockpile measures. Additionally, some states claim that they do not have stockpiles or do not have significant stockpiles and others admit that they do not have national standards in place. All the standards and procedures for stockpile management and security mentioned in the PoA are touched on in national reports, with inventory management and accounting control being the element most frequently addressed.

Most reporting states have programmes in place to identify surplus stocks. However, relatively few provide information on the procedures and criteria they use to determine whether stocks are surplus to requirements. Destruction appears to be a common method of surplus disposal and the methods for destruction specified in the Secretary-General's report of 15 November 2000² are being adopted by states, as recommended in the PoA. Despite the presumption in favour of destruction reflected in the PoA, however, other forms of disposal are used, including the sale or transfer to other countries.

For the first year of reporting under the International Tracing Instrument, a relatively small number of states submitted information on its implementation. Details concentrated in the areas of marking at manufacture, tracing of state-held small arms and record-keeping. In many other areas covered by the International Tracing Instrument, information has been submitted rarely or with little detail.

However, before the adoption of the International Tracing Instrument, several states reported on their national measures on marking, record-keeping and tracing in the framework of the PoA. Here, too, areas more frequently dealt with relate to marking at manufacture and import, but also on measures on unmarked small arms and tracing cooperation. In the reporting states, unmarked weapons are removed from circulation, destroyed or remarked. As for tracing cooperation, INTERPOL seems to play an important role, together with bilateral agreements on mutual enforcement assistance.

The PoA underscores the importance of international cooperation and assistance in the prevention and eradication of the illicit small arms trade. Yet, national reporting in this area has been limited both in frequency and level of detail. Reported activities include mutual legal assistance, information sharing, participation in regional organizations and attendance at regional and international meetings.

Since 2006, state attention to international assistance has seen a marked improvement in national reports. From 2001 to 2005, an average of 54% of reporting states gave information on assistance provided or received; from

² Security Council, *Report of the Secretary-General, Methods of destruction of small arms, light weapons, ammunition and explosives*, UN document S/2000/1092, 15 November 2000.

2006 to 2008, this average increased to 69% and at least 81% of the reports submitted in 2008 included information on this issue.

Overall, the thematic areas discussed at the third Biennial Meeting of States figure prominently on national small arms agendas, but areas for improvement remain. For instance, brokering controls are in place in only a minority of states, mostly concentrated in Europe, thus leaving ample regulatory gaps that can be exploited relatively easily in the context of illicit transfers; few states seem to exchange information on national marking systems, and exchanges are mostly within regional frameworks; both the enforcement of brokering controls and the conduct of tracing operations would benefit from greater cooperation, possibly through existing mechanisms (for example, INTERPOL or customs authorities). With respect to stockpile management, many states have expressed the need for assistance to improve the security of their stockpiles, and states would benefit from the establishment of agreed standards detailing what constitutes best practice with respect to stockpile management. Although there is much international cooperation and assistance taking place in the destruction of surplus state-held surplus stocks, further action is required to identify surplus stocks and calculate the global surplus of small arms.

The reporting mechanism itself has room for improvement. At the national level, scarce resources, lack of interagency cooperation and inconsistent interpretation of some of the PoA commitments engender infrequent and, in some instances, inadequate or confusing reporting. This is reinforced by the voluntary nature of the mechanism, the lack of formal reporting standards—in terms of quality and frequency—and, to some extent, the possibility that states may experience “reporting fatigue”.

The third Biennial Meeting of States provided an opportunity to consider and address some of the shortcomings of the reporting mechanism and implementation of the PoA as a whole. The analysis of national reports contained in this study indicates that significant efforts have been made by states to fulfil their commitments under the PoA and to curb the illicit trade in small arms. A reporting mechanism enabling reports of greater frequency and quality could provide a more comprehensive picture of progress in this regard and allow for the identification of good practices as well as areas where greater or more effective action is needed. Finally, greater attention to international cooperation and assistance—both in terms of actual activities and of their reporting—would not only help states to implement

their PoA commitments, but would favour the development of coordinated and sustained approaches at the multilateral level.

ABOUT THIS REPORT

United Nations Member States convened in New York from 14 to 18 July 2005 for the third Biennial Meeting of States 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 A/RES/62/47.

Following a proposal by the Chair of the meeting, Ambassador Dalius Čekuolis, Permanent Representative of Lithuania to the United Nations, the third Biennial Meeting of States was organized as an in-depth discussion of a selected number of issues. Unlike previous biennial meetings of 2003 and 2005, the last Biennial Meeting of States did not try to address all the themes reflected in the PoA, but aimed at a more focused approach on a limited number of PoA commitments and their implementation by states. Based on informal consultations with states and civil society in New York and Geneva, Ambassador Čekuolis identified the following themes for focused consideration: international cooperation and assistance and national capacity-building; illicit brokering in small arms and light weapons; stockpile management and surplus disposal; and 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).³

This study had two main goals: first, it intended to feed into the third Biennial Meeting discussions by presenting an analysis of national reports on PoA implementation in the areas identified for consideration at the July meeting. More generally, and building on two previous analyses of national reports published by UNIDIR in 2004 and 2006,⁴ this work intends to provide an overview of state action, existing gaps and challenges in four

³ See General Assembly, *Letter dated 3 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Lithuania to the United Nations addressed to the Secretary-General*, UN document A/CONF.192/BMS/2008/1, 5 March 2008.

⁴ Elli Kytömäki and Valerie Yankey-Wayne, *Implementing the United Nations Programme of Action on Small Arms and Light Weapons: Analysis of Reports Submitted by States in 2003*, UNIDIR, 2004; Elli Kytömäki and Valerie Yankey-

areas acknowledged as priorities for the prevention and eradication of the illicit trade in small arms and light weapons.

This study analyses all national reports submitted by UN Member States to the UN Office for Disarmament Affairs (ODA) from the adoption of the PoA in 2001 to September 2008, and is divided into four parts. The first gives a statistical overview of national reporting from 2002 to 2008. The analysis highlights reporting trends both globally and at the regional level, using the UN Statistics Division classification system for the latter. In addition, an overview of the frequency of reporting according to membership in regional and multilateral organizations is provided, as well as a brief overview of overall implementation of PoA provisions on the establishment of National Points of Contact and National Coordination Agencies.

The second part provides an in-depth review of states' implementation of the PoA with respect to the focus themes discussed at the Biennial Meeting: brokering, stockpile management and security, and surplus disposal. Cooperation and assistance was included as a cross-cutting issue within each of these themes and an overview of reporting trends has been provided.

The third part deals with states' reporting on the International Tracing Instrument. During 2008, the first reporting year under the Instrument, a relatively small number of states have submitted relevant information (62). However, similar or related commitments with respect to marking and tracing exist under the PoA, and many states have provided information on their policies in these areas in the period from 2002 to 2008. In order to present a comprehensive picture, the following analysis has taken into account reports submitted by states in the framework of both documents.

The fourth part outlines some key conclusions and recommendations arising from the analysis of the national reports, and explores some next steps for improving the system of reporting and identifying priority themes for consideration at future Biennial Meetings or intersessional meetings. It is hoped that this analysis will assist in improving future national reporting on and implementation of the PoA.

METHODOLOGY

A total of 466 national reports have been submitted since the PoA was adopted in 2001.⁵ For the purposes of this analysis all national reports were reviewed and any relevant information provided regarding the focus themes was identified; this information was classified according to the PoA commitment it reflected, and was inserted into tables for comparison. Where states submitted more than one report, these were reviewed in chronological order from the earliest to the most recent. In many instances, states repeated earlier information in later years; in these cases, the study indicates all the years when the same data appeared in national reports.

The analysis that follows provides a description and comparison of the information provided on each issue area. No attempt was made to assess or determine whether the measures adopted or reported on by states are adequate or effective for implementing commitments under the PoA.

In addition, the information provided by states was not compared with other sources. In this sense, what states have submitted in their reports was taken as the only source of information for assessing implementation of the PoA. While providing useful indications, then, the analysis contained here cannot be considered as an exhaustive account of state action on small arms.

The UN Coordinating Action on Small Arms is in the process of developing International Small Arms Control Standards that will complement the PoA and establish a framework of principles and procedures to guide small arms control activities. The standards will serve as an important operational instrument to assist states to implement their small arms commitments in a systematic and coordinated manner. They will also contribute to the ability to assess whether states have implemented their PoA commitments effectively or adequately. Until such standards are developed, it is difficult to determine what constitutes “best practice” in the context of PoA implementation, and so the most that can be determined through a review of national reports is the type and frequency of activities that are taking place in the name of PoA implementation.

⁵ As of 17 September 2008, 466 national reports had been provided by Member States and the Holy See, Permanent Observer to the United Nations.

On the other hand, this report contributes to the overall process of implementing the PoA by:

- presenting an overall assessment of the reporting process, its potential and challenges for an adequate understanding of the effect of the PoA on national small arms-related policies;
- giving clear indications on national policy trends in the thematic areas that formed the core of the discussions of the third Biennial Meeting of States;
- identifying priority issues beyond those dealt with at the third Biennial Meeting; and
- identifying challenges relating to the voluntary nature of the reporting process and to the interpretation of some of the PoA provisions.

PART I

STATISTICAL OVERVIEW OF REPORTING TRENDS

INTRODUCTION

The commitment to provide reports is contained in paragraph II.33 of the PoA, in which states request the Secretary-General of the United Nations, through the Office for Disarmament Affairs, “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.” The submission of national reports is voluntary and the PoA does not stipulate how frequently states should submit national reports, although they are 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).¹ Nevertheless, many states have consistently participated in the reporting process. National reports constitute an important source of information exchange on implementation and one of the few means of monitoring Member States’ implementation of their commitments under the PoA.

In addition to being voluntary, the reporting mechanism provided for in the PoA does not include a systematic format for submitting information. However, under the auspices of the Coordinating Action on Small Arms mechanism, the United Nations Development Programme (UNDP), the United Nations Institute for Disarmament Research (UNIDIR) and the UN Office for Disarmament Affairs (ODA) jointly developed an Assistance Package to help Member States prepare their national reports. This Assistance Package includes reporting guidelines.²

Approximately half of states that have reported have used this reporting template at least once, although in many cases states used only part of the template or selected certain questions from the template.

¹ This resolution has been tabled at the General Assembly annually since 2001. See resolutions 56/24 V of 24 December 2001, 57/72 of 22 November 2002, 58/241 of 23 December 2003, 59/86 of 3 December 2004, 60/81 of 8 December 2005, 61/66 of 6 December 2006, and 62/47 of 5 December 2007.

² The assistance package and reporting guidelines were first developed in 2003 and then revised in 2005; they can be downloaded at <www.undp.org/cpr/smallarms/PoA.htm>.

GLOBAL REPORTING TRENDS 2002–2008

From 2002 to 2008, 148 Member States and one non-member state³ maintaining a Permanent Observer mission at the United Nations have reported at least once on their implementation of the PoA, while 44 Member States have yet to submit their first report.⁴ Annex A provides a breakdown of reporting in each year. The number of national reports submitted in each year since 2002 is shown in Chart 1.⁵

Chart 1. Reports submitted annually, 2002–2008

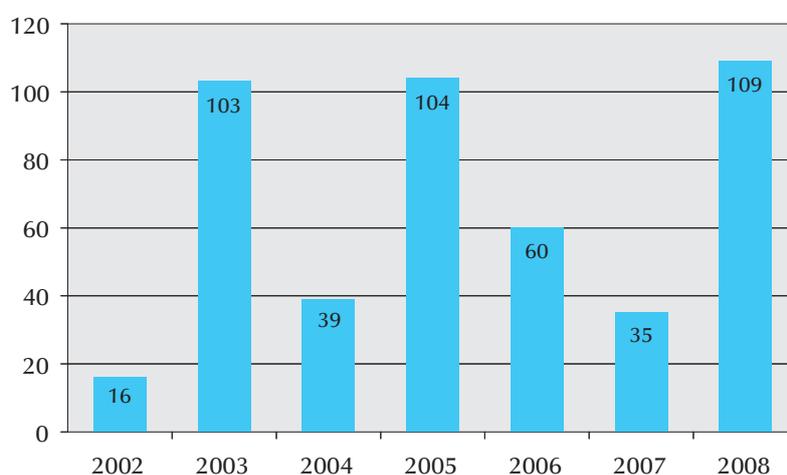


Chart 1 shows that reporting activity was most intense in 2003, 2005 and 2008, years in which there was a Biennial Meeting of States. There was also a smaller spike in 2006, the year in which the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held (hereafter, the Review Conference).

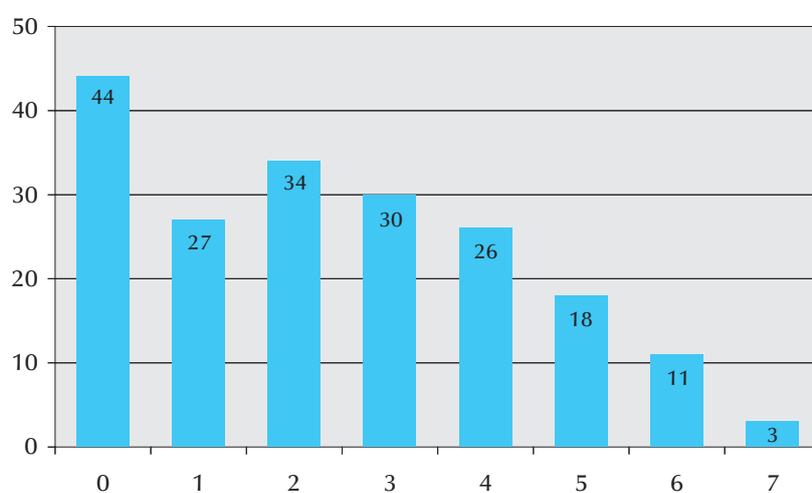
³ The Holy See.

⁴ See Annex B for a full list of states that have not submitted a national report. This includes Montenegro, which became a UN Member State on 28 June 2006.

⁵ With respect to national reporting for 2008, only those national reports submitted before 17 September 2008 have been included in this report.

The number of reports submitted by Member States varies, with 27 states having submitted only one report since the adoption of the PoA in 2001, and only three states having submitted a national report every year. Chart 2 shows the number of states (on the Y axis) that have reported between zero and seven times (X axis).

Chart 2. Number of reports submitted by states



The length, structure and level of detail of reports vary enormously; some states have submitted only a single report of one page (for example, Barbados, Grenada, the Holy See and Mauritania), while others have produced extensive reports of up to 129 pages (for example, Colombia in 2008). It should also be noted that many states repeat in later reports information provided in earlier ones and some even submit the same report two years in a row (for example, Argentina for 2007 and 2008). These reports serve as cumulative “stand alone” reports, in the sense that all information or activities on PoA implementation since its adoption are recorded in the latest report. In cases where repeated information is mixed with new, without an indication of updates as opposed to repetition, the identification of changes in policy is quite difficult. Overall, this is an obstacle to straightforward identification of change or progress in PoA implementation.

Some states provide updates in which they highlight only information that is additional or different compared to previous submissions. For example, in the context of destruction techniques, Italy notes in 2008 that “No new legislation has been approved in 2007 on the matter. Detailed procedures indicated in previous reports submitted by Italy still apply.” This reporting practice makes it easier to identify and track changes and developments in small arms policy generally, and in PoA implementation specifically; therefore it is a practice that could be encouraged as a way to improve the reporting mechanism.

REGIONAL REPORTING TRENDS 2002–2008

Table 1 shows the breakdown of reporting between 2002 and 2008 according to region. The regional and subregional categories used here are based on the geographical classification established by the United Nations

Table 1. National reports by region, 2002–2008

		Africa	Americas	Asia	Europe	Oceania
	No. of states in region	53	35	47	44	14
2002	Reports	3	3	2	7	1
	Regional %	6	9	4	16	7
2003	Reports	24	18	23	34	3
	Regional %	45	51	49	77	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	22	0
	Regional %	21	37	30	50	0
2007	Reports	4	6	4	19	2
	Regional %	8	17	9	43	14
2008	Reports	31	18	21	37	2
	Regional %	58	51	45	84	14

Statistics Division.⁶ 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 2002, three African states submitted national reports, that being 6% of the total number of Member States in the region.

Chart 3 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, 70% of Asian Member States have reported, while 30% have not.

Chart 3. Overall reporting by region, 2002–2008

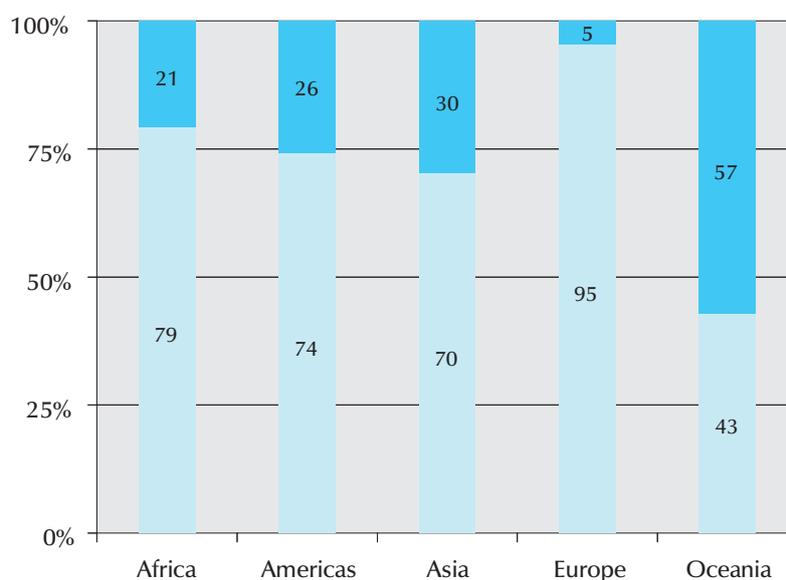
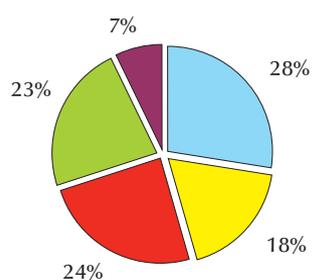
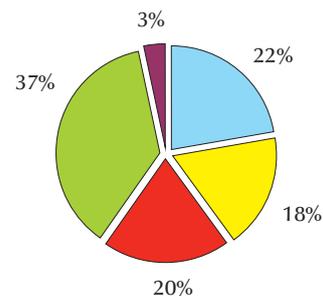


Chart 4a shows the percentage of total Member States found in each region, while Chart 4b shows the percentage of total reports coming from each region. So for example, Chart 4a shows that European states account for 23% of Member States, while Chart 4b shows that European states are responsible for 37% of all national reports submitted from 2002 to 2008.

⁶ See Annex C for details.

Chart 4a. Member States by region**Chart 4b.** Reporting by region, 2002–2008

■ Africa ■ Americas ■ Asia ■ Europe ■ Oceania

In terms of the frequency of reporting, Table 2 provides a breakdown of the number of states that reported once, twice and so on, according to region. For example, the table shows that 15 African states have reported twice but no African state has reported every year.

Table 2. Frequency of reporting by states, by region

	Africa	Americas	Asia	Europe	Oceania	Total
Never reported	11	9	14	2	8	44
1 report	10	4	6	4	3	27
2 reports	15	5	8	5	1	34
3 reports	7	7	9	7	0	30
4 reports	8	5	8	5	0	26
5 reports	2	2	2	11	1	18
6 reports	0	2	0	8	1	11
7 reports	0	1	0	2	0	3
Total	53	35	47	44	14	193

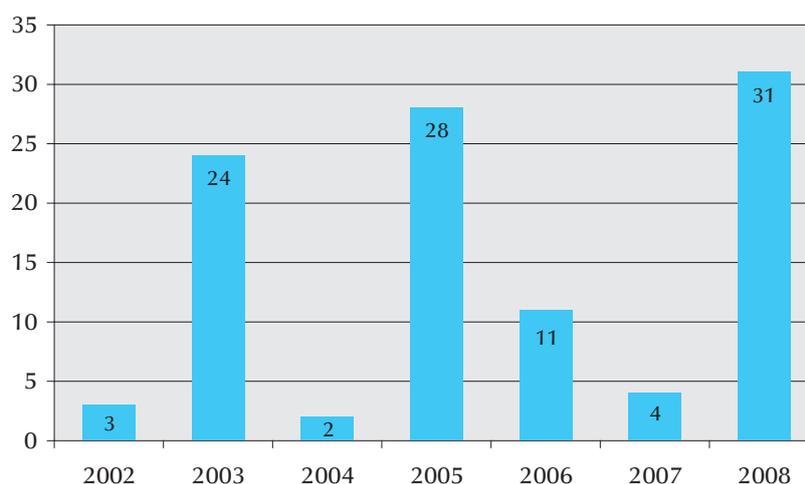
SUBREGIONAL REPORTING TRENDS 2002–2008

Reporting patterns were also analysed in the context of subregional groupings. As noted, for the purposes of this analysis, states were classified according to the groupings established by the United Nations Statistics Division.

AFRICA

As Chart 5 shows, reporting in Africa peaked in 2003, 2005 and 2008 (with 24, 28 and 31 reports, respectively).

Chart 5. Frequency of reporting: Africa



Since the adoption of the PoA in 2001, no state in Africa has reported every year. Swaziland reported for the first time in 2008. Burundi and Togo have each reported five times, which is the highest number of reports submitted by any state in the region. The following African states have reported in each of the years during which a Biennial Meeting of States was held: in Eastern Africa—Burundi, Kenya, Rwanda and Uganda; in Northern Africa—Algeria, Egypt and Morocco; in Southern Africa—South Africa; and in Western Africa—Benin, Burkina Faso, Côte d’Ivoire, Mali, Niger and Senegal. The following six states in Eastern Africa have never reported: the

Comoros, Eritrea, Madagascar, Malawi, the Seychelles and Somalia. The following three states in Western Africa have never reported: Cape Verde, Guinea and Guinea-Bissau. In Northern Africa, Libya and Tunisia have never reported. All the states in Middle Africa and Southern Africa have reported at least once.

Following a burst of reporting activity in 2003, when seven Middle African states submitted reports, only three states from Middle Africa have submitted reports.⁷ Only one state from Southern Africa, Botswana, has reported in a year (2002) during which a Biennial Meeting of States or the Review Conference was not held.

Chart 6a shows the percentage of African states found in each subregion, while Chart 6b shows the percentage from each subregion of total submitted reports from Africa. A comparison of the two charts shows, for example, that Eastern Africa has 33% of the total number of African states (Chart 6a), and is responsible for 28% of all national reports from Africa from 2002 to 2008 (Chart 6b).

Chart 6a. Distribution of states by subregion: Africa

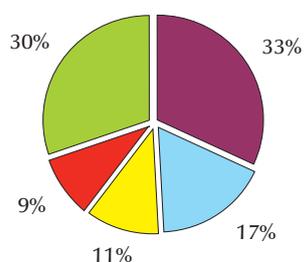
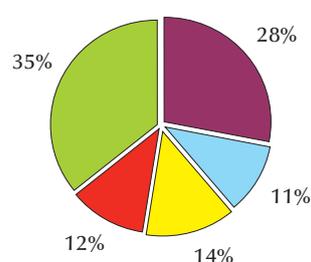


Chart 6b. Distribution of reports by subregion, 2002–2008: Africa



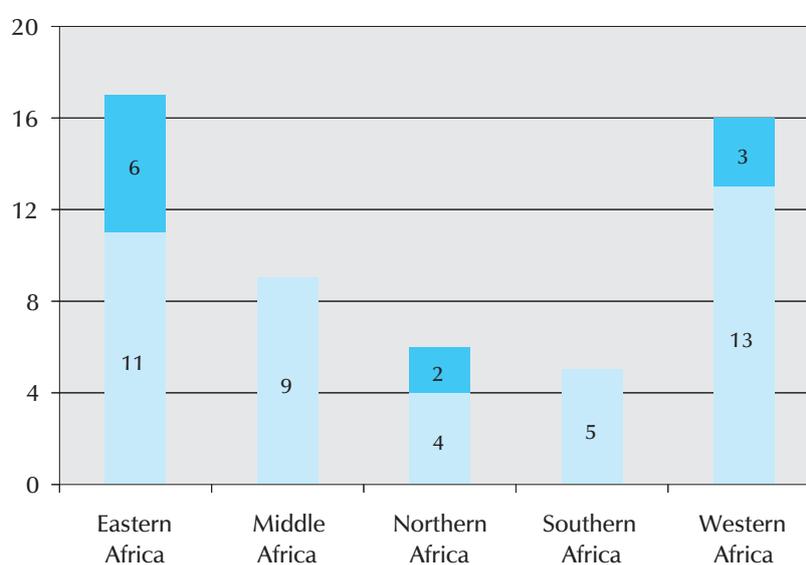
Eastern Africa
 Middle Africa
 Northern Africa

Southern Africa
 Western Africa

⁷ Angola, Gabon, Republic of the Congo.

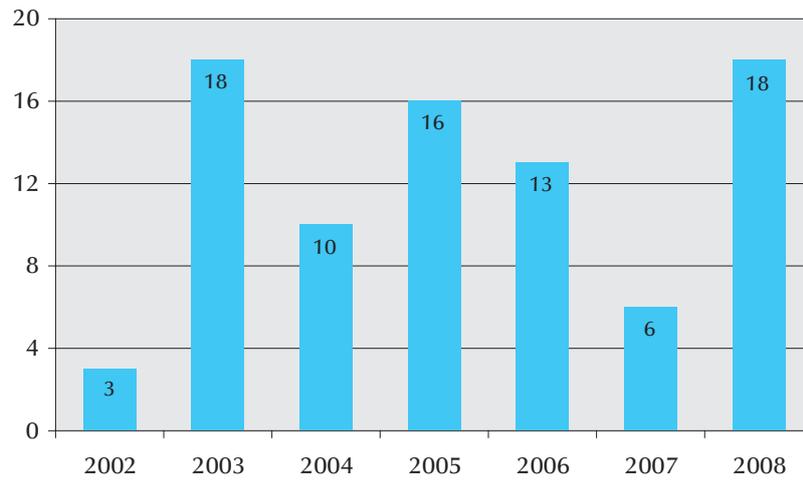
Chart 7 shows the number of states in each subregion that have or have not reported, with the lighter shade indicating the number of states that have reported, and the darker shade indicating the number of states that have never reported. As can be seen, Eastern Africa has the highest number of states that have never reported.

Chart 7. Reporting by subregion: Africa



AMERICAS

Chart 8 gives an overview of reporting in the Americas from 2002 to 2008. As in other regions, reporting during the first year of PoA implementation was low, with only three states submitting reports. Reporting from the region peaked in 2003, 2005 and 2008 (with 18, 16 and 18 reports, respectively). Additionally, a significant number of reports were submitted in 2006, the Review Conference year.

Chart 8. Frequency of reporting: Americas

Mexico is the only state in the region that has reported every year since 2001. The following states in the Americas have reported at least four times: Argentina, Bolivia, Canada, Colombia, Cuba, Guatemala, Mexico, Paraguay, Peru and the United States. The following states have reported in each of the years during which a Biennial Meeting of States was held: Mexico in Central America; and in South America—Argentina, Brazil, Colombia, Paraguay and Peru. The following six states in the Caribbean have never reported: Antigua and Barbuda, the Bahamas, Dominica, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines. Belize is the only state in Central America never to have reported. Two states in South America, Guyana and Suriname, have never reported.

Chart 9a shows the percentage of American states found in each subregion, while Chart 9b shows the percentage from each subregion of total submitted reports from the Americas. So for example, Chart 9a shows that Central America has 23% of the total number of American states, while Chart 9b tells us that Central American states are responsible for 29% of all national reports from the Americas from 2002 and 2008.

Chart 9a. Distribution of states by subregion: Americas

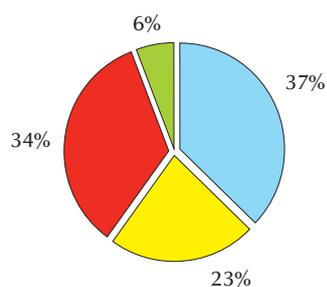
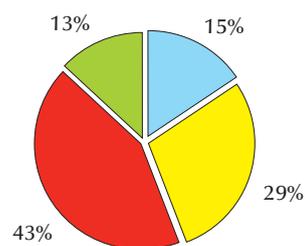


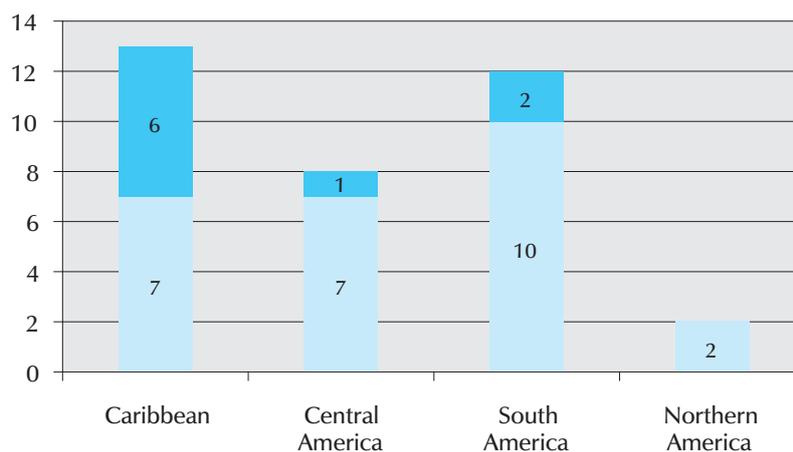
Chart 9b. Distribution of reports by subregion, 2002–2008: Americas



■ Caribbean
 ■ South America
 ■ Central America
 ■ Northern America

Chart 10 provides an overview of the number of states in each subregion that have or have not reported, with the lighter shade indicating the number of states that have reported, and the darker shade indicating the number of states that have never reported. As shown, the Caribbean has the highest number of states that have never reported.

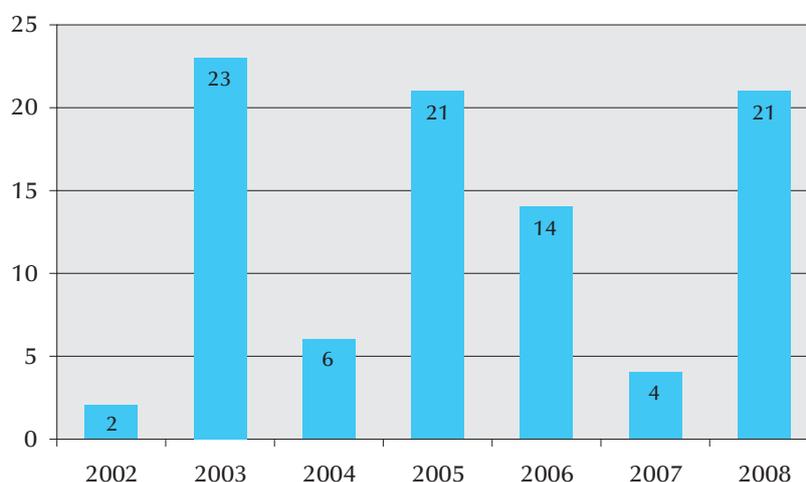
Chart 10. Reporting by subregion: Americas



ASIA

Chart 11 gives an overview of reporting in Asia from 2002 to 2008. As in other regions, reporting during the first year of PoA implementation was low, with only two states submitting reports. Reporting in Asia peaked in 2003, 2005 and 2008 (with 23, 21 and 21 reports, respectively). Reporting in the region also peaked in 2006, the year of the Review Conference, with 14 reports submitted in that year.

Chart 11. Frequency of reporting: Asia



Since the adoption of the PoA in 2001, no state in Asia has reported every year. The following Asian states have submitted at least four reports: China, India, Japan, Lebanon, Malaysia, the Philippines, South Korea, Sri Lanka, Syria and Turkey. The following Asian states have reported in each of the years during which a Biennial Meeting of States was held: in East Asia—China, Japan and South Korea; in South Asia—India, Iran, Pakistan and Sri Lanka; in South-East Asia—Malaysia, the Philippines and Thailand; and in West Asia—Armenia, Lebanon, Turkey and Qatar. In Central Asia, Turkmenistan and Uzbekistan have never reported. In East Asia, North Korea and Mongolia have never reported. The following four states in South Asia have never reported: Afghanistan, Bhutan, the Maldives and Nepal. The following five states in South-East Asia have never reported:

Brunei, Laos, Myanmar, Singapore and Timor-Leste. In West Asia, Kuwait is the only state that has never reported.

States in Central Asia have submitted the fewest number of reports, and have not submitted reports in a year during which there was not a Biennial Meeting of States or the Review Conference. States in West Asia have been the most prolific providers of reports in the region.

Chart 12a shows the percentage of Asian states found in each subregion, while Chart 12b shows the percentage from each subregion of total submitted reports from Asia.

