

### 3.2.2 THE AMERICAS

#### OVERVIEW

The Organization of American States (OAS) remains the primary forum for dealing with SALW and other related security issues in the Americas. The region has several substantial producers and exporters of SALW: US, Argentina, Brazil and Canada. The US, Canada and Mexico do not participate directly in any sub-regional arrangements although the former two are active in providing financial and technical support for SALW control and combating illicit trafficking. The rest of the countries of the Americas participate in the OAS and sub-regional organisations such as MERCOSUR, the Andean Community of Nations, Central American Integration System or the Caribbean Community of Nations, all of which have an interest in security and/or SALW issues. Bolivia and Peru, for example, are technically parties to SALW control mechanisms both in the Andean Community and MERCOSUR sub-regions.

#### Organization of American States

The OAS remains the primary hemispheric forum for dealing with the illicit trade in SALW. The Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) was the first international legally binding agreement on SALW and has now been ratified by 26 of 34 countries. 2004 was a notable year for advancing CIFTA in the Caribbean Basin as Barbados, Dominica, Honduras, St. Kitts and Nevis and Trinidad & Tobago were all added to the list of ratifying parties. It should be noted that even though eight OAS Member States still have not ratified CIFTA, many of these countries are generally believed to be in compliance with most of CIFTA's articles.

For the period of 2004/2005 the Government of Colombia served as the Secretary Pro-Tempore of CIFTA's Consultative Committee whose sixth annual meeting took place on 13-15 April 2005 in Washington DC. The meeting also brought together the national points of contact for CIFTA implementation. However similar gatherings of officials and agencies responsible for SALW import, export and transit licensing and mutual legal assistance were postponed as an insufficient number of OAS Member States had confirmed these designations. At present the Consultative Committee continues to work on developing a uniform reporting and presentation methodology for CIFTA implementation and further strengthening the working group that joins CIFTA with the Inter-American Drug Abuse Control Commission (CICAD) that has responsibility for the Model Regulations for the Control of the International Movement of Firearms, their Parts and Components and Ammunition

A group of experts convened by CICAD with input from Member States has been working on updating the Model Regulations to add or improve its treatment of the following issues: end-user certificates, delivery verification documentation, stockpile management, firearms marking, and brokering, although there does not yet appear to be a consensus on the way forward in revising the Model Regulations.<sup>21</sup> CICAD and the OAS continue to work with the United Nations Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) on the development of database resources, the training of government, NGO and parliamentary officials on SALW issues, and a comprehensive comparative study of national SALW legislation in all OAS Member States for the purpose of regional harmonization.

Outside of CIFTA and CICAD other OAS organs have also begun to address the issue of illicit SALW trafficking as related to international terrorism and hemispheric security. In 2004 the Inter-American

<sup>21</sup> Organization of American States. *Annual Report of the Inter-American Drug Abuse Control Commission to the General Assembly of the Organization of American States at Its Thirty-Fourth Regular Session*. CICAD/doc.1264/03 rev. 2. 17-20 November 2003.

Committee Against Terrorism (CICTE) invited the chair of the CIFTA Consultative Committee to propose ways of mutually reinforcing collaboration that have resulted in commitments for these two entities to work together on strengthening border controls, customs controls and security in transport.<sup>22</sup> SALW control has also been integrated into the work plan of the OAS for hemispheric security alongside a host of other relevant matters.

### **NATIONAL IMPLEMENTATION IN THE AMERICAS**

States' implementation of PoA commitments at the national level has been varied, but often sustained by complementary interactions at the level of the OAS and other sub-regional organisations. The primary focus of legislative reforms and policy debates in the Americas has been the control over civilian possession, particularly in regards to carrying SALW in public. There is also a growing practice of destroying surplus and confiscated weapons in the region as a way of preventing leakage from government stockpiles. The OAS has played an instrumental role in promoting the implementation of regional agreements as well as investigating cases of illicit trafficking and reporting on the results of those investigations.

In order to adequately implement the PoA states should put into place the necessary foundations for co-operation, information exchange, and national co-ordination. Thus 24 states have established an official point of contact (Section II, Para 5) to act as liaison between states. 10 have national co-ordination mechanisms, including officially designated national co-ordination agencies or bodies (Section II, Para 4). Further, 8 actively involve civil society in their national co-ordination of action on SALW. 3 have developed national strategies on small arms. States that only have national points of contact are less likely to have seriously advanced implementation than those that have a national co-ordination mechanism and even less so than those with civil society participation. This latter point indicates that active civil society engagement is needed for systematic implementation of PoA objectives. Additionally, 22 have submitted at least one report on national implementation to the UN DDA.

