

OPEN-ENDED MEETING OF GOVERNMENTAL EXPERTS 9-13 MAY 2011

Summary Report: Plenary Session: Afternoon - 11 May 2011

This afternoon session concluded the issue of tracing and began the next topic of national frameworks. The Chair invited states to share their experiences and to share also the best practices or challenges they face.

1st part: Tracing

- Presentation of the e-trace system by the United States

The United States gave a live presentation of their new tracing system: “e-trace”.

“e-trace” is an online investigative tool that electronically exchange firearms trace information related with the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives). The database is constantly up to date thanks to the information provided by US arms manufacturers to the US government.

During the live presentation, the US delegate showed how to use the tool. Quick research can be made with the manufacturer name, the serial number and the model of the firearm traced. It is possible to see a completed trace or a trace in progress. If a trace is completed, all details of the arms and the owner appear as well as the distribution chain (from the manufacturer to the dealer and the owner).

Firearm tracing request from other states can also be done online via “e-trace”.

The US delegate assured that for interested countries, passwords could be issued to one governmental agency or to several police officers. Training can also be provided. For more information: www.atfonline.com

- National tracing experiences and international tracing requests

In Peru, tracing can be manual or electronic from a government database. All weapons imported in Peru are marked and entered in the system after the owner receives an import authorisation from the government. Research can be made with details of the type of weapon or with the name of the owner. Peru is currently trying to improve its tracing system.

But Peru emphasised lack of logistics and financial resources. It has difficulties to quickly answer international tracing requests from INTERPOL or other countries. Peru called for more operational support and for a better regional cooperation.

Belgium and Canada emphasised the importance of the link between tracing and investigation processes. Tracing has to be undertaken in a judicial context and it is very important to maintain the chain of evidence.

Canada has no legislation about tracing but it is regulated by the government. Tracing is done by government agencies through an electronic database.

Iran outlined the efforts made to combat problems related to illicit trade of SALW and organised crime. Tracing is regularly done for confiscated arms in order to determine the country of origin. Moreover there are arrangements with neighbouring countries for tracing and fighting illicit arms

2nd Part: National Frameworks

The Chair invited states to share information, examples, best practices and challenges on reviews of national regulation and laws, as well as on national action plans. He also asked states what was the current role and utility of the national point of contact required by the International Tracing Instrument and the Programme of Action.

To begin, two presentations were made on this topic by Guy Lamb from the Institute for Security Studies (ISS) and by the UNODC (UN Office on Drugs and Crimes).

Institute for Security Studies (ISS)

The ISS gave an overview of the implementation of the ITI.

Gaps and challenges:

- Outdated policies and regulation
- Laws are vague
- Inadequate marking and tracing systems
- Insufficient information sharing
- Only 23 states submitted ITI reports
- Only 25 national points of contact listed officially in the PoA/ISS.

Good news:

- Quality and quantity of national frameworks
- Regional approaches appear to have strengthened national framework
- States are increasingly adopting more robust marking and record-keeping technologies and systems
- Role of Interpol is increasing

UNODC

UNODC is working to help states in the implementation of the Firearms Protocol. In states' reports, many stress the need for legislative assistance. Thus, UNODC presented a model law covering all international instruments and issues on conventional arms (firearm protocol, marking, record-keeping, criminal offences, international cooperation...). The model law is compatible with both civil law and common law judicial systems.

States' commentaries

- On the national point of contact

The Democratic Republic of Congo identified points of contact in his report and was surprised to not have been mentioned in the ISS presentation. The Chair added that several countries were in fact in the same situation, so changes should be made.

South Africa explained that there is not yet a point of contact because there are battles between law enforcement officers and military officers. It is still difficult to find the service in charge of international tracing requests.

Kenya identified its national point of contact as the Coordination Bureau composed by different government agencies (Bureau de coordination).

Cuba identified its point of contact as the Ministry of Foreign Affairs (Ministerio de Relaciones exteriores).

Iran identified its point of contact for the implementation of the PoA as the Central national commission.

For the Economic Community of West African States (ECOWAS), the points of contact will be the national commissions on light weapons.

The United States and Australia have two different points of contact: one for policy matters regarding the PoA and one for operational matter to answer international tracing requests according to the ITI.

- On the law/regulations

Kenya is currently changing its legislation but needs financial resources. It called also for a harmonisation of countries' legislation and welcomed the model law presented by the UNODC.

ECOWAS is currently creating a guide to harmonise legislation on SALW among its member states. The delegate thanked the Austrian government and the International Committee of the Red Cross for their help.

The DRC recently approved a national action plan to be implemented in 5 years.

- On the reports

Japan stressed the need to improve the format of the reports requested for the PoA and ITI.

For the United States, the little number of submitted reports is due to state report fatigue. The delegate asked for a rationalisation of the reports on the topic of conventional arms.

- On regional/international cooperation and assistance

The DRC showed its interest for the US system “e-trace” and asked the United States delegation for assistance and training.

Regarding international assistance, the DRC explained various problems on the ground. Indeed, there are many international projects (on marking, tracing etc...) in DRC but there is no cooperation between them and activities are sometimes duplicated or done differently in different parts of the country. The government is trying to determine priorities and to orient the projects to create a synergy among the different actors.

The delegate of Sierra Leone called for help and assistance both to revise the law and to modernise its marking and record keeping system. It has an urgent need of assistance for construction and management of capabilities.

Kenya underlined the importance of regional cooperation and its success. Kenya needs also partners to modernise its marking system with new software that marks arms and record them in the computer at the same time.

To finish, ECOWAS stressed a regional preoccupation regarding SALW made by artisans (artisanal manufacture). Marking of artisanal weapons is complicated and can not be completed in the same way as industrial manufactured weapons. Studies are currently in process to find the best way to enable the identification of these weapons.