Chart 12a. Distribution of states by subregion: Asia

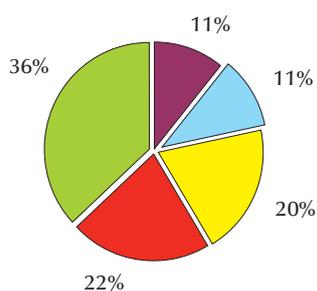
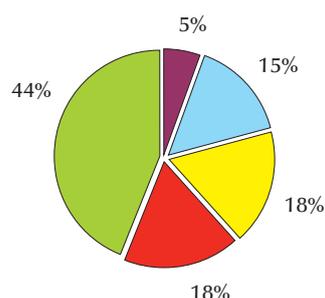


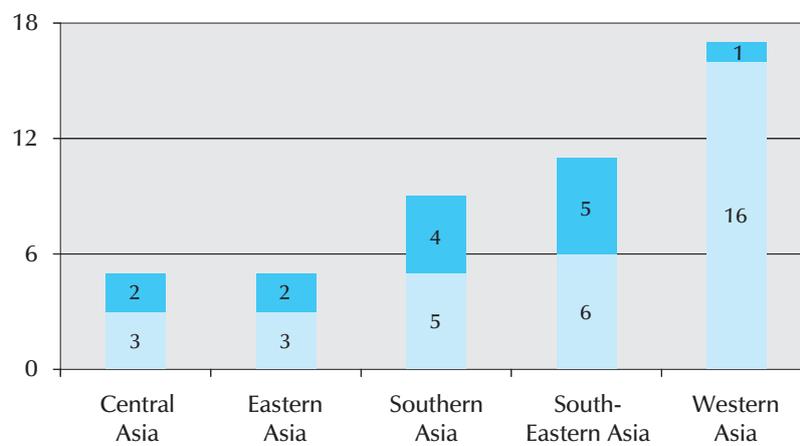
Chart 12b. Distribution of reports by subregion, 2002–2008: Asia



■ Central Asia ■ Eastern Asia ■ South-Eastern Asia
■ Southern Asia ■ Western Asia

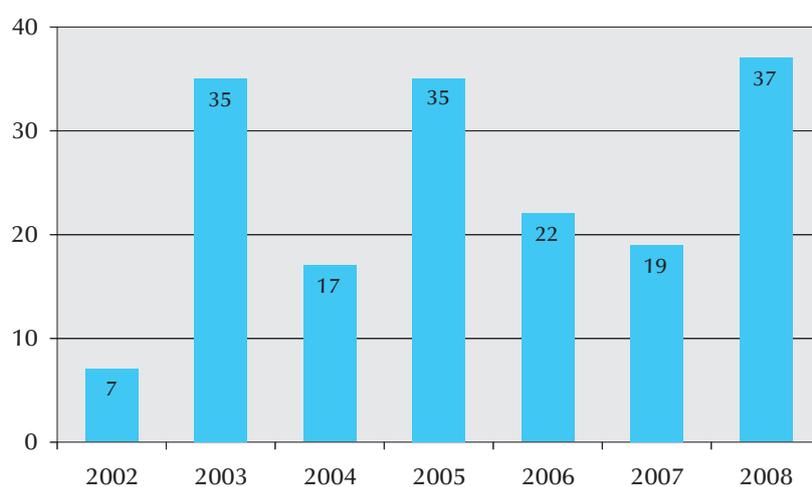
Chart 13 provides an overview of the number of states in each subregion that have or have not reported, with the lighter shade indicating the number of states that have reported, and the darker shade indicating the number of states that have never reported.

Chart 13. Reporting by subregion: Asia



EUROPE

In Europe, as in other regions, reporting during the first year of PoA implementation was low, with only seven states submitting reports (Chart 14). Thereafter, however, reporting in the region has been consistently strong, with between 40% and 80% of European states reporting each year. Following trends already found in other regions, reporting in Europe also peaked in 2003, 2005 and 2008 (with 35, 35 and 37 reports, respectively). Unlike other regions, however, Europe did not register a particular peak in 2006, when the Review Conference was held.

Chart 14. Frequency of reporting: Europe

Belarus and Hungary are the only states in Europe that have reported every year since the adoption of the PoA. However, eight states have reported six times,⁸ 11 states have reported five times,⁹ and five states have reported four times.¹⁰ The following 29 states have reported each year during which a Biennial Meeting of States was held: all the states in Eastern Europe—Belarus, Bulgaria, the Czech Republic, Hungary, Moldova, Poland, Romania, Russia, Slovakia and Ukraine; in Northern Europe—Finland, Ireland, Latvia, Lithuania, Norway, Sweden and the United Kingdom; in Southern Europe—Croatia, Greece, Italy, Serbia, Slovenia, Spain and former Yugoslav Republic of Macedonia; and in Western Europe—Austria, France, Germany, the Netherlands and Switzerland. The only states in Europe that have never reported are San Marino and Montenegro, in Southern Europe.

Chart 15a shows the percentage of European states found in each subregion, while Chart 15b shows the percentage from each subregion of total submitted reports from Europe. So for example, Chart 15a shows

⁸ Bulgaria, Croatia, Czech Republic, Finland, the former Yugoslav Republic of Macedonia, Greece, Serbia, Russia.

⁹ Bosnia and Herzegovina, Germany, Ireland, Italy, Latvia, Lithuania, Malta, Moldova, Norway, Poland, Spain.

¹⁰ Austria, Denmark, Portugal, Switzerland, Ukraine.

that Northern Europe has 23% of the total number of European states, and Chart 15b tells us that Northern European states are responsible for 23% of all national reports from Europe from 2002 and 2008.

Chart 15a. Distribution of states by subregion: Europe

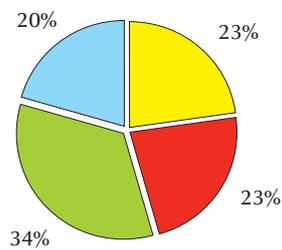
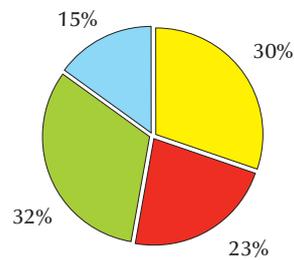


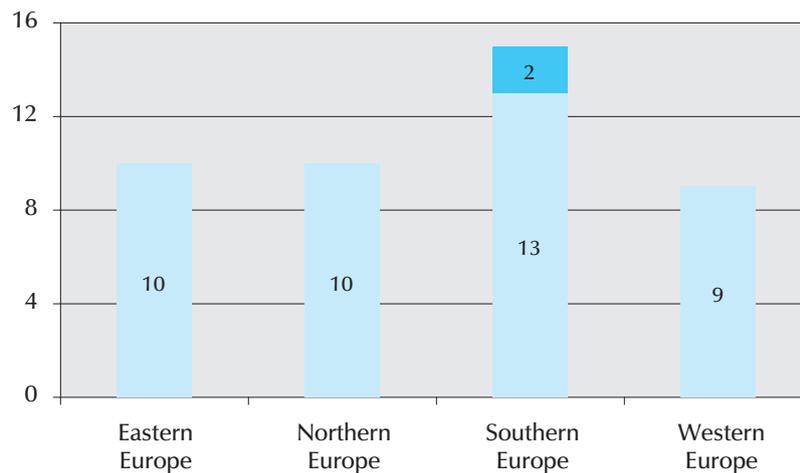
Chart 15b. Distribution of reports by subregion, 2002–2008: Europe



■ Eastern Europe ■ Northern Europe ■ Southern Europe ■ Western Europe

Chart 16 provides an overview of the number of states in each subregion that have or have not reported, with the lighter shade indicating the number of states that have reported, and the darker shade indicating the number of states that have never reported.

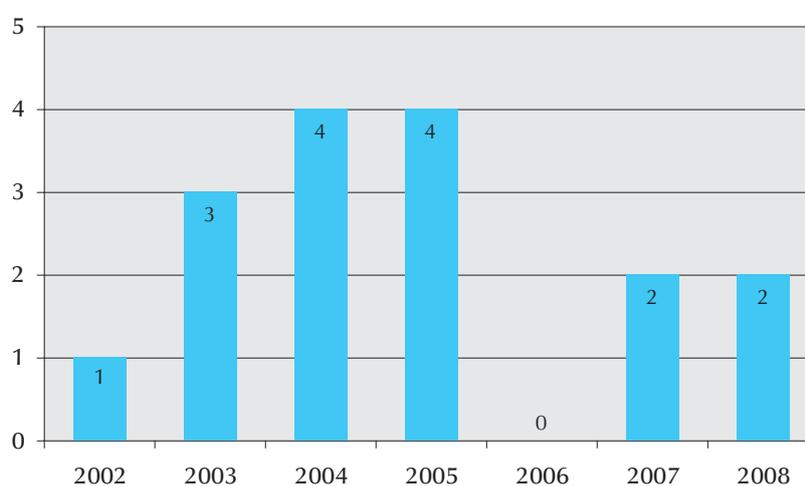
Chart 16. Reporting by subregion: Europe



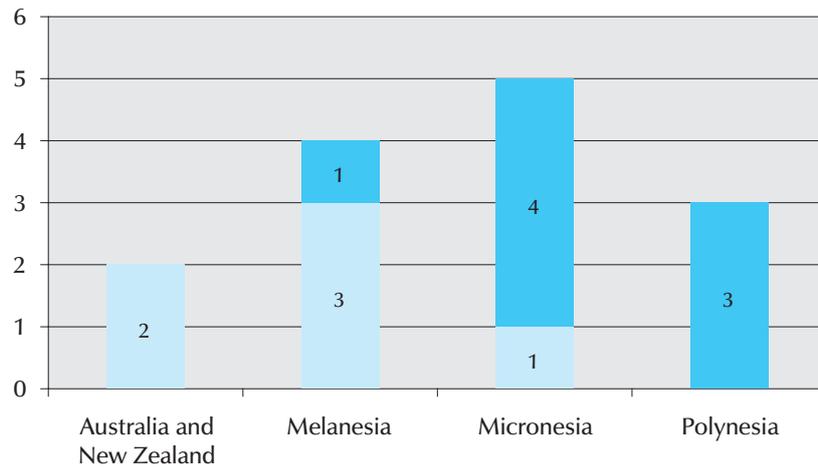
OCEANIA

Chart 17 gives an overview of reporting in Oceania from 2002 to 2008. Unlike other regions, there is no pattern of a peak in reporting during the years in which there was a Biennial Meeting of States. The highest number of states that have submitted a report in any given year is four (almost 30% of the states in the region).

Chart 17. Frequency of reporting: Oceania



No state in Oceania has reported every year since 2001. The following four states in Micronesia have never reported: Kiribati, Micronesia, Nauru and Palau. Vanuatu is the only state in Melanesia never to have reported. None of the states in Polynesia—Samoa, Tonga and Tuvalu—have ever reported. Australia and New Zealand have reported six and five times, respectively. Chart 18 provides an overview of the number of states in each subregion that have or have not reported.

Chart 18. Reporting by subregion: Oceania

REPORTING BY REGIONAL AND MULTILATERAL ORGANIZATIONS

Table 3 provides an overview of reporting by regional and multilateral organizations from 2002 to 2008. The table tells us that *all* members—that are UN Member States—of the following organizations have submitted at least one national report: the Andean Community, the Economic Community of Central African States, the European Union, the South American Common Market and the Wassenaar Arrangement. By way of contrast, only 36% of the member states of the Caribbean Community and 43% of the member states of the Pacific Islands Forum have submitted a national report since the PoA was adopted in 2001.

Table 3. Reporting by multilateral organizations¹¹

	Total no. of states	No. of states that have reported	% of states that have reported
AC	5	5	100
Arab League	21	16	76
ASEAN	10	6	60
AU	52	42	81
CARICOM	14	5	36
CIS	12	10	83
ECCAS	10	10	100
ECOWAS	15	12	80
EU	27	27	100
MERCOSUR	6	6	100
NATO	26	26	100
OAS	35	26	74
OSCE	56	52	93
PIF	14	6	43
RECSA	12	9	75
SADC	14	12	86
SEE	9	8	89
SICA	7	6	86
Wassenaar Arrangement	40	40	100

Annex A provides a more detailed breakdown by year of the number of national reports that have been submitted and the percentage of member states in each regional organization that have reported.

¹¹ The organizations in the table are AU: African Union, AC: Andean Community, ASEAN: Association of Southeast Asian Nations, CARICOM: Caribbean Community, SICA: Central American Integration System, CIS: Commonwealth of Independent States, ECCAS: Economic Community of Central African States, ECOWAS: Economic Community of West African States, EU: European Union, Arab League: League of Arab States, RECSA: Regional Centre on Small

NATIONAL POINTS OF CONTACT AND 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.”

As of June 2008, 146 states and the Holy See had communicated the contact details of their National Points of Contact (NPCs) on small arms to ODA.¹² In addition, Cyprus reported in 2008 that it has established an NPC within the Ministry of Foreign Affairs, although the contact details are not yet listed with ODA. Accordingly, at least 148 Members (77%)—including the Holy See—appear to have established NPCs. Given that 122 NPCs were already in place by the time of the first Biennial Meeting of States in 2003, there has not been a significant increase in the number of NPCs in recent years, and 45 states have yet to establish an NPC.¹³

A comparison of the information on NPCs in national reports provided on the ODA website reveals some discrepancies. The individuals listed as contact points in the national reports do not match those contained in the ODA list but, in several instances, different agencies were identified as the NPC in the national reports. States should be careful to ensure they provide updated information to ODA on a regular basis on the identity and contact details of their NPCs.

Under paragraph II.4 of the PoA, states also undertook to establish or designate “national coordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of

Arms and Light Weapons, NATO: North Atlantic Treaty Organization, OSCE: Organization for Security and Co-operation in Europe, OAS: Organization of American States, PIF: Pacific Islands Forum, SADC: Southern African Development Community, MERCOSUR: South American Common Market, SEE: Stability Pact for South Eastern Europe (in February 2008, this organization was transformed into its successor organization, the Regional Cooperation Council), and Wassenaar: Wassenaar Arrangement.

¹² In fact, a total of 148 states are listed on the ODA website as having NPCs, including the Cook Islands. However, since the Cook Islands is not a UN Member State, it has not been included in this analysis.

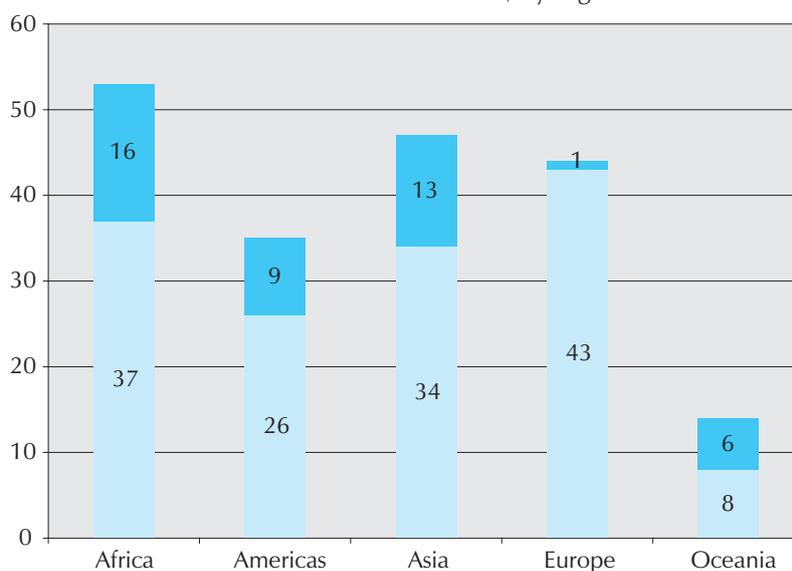
¹³ These are listed in Annex A.

efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.”

The exact number of National Coordination Agencies (NCAs) is more difficult to assess than the number of NPCs since, apart from national reports, states do not share details of these bodies internationally. Based on the analysis of national reports and a review of the 2006 Red Book,¹⁴ at least 100 states have established or are establishing a national coordination mechanism to be responsible for managing small arms-related activities. In some instances this is in the form of a National Commission and, in other instances, multiple agencies are identified as carrying out this role.¹⁵

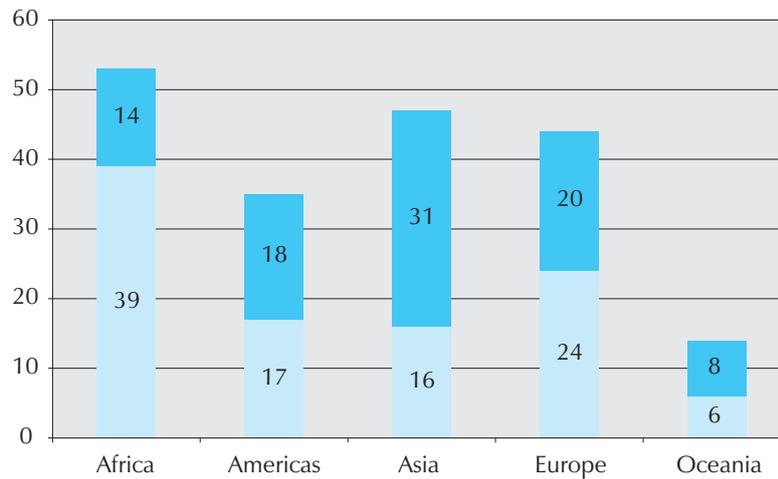
Chart 19a shows by region the number of states that have NPCs (the lighter shade), and the number of those that do not (the darker shade). Chart 19b shows by region the number of states that have NCAs, and the number of those that do not.

Chart 19a. States with NPCs, by region



¹⁴ *Biting the Bullet, Reviewing Action on Small Arms 2006: Assessing the First Five Years of the UN Programme of Action*, 2006. This report is often referred to as the “Red Book”.

¹⁵ NCAs (established or planned) are also listed in Annex A.

Chart 19b. States with NCAs, by region

SUMMARY

- From 2002 to 2008, 148 UN Member States and one Permanent Observer have reported at least once on implementation of the PoA, while 44 Member States have yet to submit their first report.
- Since the 2005 reporting analysis was written, 12 states have submitted reports for the first time.¹⁶
- Conversely, 30 states have not reported since 2005 or earlier.¹⁷
- So far, global reporting activity has been most intense in 2003, 2005 and 2008, coinciding with the Biennial Meetings of States, and to some extent in 2006, the year of the Review Conference.

¹⁶ Andorra, Angola, Bahrain, Cyprus, Dominican Republic, Iceland, Iraq, Kyrgyzstan, Swaziland, Tanzania, United Arab Emirates, Viet Nam.

¹⁷ Albania, Azerbaijan, Bangladesh, Barbados, Belgium, Cameroon, Central African Republic, Chad, Costa Rica, Democratic Republic of the Congo, El Salvador, Equatorial Guinea, Fiji, Gabon, Gambia, Grenada, Haiti, Holy See, Honduras, Indonesia, Jordan, Luxembourg, Marshall Islands, Mauritania, Monaco, Papua New Guinea, São Tomé and Príncipe, Solomon Islands, Tajikistan, Zambia.

-
- In terms of reporting by region, 95% of states in Europe, 79% of states in Africa and 74% of states in the Americas have submitted at least one report between 2002 and 2008. In contrast, almost a third of states in Asia (30%) and 57% of states in Oceania have yet to submit a report.
 - The length, format and level of detail of national reports vary considerably, which makes comparative analysis difficult. Nevertheless, there has been a marked improvement in the comprehensiveness of reports since the creation of the reporting guidelines in 2003.

RECOMMENDATIONS

- All Member States, particularly the 44 that have never reported on their implementation of the PoA, should consider regularly submitting a national report on implementation of the PoA.
- States are encouraged to utilize the reporting template and respond to *all* elements of the template, even if this means providing the response “not applicable”.
- States are also encouraged to provide national reports in the form of updates only if comprehensive national reports have been submitted on previous occasions, and substantive changes have not taken place.
- Regional organizations should encourage and assist states to prepare national reports on PoA implementation, especially those where reporting by their member states is comparatively low, such as the Association of Southeast Asian Nations (60%), the Caribbean Community (36%) and the Pacific Islands Forum (43%).
- States are encouraged to provide updated information to ODA on the identity and contact details of their NPCs. Complementarily, they are encouraged to ensure that information on NPCs provided to ODA is consistent with that published in the national reports.

PART II
THEMATIC TRENDS IN POA REPORTING

INTRODUCTION

This section of the report analyses information provided by states with respect to assistance and cooperation, brokering, stockpile management and security, and surplus disposal (as a distinct issue from stockpile management and security).

In preparing this analysis, we have reviewed all the national reports submitted by states, not simply those submitted since the 2005 reporting analysis. The reason for this is twofold. On the one hand, as noted in Part I, not all states have reported since 2005, and yet information provided by them in earlier years may still be relevant. For instance, if a state provided detailed information on its stockpile management and security measures in 2004, it is possible that those measures are still in place today, and this is the assumption we have made. Additionally, sometimes states specifically direct the reader to earlier reports if information contained in them is still relevant and no recent developments were recorded.

On the other hand, the first aim of this report was to provide a comprehensive overview of implementation efforts relating to the themes focused on at the third Biennial Meeting of States. Since this is the first time that a biennial meeting has addressed only selected themes, it seemed appropriate to ensure that reporting on those themes would be analysed as thoroughly as possible, examining implementation and national policies throughout the whole period following the adoption of the PoA. In this regard, it would be misleading to declare that a state has not provided information or carried out activities on a particular issue simply because it has not reported since 2005 or has not done so on a focus theme since 2005.

ASSISTANCE AND COOPERATION

Section III of the PoA is dedicated to implementation, international cooperation and assistance. This section encourages a number of general measures, such as:

- establishing and strengthening cooperation and partnerships at all levels;

- rendering technical and financial assistance where needed to support implementation;
- developing and strengthening partnerships to share resources and information on the illicit trade in small arms; and
- making greater efforts to address the problems related to human and sustainable development.

Section III also contains specific references to the types of assistance that should be provided:

- capacity-building: states were urged to build capacity in areas such as the development of appropriate legislation and regulations, law enforcement and the collection and exchange of information;
- training: states should enhance cooperation and the exchange of experiences and training among competent authorities, including customs, police, intelligence and arms control officials. They should also develop programmes for specialist training on stockpile management;
- mutual legal assistance: states should enhance mutual legal assistance and other forms of cooperation to facilitate investigations into the illicit trade in small arms;
- linked issues: states should provide assistance to combat the illicit trade in small arms linked to drug trafficking, transnational organized crime and terrorism; and
- research: states and organizations should develop and support action-oriented research aimed at facilitating greater awareness and understanding of the illicit small arms trade.

Finally, Section III contains specific references to assistance in the context of a few themes:

- marking and tracing: states should use and support the INTERPOL Weapons Electronic Tracing System; they should examine technologies to improve tracing and detection and develop measures to facilitate the transfer of such technologies; they should help build capacity for tracing and marking; they should cooperate in tracing illicit small arms, especially by strengthening information exchange mechanisms; and they should exchange information on their national marking systems;

- destruction: states should provide assistance in the destruction or other disposal of surplus, unmarked/inadequately marked weapons and should help build capacity for destruction;
- disarmament, demobilization and reintegration: relevant regional and international organizations should support such programmes; and
- stockpile management: states should develop programmes for specialist training on stockpile management, and should help build capacity for stockpile management and security.

According to Section IV of the PoA, states should also encourage all initiatives to mobilize resources and expertise to promote implementation and to provide assistance to states in such efforts; this section refers to all areas in which a state requires support to implement the PoA at the national, regional and global levels and not only in terms of the measures outlined in Section III.

Financial and technical resources are necessary for implementing most aspects of the PoA, and thus the issue of assistance and cooperation is a recurring one. For the purposes of this study, international assistance and cooperation is treated as both a cross-cutting and standalone issue. General observations and lessons to be learned relating to the process of targeting, allocating, coordinating and implementing assistance activities are covered in this section. The specific details of cooperation and assistance for each of the thematic issues are addressed in the corresponding sections.

STATES REPORTING ON ASSISTANCE AND COOPERATION

Despite the importance the PoA assigns to the issue of international cooperation and assistance, reporting on the assistance received, provided and required has been limited both in the number of states reporting on the issue and in the level of detail provided. The coverage of assistance and cooperation in the reports was largely determined (and limited) by the scope of the UN reporting guidelines used. Most states included some aspect of cooperation in their reports. However, the level of detail and the clarity of what was reported as cooperation varied considerably. The activities that states may have reported as cooperation include mutual legal assistance, information sharing (particularly to INTERPOL and the Organization for Security and Co-operation in Europe), participation in regional organizations

and attendance at regional and international meetings. While reporting on assistance reinforced the dynamic of “North–South” cooperation between donors and recipients, cooperation related to information-sharing, mutual legal assistance and border controls additionally demonstrated examples of North–North and South–South cooperation.

The attention states assigned to international assistance and cooperation in their reports has seen a marked improvement since 2006. Of the reports submitted from 2001 to 2005, the average percentage of states that specifically referenced international assistance and cooperation in their reports was 54%. During 2006 to 2008, the average increased to 69%. Among reports submitted in 2008, at least 81% included assistance.¹⁸ States that consistently submitted reports were more likely to refer in some way to assistance.

The level of detail provided for both assistance and cooperation also increased, notably since 2006 but particularly in 2008 following the letter issued by ODA in January 2008 inviting states to submit national reports including information on assistance received, provided and requested. The increase in reporting on assistance does not assume that there was an increased level of activities taking place, as it may simply indicate variations in the level of attention states assigned to the issue in their reports. However, it does suggest that states increasingly recognize the value of sharing information on assistance and cooperation for improving implementation of the PoA.

Among the states that reported on assistance and cooperation in 2008, 25% related providing assistance and 34% acknowledged receiving it. Although national reports are an opportunity for states to communicate their needs for assistance and available resources to facilitate the coordination of future activities, only 35% of states referred in some way to the assistance they required.

Prior to 2008, reports submitted noted that technical and financial assistance were necessary, though few provided detailed descriptions of the required activities or equipment. In 2008, of the 36 states that reported they would

¹⁸ Pending translation, certain states could not be included in the 2008 calculation.

like to receive assistance, almost all identified specific priority areas of need relating to:

- customs and border controls (ten states identified this area);¹⁹
- record-keeping, inventory management and computerized registries (13 states);²⁰
- marking and tracing (eight states);²¹
- national commissions/coordinating bodies (six states);²²
- awareness-raising (five states);²³
- destruction (eight states);²⁴
- law enforcement (five states);²⁵
- stockpile management (eight states);²⁶ and
- collection (two states).²⁷

Twenty of the 36 reports from 2008 that specified areas requiring assistance were from Africa, eight from Latin America and the Caribbean, three from South-East Europe and five from Asia and the Pacific.

With respect to the Biennial Meeting of States focus issues, the reports indicate that little assistance was provided or received in the areas of brokering and tracing prior to 2006. However, according to the activities listed in the national reports since 2006, these issues have seen the largest relative increase in support. This may be due to the attention these issues received as a result of the Group of Governmental Experts on Brokering, which published its report in 2007,²⁸ and the adoption of the International

¹⁹ Benin, Colombia, Jamaica, Lesotho, Nigeria, Pakistan, Philippines, Rwanda, Tanzania, Zimbabwe.

²⁰ Armenia, Bosnia and Herzegovina, Botswana, Cambodia, Colombia, Ecuador, Lesotho, Namibia, Panama, Paraguay, Rwanda, Tanzania, Zimbabwe.

²¹ Benin, Ecuador, Panama, Republic of the Congo, Rwanda, Sudan, Swaziland, Tanzania.

²² Burkina Faso, Colombia, Liberia, Rwanda, Sierra Leone, Togo.

²³ Niger, Philippines, Rwanda, Sri Lanka, Tanzania.

²⁴ Burundi, Lesotho, Mozambique, Nigeria, Philippines, Republic of the Congo, Rwanda, Swaziland.

²⁵ Jamaica, Kenya, Lesotho, Philippines, Sudan.

²⁶ Bosnia and Herzegovina, Botswana, Mozambique, Niger, Nigeria, Philippines, Republic of the Congo, Sudan.

²⁷ Burundi, Nicaragua.

²⁸ General Assembly, *Report of the Group of Governmental Experts established pursuant to General Assembly resolution 60/81 to consider further steps to*

Tracing Instrument in December 2005. A more detailed description of the assistance provided and received for the focus issues is provided under the corresponding sections of this report.

The following are general observations from the reports submitted from 2001 to 2008:

- States often provided only selected examples of the assistance they provided or received. The assistance reported by a donor or recipient state were not necessarily reported by the corresponding donor or recipient state.
- Few national reports consistently included details such as the year in which an activity was implemented, the duration of the assistance and the financial amount of the assistance provided—fewer still reported these details for assistance received.²⁹ General descriptions such as “assisted capacity-building to address SALW” or “support for region-wide efforts to combat SALW proliferation” make it difficult to discern or learn from the types of assistance implemented. Without dates, it is unclear if certain activities were continued during the timeframe of reports submitted, or if the same activity was reported a second time.
- The content of assistance and cooperation in the reports often reflected the reporting template,³⁰ which limited the type of information states provided in the reports and did not encourage states to consider assistance and cooperation as a cross-cutting issue.³¹

enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, UN Document A/62/163, 30 August 2007.

²⁹ For an example of a comprehensive and detailed table of assistance provided, see the national reports submitted by Japan, which include the amount, year, funding channels and implementing agencies in addition to a brief description of the project. Switzerland and Germany also gave tables on assistance provided in their reports. The 2003 report submitted by the Central African Republic provides a useful table of assistance required, including in the table objectives and the requirements needed to achieve these objectives.

³⁰ Some states drew from the template but provided supplementary information. The template often used by Spanish-speaking countries included the element of assistance received but not required.

³¹ States would occasionally report assistance for activities such as destruction and stockpile management under these sections of the report and not address

- States using the template generally limited information on international cooperation activities to questions on use of the INTERPOL Weapons Electronic Tracing System and engagement with INTERPOL while also focusing more on regional as opposed to international cooperation. Furthermore, for states using the template, the information on assistance related to assistance provided (and not received) and therefore states that received assistance reported more on cooperation than assistance. Finally, the template did not encourage states to list the types of assistance they would like to receive or provide.
- For both states that used and did not use the template, activities related to assistance, international cooperation, regional cooperation, information exchange, mutual legal assistance and capacity-building were often used interchangeably, suggesting a lack of common view or understanding of what constitutes “international cooperation” under the PoA.
- Although all states can provide some degree of assistance (such as technical expertise) at least two states that otherwise received assistance noted that they also provided assistance.³²
- Some states provided general recommendations on measures to improve the framework for assistance and cooperation at the global or regional level.³³

RECOMMENDATIONS³⁴

- Assistance to implement the PoA should be considered upon the request of states, and all states could provide some degree of assistance and cooperation (for example, technical and financial resources, expertise and information sharing on good practices).

assistance directly.

³² National reports 2008, Mali and Jamaica. Swaziland noted it would only be in a position to provide assistance once it has received training for the National Focal Point Committee.

³³ Armenia, Jordan, Uganda, among others.

³⁴ A detailed analysis of international assistance allocated during the first five years of the PoA and some of the challenges associated with coordinating assistance can be found in Kerry Maze and Sarah Parker, *International Assistance for Implementing the UN Programme of Action on Small Arms and Light Weapons: Findings of a Global Survey*, UNIDIR, 2006.

Therefore, states are encouraged to include in their national reports any resources they have available to assist states to implement the PoA as well as details to facilitate cooperation.

- States are encouraged to use reports as a means to facilitate the matching of needs and resources. In particular, they are encouraged to include specific details of the types of technical or financial assistance or expertise they require.
- Detailed information on assistance and cooperation would help states to better target and coordinate international efforts. Information should include the years, duration, partnerships and, if possible, the financial amount of assistance and cooperation programmes. The lists should be as detailed as possible to facilitate the analysis of relevant initiatives from which to derive further guidelines for cooperation in implementing the PoA.
- States should be encouraged to provide technical and financial assistance, including expertise, to help states prepare national action plans or strategies that will help to identify the types of assistance needed and the necessary steps to be taken in order to improve a state's capacity to prevent, combat and eradicate the illicit trade in SALW.
- States are encouraged to use existing or emerging mechanisms to help to identify needs and match them with resources. Such mechanisms include the Group of Interested States, and the tools supported by the UN Coordinating Action on Small Arms such as the PoA Implementation Support System and the related database on matching needs and resources under development by UNIDIR.
- States are encouraged to support and promote research and the collection, management and sharing of information on a state's particular situation in the areas of brokering, stockpile management and security, surplus destruction, and tracing.
- States are encouraged to establish or strengthen the capacity of national coordinating bodies, points of contact and national commissions. States in a position to do so should provide assistance, as appropriate, to such bodies in order to improve national capacities to mobilize resources, share information and coordinate and implement programmes aimed at preventing, combating and eradicating the illicit trade in SALW.
- When formulating projects and programmes, states are encouraged to consider the multi-faceted nature of SALW issues and support comprehensive and multi-year programmes that aim to build a

state's core capacity to address the illicit trade in SALW and that reinforce efforts to address all related aspects of the illicit trade. For instance, assistance to address brokering should factor in the training of customs and border officials, or collection programmes should consider the needs and capacity of stockpile and inventory management, destruction, marking and tracing, as appropriate.