### **Laws and Procedures**

The PoA contains a number of commitments by states to have laws and procedures on many key aspects of SALW. In particular, in order to establish effective basic controls over the production and transfer of SALW (Section II, Para 2):

- 16 states have laws and procedures controlling the production of SALW
- 18 states have laws and procedures controlling the export of SALW (Section II, Paras 2, 11, 12)
- 22 states have laws and procedures controlling the import of SALW
- 11 states have laws and procedures controlling the transit of SALW (Section II, Paras 2, 12)
- 2 states have laws and procedures controlling the brokering of SALW (Section II, Para 14).<sup>23</sup>

The scope and stringency of these laws and procedures, and their enforcement, varies considerably though is increasingly harmonised as countries further implement CIFTA, a legally binding agreement. The only other legally binding agreement is the Andean Community's Plan for the Prevention, Combat and Eradication of the Illicit Trafficking in Small Arms and Light Weapons in all its aspects which in many respects represents a sub-regional adaptation of the commitments made via the CIFTA and PoA. At a national level 9 states have reviewed at least some of their laws and/or procedures controlling international SALW transfers.

<sup>22</sup> Presentation by Ambassador Horacio Serpa, CIFTA Secretary Pro-Tempore to the Inter-American Committee Against Terrorism, Montevideo, Uruguay, 28-30 January 2004.

<sup>23</sup> Only the US and Nicaragua have explicit brokering controls contained in their national laws and policies governing SALW.

In line with rudimentary commitments in the PoA to criminalise illegal possession, manufacturing, trade and stockpiling of SALW (Section II, Para 3):

- 19 states have laws and procedures criminalising the illicit possession of SALW<sup>24</sup>
- 19 states have laws and procedures criminalising the illicit manufacturing of SALW
- 17 states have laws and procedures criminalising the illicit trade in SALW<sup>25</sup>
- 1 state has laws and procedures criminalising the illicit stockpiling of SALW.

Reflecting the considerable importance attached to such national controls, 13 states have reviewed at least some of their laws and/or procedures over civilian possession of SALW, the domestic SALW trade, and SALW manufacturing. As with controls over international transfers of SALW, the scope and stringency of these laws and procedures, and their enforcement varies considerably for in some countries what are considered criminal infractions for possession of unregistered weapons in others are only administrative violations.

### **Weapons management**

Much of the illicit trade in SALW stems from inadequate control over weapons and ammunition stocks. Thus the PoA contains a wide range of commitments relating weapons management. Of the states in the region:

- 14 have standards and procedures for the management and security of stockpiles. (Section II, Para 17)
- 5 of these include regular reviews of stocks (Section II, Para 18)
- 2 states have reviewed their standards and procedures for the management and security of stockpiles since 2001.

Further reduction of the stocks potentially available for illicit trafficking is achieved through the disposal of surplus, collected, and confiscated weapons and ammunition. Thus, within the region:

- 7 states have destroyed some surplus stocks since 2001 (Section II, Paras 18 and 19)
- 11 states have destroyed some confiscated, seized, and/or collected SALW since 2001 (Section II, Paras 16, 21).

While not an absolute commitment, the PoA emphasises that destruction should be the main means of SALW and ammunition disposal.

- 6 states have a policy of destroying most or all surplus weapons and ammunition (Section II, Paras 18 and 19)
- 11 states have a policy of destroying most or all collected and/or confiscated SALW (Section II, Para 16).

Disarmament programmes also reduce the stock of arms and ammunition available for illicit circulation. 9 states have conducted some form of disarmament, including:

- 1 post-conflict DDR (Section II Para 21)
- 8 Voluntary Weapons Collection Programmes (Section II, Para 20)
- 5 amnesties; (Section II, Para 20)
- 2 forcible disarmament programmes.

<sup>24</sup> This information does not include data from a number of small Caribbean states.

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In order to enhance the traceability of weapons (and - in some cases - ammunition) states undertook a range of commitment related to marking, record-keeping, and tracing:

- 6 require that all SALW are marked as an integral part of their manufacture (Section II, Para 7)
- 11 have measures to tackle unmarked or inadequately marked weapons (Section II Para 8)
- 15 keep detailed records on holdings and transfers of SALW (Section II, Para 9)
- 16 have measures to facilitate tracing (Related to Section II, Para10) including 13 that actively cooperate in tracing (Section III, Para 11).