BROKERING

There are several provisions in the PoA that relate to brokering, including the development of legislation or other measures on the financing of illicit small arms purchases (paragraph II.6) and the development of legislation or administrative procedures regulating brokering activities (paragraph II.14).

NATIONAL LEVEL

LEGISLATION ON BROKERING

The core of the PoA provisions on arms brokering controls is contained in paragraph II.14, whereby states undertake “to develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering”. Paragraph II.14 envisages the following measures to be included in national control systems:

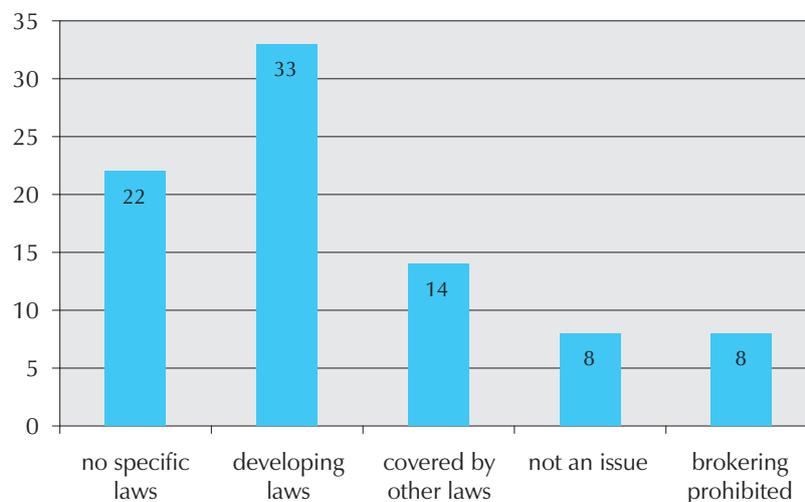
- registration of brokers;
- licensing or authorization of brokering transactions; and
- establishment of penalties for illicit brokering activities.

From 2002 to 2008, 103 states (70%) reported under this section of the PoA. Some claimed that they did not have an issue with brokering or that brokering activities did not take place in their jurisdiction; others declared that they had specific legal controls in place or were in the process of developing them; finally, others stated that they had no specific legal controls in place, but that their export control laws implicitly covered SALW brokering activities.

No brokering controls in place

Twenty-two states have declared that they have no specific controls on arms brokering activities.³⁵ This is the case, for instance, with the Democratic Republic of the Congo (2003)—“the regulation of the activities of brokering in small arms and light weapons ... does not yet exist”—and Moldova (2006)—“Presently there is no law regulating the questions of brokering and there are no specific controls on brokering”. Often, this statement is accompanied by the declaration that revisions to export laws are planned in order for brokering controls to be adopted. In other instances, states declared that despite the lack of specific legal measures, arms brokering was implicitly regulated by other provisions—most typically general export controls, but also customs or commercial laws. Chart 20 shows a breakdown of those states without specific brokering controls. These five general categories are discussed below.

Chart 20. Comments by states with no specific brokering controls



³⁵ Botswana, Burundi, Canada, Côte d’Ivoire, Croatia, Democratic Republic of the Congo, Ethiopia, Iraq, Lesotho, Mauritius, Moldova, Mozambique, New Zealand, Papua New Guinea, Paraguay, Peru, Philippines, Senegal, Sri Lanka, Tajikistan, Thailand, Uganda.

Brokering is not an issue

Eight states asserted that illicit brokering was not an issue under their jurisdiction, or that brokering activities did not take place on their territory.³⁶ For example, in 2003 Sri Lanka stated that “brokering of SALW is not addressed by the national legislation and it is believed that brokering does not take place in [Sri Lanka]”. However, in its 2006 report, after pointing out that “the brokering of licensed firearms is not possible as the firearms are issued solely by the licensing authority on payment of the relevant price”, Sri Lanka declared that “in terms of illicit firearms, the issue of brokering cannot be ruled out”. The United Arab Emirates reported in 2005 that “it is worth mentioning that there is no illicit brokering in firearms in our country”.³⁷

Brokering is prohibited

In eight cases, states claimed that brokering does not occur, or that it is not specifically regulated because it is simply prohibited or is carried out exclusively by the state.³⁸ For example, China, Cuba and Russia reported that arms brokers “do not exist” in their national jurisdictions, as mediation activities are legally possible only for state companies. Syria also noted that there are no traders or brokers because the export and import of weapons are exclusively regulated and operated by state authorities.

Brokering is implicitly covered by other legislation

Fifteen states declared that specific brokering controls were not present under their jurisdiction but that these activities were controlled implicitly through other legal provisions.³⁹ New Zealand, for example, stated that “there are few arms brokers based in New Zealand and there are no specific controls on brokering although as brokers are considered to offer firearms

³⁶ Moldova, Niger, Sri Lanka, Sierra Leone, Swaziland, United Arab Emirates, Viet Nam, Zambia.

³⁷ See also the reports by Sierra Leone, Swaziland, Viet Nam, Zambia.

³⁸ Cuba, China, Ethiopia, Mauritius, Namibia, Papua New Guinea, Russia, Syria.

³⁹ Australia, Canada, Czech Republic, France, Guatemala, Italy, Malaysia, New Zealand, Papua New Guinea, Peru, Philippines, Thailand, Turkey, Ukraine, United Arab Emirates.

for sale they are caught by the regulations covering firearms dealers”.⁴⁰ The Philippines (2003) declared having “no legislation specifically on arms brokering” and added that under the Customs and Tariff Code of the Philippines, the importation into the Philippines of the articles mentioned therein, including weapons of war, was prohibited except when authorized by law. It also noted (2008) that the regulation on licensing dealers constituted a “similar system” to specific brokering controls. Similarly, Guatemala (2005) stated that brokering was not regulated “as such”, but that intermediaries were controlled by virtue of “commercial norms”.

In some cases, differences in national approaches to the legal definition of “arms brokering activities” entail difficulties in assessing state action under paragraph II.14 of the PoA. For example, Trinidad and Tobago outlined the provisions of its Firearms Act and related regulations that “relate to the activities of dealers”, which included the requirement of a license, obligations on the dealer to register their transactions and certain prohibitions. Lacking a description of the types of transactions to which these provisions apply—for example, domestic deals, international deals, transfers of arms located in two foreign states—it is difficult to assess whether these constitute “brokering controls” as understood in international instruments, including the PoA. A similar case is represented by Canada, which stated that the matter of brokering is “broadly addressed by Canadian federal legislation”.⁴¹ According to the Canadian Export and Import Permits Act, “brokers who act as exporters of record for items on the Export Control List are required to apply for an export permit”. The activity of arms brokers, however, is often distinct from that of exporters/importers, particularly because it does not entail actual acquisition or possession of the weapons by the broker. Canada also noted that its Firearms Act, which regulates businesses that could include brokering, has no provisions “to deal with firearms that are located outside of Canada”⁴² and thus does not capture one of the most typical ways in which brokers operate. Indeed, arms brokers typically operate in several national jurisdictions, through multiple companies, with weapons transiting many states. Their transactions are thus often not captured—or, at least, not wholly—by systems of import and export controls.

⁴⁰ Emphasis in the original, (2003, 2004, 2005, 2007, 2008); similar statements were made by Niger.

⁴¹ 2003, 2004, 2005, 2008.

⁴² 2003, 2005.

Brokering controls are being developed

Thirty-three states have reported that they are in the process of adopting new legislation or amending existing legislation in order to include provisions on brokering activities.⁴³ For example, Burundi (2005) stated that “present legislation does not foresee [measures on brokering activities]” but that these will be included in the “national regulation programme” enacting the provisions of the legally binding Nairobi Protocol.⁴⁴ Similarly, Croatia (2007) stated that “even though there is no law ... regulating the question of brokering, new legislation on this issue is being drafted and will enter into governmental procedure during 2007”.⁴⁵

Brokering controls are in place

According to the national reports, 52 states have in place legal controls on arms brokering; close to half of these were established after the adoption of the PoA in 2001. Chart 21 shows an overview of the presence or lack of specific brokering laws.

In 25 of these 52 states, the adoption of specific brokering controls was explicitly linked to implementation of the PoA or other documents on the issue, most notably the EU Council Common Position of 23 June on the Control of Arms Brokering.⁴⁶ This includes cases in which complete revisions of arms export controls were passed and cases where the basic arms export

⁴³ Algeria, Argentina, Australia, Botswana, Burkina Faso, Burundi, Colombia, Côte d’Ivoire, Croatia, Cyprus, France, Greece, Guatemala, Iceland, Ireland, Italy, Lesotho, Liechtenstein, Macedonia, Namibia, Paraguay, Portugal, Senegal, Sierra Leone, South Korea, Spain, Sudan, Swaziland, Thailand, Togo, Uganda, United Kingdom. In addition, Finland, which established brokering controls on military SALW in 2002, reported being in the process of adopting similar provisions relating to civilian firearms and ammunition (see all six reports from 2003 to 2008).

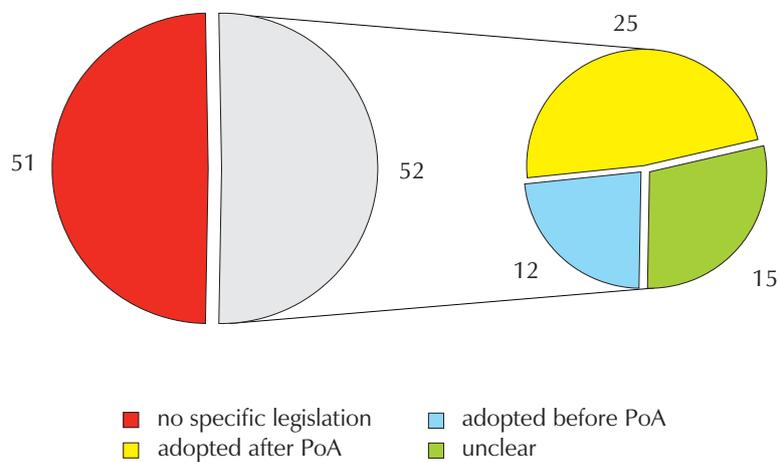
⁴⁴ Our translation. The full title of the treaty is the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.

⁴⁵ This report reiterates statements contained in previous ones (2004, 2005 and 2006).

⁴⁶ Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Czech Republic, Denmark, Estonia, Finland, Hungary, Indonesia, Ireland, Latvia, Lithuania, Malta, Nicaragua, Peru, Portugal, Serbia, Slovakia, Slovenia, South Africa, Spain, Ukraine, United Kingdom.

laws remained the same, but were bolstered with specific provisions adding the figure of the “arms broker” or “arms brokering activities” to the national regulatory framework. In 12 states, brokering legislation was adopted before 2001, including in Germany, where brokering controls have been in place since 1978 (although they have been amended to bring them in line with international developments on the issue).⁴⁷ In the remaining 15 states, the timeframe of the adoption of relevant instruments is unclear.⁴⁸

Chart 21. Overview: adoption of brokering laws



In some cases, it is difficult to gauge the extent to which brokering activities—as defined in international documents, particularly in the report of the Group of Governmental Experts on the issue⁴⁹—are, in fact, controlled.

⁴⁷ Dominican Republic, Germany, Israel, Japan, Netherlands, Norway, Poland, Republic of the Congo, Romania, Sweden, Switzerland, United States.

⁴⁸ Armenia, Belarus, Ecuador, Honduras, Kazakhstan, Lebanon, Liechtenstein, Mali, Monaco, Morocco, Panama, Saudi Arabia, South Korea, Trinidad and Tobago, Zimbabwe.

⁴⁹ General Assembly, *Report of the Group of Governmental Experts established pursuant to General Assembly resolution 60/81 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons*, UN Document A/62/163, 30 August 2007.

For example, both Albania (2004) and Armenia (2008) listed relevant laws, but gave no details on what constituted brokering in their national systems or what specific control measures were established through these legal instruments.⁵⁰ Eighteen of the states that claim to have specific brokering controls in place do not give any or sufficient details of relevant provisions; this makes it difficult to assess whether or not the controlled activities constitute “brokering” as now largely agreed internationally.⁵¹

The reports presented by 40 states outline details of their legal provisions on at least one of the regulatory measures proposed by the PoA—registration of brokers, licensing systems for brokering activities, and the establishment of penalties for violations. A few also mention control elements that are not listed in the PoA.

Registration

The requirement for brokers to register with national authorities is present in 22 states. In most of these (18), registration works as a form of prior authorization: brokers must be registered before they can apply for a license relating to a specific transaction.⁵² In Germany and Norway, registration does not take the form of prior authorization but of records of granted licenses kept by relevant authorities.⁵³ In Poland, which is a partially different case, records are kept of companies that are entitled to apply for a brokering license. Information in these records relates to the status of the Internal Compliance Programme Certificate and past activities of the company.⁵⁴

⁵⁰ See also the report by Indonesia.

⁵¹ Albania, Armenia, Belarus, Dominican Republic, Ecuador, Honduras (details on penalties only), Indonesia, Kazakhstan, Lebanon, Mali, Morocco, Panama (details on penalties only), Republic of the Congo, Saudi Arabia, South Africa, Trinidad and Tobago, Ukraine, Zimbabwe.

⁵² Bosnia and Herzegovina, Bulgaria, Estonia, France, Hungary, Liechtenstein, Lithuania, Monaco, Nicaragua, Romania, Serbia, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, United States.

⁵³ This also seems to be the case in Latvia where, according to the 2008 report, “The Ministry of Defence keeps records of issued special permissions to arms brokers”.

⁵⁴ 2008.

Of these 22 states, eight specified the authorities that manage broker registration.⁵⁵ Estonia outlined in detail the procedure for entry in the register, grounds for refusal of registration and amendments to the entry. Bulgaria outlined the criteria for insertion in the national register, which include economic stability and reliability.

In five additional states, registration requirements are foreseen as part of planned amendments to existing legislation.⁵⁶

Licensing

Among the states with brokering controls in place, 28 reported a requirement for brokering activities to be authorized through a system of licensing;⁵⁷ an additional three states declared that the establishment of a licensing system for brokering activities is part of planned or ongoing revisions to existing laws.⁵⁸ Several states provided further details on the licensing process. Eight states specified the national authority responsible for assessing applications and granting licenses.⁵⁹ Bulgaria and Norway gave details of licensing procedures, and eight states outlined the criteria used to assess applications, by which licenses will be granted or refused.⁶⁰ Twelve states specified that licenses were assessed and granted only on a case-by-case basis;⁶¹ in other words, in these states each brokering transaction needs to be authorized, excluding the possibility of so-called “open” or “general” licenses.⁶²

⁵⁵ Bosnia and Herzegovina, Bulgaria, Hungary, Lithuania, Nicaragua, Slovakia, Slovenia, Spain.

⁵⁶ Argentina, Burkina Faso, Côte d’Ivoire, Greece, Portugal.

⁵⁷ Austria, Belgium, Bulgaria, Denmark, Estonia, Finland, Germany, Hungary, Israel, Japan, Latvia, Liechtenstein, Lithuania, Netherlands, Nicaragua, Norway, Poland, Romania, Serbia, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, United Kingdom, United States. In addition, Turkey (2008) describes the licensing requirement for “brokering activities” as defined in two laws that do not specifically refer to the regulation of arms transfers but to general commercial transactions.

⁵⁸ Côte d’Ivoire, Greece, Portugal.

⁵⁹ Austria, Belgium, Bulgaria, Germany, Nicaragua, Poland, Romania, United States.

⁶⁰ Austria, Finland, Hungary, Latvia, Nicaragua, Norway, Poland, Sweden.

⁶¹ Bulgaria, Denmark, Estonia, Finland, Germany, Hungary, Lithuania, Poland, Romania, Slovakia, Sweden, Switzerland.

⁶² An open or general license authorizes multiple transfers; these usually refer to similar classes of goods or to specified groups of destinations.

Penalties for illicit brokering

Twenty states reported that national legislation criminalizes illicit arms brokering activities and provides for related penalties.⁶³ Of these, 15 specified that penalties may include imprisonment or fines;⁶⁴ Nicaragua and Norway also mentioned the possibility of confiscation of the brokered items. In both Australia and Turkey, “arms brokering” is not regulated as a specific activity; yet, other national provisions apply, which include penalties for violations that may qualify as illicit arms brokering.⁶⁵ Illicit brokering is also criminalized in Portugal and Spain where specific legislation on the issue, at the time of writing, was still under preparation.⁶⁶

Other

Twenty-two states reported on details of control elements that are not included in the PoA. In particular, 14 states mentioned provisions that have extraterritorial application—that is, that apply to residents’ or citizens’ activities when conducted abroad.⁶⁷ This group also includes Turkey, where brokering is defined generally in commercial law, and not specifically as relates to arms transfers; Turkish judicial authorities are competent for violations committed abroad, even in states where relevant activities do not constitute a crime.⁶⁸ As of 2004, extraterritorial measures were also foreseen by the Australian amendments in existing legislation.⁶⁹

Seven states mentioned obligations on brokers to report periodically to national authorities on their transactions;⁷⁰ Liechtenstein (2005, 2008)

⁶³ Belgium, Bosnia and Herzegovina, Finland, Germany, Honduras, Japan, Liechtenstein, Lithuania, Monaco, Netherlands, Nicaragua, Norway, Panama, Peru, Poland, Romania, Slovakia, Slovenia, Switzerland, United States.

⁶⁴ Belgium, Finland, Germany, Japan, Lithuania, Monaco, Nicaragua, Norway, Peru, Poland, Romania, Serbia, Slovakia, Slovenia, Switzerland.

⁶⁵ See reports from Australia (2003) and Turkey (2005, 2008).

⁶⁶ 2008.

⁶⁷ Belgium, Bosnia and Herzegovina, Finland, Germany, Hungary, Latvia, Malta, Netherlands, Norway, Romania, Sweden, Turkey, United Kingdom, United States.

⁶⁸ 2005.

⁶⁹ 2004.

⁷⁰ Bosnia and Herzegovina, France, Lithuania, Nicaragua, Norway, Slovakia, United States.

and Lithuania (2008) mentioned requirements for record-keeping by the broker. Austria (2006, 2008) and the Netherlands (2003, 2005) listed end-user certificates among the documents that brokers must present when applying for a license. Finally, the United States (2007, 2008) mentioned the possibility to debar from the national register brokers found guilty of violations of the arms export laws and Slovenia (2008) reported increased information exchange among national agencies.

MEASURES ON FINANCING FOR SMALL ARMS ACQUISITION

In paragraph II.6 of the PoA, states committed to:

identify, where appropriate, groups and individuals engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit small arms and light weapons, and take action under appropriate national law against such groups and individuals.⁷¹

This report considered two elements relevant in this respect: whether states mentioned having specific legislation covering (criminalizing) the financing of illicit small arms acquisitions, or other measures enacted to identify and take action against groups and individuals engaged in such activities.

Since the adoption of the PoA in 2001, many states have reported that they have relevant legislation in place to address arms trafficking generally, but do not specify that this covers financing for acquisition. Some states noted that they have relevant laws and regulations on the issue, but did

⁷¹ During the past decade, international debate on the issue has commonly identified financing as part of the so-called “associated arms brokering activities”. This is reflected in the reports of 1999 and 2006 of the two Groups of Governmental Experts on this issue. See General Assembly, *Report of the Group of Governmental Experts established pursuant to General Assembly resolution 54/54 V of 15 December 1999, entitled “Small arms”*, UN document A/CONF.192/2, 11 May 2001; and General Assembly, *Report of the Group of Governmental Experts established pursuant to General Assembly resolution 60/81 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons*, UN Document A/62/163, 30 August 2007. For this reason, in this study, the sections of national reports dealing with SALW financing have been analysed as part of state measures on arms brokering activities.

not provide details of the relevant provisions.⁷² In fact, only two states have provided details of legislative provisions specifically targeting the financing of illicit SALW acquisition in their national reports. Malaysia (2003, 2005, 2006, 2008) reported having enacted the Anti-Money Laundering Act in 2001, which includes provisions “requiring suspicious transaction reporting by off-shore banks and financial investments companies to prevent money being laundered in Malaysia to finance illegal activities which may also include arms smuggling”. In the Netherlands (2003), relevant legislation is constituted by the Decree on Financial Transactions for Strategic Goods, according to which a “license is required in case a Dutch legal or natural person is financially involved in trade of strategic goods that are in transit or otherwise outside the EU” and by the Law governing Economic Violations, which “provides for the possibility of sanctions in case of breaches of the aforementioned regulations and sets the framework for control and enforceability”.

Twenty-one states reported on measures (other than legislation) taken to identify groups engaged in the financing of illicit SALW acquisitions. Of these, eight states claimed there have been no recorded instances of the illicit activities listed in paragraph II.6 of the PoA—including financing for illicit acquisitions—having taken place.⁷³ Haiti (2003) reported that no serious study or investigation had yet been carried out at the national level to identify the groups and individuals that manufacture, finance, sell and stock small arms.⁷⁴ Finally, Paraguay (2007) reported that there was no recorded instance relating to this paragraph of the PoA for the period of reporting and interpreted this data as an “important indicator that the illicit traffic of arms and ammunition has considerably decreased”.⁷⁵

Twelve states gave details of the organs responsible for dealing with such violations or with the applicable enforcement procedures, again with great variation of specificity.⁷⁶ For example, Denmark (2005, 2006, 2007, 2008) stated that “The individual police districts are responsible for the criminal investigation of illicit trade in small arms and light weapons in

⁷² Japan, for example, 2005 report.

⁷³ Austria, Chile, Dominican Republic, Fiji, Finland, Haiti, Marshall Islands, Paraguay.

⁷⁴ Our translation.

⁷⁵ Our translation.

⁷⁶ Austria, Brazil, Chile, Denmark, El Salvador, Finland, Ireland, Israel, Paraguay, Peru, Russia, Senegal .

all its aspects”; similarly, El Salvador (2003) mentioned units inside the National Civilian Police, such as the “elite division against organized crime” and “investigative divisions”, that held records of cases of groups and individuals apprehended for “the sale, stockpiling, transfer, possession, and financing of the acquisition of illicit small arms and light weapons”. In most of these 12 cases, the responsible organs were located within police forces; in the case of Russia, operations to identify groups or individuals engaged in SALW-related illicit activities—including financing for acquisition—involved the “The Ministry of Internal Affairs, the Federal Security Service, the Ministry of Defence, the General Prosecutor’s Office and other Russian departments”, while in some instances “appropriate large-scale operations” were deemed necessary.⁷⁷

GLOBAL LEVEL

MULTILATERAL ACTION ON BROKERING

At the global level, paragraph II.39 of the PoA committed states:

To develop common understandings of the basic issues and the scope of the problems related to illicit brokering in small arms and light weapons with a view to preventing, combating and eradicating the activities of those engaged in such brokering.

Between 2002 and 2008, 38 states reported actions under this section; of these only Papua New Guinea (2008) declared that this particular provision is “not applicable” in its context.

The analysis of actions by these 38 states reveals five main trends, two of which highlight the importance of the regional dimension in the global approach to this issue. Twenty-four states recorded their participation in regional or multilateral meetings where the issue of illicit arms brokering, the analysis of its characteristics and possible means of control were among the topics under discussion. Reflecting the same trend toward regional developments, 20 states mentioned their adherence to regional agreements, whether binding or not, on measures to control arms brokering activities.

⁷⁷ 2003.

There is an important degree of overlap among these two trends, in the sense that many states reported their attendance to or sponsoring of international meetings on the issue and their participation or active contribution to relevant regional documents. Also in line with general reporting trends—reporting being more common in Europe—the most frequently mentioned meetings or regional documents were held or established within Europe.⁷⁸ The most frequently mentioned regional/multilateral documents included the EU Common Position on the Control of Arms Brokering (2003), the Organization for Security and Co-operation in Europe Principles on The Control of Brokering in Small Arms and Light Weapons (2004) and the Wassenaar Arrangement Elements for Effective Legislation on Arms Brokering (2003). Many meetings also took place in the Americas and the Organization of American States Model Regulations for the Control of Brokers of Firearms, their Parts and Components and Ammunition (2003) were mentioned by many states.

At a much lower level of frequency, 11 states expressed their views on desired outcomes of international discussions on the issue. Algeria (2008) stated that:

[the] international community should dictate appropriate norms such that they could assist in regulating this activity whose informal character represents a source of major concern due to its direct impact on the proliferation of the illicit small arms trade and their ammunition.

Similar declarations of general support for greater international cooperation on the issue were made by Lithuania (2003), Malta (2006), Switzerland, which “advocated the creation of a group of experts to examine the feasibility of minimum international norms in the matter” (2005), and Trinidad and Tobago (2004), which expressed its support for the “hemispheric initiative” taken within the Organization of American States in the form of the Model Regulations.

Without touching on the possible nature of an international document on the issue, the report by Côte d’Ivoire (2008) lists the individual elements of control that should be adopted “with respect to international cooperation”. These comprise the inclusion of information on brokers in export, import

⁷⁸ This is also the region where the majority of national control regimes on brokering have been established (see previous section).

and transit licenses; direct consultation between importing, exporting and transit states with “the government of origin of the brokers”; and the provision that arms transfers would not be allowed to “individuals or groups that could commit violations of international humanitarian law and international human rights law”.

Two among these 11 states conveyed a message of support for the development of binding international instruments. Colombia, in its 2006 report, emphasized the need for the United Nations to support the work of the Group of Governmental Experts appointed during that year toward the adoption of an “international instrument of control of intermediaries”, hoping that “the result would be a legally binding document”. By the same token, Norway (2008) supported and promoted “efforts to start negotiations on a legally binding international instrument against illicit brokering in small arms and light weapons”.

Among these 11 states, the reports submitted by Honduras (2004) and Lesotho (2006) are particularly interesting, as they specifically focus on the challenges linked to effective international cooperation on the issue. Honduras stated that:

- The steps to enhance cooperation are efficacious, although poor countries such as Honduras need funding to meet the requirements in full.
- In Honduras, there are agencies responsible for operations to eradicate illicit arms brokering but international training is needed to make actions to combat this scourge more effective.
- Technical equipment is needed to trace and intercept illicit arms traffic.
- Information networks need to be set up at national and regional levels to cope with the threat.
- More staff are needed in both the operational and administrative areas.
- The responsibility for counteracting the illicit arms trade lies not only with the countries that have the problem but also with the developed countries or major powers that have adopted policies allowing for uncontrolled arms proliferation.

In similar terms, Lesotho recognized “the need for collective reaction and cooperation in relation to customs and border control, the exchange of information and in the creation of firearms registers with the aim of containing, and reducing both brokerage and trafficking”.

Trends relating to concrete measures for international cooperation to prevent and curb illicit brokering register the lowest frequency in reporting. Thirteen states referred to mechanisms of such cooperation, and out of these seven related their participation in systems of information exchange, all of which were based on regional frameworks. Information on arms brokering is reported by the Czech Republic (2003) to be exchanged within the EU Working Group on Conventional Arms Exports; by Canada (2008), Italy (2003, 2005, 2006, 2007), Portugal (2007) and the United Kingdom (2003) within the Organization for Security and Co-operation in Europe; and by Spain (2005) with EU members. Importantly, in addition to exchanging information generally “with international organizations” of which it is a member, Slovenia (2008) reported sharing “data on natural and legal persons licensed for brokering transactions involving weapons with other EU Member States”.

COOPERATION AND ASSISTANCE

The PoA does not specifically encourage states to render assistance in the context of the prevention or curbing of illicit arms brokering, although paragraph II.39 does encourage them to “develop common understandings of the basic issues and the scope of the problems related to illicit brokering” at the global level. Responses to this commitment are discussed above in the section on multilateral action on brokering.

Paragraph 7 of the Omnibus Resolution adopted by the General Assembly in December 2007, however, does expressly encourage states to include in their national reports information on efforts to prevent, combat and eradicate illicit brokering in small arms, as well as on actions aimed at enhancing international cooperation for this purpose. The resolution also notes the report of the Group of Governmental Experts on illicit brokering of small arms—paragraph 3 encourages states to implement the recommendations regarding international cooperation and assistance in this area.⁷⁹

⁷⁹ In operative paragraph 3 of resolution 60/81 of 8 December 2005, the General Assembly decided to “establish a group of governmental experts, appointed by

CONCLUSION

The question of the control of arms brokering activities is one where the influence of the PoA has been felt strongly. The analysis of the national reports suggests that still only a minority of states—about one-fourth of UN Member States—have relevant legislation in place; of these, some report with such little detail that it is impossible to assess whether what is controlled are “brokering activities” as understood in international debates. At the same time, half of the states mentioning relevant controls also specify that these were enacted following the adoption of the PoA if not, more directly and explicitly, as part of its implementation. Whether directly or indirectly—through its influence on regional processes—the PoA has played an important role in national policies on this issue.

The reports also reveal that the regional dimension has proven particularly strong and influential. The control of arms brokering has occupied a central place in the agenda of several regional and multilateral organizations. Most of these have agreed commitments specifying—whether in politically or legally binding form—control measures that member states should adopt. The relevance of the issue is, however, unequal across regions as well as across states; in some of these, illicit arms brokering is not perceived as a pressing problem, despite growing evidence accumulated in research over the last decade that illicit arms brokering is a truly, essentially transnational phenomenon.

Even where regulations exist, the variation in approaches taken at the national level, coupled with scarce cooperation at the international level—particularly as relates to enforcement and prosecution—risk leaving open important loopholes that can, and have been, used by brokers acting illicitly. One case in point relates to existing definitions of the terms “broker” and “brokering activities”, which greatly vary in breadth and specificity across national regimes. In this regard, the first international definition of the two

the Secretary-General on the basis of equitable geographical representation, commencing after the review conference and no later than 2007, to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons in three sessions of one week’s duration each and to submit the report on the outcome of its study to the General Assembly at its sixty-second session”. The Report of the group was issued in August 2007.

terms, provided by the report of the UN Group of Governmental Experts of 2007, represents an important step forward, which could be taken as a basis for legislative changes at the national level.⁸⁰ Indeed, in the outcome document of the third Biennial Meeting, states recognized the importance of implementing the Group's recommendations, particularly as related to the establishment of regulatory measures.⁸¹

At the multilateral level, little attention seems to be given to concrete forms of cooperation to prevent and combat illicit brokering activities. These, however, are fundamental in the context of activities that are essentially transnational; this point was also underlined during the Biennial Meeting, where states "underlined the crucial importance of international cooperation in tackling the problem of illicit brokering in small arms and light weapons, including cooperation between national law enforcement agencies and judicial systems".⁸² Information exchange on debarred brokers or denied licenses, for example, could ensure that illicit brokering transactions prevented in one state would not be conducted from other national jurisdictions. By the same token, cooperation among enforcement authorities would enhance states' capacity to implement existing controls, to prevent illicit activities or to gather necessary information for investigations and prosecution of violations.

RECOMMENDATIONS

- States should take into account the recommendations of the Report of the Group of Governmental Experts on illicit brokering in small arms in addition to the commitments in this area contained in the PoA. States should consider the Group's recommendations also when reporting on their implementation of the PoA.

⁸⁰ Definitions of the two terms exist in regional documents; universal membership in the United Nations, however, makes the Group of Government Experts' definition particularly important, potentially able to stir greater agreement beyond regional perspectives.

⁸¹ General Assembly, *Report of the 3rd Biennial Meeting of States to Consider 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*, UN document A/CONF.192/BMS/2008/3, 20 August 2008, para. 16(a) and (b).

⁸² *Ibid.*, para. 16(c).

- The reporting template should be updated to reflect the recommendations of the Report of the Group of Governmental Experts on illicit brokering in small arms.
- States should provide further details of any specific measures taken to address the financing of illicit SALW acquisitions.
- In addition to mentioning relevant laws and regulations, states should specify the control measures that these establish on arms brokering activities, particularly as relates to licensing, registration and penalties.
- States should seriously consider mechanisms to exchange information among relevant national authorities on arms brokering activities taking place on their territory.
- States should consider ways to use existing mechanisms for international cooperation in enforcing brokering controls and prosecuting illicit activities (for example, mutual legal assistance, use of INTERPOL, cross-checking and communication among different customs authorities).

STOCKPILE MANAGEMENT AND SECURITY

There are several provisions in the PoA that relate to stockpiling. Although it is not expressly stated in the PoA, paragraphs II.3, II.6 and II.8 relate to stockpiling by private individuals and groups that are not entities of the state. Paragraphs II.17, II.18, II.29, III.6 and III.8, on the other hand, address the issue of stockpiles of SALW held by the state. The analysis that follows addresses the issue of stockpile management and security of state-owned weapons or national stockpiles only, and does not consider activities reported by states in the context of illegal stockpiling by groups or individuals, or civilian stocks. For the purposes of this report, we have addressed and considered stockpile management and security and surplus disposal as distinct topics. Accordingly, surplus disposal is reviewed separately below.

NATIONAL LEVEL

STANDARDS AND PROCEDURES ON STOCKPILE MANAGEMENT AND SECURITY

General

Stockpile management and security are widely addressed by states in their national reports. At least 99 of the 148 states (67%) that have submitted national reports included stockpile management and security in their reports. The level of detail provided by states on this issue varies enormously, with some merely acknowledging that they have adequate stockpile management and security measures in place, and others providing descriptions and examples of the measures they have in place to address the commitments contained in the PoA. Additionally, some states claimed that they do not have stockpiles,⁸³ or do not have significant stockpiles,⁸⁴ and others stated that they do not have national standards in place.⁸⁵

Under paragraph II.17 of the PoA, states have undertaken to ensure that relevant state entities establish adequate and detailed standards and procedures relating to stockpile management and security. The provision applies to the armed forces, the police and any other body authorized to hold small arms (administrative police, local reservists, wildlife protection, prison officials, etc.).

As specified in the PoA, relevant standards and procedures include:

- appropriate locations for stockpiles;
- physical security measures;
- control of access to stocks (for example, who can access and under what conditions);
- inventory management and accounting control (for example, record-keeping);
- staff training;

⁸³ Grenada.

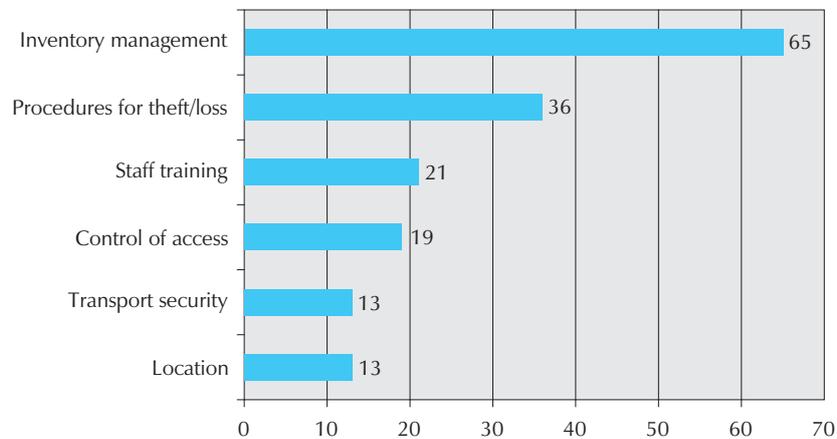
⁸⁴ Moldova commented that it does not have significant stockpiles.

⁸⁵ Ethiopia (each relevant authority has their own method (2008)), Fiji (Fiji appears to be in the process of formalizing existing standards (2004)), Namibia (reported in 2006 that it does not have proper procedures and systems for weapons management, but is in the process of developing such standards).

- security, accounting and control of small arms held or transported by operational units or authorized personnel; and
- procedures and sanctions in the event of theft or loss.

An overview of the frequency with which states addressed each of these specific standards and procedures is provided in Chart 22. The information provided by states on each of these issues is discussed below.

Chart 22. Overview of stockpile issues



Appropriate locations for stockpiles

At least 13 states provided details of the factors taken into consideration when determining the appropriate location of stockpiles, including distance from populated areas;⁸⁶ distance from infrastructure such as industrial facilities and roads;⁸⁷ accessibility for example by road, while at the same time ensuring that it is difficult for unauthorized persons to approach the

⁸⁶ Albania, Bulgaria, the former Yugoslav Republic of Macedonia, Kazakhstan, Kyrgyzstan, Moldova (storage facilities for artillery ammunitions must be located 10–15km away from populated areas (2005, 2006, 2007)), Poland.

⁸⁷ Albania, Bulgaria, the former Yugoslav Republic of Macedonia, Moldova, Poland.

stockpiles,⁸⁸ or that access is possible during inclement weather;⁸⁹ the need to establish exclusion zones and districts around storage sites⁹⁰ and ensuring stockpiles are located away from national boundaries;⁹¹ and environmental considerations and minimizing risk of natural disasters.⁹²

It is clear that some states interpret the phrase “appropriate locations of stockpiles” in the PoA as meaning appropriate with respect to considerations of public safety and the security of the stockpiles. Other states, however, appear to interpret the phrase as pertaining to the convenience of the location of stockpiles from the point of view of the military forces. For example, Albania (2004) noted that “Mission and task operations is one of the elements considered when deciding stockpile location”. The Czech Republic (2003) noted that “the most important elements taken into account include needs of troops and compliance with requirements concerning the protection of these storage facilities against losses and thefts” and Greece (2003) commented that “Locations for storage buildings are chosen according to operational and safety military plans”.

In fact, this is one of the criteria nominated in the Organization for Security and Co-operation in Europe (OSCE) Handbook of Best Practices on Small Arms, which notes that “It will normally be most practical to locate stockpiles close to where they are required to be issued to personnel. Depending on the national defence policy and the view of the authorities on how expeditiously the SALW should be available to the personnel, the stockpiles can be concentrated in one location or more broadly spread”.⁹³ Accordingly, it is not surprising that several OSCE states have described “appropriate” stockpile locations in these terms.

Physical security measures

Physical security refers to the protection of weapons, ammunition and explosives from theft, sabotage, damage or tampering.⁹⁴ At least

⁸⁸ Bulgaria, Moldova.

⁸⁹ Moldova.

⁹⁰ Kazakhstan.

⁹¹ Bulgaria.

⁹² Bulgaria, Moldova.

⁹³ OSCE, *Handbook of Best Practices on Small Arms and Light Weapons*, 2003, chp. 3.

⁹⁴ Small Arms Survey, *Small Arms Survey 2008: Risk and Resilience*, p. 55.

35 states provided a description of some of the physical security measures undertaken in the context of stockpile management and security and many more asserted that they have physical security measures in place. A wide variety of measures are listed by states in their reports, ranging from fire and emergency measures, to the construction and placement of facilities, to guarding and surveillance systems and locking mechanisms. The following are some examples.

Fire and emergency

- fire-fighting devices,⁹⁵ fire alarms⁹⁶ and fire protection and explosive protection measures;⁹⁷
- separate storage for ammunition and weapons;⁹⁸ and
- the existence of an emergency plan.⁹⁹

Construction and placement

Some examples include specific mention of physical construction elements,¹⁰⁰ a reference to standard North Atlantic Treaty Organization (NATO) storage and security procedures being applied,¹⁰¹ the placement of stockpiles underground or within military establishments,¹⁰² and the regulation of temperature and moisture or consideration of ventilation.¹⁰³

Guarding and surveillance

Some of the specific guarding and surveillance measures employed by states include:

⁹⁵ Argentina, Azerbaijan, Bulgaria, Moldova.

⁹⁶ Belarus, Kazakhstan, Kyrgyzstan, Moldova.

⁹⁷ Armenia, China, the former Yugoslav Republic of Macedonia, Russia, Serbia.

⁹⁸ Albania, Argentina, Azerbaijan, Belarus, Czech Republic, Denmark, the former Yugoslav Republic of Macedonia, Italy, Netherlands, Russia, Senegal, Slovakia, Sweden, Switzerland, Turkey.

⁹⁹ Czech Republic, the former Yugoslav Republic of Macedonia, Italy, Poland, Serbia, Slovenia, Sweden, Syria and Turkey.

¹⁰⁰ For example, Albania, Czech Republic, Italy, the former Yugoslav Republic of Macedonia, Turkey .

¹⁰¹ Bosnia and Herzegovina, Greece.

¹⁰² Sweden.

¹⁰³ Belarus, Slovenia, Moldova.

- 24-hour guarding;¹⁰⁴
- on-site alarm systems¹⁰⁵ or electronic security systems;¹⁰⁶
- sensors for detecting movement¹⁰⁷ or other surveillance systems;¹⁰⁸
- the use of guard dogs;¹⁰⁹ and
- lighting.¹¹⁰

Several states reported measures recommended by the OSCE Best Practice Guide on National Procedures for Stockpile Management and Security, such as the separate storage of ammunition and weapons, physical construction elements and guarding and surveillance measures. These recommendations also include intruder detection systems, ideally with sensors on doors, windows and other openings, and interior motion or vibration detection systems, external lighting, and the use of military working dogs.

Control of access to stocks

Controlling and restricting who has access to state stockpiles is key to preventing unauthorized access, theft and loss. There is a cross-over between control of access to stocks and physical security measures because in many cases the locking systems adopted by states regulates who has access to stocks. For example, states mentioned the use of a double-locking system,¹¹¹ restrictions on who and how many people have access to keys to unlock facilities¹¹² and how many sets of keys there are, and restrictions on who has access to codes for disabling alarms systems and who is authorized to enter facilities.

¹⁰⁴ Armenia, Benin, Bulgaria, Costa Rica, Czech Republic, Israel, Kenya, Moldova, Russia, Senegal, Sierra Leone, Thailand, Zambia.

¹⁰⁵ Argentina, Belarus, Bulgaria, China, Cyprus, Czech Republic, Denmark, the former Yugoslav Republic of Macedonia, Italy, Kazakhstan, Netherlands, Russia, Sweden, Switzerland, Turkey.

¹⁰⁶ Czech Republic, United States.

¹⁰⁷ Bulgaria, Czech Republic, Italy.

¹⁰⁸ Italy, Kyrgyzstan, South Korea, Switzerland, Turkey, United States. Note Albania reports that “there is no intruder detection system” (2004).

¹⁰⁹ Belarus, Czech Republic, Moldova, Netherlands, Turkey, United States.

¹¹⁰ Albania, Bulgaria, Czech Republic, the former Yugoslav Republic of Macedonia, Italy, Moldova, Serbia, South Korea, Syria, Turkey.

¹¹¹ Turkey.

¹¹² Argentina, Belarus, China, Czech Republic, Moldova, Switzerland, Turkey (no staff have access to keys to both the small arms and ammunition stores (2005, 2008)).

Inventory management and accounting control

Strong inventory management and accounting controls play an important role in preventing theft and diversion of SALW from national stockpiles. At least 65 states provided details of their system of inventory management and accounting control including the existence of a system for registering weapons coming in and out of the depot;¹¹³ some commented that they have or are introducing a computerized database¹¹⁴ or electronic inventory system¹¹⁵ for registering state-held weapons. Most commonly, however, states commented on the frequency with which state-held stockpiles are checked or reviewed. Some states merely commented that stockpiles were reviewed “regularly”¹¹⁶ or “periodically”.¹¹⁷ In some cases, states specified that such reviews involved checking storage conditions, but it was not clear if they also checked inventory.¹¹⁸ In most cases, however, most states provided

¹¹³ Argentina, Bulgaria, Burundi, Croatia, Italy, Japan, Russia, Senegal, Slovenia, Thailand.

¹¹⁴ Argentina, Cambodia, Costa Rica, Egypt, Latvia, Moldova, Peru, South Korea, Tanzania, Turkey, Uganda.

¹¹⁵ Belgium, Brazil, Denmark, Honduras, Kenya (plans are underway to establish an electronic National Register for all state-owned SALW by the end of the year (2008)).

¹¹⁶ Algeria, Australia (police weapons are audited regularly (2008)), Burundi, Denmark, Djibouti, Iceland, Lesotho. Mozambique, Peru, Portugal, Senegal, Sweden (the 2003 report says stockpiled firearms are inventoried every third year, then in 2008 report says stockpiled firearms are inventoried on a regular basis), Viet Nam.

¹¹⁷ Bangladesh, Bahrain, Egypt, Iraq, Mexico, Saudi Arabia.

¹¹⁸ For example, Russia and Serbia.

specific time periods for checking inventory ranging from daily,¹¹⁹ weekly,¹²⁰ bimonthly,¹²¹ monthly,¹²² quarterly,¹²³ semi-annually,¹²⁴ to annually.¹²⁵

Some states provided a breakdown of inventory management and accounting according to the different levels of military hierarchy or agency.¹²⁶ For example, Cyprus reported that every month a control-accounting is carried out and the results are submitted to the National Guard General Staff, and every three months, a committee is formed by the heads of each unit, which counts the arms and submits a report.¹²⁷ Germany reported that the control system in the Federal Armed Forces may be summarized as follows: guard and military police units conduct a full inventory check at each change of shift; combat units conduct weekly checks; and at depots and stockpile facilities, checks are conducted every two weeks and non-periodical checks are carried out after any movement of any kind of SALW.¹²⁸ South Korea reports that stock inventory is carried out once a month, all SALW held by the army are subject to daily safety checks by arms officers, a weekly inventory is conducted by officers in command and inventory can

¹¹⁹ Israel, Japan (stocks belonging the police and armed forces are reviewed everyday; stocks belonging to the Ministry of Justice are reviewed once a year (2005, 2008)), Kenya, Papua New Guinea, Senegal, Zambia.

¹²⁰ China.

¹²¹ Argentina, Australia.

¹²² Democratic Republic of the Congo, Lithuania (armed forces: reviewed once a month at company level), Niger (monthly control in garrisons, annual control at the national level (2003, 2005, 2006)), Sierra Leone, South Korea, United States, Zimbabwe (stocks held by police and army are reviewed monthly at station level and checked once annually at national level (2008)).

¹²³ Gambia, India, Latvia (plus an annual inventory (2003, 2005, 2008)), Nicaragua (stocks held by the police; but also commented that they are often checked at least twice a month; stocks held by the army are reviewed monthly, every trimester, twice a year, and annually by different levels of command (2006)).

¹²⁴ Kyrgyzstan, Malaysia, Netherlands, Norway, Romania.

¹²⁵ Albania, Australia, Austria, Belarus, Bulgaria, Democratic Republic of the Congo, Ecuador, Egypt, Estonia, Fiji, Finland, Kazakhstan, Papua New Guinea, Philippines, Poland, Senegal, Slovenia, Sweden (stocks held by Swedish National Coast Guard are reviewed annually (2008)), Thailand, Turkey, Zimbabwe (stocks held by police and the army are reviewed monthly at station level and checked once annually at the national level (2008)).

¹²⁶ Albania, Costa Rica, Czech Republic, Germany, Italy, Moldova, Solomon Islands, South Korea.

¹²⁷ 2008.

¹²⁸ 2008.

be conducted without advance notice by safety teams under the command of brigade or division commanders, and all commanders must conduct a daily review of the status of stocks held by their units.¹²⁹

Although some states provided data on their calculated surplus and destruction activities (discussed below in the section on surplus disposal), no state has provided information or data on its state-held stockpiles. This is not surprising as the PoA does not expressly encourage states to report on the quantity of their national stockpiles. However, it is an opportunity to build confidence through transparency, particularly in a regional context, and states could avail themselves of the PoA reporting structure in this respect.

Staff training

Staff training as a subcategory of stockpile management and security was addressed by 21 states. Several specifically mentioned that there was training in the context of stockpile management and security, but did not elaborate on the nature or content of the training.¹³⁰ Some states did specify that they provided training to personnel for emergencies,¹³¹ on methods of storing weapons,¹³² on guarding weapons¹³³ and inventory management.¹³⁴ Several states specifically mentioned that they did not have specialist training on stockpile management and security,¹³⁵ or that such training had not yet commenced,¹³⁶ while others noted that they required training in this area.¹³⁷ In many instances, the types of specific training mentioned reflected those suggested in the OSCE Handbook of Best Practices on Small Arms, including inventory management, record-keeping and special training for emergency situations.

¹²⁹ 2006, 2008.

¹³⁰ Benin, China, France, Iran, Italy, Kazakhstan (education and legal training), Nigeria (to improve control and management skills), Poland, São Tomé and Príncipe, Senegal.

¹³¹ Czech Republic, the former Yugoslav Republic of Macedonia, Italy, Sweden, Turkey.

¹³² Egypt, Indonesia, Yemen.

¹³³ Belarus, Belgium, Egypt, Italy, Moldova.

¹³⁴ Italy, Netherlands, Sweden, Tajikistan, Tanzania, Turkey, Yemen.

¹³⁵ Algeria.

¹³⁶ Uganda.

¹³⁷ Niger, Yemen.

Security, accounting and control of small arms held or transported by operational units or authorized personnel

The provision of paragraph II.17 that calls for “security, accounting and control of small arms and light weapons held or transported by operational units or authorized personnel” serves as an acknowledgement of the mobile nature of state weapons, which are frequently deployed for operations, transferred between units, sent to central depots for repairs, and so forth. Only 13 states specifically mentioned standards or practices relating to the security of SALW held or transported by personnel. Some of the measures mentioned in this context included:

- monitoring of transfers within and between units;¹³⁸
- planning transport routes in advance and keeping them confidential;¹³⁹
- ensuring that transported arms are accompanied by armed escorts;¹⁴⁰
- disabling weapons during transport;¹⁴¹ and
- transporting SALW and ammunition separately.¹⁴²

Again, many of the specific measures identified by states reflect the OSCE Handbook of Best Practices on Small Arms, which recommends that transports carrying small arms should be accompanied by cargo documentation, that take-over protocols requiring signatures upon receipt of the arms should be in place, that weapons should be disabled, and that SALW and related ammunition should be transported separately.

Several states noted that police officers are not permitted to store firearms outside the police station (they only have access during duty periods)¹⁴³ or that army personnel have to deposit their firearms when they are not on duty.¹⁴⁴ This is an important measure, since when stocks are left in the control and possession of personnel, then any physical security and

¹³⁸ Benin, Bulgaria, Italy, Russia and Sierra Leone, Syria.

¹³⁹ Czech Republic, the former Yugoslav Republic of Macedonia, Italy, Poland.

¹⁴⁰ Belarus, Czech Republic, the former Yugoslav Republic of Macedonia, Italy, Kazakhstan, Moldova, Philippines, Poland, Portugal.

¹⁴¹ Italy.

¹⁴² Czech Republic, Italy, Moldova, Turkey.

¹⁴³ Australia, Costa Rica, New Zealand, Senegal.

¹⁴⁴ Colombia, Syria.

access control measures in place at armouries do not apply to individually held military weapons, thus increasing the risk of diversion (albeit on a small scale). In contrast, Switzerland reports that army personnel keep their personal firearms as private property once they have completed their compulsory military service, although a law introduced in 2003 ensures that the police and Cantonal Military Administration carry out a background check of anyone who applies to keep their firearm.¹⁴⁵

Procedures and sanctions in the event of theft or loss

Small arms are particularly susceptible to theft and loss from state stockpiles because, unlike other larger military equipment, small arms are relatively concealable and portable, and are widely distributed through security forces.¹⁴⁶ Thirty-six states have mentioned that there are procedures in place in the event of theft or loss of small arms from stockpiles or personnel. For example, Costa Rica (2003) stated that police officers must report lost or stolen weapons to the Armaments Directorate within 24 hours and that an administrative dossier remains open until the weapon is recovered, even if disciplinary action has been taken. Data on lost or stolen weapons is transmitted to the Arms and Explosives Control Department, so if someone tries to register such a weapon it can be seized. Most states, however, do not elaborate on procedures beyond noting that losses or thefts are reported to a relevant ministry or department.¹⁴⁷ Several states mention that there are disciplinary and administrative responses to breaches of security¹⁴⁸ in the context of stockpile management, and several note the presence of sanctions for failure to meet storage requirements.¹⁴⁹

Some states confirmed that loss or theft from stockpiles can constitute a criminal offence under civilian law¹⁵⁰ and that prosecutions have taken

¹⁴⁵ 2005.

¹⁴⁶ Small Arms Survey, *Small Survey 2008: Risk and Resilience*, 2008, chp. 2.

¹⁴⁷ For example, Greece reports that “all lost/stolen small arms and light weapons are registered in the National Information Schengen System” (2003).

¹⁴⁸ Belarus, Canada, France, New Zealand, Russia.

¹⁴⁹ Australia, the former Yugoslav Republic of Macedonia, Indonesia, Solomon Islands (disciplinary action for individuals found in breach of instructions on security of weapons (2003)).

¹⁵⁰ Armenia, Czech Republic, Italy, Kazakhstan, Moldova, Poland, Portugal, Russia, Sweden.

place.¹⁵¹ However, only a handful provided details of the sanctions that can be imposed in the event of theft or loss, including fines, restriction of freedom, detention or imprisonment¹⁵²—even the death penalty.¹⁵³ Other states assert that no thefts or losses from stockpiles have occurred,¹⁵⁴ or are rare¹⁵⁵ or in decline.¹⁵⁶ Sri Lanka, for example, stated that no proper records for assessing the level of arms that have been lost or stolen currently exist, and that one of the aims of the National Commission is to help track down arms held by deserters from the armed forces, criminals, private security agencies and arms issued by the state some years ago to politicians.

REGIONAL LEVEL

REGIONAL MECHANISMS FOR STOCKPILE MANAGEMENT AND SECURITY

Paragraph III.29 of the PoA encourages states to promote safe, effective stockpile management and security and to implement regional and subregional mechanisms in this regard. Most of the activity that relates to this commitment involves the development of regional best practices and the holding of regional seminars and workshops on the issue of stockpile management and security. Examples of regional mechanisms for stockpile management reported on by states in each region are provided below.

Africa

Uganda noted that the Guidelines on Best Practices in Stockpile Management, which form part of the Guidelines for Best Practices for

¹⁵¹ Czech Republic, Israel.

¹⁵² For example Armenia, Poland, Turkey.

¹⁵³ Uganda (maximum sentence for misuse of war materials or for failure to protect war materials is the death penalty (2005)).

¹⁵⁴ Serbia (“No attempt at violation of safekeeping regulations or theft has been registered so far, which provides eloquent evidence of the level of security maintained” (2005)) and Syria (“Syria has no problems with regard to surplus of small arms and light weapons, theft of military weapons, lack of safety at ammunition depots” (2007)).

¹⁵⁵ Italy (losses or thefts of weapons from military installations are extremely infrequent and are statistically irrelevant (2003)).

¹⁵⁶ Russia (reported in 2003 that the figures for lost or stolen service weapons was: 86 in 1991; 7 in 2000; 5 in 2001 and no cases in 2002 (2003)).

the implementation of the Nairobi Protocol, were adopted at the Third Ministerial Review Conference of the States of the Nairobi Declaration that took place in June 2005 and also noted it has incorporated these into its national guidelines and legislation.¹⁵⁷

Americas

A meeting on firearms control was held in April 2003 in Managua, Nicaragua, sponsored by the Inter-American Drug Abuse Control Commission. During the meeting, proposals were put forward for updating the “Model Regulations on the security of the storage of firearms”.¹⁵⁸

Asia and Oceania

Several workshops on stockpile management and security have been held in the Asia–Pacific region. For example, Australia and Thailand co-hosted an Association of Southeast Asian Nations workshop on stockpile management and security of SALW in Bangkok on 11–13 October 2006.¹⁵⁹ Other such workshops on small arms were held in Phnom Penh, Cambodia, on 22–25 June 2007 and 13–14 December 2007, with the objective of guiding and exchanging views on effective management of small arms storage and to strengthen regional cooperation.¹⁶⁰ India reported that an Indian Army officer gave a presentation on stockpile security and surplus reduction at the workshop in December 2007.¹⁶¹

The Philippines reported that it has signed a memorandum of understanding with Indonesia on cooperation in combating the illicit trade in small arms, which contemplates the exchange of visits of officials and experts from relevant agencies and the establishment of measures to improve a number of elements including stockpiling.¹⁶² South Korea reported that the Korean National Police Agency has been strengthening cooperation with Japan and China in the area of safety management of firearms as part of its annual

¹⁵⁷ Uganda (2005, 2006).

¹⁵⁸ Ecuador (2003).

¹⁵⁹ Australia (2007), Japan (2007), Thailand (2008).

¹⁶⁰ Cambodia (2008).

¹⁶¹ 2008.

¹⁶² Philippines (2005).

bilateral working-level meetings with its respective counterparts in Japan and China.¹⁶³

Europe

In this context, the following OSCE states reported supporting and contributing to the development of the 2003 OSCE Best Practice Guide on National Procedures for Stockpile Management and Security: Switzerland, the United Kingdom and the United States.¹⁶⁴

An OSCE workshop on “The implications of Technical, Managerial and Financial issues on existing and planned OSCE projects on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition” was held in Vienna on 5–6 February 2008.¹⁶⁵ NATO held a course on arms control implementation in Oberammergau, Germany, including workshops dealing with standards of storage and control of small arms and munitions warehouses.¹⁶⁶ During its EU presidency in the first half of 2007, Germany organized an international meeting of experts on “Enhancing controls and promoting reductions in stockpiles of conventional arms and ammunition” in Berlin on 3–4 April 2007.

COOPERATION AND ASSISTANCE

ASSISTANCE FOR BUILDING CAPACITIES FOR STOCKPILE MANAGEMENT AND SECURITY

Paragraph III.6 of the PoA encourages states to consider assisting interested states, upon request, in building capacities in areas including stockpile management and security. States reported on a range of assistance provided for building capacities in this area, including seminars, assessment missions, programme development and financial and technical assistance. Assistance

¹⁶³ South Korea (2006).

¹⁶⁴ Turkey reported that it contributed to the OSCE Best Practices Handbook, but did not specifically mention the section on stockpile management and security.

¹⁶⁵ Italy (2008), Turkey (2008).

¹⁶⁶ Poland (2008).

for stockpile management and security in the form of training is addressed below.

Assistance provided

See Annex E for an overview of the assistance provided by states in each region from 2002 to 2008, as described in their national reports.

Assistance received

Africa

Uganda reported (2005, 2006) receiving ongoing assistance from civil society. SaferAfrica, Saferworld and the Security Research and Information Center have assisted the National Focal Point in stockpile management and security. Uganda also reported (2006) the development of a pilot project to improve safe storage of police weapons with financial assistance from Germany.

Americas

In 2004, Argentina reported renovating weapons storage facilities of the law enforcement and judicial authorities of the Mendoza province with the assistance of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.

In 2006, Peru reported that ODA, via the Regional Centre, developed a series of activities at the national level in regards to the PoA while also providing technical and financial assistance to Peruvian activities, including in the areas of the security and management of stockpiles and the improvement of information systems. Peru also reported receiving technical and financial assistance from the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean for stockpile management in 2008.

Asia

In 2008, Cambodia reported receiving assistance from Germany, through its Integrated Project on SALW Control and Improved Safe Storage of Ammunition, for activities related to the implementation of the PoA.

Cambodia also reported (2004) receiving assistance from the EU Assistance on Curbing Small Arms and Light Weapons and the Japanese Assistance Team for Small Arms Management, to tackle small arms problems, including the registration and safe storage of weapons.

Europe

In 2008, Bosnia and Herzegovina reported on the assistance received from the EU forces stationed there. This included the ad hoc inspection of the storage locations of the armed forces. It also reported that various members of the international community (including NATO, the OSCE and the United Nations Development Programme) are involved in the monitoring of their safety measures.

Oceania

In 2004, Fiji reported that it relies on specialist training on SALW stockpile management provided by Australia, New Zealand, Japan and the United States. Such training has been requested through the Pacific Islands Forum or bilateral or multilateral arrangements.

In 2003, the Solomon Islands reported ongoing collaboration with Australia and New Zealand, including in the area of accounting procedures, physical security and disposal of both weapons and ammunition.

Assistance requested

See Annex F for an overview of assistance requested by states for stockpile management and security in their reports from 2002 to 2008.

ASSISTANCE FOR TRAINING ON STOCKPILE MANAGEMENT AND SECURITY

Paragraph III.8 of the PoA stipulates that regional and international programmes for specialist training on small arms stockpile management and security should be developed. A number of states reported that they provide training on stockpile management and security generally.¹⁶⁷ Several states

¹⁶⁷ Canada, Sweden, Switzerland, United Kingdom.

gave specific examples of the regions and types of training on stockpile management they have provided.¹⁶⁸

With respect to assistance received in this area, Fiji reported that it relies on specialist training on stockpile management in states such as Australia, Japan, New Zealand and the United States.¹⁶⁹ The Philippines reported that it participates in UN and regionally sponsored technical trainings and programmes regarding stockpile management and security. Slovenia reported that members of the Ministry of Defence and the army have attended numerous OSCE and NATO/Euro-Atlantic Partnership Council courses abroad, covering topics such as storage, protection and destruction of potential surplus, and that knowledge acquired at such courses is transferred to those conducting such activities through various forms of military expert training.¹⁷⁰ The Solomon Islands reported in 2003 that technical assistance and training offered by Australia and New Zealand in August 2001, resulting in the establishment of the Law and Justice Program, has “led to significant progress in the areas of small arms accounting procedures, physical security, and disposal of both weapons and munitions”.¹⁷¹

CONCLUSION

The level of detailed information provided by states in their national reports on the measures taken to ensure they have “adequate and detailed standards and procedures relating to stockpile management and security” in accordance with paragraph II.17 varies enormously, with some states merely asserting they have adequate provisions in place, and others giving extensive descriptions of specific practices. This, coupled with the fact

¹⁶⁸ Australia (training has been conducted to encourage Pacific countries to implement better stockpile management practices and advice has been provided on how to improve the physical security of a number of armouries (2003)), New Zealand (reported that 10 police officers had taken up training and advisory roles in the Solomon Islands, and that it conducted refresher courses on armoury security in the Pacific where required (2003)), Germany (reports that, as part of its cooperation with the League of Arab States, in September 2006, Germany organized a two-day training course on stockpile management and security in Tunisia (2008)).

¹⁶⁹ Fiji (2004).

¹⁷⁰ Slovenia (2003).

¹⁷¹ Solomon Islands (2003).

that there are no agreed global standards or best practices for stockpile management associated with the PoA, makes it impossible to assess the extent to which reporting states have established adequate stockpile management and security measures. On the other hand, at the Biennial Meeting, states were invited to “enhance cooperation and the exchange of information and national experiences in the area of stockpile management” with a view, among others, of identifying “lessons learned” and of developing practical guidelines in this area.¹⁷²

Some states assert that the fact that they have not experienced thefts or losses from their state-held stockpiles confirms that their stockpile and security measures are adequate. If states have an effective system of accounting, monitoring and surveillance, which would in fact detect loss or theft, then the absence of thefts or loss could constitute a good means of measuring the impact or effectiveness of stockpile management and security measures.

What is clear from the national reports, however, is that those states that are affiliated to regional or multinational organizations (such as the OSCE, where best practices have been established in this area) tend to provide more detailed information on their stockpile measures and this provides a good illustration of the role regional mechanisms have for promoting PoA implementation.

With respect to cooperation and assistance in this area, national reports provide an important opportunity for states to request assistance. For states providing assistance, national reports provide a means to not only showcase their activities, but to identify the areas of expertise and best practices they may share internationally. This should alert states that need assistance to the states that have relevant expertise (and demonstrated interest) in assisting with specific stockpile issues. Conversely, where states make requests for specific types of assistance—such as computer equipment—this should alert states in a position to give assistance to the specific needs of these states.

¹⁷² General Assembly, *Report of the 3rd Biennial Meeting of States to Consider 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*, UN document A/CONF.192/BMS/2008/3, 20 August 2008, para. 27(c).

RECOMMENDATIONS

- As a first step to improving stockpile management and security, states should review relevant national practices to ensure that they address all the elements for stockpile management and security reflected in the PoA.
- States should develop and establish best practices on stockpile management and security at the regional and global level. States are encouraged to participate and share their experiences and best practices during the consultations that will take place as part of the development of the UN International Small Arms Control Standards.
- States are encouraged to provide detailed information on stockpile management and security measures they have adopted, as well as problems and challenges they have faced. For example, information on thefts and losses and how these have been overcome, and other information that demonstrates the impact that measures taken to overcome problems have had on stockpile management and security.
- States should provide as much detail as possible on the cooperation and assistance they have provided, received or requested to enable other states to identify areas where specific expertise is available or needed. States should not view their reporting on this subject as simply a means to give an overview of assistance activities that have taken place, but as a source for identifying future activities.

SURPLUS DISPOSAL

Under paragraph II.18 of the PoA, states undertake to regularly review their stockpiles and ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified. Once surplus stocks have been identified, paragraph II.18 envisages the following additional steps:

- establishment of programmes for responsible disposal (preferably destruction);
- implementation of such programmes; and
- safeguarding of stocks designated for disposal.

While emphasizing the importance of responsible disposal, paragraph II.18 indicates that destruction is the preferred means of disposal. Paragraph II.19 further specifies that when destroying surplus SALW, states are to take into account the report of the UN Secretary-General on methods of destruction of small arms and light weapons, ammunition and explosives.¹⁷³ Finally, paragraph II.20 encourages states to carry out public destruction of surplus, where appropriate.

Surplus disposal is frequently addressed by states in national reports. At least 110 of the 148 states (74%) that have submitted national reports have included surplus disposal in one or more of their reports. Some states assert that they do not have surplus stocks or a problem with surplus,¹⁷⁴ while others note that they have not calculated their surplus¹⁷⁵ (either because they do not have the capacity to do so, or because the level of reserve troops makes this difficult) or have not adopted a programme on surplus destruction,¹⁷⁶ and so there has been little or no activity in this area. Several states mention that they are in the process of developing a system to identify and calculate surplus.¹⁷⁷ The information provided by states that do have surplus stocks and have implemented related activities has been classified in accordance with the commitments identified under the PoA and is discussed below.

¹⁷³ Security Council, *Report of the Secretary-General, Methods of destruction of small arms, light weapons, ammunition and explosives*, UN document S/2000/1092, 15 November 2000.