### **International Co-operation and Assistance**

The PoA contains a wide range of commitments to assist other states' implementation, and to cooperate with civil society. In the Americas:

- 2 states have provided some form of donor assistance to SALW-related projects
- 18 states actively cooperate with civil society.

## **NORTH AMERICA**

### **OVERVIEW**

Canada, Mexico and the United States are all important exporters of SALW and ammunition in the international market. In contrast to the rest of the Western Hemisphere there is no sub-regional mechanism for dealing with SALW control through the North American Free Trade Agreement for example. In North America, foreign policy on SALW is dealt with as a generally separate issue from domestic, internal firearms control and the PoA is not usually used as a tool for improving policy on the latter. In all three cases this can partially be explained by the fact that all countries' police forces are decentralised in provinces, states and municipalities and thus are one or more steps removed from national governments that negotiated and agreed to the PoA. Additionally, particularly in the cases of Canada and the USA police forces and other authorities have high levels of capacity to deal with SALW issues. In Mexico, since 2004, there have been a series of voluntary weapons collection programmes run by local state authorities exchanging money and goods for weapons in the major border towns though there is little information on these experiences beyond journalistic reporting.

All three North American countries are active participants in the OAS and the Inter-American Convention Against the Manufacturing of and Illicit Trade in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) though Canada and the US have not yet ratified for different reasons. Though both countries claim to be in compliance with most of the treaty and have not ratified for political and/or procedural reasons this sends a mixed message to the rest of the countries of the Hemisphere regarding their commitment to illicit SALW trafficking. Canada and the US are both important providers of bilateral support for a wide range of SALW control initiatives.

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### **CANADA CASE STUDY: SALW LEGISLATION AND SUPPORT TO SALW INITIATIVES**

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In Canada SALW misuse is primarily associated with suicide and armed robbery. Following strengthening of the laws on civilian firearm possession in 1995, homicides with rifles and other long guns have decreased over the last decade while handgun homicides have remained constant, the latter frequently committed with firearms smuggled across the border from the United States. Canadian companies produce SALW, primarily civilian firearms, for domestic and international markets. One manufacturer produces automatic weapons for the Canadian military and government-to-government sales to approved countries.

In the international context the Ministry of Foreign Affairs' Peacebuilding and Human Security Division serves as the official point of contact on the implementation of the PoA. Canada has also played a lead role as an international donor and advocate for a human security approach to SALW control in the international community, as discussed further below.

As a way of guiding implementation of the PoA and other international SALW control measures the Canadian National Committee on SALW was established, with the Ministry of Foreign Affairs serving as chair. Other government agencies that participate in the Committee include: Border Services Agency, Canada Firearms Centre - Ministry of Justice, Canadian International Development Agency, Ministry of Health, Ministry of Industry, Ministry of International Trade, Ministry of National Defence, Ministry of Natural Resources, Public Works and Government Services, Public Safety and Emergency Preparedness, Royal Canadian Mounted Police and the National Association of Chiefs of Police. While the committee is primarily focused on international issues it also engages with institutions involved in domestic gun control and holds an annual meeting that also drafts a report for submission to the PoA process.

The committee also includes representation from ten non-governmental organisations. Five seats were allocated to groups representing the NGO and academic community and five seats are reserved for groups representing firearms users and manufacturers. The NGO participants in the committee are the Small Arms Working Group Peacebuilding Co-ordination Committee (a coalition that includes Amnesty International and Project Ploughshares), the Coalition for Gun Control, Liu Centre for the Study of Global Issues, Canadian Defence Industries Association, Canadian Sporting Arms and Ammunition Association, Dominion of Canada Rifles Association, National Firearms Association and Shooting Federation of Canada.

### **SALW Legislation**

Under new legislation to be enacted in 2005 the responsibility for all firearms will shift from the Ministry of International Trade to the Canadian Firearms Centre affiliated with the Ministry of Justice. Also, under the enactment of this new legislation, all SALW importers must obtain permits for each shipment and also must be licensed by the Firearms Centre. Types of SALW restricted to police and military use require specific licenses to authorise their importation to Canada.