¹⁷⁴ Benin, Cuba, Democratic Republic of the Congo, Ecuador, the former Yugoslav Republic of Macedonia (reports that it is reforming military and police as part of the process of NATO integration and that a calculation of surplus weapons will occur, but that it “does not possess at the very moment” (2006)), Iraq, Japan (2008), Kenya, Kyrgyzstan, Niger, Senegal, South Korea, Syria, Turkey, Viet Nam (notes the quantity of weapons it has is enough to equip its forces, but not superfluous, therefore questions of destruction activities relate to the destruction of broken or un-repairable weapons (2006)), Zambia, Zimbabwe (2008).

¹⁷⁵ The former Yugoslav Republic of Macedonia, Serbia, Switzerland.

¹⁷⁶ Tajikistan.

¹⁷⁷ Bosnia and Herzegovina, Egypt, Ecuador, Mozambique, Namibia, Serbia, Tanzania, Uganda.

NATIONAL LEVEL

PROCEDURES TO REVIEW STOCKPILES

The implication in paragraph II.18 of the PoA is that states should review their stockpiles regularly to assess whether there is surplus. In many cases, as discussed above under “inventory management and accounting control”, states reported that they reviewed stocks regularly and provided specific timeframes for the conducting of reviews, but for the most part these reviews seem to involve a counting or verification of inventory to ensure stocks are not missing, and very few states specifically mentioned that an assessment of surplus takes place as part of these reviews.

Some states did specify that an assessment of surplus was made as part of a stockpile review. For instance, Australia, Bulgaria, Malaysia and Russia noted that they “regularly” review holdings to ensure timely identification and disposal of surplus; Zimbabwe reported that surplus small arms are identified whenever monthly returns are submitted, where each and every department accounts for all weapons in their armouries;¹⁷⁸ Gambia and Slovakia reported that they hold quarterly reviews to assess surplus; and Viet Nam reported that it reviews stocks annually to identify weapons for destruction.

PROCEDURES TO IDENTIFY SURPLUS

In addition to encouraging states to review their stockpiles regularly, paragraph II.18 of the PoA encourages states to “ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified”. In their national reports, states have interpreted this commitment in two different ways. Most states have assumed that the clause imposes an obligation on states to establish procedures or criteria for identifying which stocks are surplus to requirements, and so they include details such as which government department decides what constitutes surplus and what criteria are considered in making the decision.

A few states, however, have interpreted the clause as meaning that once they have decided which stocks are surplus to requirements, states should identify these weapons clearly in order to distinguish them from other

¹⁷⁸ 2005.

non-surplus stocks. In their national reports, these states provide details of the means of marking or separating surplus weapons to distinguish them from other stocks. For example, Austria (2006, 2008) noted that “stocks identified as surplus are being given a stock number different from those weapons in use”. Three states responded to this issue by providing details of how they mark and identify state-held weapons generally, but did not mention surplus in particular.¹⁷⁹

Who is responsible for determining/identifying surplus?

Most states that provide details on the methods or process for surplus identification report that a particular ministry (usually the Ministry of Defence) or department is responsible for making the decision as to whether there is surplus.¹⁸⁰ Côte d’Ivoire reported that the identification of surplus is the responsibility of the National Commission on small arms and the Marshall Islands reported that surplus is identified during the annual audit of the Office of the Police Commissioner conducted by the Auditor General.¹⁸¹

How is surplus determined/identified?

The PoA does not elaborate on how surplus is or should be defined, and so states are left to make their own determination. While many states provided information on who is responsible for determining the existence of surplus,

¹⁷⁹ Philippines, Solomon Islands, South Korea.

¹⁸⁰ Australia (Department of Defence (2002)), Austria (Federal Minister for Defence with the Federal Minister for Finance (2006)), Bosnia and Herzegovina (Ministry of Defence declares the surplus, and the Bosnia and Herzegovina Presidency decides on the method of disposal (2008)), Bulgaria (Ministry of Defence (2008)), Canada (Department of National Defence (2003, 2006)), Croatia (Minister of Defence (2003)), Denmark (Danish Parliament (2005)), France (Ministry of Defence and Ministry of the Interior (2003, 2005)), Gambia (Department of State for Defence (2005)), Kazakhstan (Technical Commission attached to the Ministry of Defence (2005)), Norway (Defence Command Norway is authorized to define army surplus, and Police Procurement Service is authorized to identify surplus police stocks (2003)), Peru (Ministry of the Interior for police stocks, army/navy/air force for their respective stocks (2005, 2006)), Romania (Ministry of the Interior (2003)), Senegal (Direction du Service du Matériel des Armées (2005)), and Switzerland (Armed Forces Planning Staff (2005)).

¹⁸¹ 2005.

few states provided details of how this decision is made or what criteria are used to determine whether stocks are surplus.

What is surplus?

It is clear from national reports that states generally regard “surplus” stocks as those stocks that exceed the operational and reserve requirements of the state (although, again, no indication is given as to how states assess their requirements).

In addition, some states regard those weapons that are obsolete, outdated or unusable as surplus.¹⁸² So for instance, Norway and Sweden both reported that military reductions and restructuring as well as technological change are normally used as criteria for defining surplus stocks.¹⁸³ Germany also noted (2008) that “modernization” of weapons is a factor in determining surplus. The examples of Norway and Sweden reflect the recommendation in the OSCE Handbook of Best Practices on Small Arms that assessments of the security situation and operational needs be taken into account in determining surpluses, in addition to reacting to technological changes.

¹⁸² Cuba (weapons in poor condition (2003)), Ecuador (damaged or dangerous weapons (2003)), Georgia (talks about taking unserviceable or “lost end items and ammunition” off the register (2005)), Hungary (police arms and ammunition that have been classified as obsolete or unserviceable are earmarked for destruction (2003)), India (“obsolete or unserviceable” small arms are earmarked for destruction (2003)), Japan (small arms “beyond repair” are also disposed (2008)), Lithuania (weapons unsuitable for use may be considered as surplus weapons (2003)), Malaysia (“ineffective” stocks are disposed of (2008)), Mozambique (“obsolete” firearms may be destroyed or transformed (2008)), Russia (weapons are also destroyed if they are unfit for further use (2003)), Serbia (outdated arms and equipment, as well as those unlikely to be used, are considered surpluses (2005)) and Viet Nam (talks about “un-repairable” weapons being destroyed as part of annual review (2006)).

¹⁸³ Norway (technological changes and military reductions/structural reform are normally used as criteria for defining surplus stocks in the Armed Forces, while end of lifetime and technological changes are the most common reasons for defining surplus stocks in the Police Force (2003, 2004)); Sweden (the main criteria for identifying surplus SALW in Sweden have been the restructuring of the armed forces and military reductions. Technological changes are the most common criteria when defining surplus weapons within the Police (2003, 2005)).

Finally, many states included in their response to the question of how they identify and destroy state-held surplus stocks measures to destroy weapons that are collected or seized from ex-combatants during disarmament, demobilization and reintegration programmes, civilians during weapons amnesties and weapons for development programmes and other illicit weapons seized from criminal gangs. Part of the reason for this may be that weapons collected or seized are taken into custody and become part of the arsenal of the state.¹⁸⁴ For the purpose of this report, such stocks and the destruction measures associated with them have not been included in the analysis of surplus disposal for two reasons.

First, the PoA makes a distinction between “surplus” small arms and “confiscated, seized or collected” small arms and advocates different procedures of disposal for each. In the context of confiscated small arms, paragraph II.17 of the PoA stipulates that states should ensure that all such weapons “are destroyed, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered”. In other words, the presumption in favour of destruction is even stronger than in the context of surplus, and another form of disposal can take place if the weapons have been duly marked and registered. Paragraph II.18, on the other hand, stipulates that “programmes for disposal, preferably through destruction” should be established and the stocks should be “adequately safeguarded until disposal”. There is no requirement that surplus stocks be marked and registered prior to disposal.

Second, if confiscated, collected or seized weapons are automatically designated as “surplus”, then the process for reviewing stocks and identifying surplus is bypassed and states need not assess whether they are surplus to state requirements. If they are absorbed into state arsenals and are used by state forces, then this constitutes a form of disposal of a collected weapon. They may eventually become surplus following use, but their presence in state armouries prior to immediate destruction does not qualify them as “surplus” in the sense intended by the PoA.

¹⁸⁴ Another reason states may have defined collected or confiscated weapons as surplus is because the section in the reporting template dealing with surplus is titled “collection and disposal”. This may have caused some confusion, and it is recommended that this title be amended as part of the updating of the reporting template.

Figures on estimated surplus and destruction

The following are some examples of surplus assessment and destruction activities reported by states from 2002 and 2008. These only reflect activities reported by states specifically involving the destruction of surplus rather than collected or seized weapons.

Bosnia and Herzegovina. In 2008, Bosnia and Herzegovina reported that its estimated military surplus was approximately 100,000 SALW and 21,000 tonnes of ammunition, and that it had destroyed with the help of the United Nations Development Programme a total of 95,000 SALW and over 3,000 tonnes of unstable and surplus ammunition.

Bulgaria. In 2008, Bulgaria declared a total of 46,577 small arms and 1,194,803 items of ammunition surplus, and provided a detailed breakdown of the small arms and ammunition so identified. The report also notes that during the 2007 reporting period, 928 small arms and 36,000 items of ammunition were destroyed by the armed forces.

Chile. In 2005 and 2006, Chile reported it had destroyed 7,856 weapons over the preceding few years.

Croatia. In 2008, Croatia reported that it intended to destroy 25,000 SALW commencing in January 2008, and that at the time of reporting, it had destroyed 7,538 various pistols, rifles, machine guns, mortars and recoilless canons.

Canada. In 2003, Canada reported that the Royal Canadian Mounted Police destroyed over 20,000 surplus revolvers as part of a small arms replacement programme.

Ethiopia. In 2008, Ethiopia reported that it destroyed over 20,000 surplus SALW from national police stocks from May 2006 to February 2007.

Germany. In 2008, Germany reported that from 1990 to 2007 it had destroyed 2,155,892 SALW and provided a detailed breakdown of the types of weapons destroyed.

Greece. In 2004, Greece reported that in 2001, 339 SALW were deemed to be surplus and were destroyed, and that in 2002, 231 SALW were deemed to be surplus and were destroyed.

Italy. According to reports submitted in 2006, 2007 and 2008, the Italian armed forces destroyed a total of 37,371 SALW in 2005, 140,088 in 2006 and 169,925 in 2007 (a detailed breakdown of types of weapons destroyed was provided).

Mozambique. In 2005, Mozambique reported that, during 2002 and 2003, a total of 77,417 firearms, 9,911 items of ammunition and 500 antipersonnel landmines were destroyed. These items were identified as "obsolete" weapons.

New Zealand. In 2007, New Zealand reported that police destroyed its surplus stock of 750 rifles as part of a rifle replacement programme.

Russia. In 2005 and 2007, Russia reported that it was establishing a special federal programme on industrial recycling of weapons and military equipment, which would include an upgrade of methods and procedures for effective destruction. The programme was due to take place from 2005 to 2010 at a cost of RUB 11 billion. There was no mention of foreign assistance being provided for this programme, although Russia had reported in 2003 that it was contemplating requesting foreign assistance.

South Africa. In 2005, South Africa reported that from July 2003 to 2005 the South African Police Service had destroyed 202,796 firearms, which were either seized during crime operations or which were in the possession of the state and found to be redundant or obsolete.

Uganda. In 2006, Uganda reported that it destroyed over 50,000 SALW, including surplus, in May 2006 following the public destruction of 3,000 SALW on 26 September 2005, as one of the activities to mark the launching of the National Action Plan. It also reported that preparations were underway to destroy over 300 tonnes of redundant, seized and obsolete ammunition and explosives in state possession. In 2008, Uganda reported that 400 tonnes of obsolete military ammunition were destroyed with the assistance from the South African Army in November 2007 and that a further 260 tonnes were pending destruction in 2008.

DESTRUCTION OF SURPLUS

Destruction methods

As noted, paragraph II.19 of the PoA provides that states should take into account the report of the UN Secretary-General on methods of destruction of small arms, light weapons, ammunition and explosives.¹⁸⁵ The report recommended several methods differing in effectiveness, cost, environmental impact, mobility and the recycling possibilities of the resulting scrap.¹⁸⁶

Some states made specific reference to the report. For example, Fiji noted (2004) that in implementing destruction methods involving dumping at sea, “the necessary regulations will cover those requirements mentioned in paragraph 28 of the report of the UN Secretary-General”. Russia noted (2003) that it expressly considered the report in establishing its destruction programmes: “The report of the Secretary-General ... was carefully studied in the Russian Federation. A comparative analysis of various methods for the recycling of small arms and light weapons was carried out”.

¹⁸⁵ Security Council, *Report of the Secretary-General, Methods of destruction of small arms, light weapons, ammunition and explosives*, UN document S/2000/1092, 15 November 2000.

¹⁸⁶ The report advocates seven methods of destruction of small arms and light weapons: 1. Burning in the form of open-pit burning or melting in foundries/blast furnaces; 2. Open-pit detonation; 3. Cutting, which can be done in different ways ranging from oxyacetylene cutting, oxygasoline cutting, plasma cutting and hydraulic shears cutting to “lower-tech” methods such as the use of hack and bench saws; 4. Bending/crushing as a method which can either be carried out by hydraulic presses or by heavy vehicles; 5. Shredding for which a large and mobile shredder is required; 6. Dumping at sea; and 7. Burial on land. *Ibid.*, paras. 20–33.

States listed one or more of the following methods of destruction in their national reports: melting;¹⁸⁷ smelting,¹⁸⁸ mechanical shredding¹⁸⁹ or using metal demolition devices;¹⁹⁰ crushing;¹⁹¹ cutting¹⁹² and milling,¹⁹³ burning;¹⁹⁴ dumping at sea;¹⁹⁵ permanently disabling the weapon;¹⁹⁶ total deactivation;¹⁹⁷ dismantling¹⁹⁸ or rendering harmless by boring a hole

¹⁸⁷ Argentina, Armenia, Belgium, Bosnia and Herzegovina, Cyprus, Denmark, Dominican Republic, Egypt, Estonia, Finland, the former Yugoslav Republic of Macedonia, France, Honduras, Italy, Japan, Latvia, Lithuania, Luxembourg, Malaysia, Mozambique, Netherlands, Norway, Peru, Serbia, South Korea, Sweden, Uruguay, Zimbabwe.

¹⁸⁸ Australia, Belarus, Canada, Chile, Czech Republic, El Salvador, Ethiopia, Finland, Philippines, South Korea, Sweden (small weapons, like pistols and submachine guns, are destroyed by smelting (2003, 2008)), Thailand, Uganda, United States.

¹⁸⁹ Austria, Slovenia, South Korea, Sweden, Switzerland.

¹⁹⁰ Estonia.

¹⁹¹ Belarus, Bulgaria, Cyprus, Denmark, Egypt, Finland, France, Poland, Portugal, Romania, South Africa (reports that it uses the fragmentizer process, which is a mechanical process that crushes large quantities of firearms and cuts them into small scrap pieces (2003)), Turkey, United States, Zimbabwe.

¹⁹² Albania, Armenia, Bulgaria, Croatia, Cyprus, Denmark, El Salvador, France, Germany, Honduras, Israel, Italy, Japan, Kazakhstan, Liberia, Luxembourg, Niger, Norway, Papua New Guinea, Poland, Portugal, Romania, Senegal, Serbia, Solomon Islands, South Korea, United States.

¹⁹³ Norway.

¹⁹⁴ Ethiopia, Kazakhstan, Liberia, Niger, Philippines, Poland, Solomon Islands, Zambia.

¹⁹⁵ Fiji, Marshall Islands, Papua New Guinea, Peru, Solomon Islands, Senegal, Sri Lanka (method commonly resorted to until 2005), United States.

¹⁹⁶ Finland.

¹⁹⁷ Greece.

¹⁹⁸ Belarus, Egypt (weapons surplus to requirements are broken up and any distinguishing marks removed before the steel is re-used for other purposes (2003, 2005, 2006)), Japan, Poland (wooden elements are separated, rendered useless and designed as firewood (2002, 2003, 2005, 2008)), Senegal, Serbia (separation of metal from wooden parts, as well as those made of plastic or canvas (2004)).

in the barrel;¹⁹⁹ converting to scrap metal;²⁰⁰ bending;²⁰¹ splitting;²⁰² or detonation.²⁰³

In summary, states that reported on their destruction methods for SALW were adopting one or more of the methods advocated in the Secretary-General's report, with the majority preferring burning or cutting, and none mentioning burial on land other than Senegal, which noted (2005, 2007) that after the cutting process the pieces are locked in sealed containers which are placed 400m under ground, and the Solomon Islands, which stated (2004) that after weapons are cut up they are buried in monuments.

Ammunition destruction

Twenty-six states reported on the destruction of ammunition. Some of these noted that legislation covering the issue was in place, or provided details of surplus destruction activities that have taken place. Although destruction techniques used to dispose of ammunition were less frequently mentioned than those for small arms destruction, one or more of the following methods were specifically noted by states: detonation, explosion, burning or incineration.²⁰⁴ In summary, states that reported on their destruction methods for ammunition were adopting one or more of the methods advocated in the Secretary-General's report, except for chemical neutralization and burial on land.²⁰⁵

¹⁹⁹ Iceland, Latvia.

²⁰⁰ Ukraine, Russia (they are converted into scrap metal by means of heating in a furnace and then completely reshaped into metallic strips under a press; if necessary, before heating, they are broken into pieces (2008)).

²⁰¹ Croatia, Italy.

²⁰² Italy.

²⁰³ Cyprus, Nicaragua, Serbia.

²⁰⁴ Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Japan, Kazakhstan, Lithuania, Peru.

²⁰⁵ The report recommends the following five methods of ammunition destruction:
1. Detonation in an open-pit or a contained space such as a tunnel or a cave;
2. Burning in an open-pit or a contained space such as a specially designed oven or furnace; 3. Chemical neutralization to transform the material to an inert state; 4. Burial on land; and 5. Firing.

PROGRAMMES FOR OTHER FORMS OF SURPLUS DISPOSAL

Paragraph II.18 of the PoA provides that states should establish programmes for responsible disposal, preferably destruction. Indeed this presumption in favour of destruction is reflected in other regional arrangements on the issue such as the OSCE Document on Small Arms and Light Weapons and the associated Handbook of Best Practices on Small Arms, and the European Council Joint Action 2002/589/CFSP.

In their reports, several states asserted that destruction is the only (or virtually the only) method used for disposing of surplus weapons.²⁰⁶ In addition to the methods of destruction mentioned above, many states noted that they use the following forms of surplus disposal: sale to another state,²⁰⁷ donation,²⁰⁸ transfer to approved public agencies,²⁰⁹ use in education and training, including donation to museums,²¹⁰ or some other form of commercialization.²¹¹ The Czech Republic reported (2004, 2005, 2006, 2007) that it permits surplus to be transferred to civilian hands: “Surplus arms held by the Czech Republic Police may be transferred in accordance with Act No. 219/2000 to natural persons or legal entities authorised to acquire arms according to the Arms Act. Transferred arms must be marked

²⁰⁶ For example Lithuania (such stocks are destroyed. For unsuitable weapons national legislation does not provide any other way of disposal (2003), New Zealand (the policy is to hold a small number of obsolete weapons for museum or training purposes, and all other surplus/obsolete weapons are destroyed (2004, 2005, 2007, 2008)), Norway (SALW that are confiscated, seized or collected will be destroyed except for a limited number that may be kept by the police centrally for training and technical purposes (2006, 2007, 2008)), Papua New Guinea, Slovenia (as a rule, the Ministry of Defence destroys weapons that are no longer necessary or are superfluous (2005)), South Africa (“The South African Government position is that all surplus, redundant, obsolete and confiscated small arms of a calibre below 12,7 mm should be destroyed in order to prevent these from ending up in the illicit small arms trade.” (2005)), Sweden, Zimbabwe.

²⁰⁷ Australia, Canada, Croatia, Czech Republic, Egypt, Finland, the former Yugoslav Republic of Macedonia, Germany (to NATO countries (2008)), Israel, Portugal, Russia, Sri Lanka.

²⁰⁸ Czech Republic, Egypt, Estonia, Finland.

²⁰⁹ Canada, Romania.

²¹⁰ Austria, Argentina, Canada, Fiji, France, Germany, New Zealand, Norway.

²¹¹ Portugal, Serbia.

with a recognized proof mark and their movements duly recorded according to the Arms Act”.

SAFEGUARDING OF STOCKS DESIGNATED FOR DISPOSAL

Under paragraph II.18, states undertake to ensure that stocks declared surplus and designated for destruction are adequately safeguarded until destruction. States provided the following as examples of measures adopted to safeguard surplus stocks prior to disposal: the recording of all serial numbers,²¹² ensuring small arms are under constant guard,²¹³ storing the surplus arms in depots or armouries²¹⁴ or otherwise storing them in the same manner as ordinary stocks,²¹⁵ keeping the arms in police custody,²¹⁶ ensuring proper records and keeping procedures are in place,²¹⁷ dismantling the weapons and ensuring the main parts of the weapon can be destroyed in different time and place,²¹⁸ and ensuring the weapons are securely transported.²¹⁹

²¹² Australia.

²¹³ Austria, Belarus, Benin, Kenya, Zimbabwe.

²¹⁴ Austria, Belgium, Benin, Bosnia and Herzegovina, Estonia, Fiji, Georgia, Japan, Kenya, Papua New Guinea, Peru, Serbia, Togo, Uganda, Zimbabwe.

²¹⁵ Croatia, Denmark, Finland, the former Yugoslav Republic of Macedonia, Germany, Israel, Lithuania, Moldova, Norway, Romania, South Korea.

²¹⁶ Iceland, Marshall Islands.

²¹⁷ Germany (the disposal is documented in a protocol. After reduction or removal from active service, each weapon is written off the Federal Armed Forces' inventory records. The documentation is kept at the Federal Armed Forces Materiel Office (2008)), Tajikistan.

²¹⁸ Finland.

²¹⁹ Germany (SALW earmarked for reduction are transported in a convoy protected by escort vehicles. The armed escort squad carries the records on number, type and condition of the weapons with it. A security check is performed for each weapon at the Federal Armed Forces maintenance facilities (2008)), Poland (scrapped firearms are packed in crates and sealed by a commission and are guarded. The crates with the scrap are transported to a designated steel mill in covered railcars under convoy (2002)), Sweden (the normal routine is security transports to the place of destruction, control of weapons, surveillance, destruction, and finally reporting to the "LIFT C"-register (2008)).

PUBLIC DESTRUCTION OF SURPLUS

Paragraph II.20 of the PoA encourages states to develop programmes including the “public destruction of surplus weapons” as part of the effort to eradicate the illicit trade. Many states provided information on public destruction that formed part of disarmament, demobilization and reintegration programmes, amnesties or collection programmes for civilian weapons or included illicit weapons that had been seized or surrendered. However, very few specifically reported that they had publicly destroyed surplus. Argentina was one of the few states that reported the public destruction of firearms that included police surplus.²²⁰ And several states, including Russia and Turkey, noted that destruction of small arms is not done in public.

It is possible that this provision in the PoA on public destruction was not intended to be limited to state-held surplus in the strict sense, or that it was not intended to apply only to “surplus” weapons, but to all weapons confiscated, seized or collected in accordance with paragraph II.16. For the purposes of analysing the information provided by states under this PoA commitment, however, “surplus” has been defined as anything beyond the operational and reserve requirements of a state and, as discussed above, we have not included instances of public destruction activities relating to weapons collected or seized from non-state actors or individuals.

²²⁰ Argentina (the National Arms Registry has destroyed weapons publicly on two occasions at a steel mill on the outskirts of Buenos Aires; 3,131 firearms were destroyed on 13 September 2002 and 4,265 firearms were destroyed on 2 May 2003. The weapons destroyed included police surplus (2003, 2004)).

COOPERATION AND ASSISTANCE

ASSISTANCE FOR DESTRUCTION OF SURPLUS

Many states included information on assistance provided, assistance received and assistance requested in their national reports. More information was given by those that provide assistance in this area than those that receive or have requested it. A comprehensive overview of assistance activities reported by states since 2002 according to region follows.

Assistance provided

Africa

South Africa and Tanzania were the only states in Africa that reported providing assistance for surplus destruction to other states in the region. South Africa reported that the South African Police Services have provided assistance to Mozambique to destroy arms, ammunition and explosives through Operation Rachel; assisted the Swaziland Police with the destruction of obsolete firearms; and have trained members of the National Police of the Democratic Republic of the Congo to carry out operations similar to Operation Rachel. In addition, the South African Defence Force assisted Lesotho with the destruction of its surplus small arms stocks.

In 2008, Tanzania reported that it had conducted training exercises as part of Operation Mandume presenting the Southern African Regional Police Chiefs Cooperation Organization's Illegal Firearms and Cross Border Operation course to 26 members in Namibia in October 2007, and launching a Southern African Regional Police Chiefs Cooperation Organization Firearm Recovery and Destruction Operation within Namibia and Angola. Additionally, the government has been providing funds to train law enforcement officials to collect statistical data on the stockpiles of small arms in the state and to destroy and dispose of surrendered or seized small arms.

Americas

Canada, Nicaragua and the United States were the only states in the Americas that reported providing assistance for surplus destruction to other states. In terms of assistance within the region, Canada reported

that it contributed funds to develop a software application for use in the registration of destroyed weapons in cooperation with the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, and the assignment of technical experts to the Regional Centre to serve as technical advisors for firearms destruction missions in Argentina, Peru and Paraguay, which accomplished the destruction of over 10,000 illicit or surplus small arms. Canada also reported that, through the Organization of American States, it assisted Nicaragua to destroy surplus and obsolete munitions.

The United States reported in 2008 that, since 2001, it has destroyed over one million weapons and over 90 million rounds of associated ammunition of various calibres in 41 states and that, since 2003, the United States has destroyed over 26,000 man-portable air defence systems in 25 states. The United States also reported that it hosted an Experts Meeting on Confidence and Security Building Measures in February 2003, which issued a final declaration calling on states to identify and secure excess stocks and to define programmes for the destruction of such stocks and to invite international representatives to observe their destruction. It was also reported that in 2006, the United States provided a financial contribution to the Organization of American States fund established for arms collection and destruction efforts, as well as related training programmes. Nicaragua reported that it hosted a seminar in the region in May 2004 on the identification, collection, administration and destruction of small arms.

In the context of the OSCE, Canada reported contributing to the OSCE Voluntary Fund for destruction activities in Moldova, and both Canada and the United States reported their involvement in drafting the OSCE Best Practice Guide on small arms destruction for the OSCE Handbook of Best Practices on Small Arms. The United States also reported contributing to OSCE projects to destroy and secure small arms in Tajikistan. In the context of NATO, Canada reported contributing to the NATO Partnership for Peace Trust Fund for the destruction of ammunition in Albania, and small arms in Serbia and Montenegro. Both Canada and the United States reported on their contributions to the NATO Trust Fund Project to destroy surplus munitions, small arms and anti-aircraft systems in Ukraine.

Canada reported that, from January 2001 to March 2002, it supported the Canadian University Services Overseas project "Transforming Arms into Ploughshares" in Mozambique, which included a component on the

destruction of weapons. Additionally, Canada provided support to the Pearson Centre for Peace and Disarmament for work in North-West Africa to identify firearms and create a computer application capable of keeping track of and identifying all firearms prior to destruction. The United States also reported providing destruction assistance to Lesotho.

Asia

Japan and Turkey were the only states in Asia that reported providing assistance with surplus destruction to other states. The majority of Japan's assistance in this area has been given to Cambodia, as part of a comprehensive small arms management project including destruction of surplus weapons and public awareness-raising (the total value of the project is about US\$ 8 million). Japan has also provided assistance to Guinea Bissau as part of the UN Trust Fund for Global and Regional Disarmament Activities, which includes assistance on the establishment of a National Small Arms Commission, pilot small arms collection and destruction programmes, capacity-building for the government and non-governmental organizations and an awareness-raising campaign. Turkey reported that it has contributed financial assistance to destruction activities in the Ukraine as part of its NATO commitments.

Europe

Nineteen states in Europe reported giving assistance on surplus destruction activities to other states in the region: Austria, Bulgaria, the Czech Republic, Finland, France, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland and the United Kingdom. In fact, most destruction-related assistance is taking place in Europe through OSCE- and NATO-related initiatives. The major recipients of assistance on surplus destruction identified in national reports are Afghanistan, Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, the former Yugoslav Republic of Macedonia, Georgia, Kazakhstan, Kosovo, Serbia and Montenegro, Ukraine, Romania and Tajikistan. It is not possible to quantify the total amount of assistance that has been provided for surplus destruction or the level of activity in this area based on national reports alone because not all states have reported on their activities in this area, and those that do often do not quantify the amount of assistance provided.

Other activities where European states have provided assistance on surplus destruction that are not part of OSCE or NATO programmes include:

- the Netherlands reported contributing to destruction assistance projects in Cambodia, the Mano River Union (in cooperation with the Economic Community of West African States Small Arms Control Programme), and the Democratic Republic of the Congo;
- Norway reported supporting destruction activities carried out by the South African National Defence Force through Operation Moufflon, and the South African Police Service; and
- the United Kingdom reported funding the acquisition of gun-crushing machines for the Jamaican police and the South African Defence Forces, to assist with the efficient destruction of weapons.

Oceania

Australia and New Zealand were the only states in Oceania that reported providing assistance on surplus destruction to other states. So far, these activities have related exclusively to states in the region, namely Papua New Guinea and the Solomon Islands.

Assistance received

Africa

Six African states reported receiving assistance on surplus destruction in their national reports: Kenya, Lesotho, São Tomé and Príncipe, Swaziland, Tanzania and Uganda. In some instances, details of the assistance received reflected what donor states reported. For instance, in 2008, Swaziland reported receiving assistance from South Africa in the destruction/disposal of small arms and, in 2005, Lesotho reported requesting South Africa's assistance in the destruction of surplus via the framework of the 1999 Agreement on Defence Issues among Botswana, Lesotho and South Africa. In many instances, however, surplus destruction assistance activities reported by recipients of assistance were not reflected in donors' reports and vice versa.

Americas

In the Americas, only Paraguay and Peru specifically reported receiving technical assistance. In both instances, this came from the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean. For Paraguay, this involved the destruction of arms and munitions carried out in 2003 and 2005. For Peru, this involved financial and technical assistance to help destroy 35,000 obsolete weapons.

Asia

In 2008, Cambodia reported receiving assistance from the United States in destroying man-portable air defence systems, thus reflecting, in part, the United States' general statement in its 2007 report that it had destroyed over 21,000 such systems in various (unspecified) states since 2003.

Europe

In Europe, seven states reported receiving assistance on surplus destruction: Bosnia and Herzegovina, Bulgaria, Croatia, Moldova, Romania, Serbia and Ukraine. Moldova, for instance, reported (2006) receiving assistance from the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons to destroy 1,657 confiscated arms in July 2005. Romania reported (2003) receiving assistance from the Norway, the United Kingdom and the United States to destroy 195,510 small arms and 36,692,747 items of ammunition in 2002. Serbia reported in 2004 that, in cooperation with the US Embassy in Belgrade, a project to destroy 36,850 small arms and 2 million items of ammunition was agreed; 27,530 small arms were destroyed through an arrangement with the NATO Maintenance and Supply Agency; and an agreement to destroy 1,200 rocket-propelled grenades was reached with the US embassy.

Oceania

None of the states in Oceania reported specifically on assistance received on surplus destruction activities.

Assistance requested

The following outlines requests for assistance on surplus destruction by states in all regions.

Georgia. In 2005, Georgia reported that it needed assistance to destroy obsolete weapons.

Lesotho. In 2008, Lesotho reported that it needed to train experts to destroy illicit small arms using explosives or detonation techniques, and that the Lesotho Police were in the process of seeking assistance from the South African Police Services to carry out destruction activities.

Moldova. In its 2005 and 2008 reports, Moldova stated that it was facing a problem in the destruction of arms due to the lack of appropriate specialists and financial resources.

Mozambique. In its 2008 report, Mozambique stated that it requires technical cooperation and assistance from regional, continental and international organizations such as the African Union, the Association of Southeast Asian Nations, the European Union, the South African Development Community, the United Nations and other partners to help with the destruction of small arms.

Peru. In 2005, Peru reported that it had given seven requests for technical and financial assistance to the Development Assistance Database through the UN Regional Centre for Peace, Disarmament and Development for the development of activities related to the PoA that included the collection of firearms, the destruction of arms and munitions, security and management of stockpiles, improving information systems, developing a tracking centre; a national seminar on firearms legislation; and training courses.

Philippines. In 2008, the Philippines reported that it needed assistance for stockpile management and the destruction of obsolete, unserviceable, captured, confiscated, surrendered and deposited firearms.

Russia. In 2003, Russia reported that “since there are certain financial constraints in the Russian Federation, the possibility is being considered of seeking foreign assistance for setting up new recycling centres for small arms”.

Serbia. In 2005, Serbia reported that no small arms were destroyed in 2004 because “no donor showed interest in subsidizing the enterprise. [South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons] projects are economically unattractive as subsidies are very low indeed”. Nevertheless, Serbia managed to destroy 100,000 small arms and 2 million items of ammunition from 2001 to 2004 and noted that “better potential donor arrangement possibilities will be explored in 2005”.

Zambia. One of the challenges Zambia has reported (2005) includes collection of SALW and developing an effective and sustainable programme for the collection of illegal or surplus stocks.

ASSISTANCE FOR OTHER DISPOSAL OF SURPLUS

No state gave information on assistance provided, received or requested for surplus disposal activities other than destruction.

CONCLUSION

Information provided in national reports indicates that most reporting states have programmes in place to identify surplus stocks. However, relatively few provided information on how surplus is determined or what criteria are applied. Those states that provided information on the methods of destruction used to destroy surplus appear to be taking into account the methods of destruction identified in the Secretary-General’s report of 15 November 2000 (S/2000/1092) as encouraged by the PoA. However, it is also clear from national reports that states are disposing of surplus in other ways, namely sales to other states, despite the presumption in favour of destruction reflected in the PoA.

As not all states have reported on their surplus destruction activities and not all of those that have reported provided a detailed account of destruction activities, it is not possible to quantify the amount of surplus destroyed since the adoption of the PoA. At the same time, it is not possible to assess the impact of the activities that have been reported as very few states provided information on the size of their existing surplus stocks. The Small Arms Survey estimates that there may be at least 76 million surplus small arms in

the world's military arsenals.²²¹ If the surplus destruction figures provided by states in their national reports are an indication of the level of destruction that is taking place, the above figure leads to the conclusion that this is an area that requires significantly more attention and commitment on the part of states.

At the same time, this is one of the areas under the PoA where the most international assistance has been provided,²²² and the European Union, NATO, the OSCE and the United Nations Development Programme all have dedicated offices and projects to facilitate small arms and ammunition destruction.

RECOMMENDATIONS

- States are encouraged to review their stockpiles on a regular basis in order to identify stocks that are surplus to requirements.
- States are encouraged to provide comprehensive information on the scale of surplus destruction activities taking place on their territory and in states where they provide financial and other assistance.
- States are encouraged to share information on the disposal of surplus by means other than destruction (for example, whether the decision to sell or export surplus to another state undergoes the same export control process as domestically produced weapons, or whether different considerations apply to the sale or donation of surplus).
- States are also encouraged to report on their acquisition of surplus from other states.
- States are encouraged to report on the relationship between the rate of surplus destruction and the acquisition of new weapons through national production or import.

²²¹ Small Arms Survey, *Small Survey 2008: Risk and Resilience*, 2008, p. 106.

²²² Disarmament, demobilization and reintegration activities reportedly received the most assistance in terms of monetary value and number of activities. See Kerry Maze and Sarah Parker, *International Assistance for Implementing the UN Programme of Action on Small Arms and Light Weapons: Findings of a Global Survey*, UNIDIR, 2006.

PART III
MARKING AND TRACING

INTRODUCTION

On 8 December 2005 the General Assembly adopted 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). In the Instrument, states committed to undertake a number of measures to ensure the adequate marking and record-keeping of SALW and to strengthen cooperation in tracing illicit SALW. In particular, according to paragraph 14, states are to ensure that they are capable of undertaking traces and responding to tracing requests in accordance with the requirements of the Instrument.²²³

With resolution 61/66 of 6 December 2006, the General Assembly decided that the meeting of states to consider the implementation of the Instrument would be held within the framework of the third Biennial Meeting of States. The resolution also encouraged states to include information on their implementation of the Instrument in their national reports on PoA implementation.

In 2008, the first year for reporting on the Tracing Instrument, 62 states have reported specifically on their implementation.²²⁴ However, most states that have submitted national reports on the PoA have at some stage included details regarding their marking and tracing practices in fulfilment of relevant commitments under the PoA. Indeed, since 2001, a total of 119 states (80% of the total reporting) have reported on measures relating to at least one of the PoA commitments on marking, record-keeping and tracing. In order to give a comprehensive picture of national policies in this area, the following analysis includes both reports submitted in the framework of the PoA in the

²²³ See <<http://disarmament.un.org/cab/Markingandtracing/markinandtracingindex.html>>.

²²⁴ Algeria, Andorra, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, China, Chile, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Ecuador, Finland, France, Guatemala, Hungary, Iceland, India, Israel, Italy, Jamaica, Japan, Kenya, Lebanon, Lesotho, Lithuania, Mali, Malta, Mauritius, Mexico, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of the Congo, Russia, Sierra Leone, South Korea, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tanzania, Thailand, Trinidad and Tobago, Uganda, United Kingdom, United States, Uruguay, Zimbabwe.

period 2002 to 2008 and those submitted as part of the implementation of the Tracing Instrument for 2008.

REPORTING ON MARKING AND TRACING UNDER THE POA

AT THE NATIONAL LEVEL

Legislation or other measures on marking at manufacture

Paragraph II.7 of the PoA establishes provisions on the marking of SALW at the time of manufacture, requiring states “to ensure that henceforth licensed manufacturers apply an appropriate and reliable marking on each small arm and light weapon as an integral part of the production process”. In order for small arms to be traceable, the PoA requires that this marking be unique and that it provide information appropriate to identify the state of manufacture, the manufacturer and the serial number.

Addressing this section of the PoA, 65 states mentioned marking measures as an integral part of the small arms production process. Of these, 58 specified the content of the marking; in particular, 28 stated that the latter includes identification of the country of manufacture;²²⁵ 47 that it includes the weapon serial number²²⁶ and 38 that it includes information on the manufacturer.²²⁷ In 37 states, weapon markings include information

²²⁵ Algeria, Argentina, Belarus, Brazil, Bulgaria, Cyprus, Czech Republic, Ecuador, Egypt, Finland, Germany, Greece, India, Iraq, Israel, Lithuania, Malaysia, Norway, Philippines, Poland, Portugal, Romania, Saudi Arabia, South Korea, Switzerland, Turkey, United States, Viet Nam.

²²⁶ Argentina, Armenia, Australia, Austria, Belarus, Brazil, Bulgaria, Canada, Colombia, Cyprus, Czech Republic, Ecuador, Egypt, Finland, Germany, Greece, Iceland, India, Iraq, Israel, Italy, Japan, Kazakhstan, Lesotho, Lithuania, Malaysia, Marshall Islands, Norway, Peru, Poland, Portugal, Romania, Russia, Saudi Arabia, Senegal, Serbia, Slovakia, South Korea, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom, United States, Viet Nam.

²²⁷ Argentina, Austria, Azerbaijan, Belarus, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cyprus, Czech Republic, Egypt, Finland, France, Germany, India, Israel, Italy, Japan, Kazakhstan, Lithuania, Macedonia, Malaysia, Marshall Islands, Norway, Peru, Poland, Portugal, Romania, Russia, Serbia, Slovakia, South Korea, Sri Lanka, Sweden, Switzerland, Turkey, Ukraine, United States.

additional to that required in the PoA. Most typically, this comprises the year of production, but also the type and calibre of the weapon. In a few cases the terms “identification number” or “individual number” are used instead of “serial number”.²²⁸ In six cases, proof marks are also added after the testing of the firearms.²²⁹

An additional 13 states declared that they have marking systems in place—sometimes adding that these comply with international requirements—but provided no further details on the content of the marking.²³⁰ Conversely, in 11 cases, national reports state that marking requirements are in force or outline details of markings without necessarily specifying whether these apply to manufactured or imported weapons. For example, Canada (2004, 2005) reported that markings indicating the year of manufacture, calibre and sequential numerical designation are required for “all weapons purchased by the Department of National Defense”. It also added that draft legislation was in preparation to allow “more [detailed] marking of newly manufactured or newly imported firearms”. Similarly, China specified (2003, 2005) that “every piece of SALW in the state must bear a mark identifying the type of the weapon, code of the manufacturer, serial number of production and year of production”.²³¹

While not part of the PoA provisions, 31 states also reported on their marking requirements at the time of import. In this context, 14 states require information on the state of origin,²³² 19 require the serial number to be indicated²³³ and 11 require details on the manufacturer.²³⁴ Eighteen states

²²⁸ Azerbaijan; Italy (although the 2007 report replaces the term “registration number” with “serial number”) and the Russian Federation.

²²⁹ Austria, Czech Republic, Germany, India, Italy, Switzerland.

²³⁰ Belgium, Croatia, Estonia, Greece, Guatemala, Hungary, Iran, Latvia, New Zealand, Rwanda, Slovenia, South Africa, Ukraine.

²³¹ See also the reports by the Democratic Republic of the Congo (2003), Ireland (2006), Malta (2006), the Netherlands (2008) and Nicaragua (2006), Peru (2008, as relates to weapons held by armed and police forces), Rwanda (2008), Solomon Islands (2003) and Uganda (2006).

²³² Belarus, Botswana, Brazil, Denmark, Fiji, Iraq, Italy, Macedonia, Mozambique, Netherlands, Papua New Guinea, Poland, Portugal, United States.

²³³ Argentina, Australia, Belarus, Botswana, Brazil, Denmark, Fiji, Iraq, Italy, Lesotho, Macedonia, Mozambique, Netherlands, Papua New Guinea, Poland, Portugal, Slovakia, United States, Zimbabwe.

²³⁴ Belgium, Botswana, Brazil, Macedonia, Mozambique, Netherlands, Poland, Portugal, Slovakia, United States, Zimbabwe.

require other marking details on imported small arms, such as the type, calibre and year of production. In addition, Malta (2007) reported that no specific import marking is required, but weapons are “controlled upon delivery and periodically at unit level”. Israel on the other hand referred (2003) to additional details on import marking only as relates to weapons imported from the United States.²³⁵

The analysis of the national reports from 2002 to 2008 reveals other interesting trends. Twenty-five states declared that marking provisions as part of the production process of small arms are either absent or not applicable—most typically because the state is not a small arms producer. For example, Burkina Faso stated (2008) that it was unable to implement the provisions of the Tracing Instrument; Trinidad and Tobago reported (2008) under this section of the PoA that it is “not a manufacturer of arms”. As with brokering, the acknowledgement that specific provisions are not in place is often accompanied by references to draft legislation or other measures designed to fill the gap. Indeed, 22 states reported that marking regulations are being considered for future adoption by national authorities, or that current systems are undergoing revision.²³⁶

Twenty-eight states gave information on record-keeping—either as a requirement imposed on manufacturers or on state agencies.²³⁷

Twenty states outlined details on the location of the markings, which are commonly placed on a visible and essential part of the weapon and where their removal would cause damage to this part.²³⁸ Argentina, for example, reported (2007) that:

²³⁵ Referring to weapons numbering, Bahrain (2008) stated that “the necessary measures are taken in accordance with the relevant laws when small arms or light weapons are imported.”

²³⁶ Bolivia, Burundi, Canada, Costa Rica, Côte d’Ivoire, Dominican Republic, Guatemala, Iran, Jamaica, Jordan, Liberia, Liechtenstein, Monaco, Namibia, Oman, Poland, Republic of the Congo, Russia, Sudan, Sweden, Tanzania, Uganda.

²³⁷ Brazil, Ecuador, Egypt, Estonia, Greece, Guatemala, Iceland, India, Iraq, Ireland, Italy, Malaysia, Mozambique, Niger, Pakistan, Russia, Rwanda, Senegal, Serbia, Slovenia, South Africa, South Korea, Sri Lanka, Swaziland, Thailand, Turkey, United Kingdom, Viet Nam.

²³⁸ Argentina, Bosnia and Herzegovina, Brazil, Colombia, Czech Republic, Estonia, Fiji, Iceland, India, Mozambique, Nicaragua, Norway, Peru, Philippines,

The markings must be on an exposed surface, conspicuous without technical aids or tools, easily recognizable, readable, durable and, as far as technically possible, recoverable. It is essential that the markings be placed on the main pieces, namely the support components to which the other weapon parts and accessories and the structural components for locking and blocking the firing and projectile guidance mechanisms are attached. Such components include frames, trigger circuits, locking and blocking systems, mechanism boxes, barrels, bolts, slides and drums; the destruction of these parts would render the arms permanently inoperable and prevent their reactivation.

Colombia (2003) gave details of the locations of mandatory marking, according to the type of item. For revolvers, the mark must be placed in the lower part of the grip, bear the sign "IM" (which stands for "Industria Militar"), and contain four digits making up the weapon's identification and a letter forming part of the serial number.

Sixteen states specified the marking method.²³⁹ These include etching, engraving and stamping. In Norway (2003), for example, "Stamping is the preferred method as it causes detectable structural changes within the metal, making it possible to identify numbers and symbols even after limited attempts (e.g. by filing) have been made to remove them". South Korea (2005) reported employing roll or laser marking; Slovakia (2003) reported using embossing or stencilling techniques.

Eleven states detailed the system of marking, which in the majority of cases consists of alphanumeric codes.²⁴⁰ Serbia noted (2004) that one of the challenges it faces is that, because it is not a member of the *Commission Internationale Permanente pour l'épreuve des armes à feu portatives*, weapons and ammunition manufactured in Serbia must be marked in other states, placing additional expense on manufacturers and making tracing and record-keeping more complex. For this reason, Serbia expressed the desire to join the *Commission Internationale Permanente*.

Poland, Portugal, Russia, Sri Lanka, Turkey, United Kingdom.

²³⁹ Argentina, Azerbaijan, Canada, Colombia, Egypt, India, Israel, Italy, New Zealand, Norway, Russia, Slovakia, South Korea, Sri Lanka, Turkey, United States.

²⁴⁰ Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Colombia, Germany, Kazakhstan, Norway, Romania, Russia, Turkey.

Eleven states gave details on their provisions for the marking of domestically produced ammunition.²⁴¹ Bosnia and Herzegovina (2007), for example, noted that marking must indicate, among other things, type and model, explosive potential and year of manufacture. Brazil stated (2008) that “all ammunition commercialized in Brazil, whether manufactured nationally or abroad, must be placed in packages containing a bar code engraved (not stamped or glued) on the box, in order to enable the identification of the manufacturer, the purchaser, the product and the delivery lot. ... [M]ost of the ammunition ... purchased by public bodies must contain identification of the lot and of the acquirer on the butt of each round”.

Four states indicated the organs responsible for supervising the marking process or carrying it out.²⁴² Finally, Brazil (2008) provided details on the markings of replacement parts, which must also be marked “with the same numbering used in the weapon they are destined to, preceded by the letter ‘R’”.

Measures on unmarked small arms

Paragraph II.8 of the PoA commits states “To adopt where they do not exist and enforce, all the necessary measures to prevent the manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked small arms and light weapons”.

Forty-eight states addressed this section of the PoA. Of these, five states simply reported that unmarked small arms are illicit under their jurisdiction, but did not specify, for example, whether these weapons are pulled from circulation, destroyed, or whether penalties for their use or transfer are established. For example, Benin stated (2003) that “any arm that is unmarked or insufficiently marked is considered ... illicit”. Malaysia stated (2003, 2005, 2006) that “The Arms Act, 1960 is also relevant to prevent the manufacture, stockpiling, transfer and possession of unmarked or inadequately marked SALW”. Tajikistan stated (2003) that “Manufacturing, stockpiling, transferring and possessing of unmarked or improperly branded weapons have not been reported” under its jurisdiction. Gambia declared (2005) that “The department of State for Defense is responsible for reviewing

²⁴¹ Bosnia and Herzegovina, Brazil, Colombia, Finland, Kenya, Macedonia, Norway, Peru, Romania, Serbia, South Korea.

²⁴² Bosnia and Herzegovina, Czech Republic, Norway, Serbia.

of Government stocks on quarterly bases and a database administered by the Military (showing all available arms status) is used to track unmarked and surplus stocks if any". No further details were given as to the measures taken in case such unmarked weapons were found.

Fourteen states declared that they have established penalties relating to the removal of markings, or to the use, sale or circulation of unmarked weapons.²⁴³ In Brazil (2008), for example, imprisonment of three to six years plus a fine is imposed on anyone who "removes or alters the marking, numbering or any identification mark of a firearm". In Lithuania (2003), the breach of marking regulations by manufacturers can entail the revocation of the production license. In Panama (2005), possession of weapons on which markings have been erased or altered is punishable with a prison term of three to five years.

Sixteen states reported that unmarked weapons cannot circulate—they are, therefore, excluded from import, export or use.²⁴⁴

According to the reports, unmarked weapons are confiscated in eight states,²⁴⁵ systematically destroyed in 11²⁴⁶ and remarked in nine.²⁴⁷

Measures for tracing state-held SALW

According to paragraph II.10 of the PoA, states should "ensure responsibility for all small arms and light weapons held and issued by the State and effective measures for tracing such weapons". In total, 35 states addressed this section of the PoA; of these, 25 provided examples of specific measures for tracing state-held small arms. Some of the measures reported in the

²⁴³ Algeria, Brazil, Czech Republic, Dominican Republic, Fiji, the former Yugoslav Republic of Macedonia, Germany, Ireland, Lithuania, Panama, Peru, Romania, Senegal, Uganda.

²⁴⁴ Algeria, Armenia, Belgium, Czech Republic, Estonia, the former Yugoslav Republic of Macedonia, Hungary, Iceland, India, Iran, Kazakhstan, Lithuania, Malaysia, Mozambique, South Korea, Uganda.

²⁴⁵ Argentina, Dominican Republic, Fiji, the former Yugoslav Republic of Macedonia, Honduras, Nicaragua, Peru, Russia.

²⁴⁶ Armenia, Bosnia and Herzegovina, Botswana, Bulgaria, Czech Republic, Dominican Republic, El Salvador, Germany, Netherlands, Russia, Turkey.

²⁴⁷ Argentina, Czech Republic, Denmark, Ireland, Mozambique, Panama, Portugal, Russia, Turkey.

context of stockpile management and security also constitute measures for tracing state-held small arms. In particular, these measures relate to inventory control and management and the monitoring of the movement of arms between units. In Russia (2007), for example, "Provision is made for the Armed Forces, internal affairs agencies, units of the interior ministry forces and State paramilitary organizations to keep special documentation recording each issuance of weapons and ammunition. Small arms and light weapons are recorded in a special register which indicates their movement and presence in warehouses and in each unit". In Benin (2003), "the hierarchy is being informed on a daily basis of arms movements, with corresponding cards registering the release and return of each weapon, of where and for how long they were used and of occasional users".

Five states made general statements to the effect that SALW possessed by national forces were effectively controlled,²⁴⁸ but without giving details of the relevant laws and mechanisms; Kenya and Uganda mentioned planned initiatives in this regard. Kenya, for instance, reported (2008) plans for the establishment of an electronic national register for all state-owned SALW, to be implemented by the end of that year. Cyprus, on the other hand, noted (2008) that the National Guard does not possess the "technical capability and equipment to be able to permanently mark the small arms and light weapons that are in its possession".

COOPERATION AND ASSISTANCE

Assistance for building capacities for marking and tracing

Several paragraphs of the PoA deal with international assistance and cooperation in the area of SALW marking and tracing. Paragraph III.6 establishes that "With a view to facilitating implementation of the Programme of Action, States and international and regional organizations should seriously consider assisting interested States, upon request, in building capacities in areas including ... tracing and marking".

Twenty states have reported under this section of the PoA.²⁴⁹ In some instances, this consisted in the expression of the willingness or availability

²⁴⁸ Côte d'Ivoire, France, Netherlands, Peru, Uganda.

²⁴⁹ This includes the Republic of the Congo, which indicated (2008) the issues on which future Biennial Meetings should focus, among which is "training in the

to assist other states. For example, Argentina declared (2007) that, with regard to the provisions contained in the International Tracing Instrument, it is “able to render bilateral and multilateral technical assistance, upon request from the competent authorities, in building national capacity in the areas of marking, record-keeping and tracing”.

Six states gave details of conferences or workshops which they have contributed to or participated in.²⁵⁰ Some of these were specifically targeted at building local or regional capacities. For example, Germany reported (2008) that it gave financial and expert assistance to seminars on various issues, including SALW marking, conducted under the auspices of the OSCE in Termiz, Uzbekistan, and in Zagreb, Croatia. South Africa gave information (2005) on its involvement in a workshop, organized in the framework of the Nairobi Protocol by the East African Police Chiefs Co-operation Organisation, “aimed at providing training regarding marking and tracing of small arms and light weapons”.

Four states gave information on specific assistance programmes.²⁵¹ Switzerland reported on financial support given to the organization Viva Rio in Brazil for tracing projects related to SALW and ammunition. In the 2005 report the amount was set at €100,000, in 2007 at CHF 139,500 and in 2008 at CHF 122,166. The examples of assistance provided by the United States mainly relate to training courses for law enforcement professionals, the provision of technical, legal and programmatic information, and assistance in training. In the 2007 report the United States gave details on the following assistance projects:

[The Bureau of Alcohol, Tobacco and Firearms] provides technical, legal and programmatic information on currently-accepted U.S. best practices for marking and tracing in numerous international fora Through [International Law Enforcement Academy] and bilateral training courses, assistance is regularly offered on classification, ballistics, and tracing of seized weapons. [The International Law Enforcement Academy in] Gaborone again presented a one-week Small Arms Trafficking course in August 2006. Participating states included Botswana, Kenya, Lesotho,

areas of marking and tracing”.

²⁵⁰ Canada, Germany, Lesotho, South Africa, South Korea, Tanzania.

²⁵¹ Switzerland, Uganda, United Kingdom, United States.

Namibia, Nigeria, South Africa, Swaziland, and Uganda. [The academy] anticipates presenting this course again in ... 2007

Two states related assistance targeted or requested to establish international tracking systems. In 2004, Bosnia and Herzegovina reported to be “expecting the arrival of experts from the [United States] for training purposes and for the purpose of establishing the TRACKER system for the weapons and military equipment export control”. In the report from the following year, the TRACKER system was said to have been installed within “relevant ministries”, while US experts were conducting “training of local personnel”. Donations from the United States for the establishment of the same system were also reported by Croatia (2007), which planned to network the system by 2007, allowing its use by several ministries involved in the licensing process.

Assistance requested

Eight countries expressed the need for specific assistance for marking and tracing.²⁵² Sudan recognized (2008) that “technical and material challenges” constituted an obstacle to the implementation of the PoA and declared to be seeking such support, as well as training, in particular on marking and tracing technologies. Based on the same acknowledgement of practical challenges to PoA implementation, Swaziland reported (2008) seeking financial assistance to purchase operational equipment such as marking devices and destruction machines. Sierra Leone reported (2005) needing capacity-building and equipment for firearms tracing. Burundi requested (2003) financial and technical support to maintain data processing equipment to control and trace firearms trafficking. The Democratic Republic of the Congo requested (2003) financial support for marking illicit weapons. A few other states requested assistance to develop effective registers of SALW.

Cooperation in tracing illicit SALW

Regarding tracing in particular, under paragraph III.11 of the PoA states undertake:

²⁵² Benin, Burkina Faso, Cameroon, Guatemala, Lesotho, Namibia, Uganda, Zimbabwe.

to cooperate with each other, including on the basis of the relevant existing global and regional legally binding instruments as well as other agreements and arrangements, and, where appropriate, with relevant international, regional and intergovernmental organizations, in tracing illicit small arms and light weapons, in particular by strengthening mechanisms based on the exchange of relevant information.

Sixty-six states have reported under this section of the PoA, outlining several mechanisms of international cooperation, including through organizations such as INTERPOL and the World Customs Organization. Of these 66 states, five mentioned activities of international cooperation without giving details on specific mechanisms.²⁵³ For example, Honduras declared (2004) that “The ability to identify and trace small arms and light weapons is currently being strengthened through comprehensive programmes at the national and regional levels that include preventive and operational measures to combat the spread of illicit weapons in Central America”.

Twenty-two states mentioned their participation in one or both of the UN processes that led to the adoption of the International Tracing Instrument: the Group of Governmental Experts appointed in 2002, tasked with examining the desirability and feasibility of an international instrument on small arms marking and tracing, and the sessions of the Open-Ended Working Group, which adopted the Instrument in 2005.²⁵⁴ Thirteen states also seized this opportunity to express opinions on the ongoing or concluded negotiations in the Working Group.²⁵⁵ For example, Poland stated (2006) that the Instrument did not meet its expectations, as it favoured a legally binding instrument that would include SALW and the related ammunition. In addition, Niger mentioned (2008) participating in a workshop aimed at strengthening national capacities for the implementation of the International

²⁵³ Burundi, Guatemala, Honduras, Trinidad and Tobago, United Kingdom.

²⁵⁴ States that mentioned their participation in the 2002 Group of Governmental Experts were: Bulgaria, France, India, Netherlands, Pakistan, Russia, South Africa, Thailand, United States. Those that reported their participation in the Open-Ended Working Group sessions were: Austria, Burundi, Colombia, France, India, Ireland, Italy, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Russia, South Korea, Sweden, Switzerland, United Kingdom, United States.

²⁵⁵ Algeria, Colombia, France, Jamaica, Lithuania, Norway, Oman, Peru, Poland, Senegal, Slovakia, South Korea, Switzerland.

Tracing Instrument in Central and Western Africa, organized by the Regional Centre for Peace and Disarmament in Africa in Lomé, Togo, during the same year.

Among the states reporting under this section of the PoA, the majority related some form of cooperation with INTERPOL, usually but not exclusively in the context of information exchange. In Switzerland (2005), for example, such cooperation was reported to be based on three pieces of legislation relating to international mutual legal assistance in criminal matters. After listing these, it was pointed out that “close cooperation between the UN and Interpol is of major importance in the effective identification and tracing of illicit SALW. Ties with Interpol could be strengthened by assigning a law enforcement component to Peacekeeping Operations and sanction committees that have the competence to interact with Interpol, including their access to all Interpol databases relevant for the tracing of illicit small arms and light weapons”.

More generally, details on mechanisms or practices of information exchange were provided by 23 states.²⁵⁶ Sometimes these were set in the framework of regional organizations. For example, Norway (2006) mentioned making regular use of the Schengen Information System to trace SALW. Senegal (2007) belonged to a particularly wide network of mechanisms for information exchange, which involved:

the National Commission, the National Central Bureau liaising with Interpol, the “Organisation des Gendarmeries Africaines” (OGA), the computerized system “GAINDE” of the Customs services, the World Customs Organization (International Convention on Mutual Administrative Assistance for the Prevention, Investigation and Repression of Customs Offences), the customs liaison offices, the network of National Commissions, the West African Region’s Police Chiefs Coordinating Organisation (WARPCO), ECOWAS and the Intergovernmental action group against money laundering in West Africa (GIABA).²⁵⁷

²⁵⁶ Canada, Colombia, Cuba, Denmark, Dominican Republic, France, Greece, Ireland, Latvia, Lithuania, Malaysia, Norway, Philippines, Portugal, Romania, Senegal, South Korea, Sweden, Tanzania, Uganda, United Kingdom, United States, Zimbabwe.

²⁵⁷ Our translation.

Eight states described the existence or use of tracking systems, in particular the INTERPOL Weapons Electronic Tracing System.²⁵⁸ In 2003, Canada reported having developed a “working prototype of the [system] ... and donated this high-performance tool to the Interpol Secretariat”. The system comprised “a bulletin board, an automated tracing form, a stolen firearms and explosives database, a counterfeit firearms database and e-mail capability for subject-matter experts”, to which the Canadian government added “the Firearms Reference Table (a electronic firearms encyclopaedia containing firearms descriptions and related photographs used for firearms identification purposes)”. Norway (2006), the Philippines (2006) and Uganda (2005) mentioned plans to start using the system.

Six states outlined systems of data collection that, in some cases, were reported to be under development.²⁵⁹ Malaysia (2006), for example, explained having introduced two systems for tracing purposes. These included MyBid, which was aimed at assisting in the ballistic identification of “all small arms recovered, seized or alleged to be used in any crime”, and the “FLAME system (Firearms Licensing Application Monitoring and Enquiry System). This system is developed in Malaysia to assist in maintaining electronic records on all arms”. The Philippines described (2005) the “Firearms Ballistics Information System (FBIS)” used by the state as a “state-of-the-art system of gun ‘fingerprints’ [that] has been developed and is now widely used in states all over the world. The existence of a database for gun fingerprints will speed up the gun tracing process even in the event of non-recovery of firearms, which shall eventually help our investigators solve crimes committed with the use of firearms”. Russia reported (2007) a system of “centralized registration of missing (stolen or lost) and recovered (confiscated, found or voluntarily surrendered) firearms”. Managed by the Ministry of Internal Affairs, this system is designed for the work of “law enforcement agencies, the State paramilitary organizations of the Russian Federation and the law enforcement agencies of the members of the Commonwealth of Independent States”. Within it, weapons traces “will be carried out with the help of the Oruzhie automated information-retrieval system. A database for lost and recovered small arms and light weapons has been created and is updated daily. Enquiries concerning weapons verification are processed on a 24-hour basis”.

²⁵⁸ Canada, Dominican Republic (under development), Germany, Iceland, India, Russia, United Kingdom, United States.

²⁵⁹ Denmark, Greece, Malaysia, Peru, Philippines, Russia.

The following are examples of some of the specific tracing operations and cooperation activities that have been reported from 2002 to 2008.²⁶⁰

Jamaica. In 2005, Jamaica reported that from January 2000 to August 2004, some 900 trace requests were processed for firearms recovered in Jamaica. Over 300 of these were traced to the state of Florida in the United States as a point of origin. A bilateral Memorandum of Understanding was signed with the United States in 2005 to facilitate the accurate tracing of arms and ammunition smuggled into Jamaica from the United States.

Lesotho. In 2006, Lesotho reported that Operation “KATSE” was conducted in November 2002 to trace the origin of firearms seized by the police. Members of the South African Police Service and the Lesotho Mounted Police Service worked together to trace 202 firearms.

Russia. In 2007, Russia reported that it had cooperated with several neighbouring states to combat organized crime as follows: Poland—joint operations in April 2001 as part of “Operation Border 2001” resulted in the seizure of more than 2,000 rounds of ammunition and 29kg of explosives; Ukraine and Belarus—joint operations in May–June 2001 as part of “Operation Border 2001” resulted in the seizure of more than 250 firearms, 4,000 rounds of ammunition and about 200kg of explosives; Azerbaijan, Armenia and Georgia—in 2002 as part of “Operation Border 2002” five caches of weapons were discovered, and 267 illegal SALW, approximately 15,000 rounds of ammunition and over 12kg of explosives were seized. Russia also reported that, under an agreement to exchange information signed in 1992, Russia operates an inter-state information bank, including the registration of lost and found SALW, in cooperation with relevant ministries in Armenia, Belarus, Kazakhstan, Moldova, Tajikistan and Ukraine.

United States. From 1994 to 2006, the Bureau of Alcohol, Tobacco, Firearms and Explosives responded to over 200,000 requests from foreign law enforcement agencies for assistance in tracing illegal firearms. Through International Law Enforcement Academies (ILEAs) and bilateral training courses, assistance is regularly offered on classification, ballistics and tracing of seized weapons. ILEA Gaborone again presented a one-week Small Arms Trafficking course in August 2007 for Angola, Botswana, Cameroon, Djibouti, Ethiopia, Kenya, Lesotho, Madagascar, Mauritius, Mozambique,

²⁶⁰ See also Peru (2008), Romania (2008) and South Korea (2008).

Nigeria, Seychelles, Uganda and Zambia. ILEA San Salvador also presented the one-week Small Arms Trafficking course in October 2007 for Guatemala, Honduras and El Salvador and anticipates presenting this course again in FY 2008 at the Regional Training Center in Lima, Peru. US Immigration and Customs Enforcement has law enforcement officers stationed abroad who cooperate with host government authorities and INTERPOL. The Federal Bureau of Investigation has a similar arrangement, as do US customs authorities. Bureau of Alcohol, Tobacco, Firearms and Explosives attachés stationed in Canada, Colombia and Mexico provide technical and liaison assistance in firearms trafficking efforts. The Export Control and Related Border Security Assistance programme encourages customs agencies to work closely with the World Customs Organization and promotes police cooperation with INTERPOL to enhance their capabilities to identify and prosecute illicit traffickers. The US National Tracing Center assists states in tracing US-origin arms used in criminal activities.

Seven states described the tracing procedure or the agencies responsible to respond to or initiate tracing requests.²⁶¹ Colombia, for instance, reported (2005, 2006, 2008) that “when a national organ makes a request of tracing or past record of individuals, an urgent message is transmitted to the relevant Oficina Central Nacional ... from which the weapon was manufactured or to the state that imported it in order to identify the origin and final user of the same”. This cooperation allowed Colombia to conduct effective operations against the proliferation of illicit SALW, which made the Colombian INTERPOL office experts and trainers “at the hemispheric level” with the support of the US Bureau of Alcohol, Tobacco and Firearms. Germany reported (2008) that the Federal Criminal Police Bureau is responsible for tracing illegal small arms. The process of tracing is initiated by a tracing request forwarded by INTERPOL to the state of manufacture. If Germany receives a tracing request regarding an unmarked weapon manufactured in Germany, then investigations involve not only the manufacturer, but the relevant ministries in charge of licensing authorizations and export control.