The new legislation also transfers authority over export to the Canadian Firearms Centre and requires the verification of SALW export authorisations and the valid licence of an exporting party. Previously, Canada had SALW export regulations in place that required inter-agency consultation prior to approval, end-use certification and restrictions on exporting to conflict zones, countries under UN Security Council sanctions and to governments with a persistent record of human rights violations. These same restrictions also apply to licensed production of Canadian SALW abroad. Proof of re-export authorisation is required for all countries except the US where authorisation is only required if the weapon is automatic fire or greater than .50 calibre. Brokering is not dealt with specifically but regulations that relate to the business side of SALW production and commerce could be interpreted to control these activities. New SALW transit regulations through Canadian territory also enter into effect in 2005. The new legislation also calls for more comprehensive marking of all newly manufactured and newly imported firearms; however the Canadian legislature has yet to enact these particular regulations.

The Government of Canada has strong laws on government held stocks controlled by the Armed Forces and Royal Canadian Mounted Police respectively. The Department of Defence utilises the serial numbers to manage and account for all SALW in its inventories while the Royal Canadian Mounted Police centralize all information held by all law enforcement agencies. Upon the enactment of new regulations 2005 all weapons held by public institutions must be registered with the Canadian Firearms Centre.

### Support for Bilateral and Multilateral SALW initiatives

Perhaps Canada's most significant contribution to international SALW control since the adoption of the PoA has been via its economic and technical support for a variety of bilateral and multilateral initiatives in SALW-affected countries, including:

- Supporting Canadian and East African civil society participation in the Nairobi declaration of 2001, including an Action Plan, to deal with SALW proliferation and misuse in the Horn and Great Lakes regions of Africa
- Contributing both resources and political support to include addressing SALW issues in the 2002 G-8 African Action Plan as a response to the New Partnership for Africa's Development
- Serving as the lead government in the NATO Partnership for Peace Trust Fund Project to destroy 11,650 tonnes of surplus SALW ammunition and explosives in Albania, including the establishment of a regional destruction facility for the Balkan region and the training of local personnel
- Joining Greece, Hungary, Ireland, the Netherlands and Norway in contributing to the NATO South East Europe Initiative that destroyed 23,223 SALW in Serbia and Montenegro
- Donating software to the United Nations Centre for Peace, Disarmament and Development in Latin American and the Caribbean to use in registering stockpiled and/or destroyed firearms as part of a regional weapons destruction campaign
- Collaborating with Project Ploughshares, a Canadian NGO, to develop common norms and criteria for SALW transfers among OAS Member States
- Supporting the activities of Guatemalan civil society to consolidate a national SALW control programme in co-operation with the Government of Guatemala, (since 2003)
- In co-operation with UN-LiREC and the OAS, the Government of Canada together with Norway, Sweden and the UK has funded the training of 32 Latin American police officers on SALW criminal investigation with facilities provided by the UN University for Peace in Costa Rica. Over a four year period this initiative plans to train 800 officers (ongoing since 2002).

In many ways, Canada has demonstrated significant continuity between its global leadership on anti-personnel landmines and its role in combating the illicit trade in SALW, particularly as a political advocate for greater restraint, multilateral co-operation and by providing resources to affected countries. The Canadian government has also taken significant measures to control private, civilian and government held SALW domestically. However, unlike landmines Canada does not have a broad national consensus on global SALW policy, especially in areas where domestic issues on possession and ownership could possibly be interpreted as in conflict with international agreements. The Government will therefore have to continue to reconcile internal and provincial differences on the linkages between SALW as global foreign policy and domestic political issues.

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### UNITED STATES SNAPSHOT: THE 'GUN SHOW LOOPHOLE', DONOR SUPPORT AND EXPORT CONTROLS

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The United States is one of the world's largest producers and exporters of SALW and in comparison with other advanced, industrialised countries has a serious problem of gun violence and crime with half a million firearms entering the black market via theft from legitimate owners each year. However, gun violence, crime and domestic legislation are seen predominantly as issues to be dealt with at the level of the fifty states, although there are some federal regulations and laws. For the most part SALW issues are considered to be those that take place outside of US borders and with military style weapons and are addressed by the US Department of State (DoS).

The DoS office of Weapons Removal and Abatement has been established as the focal point for liaising with and reporting on implementation of the PoA. The US has not signed or ratified the UN Firearms Protocol and despite playing a leading role in the development of CIFTA at the OAS, it has yet to ratify this agreement primarily due to domestic political considerations. In fairness, the US government complies with most of CIFTA's articles and has adopted the Model Regulations to support its implementation.