Three states mentioned programmes for capacity-building.²⁶² Canada, for example, reported in 2004, 2005 and 2006 that “The National Weapons Enforcement Support Team of the ... National Police Services ... provides support to Canadian law enforcement agencies” through the training of

²⁶¹ Colombia, Germany, Iceland, Ireland, Marshall Islands, Peru, Viet Nam.

²⁶² Canada, Denmark, Peru.

investigative support officers via the International Firearms Trafficking School in partnership with the US Bureau of Alcohol, Tobacco, Firearms and Explosives.

Information exchange on national marking systems

According to paragraph III.2 of the PoA, “States are encouraged to exchange information on a voluntary basis on their national marking systems on small arms and light weapons”.

Twenty-two states reported under this section of the PoA. Five of these declared that systems of information exchange on national marking practices did not exist under their jurisdiction. Burundi, for example, stated (2005) that this PoA provision was not considered applicable, as the state was not a small arms producer. The Solomon Islands stated (2003) that information “in this area was unavailable at the time of the submission of the report”. In the Democratic Republic of the Congo (2003) these PoA provisions were “foreseen” in the framework of the implementation of the document. Similarly, Uganda stated (2005) that such information exchange has not yet been conducted but that it “envisage[s] doing so in the future”. Importantly, the state declared to be anticipating that it will place no restrictions on the exchange of such information.²⁶³

Eleven of these states exchange information within the OSCE framework, and thus within a regular mechanism.²⁶⁴ In one additional case, Japan, information on national marking systems is given on an ad hoc basis, “when receiving a request [from INTERPOL] regarding investigations into overseas criminal cases”. The necessary information is obtained and provided by the National Police Agency (2005).

²⁶³ See also Iceland (2008).

²⁶⁴ Canada, France, Kazakhstan, Lithuania, Romania, Russia, Slovenia, Sweden, Switzerland, United Kingdom, United States.

REPORTING UNDER THE INTERNATIONAL TRACING INSTRUMENT

NATIONAL POINTS OF CONTACT

Under paragraph 25 of the International Tracing Instrument, states undertake to designate one or more national points of contact to exchange information and act as liaison on all matters relating to the implementation of the Instrument. As at 13 December 2007, 27 states had provided ODA with the contact details of their points of contact.²⁶⁵

MARKING AT TIME OF MANUFACTURE

Paragraph 8(a) of the International Tracing Instrument establishes a commitment to mark SALW at the time of manufacture; according to this provision, states should:

either require unique marking providing the name of the manufacturer, the state of manufacture and the serial number, or maintain any alternative unique user-friendly marking with simple geometric symbols in combination with a numeric and/or alphanumeric code, permitting ready identification by all States of the state of manufacture; and encourage the marking of such additional information as the year of manufacture, weapon type/model and caliber.

In 2008, 45 states provided information under this section of the Instrument. Of these, 32 declared having legislation or other measures establishing marking as part of the SALW production process.²⁶⁶ This includes Sweden, where marking at production is not required by law, but takes place for all SALW manufactured in the state by way of practice. In 13 of these

²⁶⁵ Austria, Bosnia and Herzegovina, China, Croatia, Czech Republic, Denmark, Finland, the former Yugoslav Republic of Macedonia, Germany, India, Italy, Jamaica, Japan, Lebanon, Libya, New Zealand, Nigeria, Norway, Poland, Portugal, Qatar, Romania, Samoa, Senegal, Serbia, Singapore, Spain.

²⁶⁶ Algeria, Brazil, Bulgaria, Canada, China, Croatia, Czech Republic, Ecuador, Finland, France, Guatemala, Hungary, Iceland, India, Israel, Italy, Japan, Lithuania, Mauritius, Mexico, New Zealand, Nicaragua, Pakistan, Peru (civilian weapons), Philippines, Portugal, Russia, Sierra Leone, South Korea, Sweden, United States, Uruguay. The requirement for marking at manufacture seems implicit in the wording of the report by Mauritius (2008).

45 states, marking at production must indicate the state of origin of the weapon;²⁶⁷ in addition to these, in Bulgaria the state of origin must be indicated for SALW destined to the US market (2008). In 19 states, marking at manufacture must give the serial number,²⁶⁸ and in 16 states indications on the manufacturer must be given.²⁶⁹ Other details are also required, most typically the type, model, calibre of the weapon and, often, the year of production. Eleven states also specified the method of marking.²⁷⁰ Twelve states specified the location of the markings, which typically must be put on exposed surfaces and where their removal would cause permanent damage to the weapon.²⁷¹ Four states indicated the system of marking, usually consisting of alphanumeric codes.²⁷²

Ten states declared or implied that these provisions of the Tracing Instrument were not applied or not relevant, most typically because they are not small arms producers.²⁷³ For example, Jamaica stated (2008) that this part of the Instrument is not applicable in its case, as it “does not manufacture weapons”. Sudan reported that “There are no existing or new regulations and administrative procedures which are to ensure the effective implementation of the International Tracing Instrument”.

In nine states, new provisions were under discussion in order to bring the marking procedures in line with the Tracing Instrument.²⁷⁴ For example, following the adoption of new legislation in 2004, Algeria reported being in the process of passing implementing regulations which “will officially institute the system of marking of commercial weapons, currently used by

²⁶⁷ Canada, China, Czech Republic, Finland, India, Israel, Italy, Kenya, Lithuania, Mexico, Russia, South Korea, Uruguay.

²⁶⁸ Bulgaria, Canada, China, Czech Republic, Finland, France, India, Israel, Italy, Japan, Kenya, Mauritius, Mexico, New Zealand, Philippines, Portugal, South Korea, United States, Uruguay.

²⁶⁹ Bulgaria, Canada, China, Czech Republic, Finland, France, India, Israel, Italy, Japan, Kenya, Mauritius, Mexico, South Korea, United States, Uruguay.

²⁷⁰ Brazil, Croatia, France, Guatemala, India, Israel, New Zealand, Nicaragua, South Korea, Sweden, Uruguay.

²⁷¹ Bulgaria, China, Croatia, Czech Republic, France, India, Kenya, Lithuania, New Zealand, Pakistan, Philippines, South Korea.

²⁷² Bulgaria, France, Lithuania, Uruguay.

²⁷³ Burkina Faso, Cambodia, Côte d’Ivoire (draft legislation under development), Iceland, Jamaica, Lesotho, Malta, Sudan, Swaziland, Zimbabwe.

²⁷⁴ Algeria, Burundi, Czech Republic, Iceland, Mali, Netherlands, New Zealand, Republic of the Congo, Switzerland.

[the state]”.²⁷⁵ In the Netherlands (2008), it was reported that a “bill to align the Dutch Arms and Ammunition Act to the marking and tracing ... obligations is in preparation”.

MARKING AT IMPORT

The International Tracing Instrument also provides in paragraph 8(b) for a marking requirement at the time of import. The content of this marking should permit the “identification of the country of import and, where possible, the year of import and enabl[e] the competent authorities of that country to trace the small arm or light weapon”.

Twenty-two states reported a marking requirement for imported weapons. In 13 of these, there are unambiguous measures in this regard,²⁷⁶ while in other cases the issue is less clear. For example, Guatemala declared to check that information initially placed on imported weapons had not been altered, but it did not detail the procedure if this was the case—specifically, whether the weapons were remarked or disposed of. Similarly, both Jamaica and Lebanon reported that weapons must be marked prior to shipment, but they did not explain what the procedure was in case the markings were absent. Two states considered this section of the International Tracing Instrument not applicable: Russia, because “the Armed Forces and State paramilitary organizations use only domestically produced small arms and light weapons, so that the problem of marking imported weapons of that type does not exist”;²⁷⁷ and Zimbabwe, which “does not remark firearms at point of entry into the country”.²⁷⁸ In Canada, marking at import is foreseen in draft legislation.²⁷⁹

MARKING OF WEAPONS TRANSFERRED FROM STATE STOCKS TO CIVILIAN USE

Zimbabwe reported (2008) that weapons transferred from government stocks to civilians are not remarked, as the manufacturer’s marking is considered sufficient.

²⁷⁵ Our translation.

²⁷⁶ China, Czech Republic, Hungary, India, Israel, Lesotho, Lithuania, Mexico, Nicaragua, South Korea, Thailand, United States. Sierra Leone declares (2008) that “a majority of imported guns are marked”.

²⁷⁷ 2008.

²⁷⁸ 2008.

²⁷⁹ 2008.

MARKING OF SALW IN THE POSSESSION OF GOVERNMENT ARMED AND SECURITY FORCES

According to paragraph 8(d) of the International Tracing Instrument, states should “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”.

Thirty-three states reported on this aspect of the Tracing Instrument, out of which 24 have established legal requirements or practices.²⁸⁰ Ecuador (2008) reported a problem represented by the lack of a “standardized set of regulations on the markings to be stamped” on weapons of war and related ammunition owned by the state and used by police and armed forces. It, however, added that “Most of the small arms and light weapons in the possession of the army, navy and air force are marked with the coat of arms of each force and the serial number of the weapon. Each institution is responsible for keeping track of the use and whereabouts of the arms in its possession”. In the Netherlands, weapons owned by the state that are unmarked are considered illegal and are destroyed. Nicaragua stated (2008) that “Ten per cent of the heavy weapons in the possession of the National Police have the name of the institution engraved on one side. Eighty per cent of the pistols in the possession of the National Police have the name of the institution and the Nicaraguan coat of arms engraved on one side”. However, the country noted that “the majority of the unmarked weapons in the possession of the National Police are old”; in addition, all replacements are “duly marked”. Switzerland detailed (2008) the situation regarding weapons held by the Swiss Army alone, those held by police forces are the responsibility of cantonal authorities. The state specified the marking requirement for rifles or handguns, which consists of a numbering system that “makes it possible to identify a weapon exclusively by means of the weapon number (first digit) without knowledge of the type of weapon”. It also gave information on additional requirements. In particular:

In order to be able to identify SALW of the Armed Forces without any risk of error, the Defence Procurement Agency called for new markings

²⁸⁰ Bosnia and Herzegovina, Costa Rica, Côte d’Ivoire, Croatia, Czech Republic, Ecuador, Finland, France, Hungary, Japan, Lithuania, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Spain, Sweden, Switzerland, Thailand, United Kingdom, Uruguay, Zimbabwe.

to distinguish Swiss Armed Forces' pistols and assault rifles, in addition to the weapon number. These markings provide information on four other issues, namely: a) The letter "A" for Armed Forces b) The "shield with the Swiss cross" (=service weapon) c) The letters "W+K" (=weapon approved by the Federal Weapons Control Agency) d) The proof firing stamp. These additional markings have been applied to 9 mm pistols (models 49 and 75), the 7.5 mm model 57 and the 5.6 mm model 90 assault rifles.

Malta and Portugal reported not applying markings on weapons held by their armed forces but nevertheless ensuring compliance with the International Tracing Instrument. This was done by the systematic checking that imported weapons already bore a marking. A particular case is that of Guatemala, where weapons owned by state agencies are not marked, but registration documents for each arm indicate the brand, model, calibre, registration number, gauge as well as the date of registration.²⁸¹

MEASURES BY MANUFACTURERS

Paragraph 8(e) of the International Tracing Instrument requires states to "encourage manufacturers of small arms and light weapons to develop measures against the removal or alteration of markings".

Nine states have reported on this aspect, with Côte d'Ivoire declaring that no provisions had been established in this regard.²⁸² New Zealand specified the legal provisions that criminalize the removal or alteration of markings, while Sweden stated that regulations against the removal of markings or their alteration "might be introduced" in compliance with the UN Firearms Protocol. The United Kingdom detailed the method and technology employed by manufacturers, adding that this was found satisfactory and in no need of revision. Mexico declared that "Even though certain measures have been adopted to prevent the alteration of markings ... , weapon owners nevertheless manage to alter markings. Mexico has established a ballistic fingerprinting register with a view to preventing this practice and has suggested that an inter-American register should be created".

²⁸¹ See also the report by the Republic of the Congo (2008).

²⁸² Bosnia and Herzegovina, Costa Rica, Côte d'Ivoire, Mexico, New Zealand, Republic of the Congo, Sweden, United Kingdom, United States.

MARKING OR DESTRUCTION OF ILLICIT WEAPONS

According to paragraph 9 of the International Tracing Instrument:

States will ensure that all illicit small arms and light weapons that are found on their territory are uniquely marked and recorded, or destroyed, as soon as possible. Pending such marking, and recording in accordance with section IV of this instrument, or destruction, these small arms and light weapons will be securely stored.

Only two states reported under this section. Zimbabwe declared (2008) that no relevant instances had taken place in the state but that, were the case to arise, the weapons would be destroyed. Lithuania declared (2008) that "Surplus, confiscated, collected or seized firearms, after confirmation by the Commission of Experts on their unsuitability for further use, are handed over to the Weaponry Fund, which destroys them under the established procedure".

RECORD-KEEPING

RECORDS KEPT BY THE STATE

In paragraph 11, the International Tracing Instrument 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 below in order to enable their competent national authorities to trace illicit small arms and light weapons in a timely and reliable manner.

In addition, paragraph 12 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".

Forty-four states reported information on record-keeping. The presence of different types of records is quite common; typically, these relate, on the one hand, to weapons held by armed and security forces and, on the other, to SALW held by civilians. Overall, 26 states had records of state-

held weapons.²⁸³ In Andorra, separate records and control procedures are administered by the police—addressing information on weapons held by the customs authorities—and by the *gardes forestiers*. Similarly, in Bosnia and Herzegovina, the Ministry of Defence keeps a central database, according to the NATO system, of SALW held in military stocks; the police and security agencies also have records of the weapons in their use and stocks. In Paraguay (2008):

Small arms and light weapons held by the Paraguayan armed forces and by security agencies are recorded by each State entity, each being responsible for such records. There is also a computerized registration system recording the specifications, number, model, caliber and type of firearm; this allows the individual identification of weapons belonging to the armed forces or loaned to State agencies, including the National Police, the Justice and Labour Ministry and the National Narcotics Agency. In 2007, the Commander-in-Chief of the national armed forces formed an ad hoc committee to oversee the comprehensive, item-by-item monitoring of all weapons in order to update the register and computerized registration system.

Thirteen states reported keeping records of weapons in civilian possession.²⁸⁴ Twelve states mentioned keeping records on manufacture, which were either held by licensing ministries or by manufacturers themselves.²⁸⁵ For example, Bosnia and Herzegovina stated (2008) that the “Ministry of Foreign Trade and Economic Relations ... also [has] a data base of all manufactured SALW and ammunition and their storage”. In Sweden (2008), it was reported that “Records of manufactured weapons are retained by the manufacturer”.

Seven states reported being in the process of adopting new regulations or systems relating to record-keeping.²⁸⁶ Russia announced the introduction,

²⁸³ Bosnia and Herzegovina, Cambodia, Canada, Chile, Czech Republic, Ecuador, India, Israel, Jamaica, Japan, Lesotho, Lithuania, Malta, Netherlands, Norway, Paraguay, Peru, Portugal, Russia, Sierra Leone, Sri Lanka, Sweden, Switzerland, Thailand, United States, Zimbabwe.

²⁸⁴ Cambodia, Côte d’Ivoire, Ecuador, Israel, Jamaica, Japan, Kenya, Lesotho, Lithuania, Philippines, Portugal, Sweden, Thailand.

²⁸⁵ Bosnia and Herzegovina, Iceland, India, Israel, Japan, Pakistan, Peru, Philippines, South Korea, Sweden, Switzerland, United States.

²⁸⁶ Bosnia and Herzegovina, Côte d’Ivoire, Kenya, Netherlands, Russia, Sweden, United Kingdom.

for the first half of 2008, of “a single automated system for keeping records of weapons, compatible with similar systems used by Russian paramilitary organizations and law enforcement agencies” to be introduced at industrial enterprises. In Bosnia and Herzegovina (2008), “The Ministry of Security ... is working to develop a Central Registry for SALW in civilian possession including the SALW trade”.

RECORDS KEPT BY COMPANIES GOING OUT OF BUSINESS

The United States reported (2008) that records of companies going out of business must be turned over to the Bureau of Alcohol, Tobacco, Firearms and Explosives.

TRACING

COOPERATION IN TRACING

Twenty states reported under sections of the International Tracing Instrument relating to cooperation. Of these, seven states indicated the organs responsible for tracing requests.²⁸⁷ Algeria set up a specific point of contact, in addition to that for the PoA, in the Bureau Central National-INTERPOL Algérie, part of the Direction Générale de la Sûreté Nationale, to which tracing requests can be transmitted directly, via INTERPOL or the police services or requesting states. In Jamaica (2008), “The National Intelligence Bureau of the Jamaica Constabulary Force is the authority with responsibility to maintain international links with overseas law enforcement counterparts to trace the origin of all weapons entering the island, legally or illegally”.

Two states indicated tracing procedures were in force. In Ecuador, requests from organizations that currently collect information on the tracing of SALW are transmitted through formal or established channels such as the Armed Forces Joint Command, through the Department of Logistics. In Zimbabwe (2008), it was reported that the INTERPOL Weapons Electronic Tracing System is used “when the tracing need arises”, although it specified that it had received no relevant requests.

²⁸⁷ Algeria, Canada, Jamaica, Nicaragua, Paraguay, Peru, Zimbabwe.

Two states reported the existence of training programmes. In Burundi, such a programme was held in the first quarter of 2008, funded by the Regional Centre on Small Arms and Light Weapons in Nairobi, and attended by officials from the national police and army. Nigeria participated in a “workshop dedicated for the Tracing Instrument being organized by the United Nations Regional Centre for Peace and Disarmament in Africa ... in April, 2008”.²⁸⁸

Two states outlined planned revisions to existing legal systems. Côte d’Ivoire, after pointing out that its legislation contained no provision on the identification and tracing of SALW, reported that a preliminary draft of relevant regulations was prepared in 2005. Although not yet passed at the time of writing, these regulations should provide for the tracing of SALW and their ammunition, and also establish a marking and registration system.

Russia gave examples of tracing operations. In particular, it reported that:

From April 2007 to February 2008, the National Central Bureau of [INTERPOL] under the Russian Ministry of Internal Affairs transmitted to the INTERPOL General Secretariat 216 communications on tracing, 118 of which related to prosecutions that have been brought. Thus, 216 firearms were registered in the database of the INTERPOL General Secretariat. A total of 70 requests for “sales histories” and criminal record checks relating to weapons have been sent to the INTERPOL National Central Bureaux of foreign countries. The latter have replied to 65 requests from the Russian law enforcement agencies for the identification of weapon manufacturers and owners.²⁸⁹

Six states mentioned cooperation with INTERPOL.²⁹⁰ For instance, China declared (2008) that national “police authorities actively cooperate with INTERPOL, and have provided assistance in tracing illicit firearms”; Zimbabwe states (2008) that it “is a member of Interpol and enjoys full use of Interpol database and will co-operate with all member states”. Two states indicate the number of tracing requests they have received and dealt with; in Israel the following were tracing requests from 2005 to 2008: In 2005—33 tracing requests; in 2006—22 tracing requests; in 2007—20 tracing

²⁸⁸ 2008.

²⁸⁹ 2008.

²⁹⁰ China, Israel, Peru, Netherlands, Nicaragua, Zimbabwe.

requests; in the first 3 months of 2008—11 tracing requests. The United States' Bureau of Alcohol, Tobacco, Firearms and Explosives "conducts approximately 300,000 firearms traces per year, with approximately 40,000 of these traces conducted on behalf of foreign law enforcement agencies".

COOPERATION AND ASSISTANCE

ASSISTANCE IN CAPACITY-BUILDING

As per paragraph 27 of the International Tracing Instrument, "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".

Only 14 states gave information on this particular aspect;²⁹¹ two simply stated that assistance was requested to improve capacity,²⁹² while others gave details of the areas where financial or technical assistance would be needed.²⁹³ Eight states mentioned international workshops. For instance, Kenya attended a capacity-building workshop organized by the Regional Centre on Small Arms specifically focusing on marking methods and techniques and the establishment of electronic data bases. Malta mentioned it is neither in need of assistance nor in the position to offer it. The Netherlands supported a capacity-building workshop in Nairobi, through ODA, and expressed its willingness to support states in the implementation of the International Tracing Instrument, with a particular focus on the following regions: the Great Lakes, the Horn of Africa, the Balkans and Afghanistan.²⁹⁴

INTERNATIONAL COOPERATION IN TECHNOLOGY DEVELOPMENT

No state reported under this section of the Tracing Instrument.

²⁹¹ Burkina Faso, Cambodia, Djibouti, Kenya, Lesotho, Malta, Mozambique, Netherlands, Peru, Sierra Leone, Sri Lanka, Trinidad and Tobago, Uganda, United States.

²⁹² Cambodia, Sri Lanka.

²⁹³ Lesotho, Mozambique, Sierra Leone.

²⁹⁴ See also Burkina Faso, Djibouti, Mozambique, Peru, United States.

INTERNATIONAL COOPERATION WITH OTHER RELEVANT ORGANIZATIONS

In paragraph 29 of the International Tracing Instrument, states are requested to:

encourage initiatives, within the framework of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, that mobilize the resources and expertise of, and where appropriate cooperation with, relevant regional and international organizations to promote the implementation of this instrument by States.

Six states reported under this section of the Instrument, relating their membership or active contribution to organizations or international treaties, most notably the 1969 Convention for the Reciprocal Recognition of Proof Marks on Small Arms.²⁹⁵

CONCLUSION

For the first year of reporting under the International Tracing Instrument, a relatively small number of states submitted information on national implementation of its provisions. Details have concentrated in the areas of marking (particularly at the time of manufacture), tracing of state-held SALW and record-keeping. In many other areas covered by the Tracing Instrument, information has been submitted rarely or with little detail.

Before the adoption of the Instrument, however, several states had reported on their national measures on marking, record-keeping and tracing in the framework of the PoA. Here, too, areas more frequently dealt with related to marking at manufacture/import, but also to measures on unmarked small arms and tracing cooperation. In the reporting states, unmarked weapons were removed from circulation, destroyed or remarked. As for tracing cooperation, INTERPOL seems to have played an important role, together with bilateral agreements for mutual assistance in enforcement.

To the extent that national reports can be considered a reliable reflection of PoA implementation, a few areas seem in greater need of attention and

²⁹⁵ Finland, France, Hungary, Lithuania, Russia, United Kingdom.

action. These relate to the exchange of information on national marking systems, to mechanisms to ensure tracing of state-held SALW and to international assistance (for example, capacity-building and training of personnel conducting tracing operations).

Generally speaking, reporting in these areas counts few states that have described in detail their marking practices, while in the majority of states it remains unclear or unknown whether SALW marking at the time of manufacture is an established practice.

RECOMMENDATIONS

- States are encouraged to report specifically under the International Tracing Instrument, which contains more detailed provisions in the areas of marking, record-keeping and tracing than does the PoA.
- When giving information on marking practices, states should specify whether these apply to manufactured weapons, imported weapons, or both.
- States should consider making greater use of existing international mechanisms for the exchange of information, for instance through regional or multilateral organizations.
- States should also consider making greater use of the structures and mechanisms available through INTERPOL, as well as of the potential for cooperation among national customs authorities in tracing operations and related investigations.
- States should consider allocating greater resources for international assistance programmes in capacity-building and training of relevant personnel.
- States should consider whether reporting on implementation of PoA commitments with respect to marking and tracing could be consolidated with their reporting obligations under the Tracing Instrument in order to avoid having to submit the same information under two separate reporting mechanisms.

PART IV
FINDINGS AND RECOMMENDATIONS

IMPLEMENTATION CHALLENGES

In addition to the challenges states face in submitting regular and detailed reports as discussed previously, states have identified a number of challenges they face in their efforts to implement the PoA. In some instances, challenges to implementation can be inferred from the types of assistance states have received or requested. Additionally, approximately 24 states included sections in their reports expressly titled “implementation challenges”.²⁹⁶ Fourteen of these were African states. Many of these were identified in reports submitted in 2008, presumably in response to the letter issued by ODA in January 2008, inviting states to submit their national reports for 2008 and specifying that the information they provide should also address “challenges and obstacles met in the implementation of the Programme of Action”.

Some of the challenges identified included general references to a lack of capacity²⁹⁷ or a lack of progress due to an ongoing conflict.²⁹⁸ The following addresses some specific challenges identified.

LACK OF RESOURCES

Financial capacity. Botswana, the Central African Republic, Indonesia, Rwanda and Swaziland, among others, stated that they lacked financial capacity to implement the PoA.

Equipment. Cameroon listed the shortage of equipment as a challenge to implementation. Chad noted that there was a shortage of equipment to secure its borders, especially vehicles and communication equipment. Nigeria specified that it needed metal detectors for land, sea and air traffic points. São Tomé and Príncipe made a general comment that its security staff lacked equipment. Swaziland reported a need to purchase operational technical equipment such as marking devices and destruction machines.

²⁹⁶ Australia, Bosnia and Herzegovina, Botswana, Burundi, Cameroon, Central African Republic, Chad, Ecuador, Ghana, Indonesia, Kenya, Lesotho, Liberia, Malta, Moldova, New Zealand, Nigeria, Philippines, Rwanda, São Tomé and Príncipe, Swaziland, Switzerland, Trinidad and Tobago and Zambia.

²⁹⁷ For example, Ecuador noted that it needs to strengthen the capacity of relevant institutions; Rwanda reported that it needs capacity-building to enhance the small arms initiative.

²⁹⁸ Burundi, Chad.

Skilled staff. Cameroon, the Central African Republic, Chad and Kenya listed a shortage of professional staff or technical skills as a challenge to implementation. Ghana noted it lacked the resources to train staff. Nigeria specified that it required training in modern means of arms and ammunition destruction. The Philippines reported a specific need for training of law enforcement officers. São Tomé and Príncipe and Swaziland reported that there was a lack of training.

Action-oriented research. Burundi and Cameroon noted a lack of information concerning the nature and quantity of the illicit arms that were in circulation. The Philippines reported a need to establish a central repository of all information pertaining to firearms trafficking and to conduct research and information exchange aimed at identifying smuggling routes. Additionally, Cameroon and Ghana noted the need to gain a better understanding of the scale of illicit, local production.

Public awareness. Ecuador noted that educational and informational programmes were needed to generate civic awareness of the problem of illicit trafficking. Ghana noted that greater efforts were needed to ensure that its citizens appreciated the problem of small arms proliferation, and that greater public awareness and community disarmament programmes were needed. Liberia reported a need to inform the population about the dangers of small arms. Linked to this, Chad noted that there was a need for greater collaboration between the civil population and the military, and Ghana stated a need for greater collaboration with civil society.

Legislation. Botswana noted that there was a need for harmonization on certain basic principles in regional firearms legislation. Lesotho reported that one of its main challenges was to speed up the process of revising its firearms laws to take account of the PoA and other regional agreements. Liberia and Swaziland also listed the need for legislative reform as a challenge to implementation. The Philippines reported that it needed to enact laws that would criminalize firearms trafficking. São Tomé and Príncipe reported that its legal framework for regulating possession was inadequate.

Borders and customs. Botswana noted that there was a lack of capacity for the surveillance and detection of small arms trafficking at border posts. Cameroon and Rwanda highlighted that porous borders made the illicit trade in small arms difficult to control. Indonesia also commented that extensive sea borders made the task of patrolling and monitoring the illicit

traffic of small arms more difficult. The Philippines commented that, as an archipelago, it had a coastline that was difficult and expensive to patrol. Liberia and Zambia listed the absence of an effective or efficient border control system as a challenge to implementation.

Stockpile management. Botswana noted that it currently had a system of manual record-keeping of firearms held by civilians and the government and that assistance was needed to acquire the hardware and software to improve stockpile management. Liberia also noted the need for a small arms database. Zambia noted that one of the challenges it faced was the absence of an effective and sustainable programme for the collection of illegal or surplus weapons.

FUTURE PRIORITIES

In addition to requesting states to provide information on implementation challenges, the letter issued by ODA in January 2008 invited them to include information on the “priority issues related to the implementation of the Programme of Action, which may be placed on the agenda of the upcoming Biennial Meeting of States”. Given the positive outcome of the third Biennial Meeting, and assuming that the practice of focusing on specific PoA themes is maintained, a review of priority issues identified in states’ 2008 and earlier reports may help to identify what issues may be ripe for discussion at future biennial meetings. In addition to the themes selected for focused consideration at the third Biennial Meeting, the following priorities were listed by states:

- action-oriented research;
- ammunition;
- awareness-raising;
- border and customs controls;
- establishing NPCs and NCAs;
- legislative reform; and
- training of law enforcement and security personnel.

In addition, although they were not identified explicitly as priority themes, the following issues received significant attention in national reports: legislation, regulations and administrative procedures for civilian possession; legislation, regulations and administrative procedures for export control and transfers; and the regulation of manufacturers.

Although a review of national reports provides insight into the PoA issues and themes that states are addressing and prioritizing at the national level, if future biennial meetings continue to focus on selected themes, a consultation process similar to the one conducted by the Chair-designate in the lead-up to the third Biennial Meeting of States will be necessary to ensure that there is agreement among states as to what should be prioritized at the international level. A review of national reports alone does not and will not provide adequate insight into priority themes, unless states are requested to report on which issues should be prioritized as part of the PoA process, and all states submit national reports responding to that request.

CONCLUSION

National reporting on the implementation of the PoA is a central tool for monitoring states' adherence to their commitments under the PoA. While related analyses exist, particularly produced by civil society, the submission of information by states remains the only formal mechanism in this regard.

Since the adoption of the PoA in 2001, 148 UN Member States and one Permanent Observer have submitted a total of 466 reports on their implementation. A review of these reports shows us that there have been significant efforts to combat the illicit trade in small arms. With respect to the focus themes of the third Biennial Meeting of States in particular, we can establish, for example, that at least 25 states have introduced brokering legislation since 2001; that there have been increasing efforts at the regional levels to build capacity for stockpile management and security; that major surplus destruction projects have been undertaken in Southern and Eastern Europe; and that at least 22 states have developed or are developing legislation on marking at the time of manufacture.

What is more difficult to establish from national reports is the extent to which these activities are generated by the PoA and the extent to which they are the consequence of regional arrangements and mechanisms or of other factors (domestic, for example). Partly this is because many national small arms activities and projects pre-date the PoA, suggesting that states were already active in some of the related areas. Nevertheless, it is clear that the PoA has significantly raised global awareness of the problems associated with the illicit trade in small arms and has facilitated a more coordinated and comprehensive approach to its eradication.

One of the challenges characteristic of this method of information sharing, linked to its voluntary nature, is that national reports cannot be considered as an exclusive or exhaustive source of information on national policies on small arms. Since 2001, 44 states have never submitted a national report on PoA implementation, but this does not necessarily mean that they have not made efforts to implement its provisions. Furthermore, given the extent and diversity of the PoA provisions, some areas of activities may not be adequately reflected in the reports, which require a degree of inter-agency cooperation, resources and time that are not always available, or fully adequate, at the domestic level. Indeed, in many instances, no changes were reported and so information provided in 2003 remains relevant for 2008. In these cases, it cannot be established whether this is the reflection of stagnating policies or simply of inadequate sharing of information.

With respect to reporting practices, in Part I of this report we provided a statistical overview of the frequency with which states have reported on their PoA implementation since 2002. Some regions and some states in particular have shown greater commitment to the reporting process than others, but overall, the level of participation in the process is good. What the statistics do not reveal is the quality of information and level of detail contained in the reports submitted. There was great disparity between the reports submitted by states (and indeed between reports submitted by the same state) in terms of the types of information covered and the specificity of that information. This made comparability of reports difficult, even where states addressed the same themes. In summary, many states may have reported frequently, but not all states reported well.

Although states did not specify this in their reports, there are many reasons why states may not report well or may not report at all. Table 4 details some of the challenges states have faced in reporting, as well as suggestions and proposals for helping to overcome these. Table 5 shows some of the challenges states have faced due to reporting procedures, as well as solutions for improving them.

To facilitate future analyses of national reports and specific themes for future biennial meetings, and to support implementation of the PoA generally, states should endeavour to report consistently on their activities, for example by clearly indicating when reported information is an update compared to previous years or—as is sometimes the case—a reiteration of data already submitted. On the other hand, the establishment of standards

or benchmarks indicating what constitutes adequate measures would help evaluate progress in implementation. In this context, the UN Coordinating Action on Small Arms initiative to establish International Small Arms Control Standards is a welcome development.

At the third Biennial Meeting, states explored ways to advance the small arms process, enhance efforts to combat the illicit trade and improve implementation of PoA commitments. With specific reference to reporting, it was noted that the task of preparing national reports could be made easier through the further development of elements of standardization in reporting,²⁹⁹ and it is clear that there is scope for further refining the reporting mechanism. Changes to this mechanism of information exchange could create opportunities not only to improve and simplify national reporting practices, but to enhance and increase implementation of the PoA in general.

²⁹⁹ For complete details see General Assembly, *Report of the 3rd Biennial Meeting of States to Consider 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*, UN document A/CONF.192/BMS/2008/3, 20 August 2008.