With the US congress allowing the 1994 assault weapons ban to expire in 2004 it is possible for private individuals to obtain and possess virtually any category of small arms and firearms in the US as long as the weapon is not set to automatic fire. The potential for US nationals and foreigners to purchase firearms at gun shows without the background checks required for commercial purchases at licensed dealers is also an issue of concern. Some US civil society organisations believe the disparate state laws, lack of clear categorisation of civilian and military SALW and the 'gun show loophole' make it possible for both US and foreign criminals and terrorists to obtain easy access to a wide variety of weaponry.

Nonetheless, the US government is one of the most important bilateral donors of financial and technical assistance in the field of SALW destruction. The US has provided support for disarmament, demobilisation and reintegration in Kosovo, Sierra Leone, East Timor, the Philippines and Colombia, in the latter case providing assistance in dealing with the issue of child soldiers. The US Agency for International Development is the institution primarily responsible for the reintegration aspect of DDR. The DoS Office for Weapons Abatement and Removal has also provided technical and/or financial assistance for SALW destruction in at least 13 countries, including Albania, Angola, Bulgaria, Federal Republic of Yugoslavia, Guinea, Lesotho, Liberia, Mozambique, Nicaragua, the Philippines, Romania and Senegal. Through this assistance more than 800,000 SALW, 70 million rounds of ammunition and 10,000 MANPADS have been disabled or destroyed. The average annual DoS budget of US\$3 million for surplus SALW destruction has been increased to US\$7 million for fiscal year 2005. Related to surplus SALW destruction, the DoS also offers, with technical support of the Department of Defence's Defence Threat Reduction Agency, assistance in building SALW stockpile management capacity through physical security briefings and training for countries that request assistance.

In relation to export controls the DoS Bureau for Non-proliferation co-ordinates export control assistance, including support for the establishment of arms brokering regulations and legal reform, to 25 countries and is seeking to expand service to an additional 17 under the Export Control and Related Border Security Assistance programme. Through the DoS Bureau for International Narcotics and Law Enforcement the US supports the OAS Inter-American Drug Abuse Control Commission's efforts to control illicit arms trafficking in the Western Hemisphere. Support for capacity building for law enforcement in preventing illicit arms trafficking and improving customs controls, including firearms identification, tracing and forensic techniques is provided bilaterally and also via US sponsored International Law Enforcement Academies in Gaborone, Bangkok and Budapest.

The often sceptical position and behaviour of the US government in relation to the PoA can be interpreted similarly to that observed during and after the Ottawa Process to ban anti-personnel landmines. While the US has reserved the right to pursue a SALW foreign policy based on national security interests, it has also provided more financial and technical support to affected countries than many of the States that enthusiastically sign on to the PoA and other similar multilateral instruments. Nonetheless, while distinct in many ways, US SALW foreign policy cannot be completely separated from the very divisive internal, domestic debate associated with the possession and use of firearms by individual citizens.

## LATIN AMERICA AND THE CARIBBEAN

### OVERVIEW

Latin America and the Caribbean remains a region of robust SALW control activity at the OAS, sub-regional and national levels. In general, and even among South American producing and exporting countries, implementation priorities focus on dealing with legal civilian acquisition and public carrying as a way of preventing their diversion to the illicit markets. High levels of armed violence in most Latin American urban spaces, and armed conflicts in Colombia and Haiti, remain to challenge government action as some citizens feel they need to be armed to protect themselves, their families and property. The increasing privatisation of security also challenges government control structures as private security companies stockpiles are generally regulated in a manner somewhere between government arsenals and individual civilians.

On a positive note, SALW destruction with the support of UN-LiREC, national governments and other agencies has become a sub-regional norm with important destructions taking place in Guatemala, Nicaragua, Costa Rica, Paraguay, Peru, Brazil and Argentina, among other places, in recent years. Additionally, civil society organisations working on SALW Issues have continued to grow in numbers and are increasingly finding ways to work collaboratively with their governments, exemplified by recent developments in Guatemala and Brazil. Unfortunately, because of the prominence of CIFTA, sub-regional agreements and internal national debates over policy and laws the PoA is not an agreement widely known and embraced internally within Latin American countries.

### THE CARIBBEAN COMMUNITY (CARICOM)

Within the Caribbean the OAS is the primary forum for dealing with SALW issues though the Caribbean Community of Nations (CARICOM) based in Georgetown, Guyana, formed a Task Force on Crime and Security in 2002 where SALW issues are also dealt with alongside drug trafficking and youth violence. As mentioned above the Caribbean states continue to consolidate ratification of CIFTA as exemplified by Barbados, Dominica, St. Kitts and Nevis and Trinidad & Tobago in 2004. Some important Caribbean countries have still yet to ratify CIFTA including: Dominican Republic (not a CARICOM member), Guyana, Haiti, Jamaica, St. Vincent & Grenadines and Suriname. In May 2005, UN-LiREC in co-operation with CARICOM and the UK government convened a sub-regional meeting on SALW transfer controls as a way of motivating further action.

Civil society has become more active in the CARICOM sub-region, particularly in Trinidad and Tobago, but a cohesive sub-regional network of NGOs working on illicit SALW has yet to materialise.

### THE MERCOSUR REGION

The MERCOSUR Firearms Working Group – including Argentina, Bolivia, Brazil, Chile, Paraguay, Uruguay and more recently Peru – continues to meet on an ad hoc basis looking to build common agreement around ways to implement three key commitments made back in 1998. First, a register of individuals, companies and other legal entities that purchase, sell, exchange, import and export SALW. Second, a register of points of transit for the SALW trade including export, import and transshipment. Third, national registers of holders of SALW. Little tangible progress has been noted in these areas in terms of the emergence of a sub-regional consensus on the way forward and the systems to be used, despite some significant progress on SALW controls at the national level in Brazil and Paraguay, as well as in Argentina and Uruguay.

In May 2004 in Porto Alegre, Brazil, with support from the UK government's Transfer Controls Initiative, the MERCOSUR countries discussed ways forward in dealing with SALW transfer controls as the first

step in finding ways to link this issue with structures at the UN, OAS and sub-regional level as well as under national laws. Civil society in Brazil and Argentina is highly active in advocating for SALW controls both having formed national NGO networks in 2004. Evidence of civil society action in Paraguay and Uruguay is beginning to emerge but still lacks capacity and importantly international support.

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### **BRAZIL CASE STUDY: THE NATIONAL DISARMAMENT STATUTE AND THE NATIONAL DISARMAMENT CAMPAIGN**

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Brazil is one of the UN Member States that has made some of the greatest progress in the implementation of the PoA, which can also be seen in the context of fulfilling its commitments with regard to the CIFTA supplemented by the CICAD Model Regulations.

This progress in PoA implementation is the result of an accumulation of measures and policies that culminated with the passage of the National Disarmament Statute in 2003. The law passed the national legislature due, in large part, to pressure by civil society and the media in favour of disarmament. At the same time, incoming President Ignacio 'Lula' da Silva brought to the table the political will to involve and pressure all government agencies and political parties to take action on arms and violence. The nearly 40,000 documented annual firearms deaths in Brazil were also a key motivating factor in politicians support for the Statute. The involvement of civil society has been constant throughout the process and has prevented the law from being shelved or changed by interest groups in favour of the status quo. Three major aspects of the law discussed here are ammunition control, development of a national referendum and a national disarmament campaign.

#### **Ammunition control**

The national pro-SALW lobby sought to exercise significant pressure on the formulation of the National Disarmament Statutes' secondary legislation, trying to prevent an article requiring all ammunition sold to the police and military to be uniquely marked. The debate over secondary legislation took six months, but thanks to constant pressure by civil society and the national media, was able to pass in 2004. Another key advocacy success was limiting civilians to the purchase of 50 rounds of ammunition per year instead of the proposed 300, with the justification that those who would like to shoot target practice for sport should go to a licensed shooting club where an exception is made to the numbers of rounds that may be used.

The IANSA member NGO Viva Rio advocated vigorously for the marking of ammunition in addition to firearms and continues to do so in relation to the application of the law by the responsible military authorities, so that ammunition diverted from military and police arsenals can be traced when found at the scene of a crime. Together with the Brazilian government, Viva Rio proposed considerations for the marking of ammunition in addition to SALW at the UN deliberations on marking and tracing in New York in 2004. Inspired by the Brazilian proposals the Governments of Chile and Uruguay are now considering similar measures.

#### **National Referendum**

Perhaps the most controversial article of the National Disarmament Statute is No. 35 which prohibits the sale of firearms in all of Brazilian territory except for use by the police, military, private security companies and several exceptions. Article 6 of the National Disarmament Statute calls for the adoption or rejection of this article via a National Referendum to be held in October 2005.

This controversial article of the law would give Brazil one of the most restrictive laws in the world. In response to this controversy the Brazilian pro-gun lobby has aligned itself with the US National Rifle Association and others to create an entity known as 'Viva Brasil' whose purpose is to defeat this law and any further SALW controls and restrictions.