Table 4. Challenges to reporting

Challenge to reporting	Overcoming the challenge
<p data-bbox="387 584 778 613"><u>Interagency cooperation required</u></p> <p data-bbox="387 629 778 792">Many different agencies may be responsible for different small arms activities and so interagency cooperation is necessary to prepare a comprehensive national report.</p>	<p data-bbox="810 584 1187 613"><u>National Coordination Agencies</u></p> <p data-bbox="810 629 1211 792">The role of an NCA is to coordinate small arms activity within a state, including facilitating the cooperation of the different agencies engaged in small arms in preparing national reports.</p>
<p data-bbox="387 831 778 860"><u>Lack of capacity</u></p> <p data-bbox="387 875 778 1070">States may lack capacity to report regularly or comprehensively due to a lack of personnel, lack of information or other contextual difficulties, for instance they may be experiencing civil conflict or political strife.</p>	<p data-bbox="810 831 1187 860"><u>Cooperation and assistance</u></p> <p data-bbox="810 875 1211 1128">This is an area where financial assistance may be welcome, but more importantly, it is an area where practical assistance from civil society (especially local non-governmental organizations) may be given, and where regional organizations should be active in coordinating activities.</p>
<p data-bbox="387 1167 778 1196"><u>Lack of understanding of the PoA</u></p> <p data-bbox="387 1211 778 1464">States, or more specifically the individuals or departments responsible for drafting the national reports, may not understand some of the PoA commitments that should be reflected in their national reports. Consequently details provided in reports do not always address PoA commitments.</p>	<p data-bbox="810 1167 1187 1196"><u>Clarification of PoA commitments</u></p> <p data-bbox="810 1211 1211 1487">Many international seminars and meetings that form part of the small arms process discuss the nature and quantity of activities that take place, but fewer explore and clarify the specific commitments contained in the PoA. A reminder and clarification of the concrete commitments in the PoA could prove helpful.</p>

Table 4. Challenges to reporting (cont.)

Challenge to reporting	Overcoming the challenge
<p><u>Under-utilization of reporting template</u></p> <p>Although states are not required to use the reporting template, it has improved the quality of reports submitted by those that do. It also improves the comparability of reports. However, not all states use the template or use it comprehensively.</p>	<p><u>Information support</u></p> <p>Further awareness-raising and training on the existence of and use of the template is required. All states are encouraged to use the reporting template.</p>
<p><u>Inconsistent use or misuse of the template</u></p> <p>States that do use the template do not always address all questions raised, and some give responses that are not relevant to the question posed. This may partly be due to the fact that the current form of the reporting template asks relatively few questions (relative to the number of commitments in the PoA), and these tend to be quite general and open, leaving states to provide as much or as little detail as possible.</p>	<p><u>Updating the template</u></p> <p>Possibilities for updating the reporting template include introducing more detailed, closed questions. While this would increase the number of questions in the template, it would ensure states provided responses to all elements, it would guide them through their PoA commitments, and it would be easier for states to respond. Additionally, online reporting could be considered.</p>

Table 5. Suggestions for changing reporting procedure

Weakness in reporting	Procedural solution
<p data-bbox="387 589 778 618"><u>Reporting fatigue</u></p> <p data-bbox="387 633 778 819">In many reports, states noted their compliance to share information on specific issues under other regional arrangements, but did not share the information given under these other mechanisms.</p>	<p data-bbox="802 589 1193 618"><u>Streamline reporting</u></p> <p data-bbox="802 633 1201 920">Although states did not complain about having to report on the same issues under different arrangements, including the PoA, it can be assumed that there is a level of fatigue associated with multiple reporting commitments, and a means of streamlining reporting processes could be explored.</p>
<p data-bbox="387 969 778 999"><u>Frequency of reporting</u></p> <p data-bbox="387 1014 778 1167">States are presently encouraged to report annually. However, it is clear from statistical trends that more states report in years in which a Biennial Meeting or Review Conference is held.</p>	<p data-bbox="802 969 1193 999"><u>Report biennially</u></p> <p data-bbox="802 1014 1201 1391">This raises the question of the utility of annual reporting. If states only meet biennially to discuss implementation, and are only inclined to report biennially, one option may be to encourage states to submit reports biennially rather than annually. This may enhance the quality of reports, as states would have two years to compile them, and would certainly make it easier for states with limited capacity to report.</p>

Table 5. Suggestions for changing reporting procedure (cont.)

Weakness in reporting	Procedural solution
<p data-bbox="387 589 794 618"><u>Scope of reporting</u></p> <p data-bbox="387 633 802 853">States are expected to report on their implementation of all issues under the PoA, and this is how the reporting template is designed. However, many reports are long and detailed, while others merely touch the surface of every issue or ignore certain issues altogether.</p>	<p data-bbox="818 589 1078 618"><u>Limit the focus of reports</u></p> <p data-bbox="818 633 1209 1200">The decision to focus attention on four themes for the third Biennial Meeting of States could set an important precedent. If a longer-term approach is taken to the process, and states decide to establish a programme of work whereby specific themes are addressed at each biennial meeting in the coming decade, then a requirement that states only submit reports (on a biennial basis as mentioned above) on their implementation of the themes to be addressed at the next biennial meeting would simplify the reporting process and would likely improve the level of detail of national reports.</p>
<p data-bbox="387 1249 667 1279"><u>No benchmarks for success</u></p> <p data-bbox="387 1294 802 1451">The PoA does not contain standards or indicators for what constitutes effective implementation and very few states mention specific instances where actions taken have had a measurable impact.</p>	<p data-bbox="818 1249 1042 1279"><u>Establish benchmarks</u></p> <p data-bbox="818 1294 1209 1451">If a longer-term approach is taken to the process, then it may be possible for states to establish benchmarks in some key areas for evaluating implementation.</p>

ANNEX A. REPORTING, NPCS AND NCAS, 2002 TO 2008

This table is based on information derived from the national reports submitted between 2002 and 17 September 2008 and the ODA list of National Points of Contact (as of 4 March 2008).

The bullets indicate years in which a state submitted a national report. In the columns NPC and NCA, a bullet indicates that the state has such a body, while a hollow bullet indicates that such a body is being established.

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
Afghanistan								0		
Albania		•	•					2	•	
Algeria		•		•	•		•	4	•	•
Andorra							•	1	•	
Angola					•		•	2	•	•
Antigua and Barbuda								0	•	
Argentina		•	•	•	•	•	•	6	•	◦
Armenia		•		•			•	3	•	•
Australia	•	•	•	•		•	•	6	•	•
Austria		•		•	•		•	4	•	•
Azerbaijan			•	•				2		
Bahamas								0		
Bahrain							•	1		
Bangladesh	•	•						2	•	
Barbados		•						1	•	
Belarus	•	•	•	•	•	•	•	7	•	
Belgium		•						1	•	•
Belize								0		
Benin		•		•			•	3	•	•
Bhutan								0		

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
Bolivia		•		•	•	•		4	•	
Bosnia and Herzegovia			•	•	•	•	•	5	•	•
Botswana	•						•	2	•	•
Brazil		•		•			•	3	•	•
Brunei Darussalam								0		
Bulgaria	•	•		•	•	•	•	6	•	•
Burkina Faso	•	•		•			•	4	•	•
Burundi		•	•	•		•	•	5	•	•
Cambodia			•				•	2	•	•
Cameroon		•						1		•
Canada		•	•	•	•		•	5	•	•
Cape Verde								0		
Central African Republic		•						1		
Chad		•						1	•	•
Chile				•	•		•	3	•	•
China		•	•	•		•	•	5	•	
Colombia		•		•	•		•	4	•	•
Comoros								0		
Costa Rica	•	•		•				3	•	•
Côte d'Ivoire		•		•			•	3	•	•
Croatia		•	•	•	•	•	•	6	•	•
Cuba		•			•	•	•	4	•	
Cyprus							•	1	•	
Czech Republic		•	•	•	•	•	•	6	•	
Denmark				•	•	•	•	4	•	
Djibouti		•					•	2	•	
Dominica								0		
Dominican Republic							•	1	•	

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
Democratic Republic of the Congo		•						1	•	•
Ecuador		•			•		•	3	•	
Egypt		•		•	•		•	4	•	•
El Salvador		•	•	•				3		
Equatorial Guinea		•						1		•
Eritrea								0		
Estonia		•					•	2	•	
Ethiopia	•						•	2	•	•
Fiji			•					1	•	•
Finland		•	•	•	•	•	•	6	•	•
former Yugoslav Republic of Macedonia		•	•	•	•	•	•	6	•	•
France		•		•			•	3	•	•
Gabon				•				1	•	
Gambia		•		•				2	•	•
Georgia				•	•		•	3	•	•
Germany		•	•	•		•	•	5	•	
Ghana				•		•		2		•
Greece		•	•	•	•	•	•	6	•	•
Grenada			•					1	•	
Guatemala			•	•	•		•	4	•	•
Guinea								0	•	
Guinea-Bissau								0		
Guyana								0		
Haiti		•						1	•	•
Holy See				•				1	•	
Honduras		•	•					2		•
Hungary	•	•	•	•	•	•	•	7	•	•
Iceland							•	1	•	

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
India		•		•		•	•	4	•	•
Indonesia		•		•				2	•	•
Iran		•		•			•	3	•	•
Iraq							•	1	•	
Ireland	•	•		•	•		•	5	•	
Israel		•	•				•	3	•	•
Italy		•		•	•	•	•	5	•	•
Jamaica				•			•	2	•	
Japan	•	•		•		•	•	5	•	•
Jordan		•		•				2	•	•
Kazakhstan				•	•		•	3	•	•
Kenya		•		•	•		•	4	•	•
Kiribati								0		
Kuwait								0		
Kyrgyzstan					•			1		
Laos								0	•	
Latvia		•	•	•	•		•	5	•	•
Lebanon		•	•		•		•	4	•	
Lesotho				•	•		•	3	•	•
Liberia					•		•	2	•	•
Libya								0		
Liechtenstein				•			•	2	•	
Lithuania	•	•		•	•		•	5	•	
Luxembourg		•		•				2	•	
Madagascar								0		
Malawi								0		
Malaysia		•		•	•		•	4	•	•
Maldives								0	•	
Mali		•		•			•	3	•	•
Malta			•	•	•	•	•	5	•	

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
Marshall Islands				•				1	•	•
Mauritania				•				1	•	
Mauritius				•			•	2	•	
Mexico	•	•	•	•	•	•	•	7	•	•
Micronesia								0		
Moldova		•		•	•	•	•	5	•	•
Monaco		•	•					2	•	
Mongolia								0	•	
Montenegro								0		
Morocco		•		•	•		•	4	•	•
Mozambique				•			•	2	•	•
Myanmar								0	•	
Namibia				•	•		•	3	•	•
Nauru								0		
Nepal								0	•	
Netherlands		•		•			•	3	•	
New Zealand		•	•	•		•	•	5	•	•
Nicaragua		•			•		•	3	•	•
Niger		•		•	•		•	4	•	•
Nigeria				•			•	2	•	•
North Korea								0		
Norway		•		•	•	•	•	5	•	•
Oman		•		•	•			3	•	
Pakistan		•		•			•	3	•	•
Palau								0		
Panama				•			•	2	•	•
Papua New Guinea				•				1	•	•
Paraguay		•		•	•	•	•	5	•	•
Peru		•		•	•		•	4	•	•
Philippines		•		•	•		•	4	•	

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
Poland	•	•		•	•		•	5	•	•
Portugal		•	•			•	•	4	•	•
Qatar		•		•			•	3	•	
Republic of the Congo		•					•	2	•	
Romania		•		•			•	3	•	•
Russia	•	•		•	•	•	•	6	•	
Rwanda		•		•			•	3	•	•
Saint Kitts and Nevis								0	•	
Saint Lucia								0		
Saint Vincent and the Grenadines								0		
Samoa								0	•	
San Marino								0	•	
São Tomé and Príncipe		•						1	•	
Saudi Arabia		•			•			2		
Senegal		•		•		•	•	4	•	•
Serbia		•	•	•	•	•	•	6	•	◦
Seychelles								0		
Sierra Leone				•			•	2	•	•
Singapore								0	•	
Slovakia		•		•			•	3	•	•
Slovenia		•		•			•	3	•	•
Solomon Islands		•	•					2	•	
Somalia								0		
South Africa		•		•			•	3	•	
South Korea		•		•	•		•	4	•	
Spain		•		•	•	•	•	5	•	•
Sri Lanka		•		•	•		•	4	•	•
Sudan		•					•	2	•	•
Suriname								0		

State	2002	2003	2004	2005	2006	2007	2008	Total	NPC	NCA
Swaziland							•	1		•
Sweden		•		•			•	3	•	•
Switzerland		•	•	•			•	4	•	•
Syria		•		•	•	•		4	•	•
Tajikistan		•						1	•	
Tanzania					•		•	2	•	•
Thailand		•		•			•	3	•	•
Timor-Leste								0		
Togo			•	•	•	•	•	5		•
Tonga								0		
Trinidad and Tobago		•	•				•	3	•	
Tunisia								0		
Turkey		•	•	•			•	4	•	•
Turkmenistan								0		
Tuvalu								0	•	
Uganda		•		•	•		•	4	•	•
Ukraine		•	•	•			•	4	•	
United Arab Emirates				•	•			2		
United Kingdom		•		•			•	3	•	•
United States of America	•	•	•	•		•	•	6	•	•
Uruguay				•			•	2	•	•
Uzbekistan								0		
Vanuatu								0		
Venezuela			•		•			2	•	
Viet Nam					•			1	•	
Yemen		•			•			2	•	
Zambia				•				1	•	•
Zimbabwe				•			•	2	•	•
Totals	16	103	39	104	60	35	109	466	148	95

ANNEX B. STATES THAT HAVE NEVER REPORTED

Afghanistan	Montenegro
Antigua and Barbuda	Myanmar
Bahamas	Nauru
Belize	Nepal
Bhutan	North Korea
Brunei Darussalam	Palau
Cape Verde	Saint Kitts and Nevis
Comoros	Saint Lucia
Dominica	Saint Vincent and the Grenadines
Eritrea	Samoa
Guinea	San Marino
Guinea-Bissau	Seychelles
Guyana	Singapore
Kiribati	Somalia
Kuwait	Suriname
Laos	Timor-Leste
Libya	Tonga
Madagascar	Tunisia
Malawi	Turkmenistan
Maldives	Tuvalu
Micronesia	Uzbekistan
Mongolia	Vanuatu

ANNEX C. SUBREGIONAL CLASSIFICATION OF UN MEMBER STATES

This is the classification according to the United Nations Statistics Division.

AFRICA

Eastern Africa

Burundi, Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Mozambique, Rwanda, Seychelles, Somalia, Tanzania, Uganda, Zambia, Zimbabwe

Middle Africa

Angola, Cameroon, Central African Republic, Chad, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Republic of the Congo, São Tomé and Príncipe

Northern Africa

Algeria, Egypt, Libya, Morocco, Sudan, Tunisia

Southern Africa

Botswana, Lesotho, Namibia, South Africa, Swaziland

Western Africa

Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo

AMERICAS

Caribbean

Antigua and Barbuda, Bahamas, Barbados, Cuba, Dominica, Dominican Republic, Grenada, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago

Central America

Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama

South America

Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay, Venezuela

North America

Canada, United States of America

ASIA

Central Asia

Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan

East Asia

China, Japan, Mongolia, North Korea, South Korea

South Asia

Afghanistan, Bangladesh, Bhutan, India, Iran, Maldives, Nepal, Pakistan, Sri Lanka

South-East Asia

Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor-Leste, Viet Nam

West Asia

Armenia, Azerbaijan, Bahrain, Cyprus, Georgia, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, Yemen

EUROPE

Eastern Europe

Belarus, Bulgaria, Czech Republic, Hungary, Moldova, Poland, Romania, Russia, Slovakia, Ukraine

Northern Europe

Denmark, Estonia, Finland, Iceland, Ireland, Latvia, Lithuania, Norway, Sweden, United Kingdom

Southern Europe

Albania, Andorra, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Greece, Holy See, Italy, Malta, Montenegro, Portugal, San Marino, Serbia, Slovenia, Spain

Western Europe

Austria, Belgium, France, Germany, Liechtenstein, Luxembourg, Monaco, Netherlands, Switzerland

OCEANIA

Australia and New Zealand

Australia, New Zealand

Melanesia

Fiji, Papua New Guinea, Solomon Islands, Vanuatu

Micronesia

Kiribati, Marshall Islands, Micronesia, Nauru, Palau

Polynesia

Samoa, Tonga, Tuvalu

ANNEX D. REGIONAL AND MULTINATIONAL ORGANIZATIONS

AFRICAN UNION

Algeria	Gabon	Saharawi Arab
Angola	Gambia	Democratic
Benin	Ghana	Republic*
Botswana	Guinea	São Tomé and
Burkina Faso	Guinea-Bissau	Principe
Burundi	Kenya	Senegal
Cameroon	Lesotho	Seychelles
Cape Verde	Liberia	Sierra Leone
Central African	Libya	Somalia
Republic	Madagascar	South Africa
Chad	Malawi	Sudan
Comoros	Mali	Swaziland
Côte d'Ivoire	Mauritania	Tanzania
Democratic Republic	Mauritius	Togo
of the Congo	Mozambique	Tunisia
Djibouti	Namibia	Uganda
Egypt	Niger	Zambia
Equatorial Guinea	Nigeria	Zimbabwe
Eritrea	Republic of the Congo	
Ethiopia	Rwanda	

* The Saharawi Arab Democratic Republic is not a UN Member State.

ANDEAN COMMUNITY

Bolivia	Ecuador	Venezuela*
Colombia	Peru	

* Venezuela quit the Andean Community in 2006. However, it is still legally bound to the organization.

ASSOCIATION OF SOUTHEAST ASIAN NATIONS

Brunei Darussalam	Malaysia	Singapore
Cambodia	Myanmar	Thailand
Indonesia	Philippines	Viet Nam
Laos		

CARIBBEAN COMMUNITY

Antigua and Barbuda	Grenadines	Saint Lucia
Bahamas	Guyana	Saint Vincent and the Grenadines
Barbados	Haiti	Suriname
Belize	Jamaica	Trinidad and Tobago
Dominica	Montserrat*	
Grenada	Saint Kitts and Nevis	

* Montserrat is not a UN Member State.

CENTRAL AMERICAN INTEGRATION SYSTEM

Belize	Guatemala	Panama
Costa Rica	Honduras	
El Salvador	Nicaragua	

COMMONWEALTH OF INDEPENDENT STATES

Armenia	Kazakhstan	Tajikistan
Azerbaijan	Kyrgyzstan	Turkmenistan
Belarus	Moldova	Ukraine
Georgia	Russia	Uzbekistan

ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES

Angola	Chad	Republic of the Congo
Burundi	Democratic Republic of the Congo	São Tomé and Príncipe
Cameroon	Equatorial Guinea	
Central African Republic	Gabon	

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

Benin	Gambia	Nigeria
Burkina Faso	Liberia	Senegal
Cape Verde	Mali	
Côte d'Ivoire	Niger	

EUROPEAN UNION

Austria	Germany	Netherlands
Belgium	Greece	Poland
Bulgaria	Hungary	Portugal
Cyprus	Ireland	Romania
Czech Republic	Italy	Slovakia
Denmark	Latvia	Slovenia
Estonia	Lithuania	Spain
Finland	Luxembourg	Sweden
France	Malta	United Kingdom

LEAGUE OF ARAB STATES

Algeria	Lebanon	Somalia
Bahrain	Libya	Sudan
Comoros	Mauritania	Syria
Djibouti	Morocco	Tunisia
Egypt	Oman	United Arab Emirates
Iraq	Palestine*	Yemen
Jordan	Qatar	
Kuwait	Saudi Arabia	

* Palestine is not a UN Member State.

NAIROBI REGIONAL CENTRE ON SMALL ARMS AND LIGHT WEAPONS

Burundi	Eritrea	Seychelles
Democratic Republic of the Congo	Ethiopia	Sudan
Djibouti	Kenya	Tanzania
	Rwanda	Uganda

NORTH ATLANTIC TREATY ORGANIZATION

Belgium	Hungary	Portugal
Bulgaria	Iceland	Romania
Canada	Italy	Slovakia
Czech Republic	Latvia	Slovenia
Denmark	Lithuania	Spain
Estonia	Luxembourg	Turkey
France	Netherlands	United Kingdom
Germany	Norway	United States
Greece	Poland	

ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

Albania	France	Norway
Andorra	Georgia	Poland
Armenia	Germany	Portugal
Austria	Greece	Romania
Azerbaijan	Holy See*	Russia
Belarus	Hungary	San Marino
Belgium	Iceland	Serbia
Bosnia and Herzegovina	Ireland	Slovakia
Bulgaria	Italy	Slovenia
Canada	Kazakhstan	Spain
Croatia	Kyrgyzstan	Sweden
Cyprus	Latvia	Switzerland
Czech Republic	Liechtenstein	Tajikistan
Denmark	Lithuania	Turkey
Estonia	Luxembourg	Turkmenistan
Finland	Malta	Ukraine
the former Yugoslav Republic of Macedonia	Moldova	United Kingdom
	Monaco	United States
	Montenegro	Uzbekistan
	Netherlands	

* The Holy See is not a UN Member State.

ORGANIZATION OF AMERICAN STATES

Antigua and Barbuda	Dominica	Panama
Argentina	Dominican Republic	Paraguay
Bahamas	Ecuador	Peru
Barbados	El Salvador	Saint Kitts and Nevis
Belize	Grenada	Saint Lucia
Bolivia	Guatemala	Saint Vincent and the Grenadines
Brazil	Guyana	Suriname
Canada	Haiti	Trinidad and Tobago
Chile	Honduras	United States
Colombia	Jamaica	Uruguay
Costa Rica	Mexico	Venezuela
Cuba*	Nicaragua	

* By resolution of the Eighth Meeting of Consultation of the Ministers of Foreign Affairs (1962) the current Government of Cuba is excluded from participation in the OAS.

PACIFIC ISLANDS FORUM

Australia	Nauru	Samoa
Cook Islands*	New Zealand	Solomon Islands
Fiji	Niue*	Tonga
Kiribati	Palau	Tuvalu
Marshall Islands	Papua New Guinea	Vanuatu
Micronesia		

* The Cook Islands and Niue are not UN Member States.

SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

Angola	Madagascar	South Africa
Botswana	Malawi	Swaziland
Democratic Republic of the Congo	Mauritius	Tanzania
Lesotho	Mozambique	Zambia
	Namibia	Zimbabwe

SOUTHERN COMMON MARKET

Argentina	Paraguay	Uruguay
Brazil		

Associate member states: Bolivia, Chile

STABILITY PACT FOR SOUTH AND SOUTH-EASTERN EUROPE

Albania	the former Yugoslav	Montenegro
Bosnia and Herzegovina	Republic of Macedonia	Romania
Bulgaria	Moldova	Serbia
Croatia		

WASSENAAR ARRANGEMENT

Argentina	Hungary	Russian Federation
Australia	Ireland	Slovakia
Austria	Italy	Slovenia
Belgium	Japan	South Africa
Bulgaria	Latvia	South Korea
Canada	Lithuania	Spain
Croatia	Luxembourg	Sweden
Czech Republic	Malta	Switzerland
Denmark	Netherlands	Turkey
Estonia	New Zealand	Ukraine
Finland	Norway	United Kingdom
France	Poland	United States
Germany	Portugal	
Greece	Romania	

ANNEX E. ASSISTANCE PROVIDED BY STATES ACCORDING TO NATIONAL REPORTS

Africa	
Seminars and conferences	
South Africa	In 2003, South Africa reported that it co-hosted a conference with Kenya, Mali and Nigeria, entitled “African Conference on the Implementation of the UN Programme of Action Small Arms: Needs and Partnerships” in Pretoria on 18–21 March 2002, with the financial support of the Governments of Austria, Canada, the Netherlands, Norway, Switzerland and the United Kingdom. The regional working groups focused on the development of guidelines for cooperation and implementation initiatives in stockpile management, among other things.
Americas	
Seminars and conferences	
Canada	In 2005, Canada reported giving a presentation on “Arms Reductive Initiatives” at the OAS Hemispheric Seminar on Identification, Collection, Stockpile Management, and Destruction of Small Arms and Light Weapons organized by the Inter-American Defence College and held in Managua, Nicaragua, in May 2004.
Nicaragua	In 2006, Nicaragua reported that it held a seminar on 12–13 May 2004, entitled “Identificación, Recolección, Administración de Arsenales y Destrucción de Armas Pequeñas y Armas Ligeras,” attended by states in the region and civil society, non-governmental organizations and experts from regional organizations.
United States	In 2005, the United States reported that it had given physical security and stockpile management seminars to Bosnia and Herzegovina, Cambodia, Nicaragua, São Tomé and Príncipe and Tajikistan. In 2007, the United States reported that US experts had given presentations on US stockpile management and physical security practices and assistance programmes to the United Nations, OSCE, Stability Pact, NATO/Euro-Atlantic Partnership Council, Organization of American States and other organizations.

Technical assistance	
Canada	In 2004, Canada donated copies of the Firearms Registry Software to the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean to assist with registering stockpiled or destroyed firearms. Canada also reported contributing to the NATO-led Physical Security and Stockpile Management Survey conducted by the NATO Maintenance and Supply Agency in Afghanistan in 2007, designed to establish and develop a basis of adequate stockpile management of SALW, munitions, anti-personnel landmines and man-portable air defence systems.
United States	In 2005, the United States reported that it provides physical security and stockpile management assessments to interested states, where teams of experts provide on-site assessments of storage facilities and briefings on best practices, and technical and financial assistance to improve infrastructure. It also reported giving assistance to Cambodia and Serbia and Montenegro for security upgrades, and that it has offered technical assistance for stockpile management to interested states. In 2008, the United States reported that in 2006 the Department of State provided the Small Arms Survey with a grant to research its project on "Systematic International Small Arms Management: Stockpile Mapping, Surplus Identification, and Loss Simulation" to facilitate planning for stockpile security management and surplus SALW destruction.
Asia	
Technical assistance	
Japan	In 2008, Japan reported that it supports the small arms management project in Cambodia, valued at about US\$ 7.96 million. The project includes stockpile management of police weapons and destruction of surplus weapons.
Turkey	In 2005, Turkey reported that supported various OSCE activities. For example, Turkey sent an expert to participate in an assessment visit to Belarus in 2004 to improve stockpile security and surplus destruction.

Europe	
Seminars and conferences	
Bulgaria	In 2003, Bulgaria reported that a representative of the Ministry of Defence presented a report on “Stockpile Management and Security of SALW” at a conference on the illicit trade in SALW in South-East Europe held in Slovenia, 11–12 March 2003.
Germany	In 2008, Germany reported that it provided financial and expert support to seminars on border security, small arms marking and stockpile management, conducted through the OSCE, in Uzbekistan and Croatia. It also reported that in 2007 Federal Armed Forces officers contributed to several seminars and workshops, including on stockpile security, in Spain, Norway, Germany, Switzerland, Austria, Moldova and Cambodia.
Switzerland	In 2008, Switzerland reported that it conducted a seminar with the United States on physical security and destruction of small arms and ammunition in Burundi in July 2007.
Technical assistance	
Finland	In 2004, Finland reported that it gave financial assistance to the Small Arms Transparency and Control Regime programme in Africa, the aims of which included promoting state capacity in stockpile management, and providing expert assistance to requesting countries to evaluate their problems in small arms management.
Ireland	In 2006, Ireland reported that one of its officers participated in an OSCE Expert Group that travelled to Kazakhstan in 2005 to inspect and advise on stockpile management and security of small arms and other ordnance.
Italy	In 2003, Italy reported that it has given assistance to Albania since 1997 via the Italian Expert Delegation, including developing assistance programmes in the area of ammunition stockpiling.
Norway	In 2006, Norway reported that it supports a number of projects, including the OSCE project for stockpile management in Tajikistan by seconding the head of the project and providing financial support to the project.

Spain	In 2006, Spain reported that it participates in various OSCE SALW activities, especially the OSCE project in Belarus (including financial contribution of €50,000 in 2005 and €100,100 in 2006). Spain also provided €50,000 for two projects to improve conditions and physical security of storage of arms and munitions and the destruction of surpluses in Tajikistan.
Switzerland	In 2005, Switzerland reported that it conducted several assessment visits to Belarus in 2004 and 2005 to develop a project plan for stockpile management and security as well as surplus destruction.
United Kingdom	In 2008, the United Kingdom reported that various government departments offer advice on issues such as export controls, marking and tracing, stockpile management, firearms identification, and that it has assisted efforts to improve stockpile management and security through its support to the United Nations Development Programme Crisis Prevention and Recovery Thematic Trust Fund and through support for the development of national action plans. It also reported that it is exploring incorporating SALW stockpile management expertise within an existing security sector reform advisory team. The Joint Arms Control Implementation Group undertakes on-site stockpile inspections and also hosts visits by other states that wish to learn more about stockpile management. Such an exchange was conducted with Moldova in 2007. The United Kingdom also reported that, together with Switzerland and Spain, it has provided Belarus with stockpile management assistance and advice via an ongoing OSCE project.
Oceania	
Australia	In 2004, Australia reported that since May 2001, Australian Defence Force personnel have been assisting Pacific Island countries to strengthen armoury security. Australia also reported extensive assistance to Timor-Leste and Papua New Guinea as well as to other countries in the region.
New Zealand	In all its reports, New Zealand reported giving assistance to the Cook Islands, Niue, Samoa, the Solomon Islands, Tonga and Vanuatu via the New Zealand Defence Force mutual assistance programme with the aim of helping the defence and police forces of these states to improve the security, storage, maintenance, and management of their weapons.

ANNEX F. ASSISTANCE FOR STOCKPILE MANAGEMENT REQUESTED BY STATES ACCORDING TO NATIONAL REPORTS

Africa	
Burkina Faso	In 2002, Burkina Faso requested financial and technical assistance to implement stockpile management and security projects.
Botswana	In 2008, Botswana noted that assistance is needed to acquire both the hardware and software to improve the country's stockpile management.
Lesotho	In 2006, Lesotho requested technical assistance in capacity building for law enforcement personnel in order achieve effective policing along borders and points of entry as well as to secure stockpiles.
Mozambique	In 2008, Mozambique requested technical cooperation and assistance to upgrade its existing storage conditions of SALW in order to ensure they conform to international/UN standards.
Namibia	In 2005, Namibia reported that "countries in the SADC region need concrete assistance and training in areas such as weapons collection, disposal and stockpile management".
Niger	In 2003, Niger reported that its officers undergo training in stockpile management.
Nigeria	In 2005, Nigeria noted that its existing storage facilities were outdated, having been established in colonial times, and were obsolete and dilapidated, and that Armed Forces and police require modern and computerized filing systems and equipment. In 2008, Nigeria also noted it needs enhanced training of security personnel on stockpile management.
Uganda	In 2003, Uganda reported that the Uganda National Focal Point will need some assistance to conduct the training course for law enforcement personnel formulated by the Nairobi Secretariat, with technical assistance from SaferAfrica and Saferworld, which includes arms management and stockpile security.

Sudan	In 2008, the Sudan requested technical and material assistance to prevent the illicit trade in SALW, particularly in the area of administration of monitoring operations and of stockpiles as well as assistance in completing and implementing its national strategic plan.
Americas	
Dominican Republic	In 2008, the Dominican Republic noted that it requested assistance from the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in order to improve stockpile management in its national weapons register and to allow the incorporation of the Integrated Weapons Management System (SIGA), in order to manage documents relating to confiscated firearms.
El Salvador	In 2003, El Salvador reported the need for assistance, particularly in the area of management and security of small arms arsenals, for officials from the Division of Arms and Explosives of the National Police as well as officials from the Department of War Materials, customs officials, and intelligence services. In 2005, it reported that although it has the institutional capacity to do so, it requires technical assistance to develop permanent training programmes for customs officials, intelligence services, officials from the Division of Arms and Explosives of the National Police and for the Ministry of Defence about management and security of arsenals.
Asia	
Cambodia	“Cambodia is a small and poor country where wars have just been ended. Therefore Cambodia is in need of assistance from UN, other countries in the world and other international organizations, so that it will be able to ... control weapons using modern technology (electronic registration and safe storing)” (2004).
Indonesia	In 2005, Indonesia requested UN technical assistance in the strengthening of law enforcement and institutional capacity building in stockpile management.
Philippines	In 2008, the Philippines reported that it needed assistance for stockpile management.

Yemen	In 2003 Yemen reported that it needed technical assistance for a training centre it had established to train workers and specialists in accounting procedures, weapons storage, and methods for maintaining, repairing and destroying them.
Europe	
Georgia	In its 2005 report Georgia noted that increased cooperation and assistance is essential to ensure Georgia can become an effective security provider. One of the key priority areas identified was improved stockpile management and security.
Bosnia and Herzegovina	In 2008, Bosnia and Herzegovina reported that assistance and support is necessary to upgrade the security and surveillance of its storage sites.

ACRONYMS

NATO	North Atlantic Treaty Organization
NCA	National Coordination Agency
NPC	National Point of Contact
ODA	United Nations Office for Disarmament Affairs
OSCE	Organization for Security and Co-operation in Europe
PoA	Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
SALW	small arms and light weapons
UNDP	United Nations Development Programme
UNIDIR	United Nations Institute for Disarmament Research