### **National Disarmament Campaign (NDC)**

Articles 31 and 32 of the National Disarmament Statute called for a national voluntary weapons collection drive from 15 July 2004 to 31 December 2004. The success of the first phase of this campaign resulted in its extension to 23 June 2005 and as of 24 May 2005 345,203 SALW had been collected. The campaign itself is coordinated by the Ministry of Justice in co-operation with a national co-ordinating committee that includes representatives from:

- 3 NGOs (Viva Rio, Sou da Paz and CONVIVE)
- the Federal Police
- the Army
- the Catholic Church
- the Evangelical Christian Church
- the National Association of Hospitals.

The NDC is physically present in 5,551 municipalities in all 27 Brazilian states. At the start of the second phase of the campaign in 2005 state co-ordinating committees were created in each state capital. During the first phase of the campaign weapons were received in the offices of the Federal Police with support of the Army in some states, the offices of Viva Rio in Rio de Janeiro and Sou da Paz in Sao Paulo, and by state police forces in other states. Regardless of the collection site a police officer was required to be present though the officer could come from a federal, state or municipal force.

The state government of Parana was so enthusiastic that it began collection weapons six months before the rest of the country and succeeded in recovering 13,000 weapons from civilians. During the same time period the state government began to reward police in Parana for turning over weapons confiscated from criminals while on duty, as in the past many had been re-sold by police to the black market. During this process, an additional 7,000 weapons were taken out of circulation. Many lessons were learned from this first effort that other Brazilian states were able to learn from. One particularly interesting aspect of the campaign in Parana state was the role of local radio stations in the rural interior, who used their programming to promote a competition between communities to see who could turn in the most weapons to the police delegation.

The NDC was financed by Congress with a budget of approximately US\$19 million and weapons turned in received cash in the amounts of US\$100, 200 or 300 depending on the type of weapon and its condition. Ammunition was received but not compensated though several members of the national co-ordinating committee continue to look for ways to remunerate the surrender of ammunition. All resources are channelled through the Federal Police. Beyond compensation for the weapons, civil society collaborators like the NGOs Viva Rio and Sou da Paz have had to use their own resources to participate in the campaign although the government did finance a small television advertising campaign that had a modest impact. The NGOs have spent the little available resources to get the word out by producing promotional CDs and distributing throughout the country.

Another method used to promote the campaign at the beginning was a two-month "Disarmament Caravan" where the Minister of Justice, accompanied by NGOs and the national hospital association, travelled to all 27 state capitals promoting the NDC. At each stop the Minister asked for the support of the Governor and a Federal Police delegation while carrying out interviews with the local press. Additionally, the Minister advocated for the development of state committees to support the campaign in each state. Prior to the arrival of the Caravan in each state contact was made with civil society institutions in order to prepare for public forums and promote the formation of state co-ordinating committees. In the specific case of Rio de Janeiro state, Viva Rio aligned itself with churches, radio

stations, the bar association and the state legislative assembly to set up collection sites throughout the city as well as developing a mobile collection system that arrived in communities and which was publicized by the local press.

By law all weapons collected by the NDC, after being registered and certified by the Federal Police, had to be destroyed within 48 hours by the Army. At times destruction is carried out in public ceremonies while other times this is conducted privately. During the process several judges opposed the destruction of weapons, claiming that the collected weapons could be used by the police. Destruction was cancelled for a three-week period for deliberations and then resumed without a final decision being made on whether or not the police should be supplied with NDC weapons. NGOs believe that most of the weapons turned in are not suitable for the police and that it would not be worthwhile to make an exception for a few weapons.

### **NDC – Phase II**

The first phase of the campaign brought in three times the quantity of weapons than originally expected. Two positive developments that have come about for the second phase of the NDC in 2005 include:

- Viva Rio and Sou da Paz have joined forces with several large advertising firms to develop a national public awareness strategy and campaign for the NDC
- in December 2004, all Brazilian states had formed their own committees to support the implementation of NDC.

### **Learning points**

- ◆ One of the major obstacles of the NDC was making it possible for civil society organisations to receive weapons from the population in addition to the police and military. Only the states of Rio de Janeiro and Sao Paulo allowed for such and these were coincidentally the two states that received the largest quantities of weapons. The arguments in favour of allowing weapons to be collected by NGOs and other groups were a) additional geographic coverage, b) closer to certain communities, c) fear many people have of entering a police delegation with an illegal firearm and d) the fact that Federal Police delegations were closed to the public on weekends.
- ◆ All people turning in weapons were required to have a bank account where the fund for the weapons turned in could be deposited the following month. This requirement limits the participation of many poor Brazilians.
- ◆ Each weapon turned in passed through the hands of three of four police experts for investigation. This process slowed down the time between collection and destruction – meaning not only that diversion was more likely but the time between collection and destruction was slowed down which had visual and symbolic issues in the eyes of participants.
- ◆ Many police collaborators do not have sufficient technical knowledge in identifying different makes and models of weapons that is important to the recording process and intelligence produced for preventing further illegal trafficking.
- ◆ There has not been sufficient control over the ammunition turned in.
- ◆ Viva Rio and Sou da Paz have implemented voluntary questionnaires to learn more about the persons turning in weapons, their motivations and situations. This needs to be done throughout the country so that a complete national picture can be generated.
- ◆ The state police did not participate in the NDC consistently which limited campaign success as the Federal Police has limited coverage in each state. The states where the state police and municipal guards participated had better turnout and results.

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**PARAGUAY SNAPSHOT: EXPORT CONTROLS AND MODERNISATION OF LEGISLATION**


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Paraguay has made significant progress in implementing the PoA. The Government of Paraguay has become more active in sub-regional and multilateral efforts to combat the illicit trade in SALW, first by establishing the Ministry of Defence's Directorate of War Materials as the national point of contact for implementation of the PoA. Also, Paraguay has been a partner in the establishment of a MERCOSUR Working Group on Firearms to deal with issues at the sub-regional level and has hosted several meetings in the capital of Asunción to advance co-operation with its neighbours.

In 2000 the Government of Paraguay began to receive pressure from the Government of Brazil and Brazilian civil society organisations to stop the legal and illegal re-export of Brazilian-made weapons that were finding their way from Paraguay to drug traffickers in Brazil. The conversations between Brazil and Paraguay led to a moratorium on all Brazilian SALW exports to Paraguay, a measure that had also been put in place by the United States. In 1995, Brazil exported more than 65,000 SALW to Paraguay; however, since the year 2000 less than 2,000 SALW have been imported to Paraguay from Brazil on an annual basis.

The process of reducing the potential for weapons in Paraguay to be re-exported under undesirable conditions led the Government of Paraguay to recognise that legislative modernisation was required to improve the government's capacity to halt the illicit trade in SALW. In 2002 the Paraguayan Congress passed the national law on firearms, explosives and ammunition followed by its regulatory legislation in 2003. Some of the major achievements of the new legislation include:

- in cases of re-export, a requirement to notify the original exporting party;
- regulation of SALW transit
- the prohibition of SALW sales to foreign tourists, a group that was identified as a key participant in the illegal trade.

In order to raise public awareness of the new law the Government of Paraguay established a semi-formal working group with participants from a wide range of NGOs and civil society organisations. Additionally, with the assistance of UN-LiREC the Government of Paraguay destroyed 3,000 surplus SALW and 70 tonnes of ammunition and grenades in 2003 with further destruction planned for 2005.

According to civil society in Paraguay, priority areas for strengthened implementation of the PoA include: controlling the domestic trade at pawn shops from which SALW are often diverted to the illegal market, placing the issue of brokering on the future legislative reform agenda, and for the Government to ratify the UN Firearms Protocol.

## NGO NETWORKS FORMED FOR SALW CONTROL IN SOUTH AMERICA

In 2004 and 2005 national NGO networks affiliated with IANSA were created in Colombia and Argentina. In March 2005 in Colombia the organizations REDEPAZ, the Colombian Jurists Commission and National Landmines Observatory joined with other national civil society actors to create the Colombian Network for Disarmament, recognising the role, the proliferation and misuse of SALW play in the more than 20,000 homicides that take place in that country each year. Earlier in 2004 the Argentine Network for Disarmament was formed bringing together civil society associations from Buenos Aires, Mendoza, Rosario and Santa Fe provinces with national institutions such as the Latin American Faculty of Social Sciences, the Solidarity Network, the Argentine Association for Public Policy and the Institute for Comparative Penal and Social Research. Their first campaign was 'Fiestas sin Armas' (Holidays without Guns) to prevent gun carrying at Christmas, a time when many people over-consume alcohol and resort to gun violence and suicide. These networks add to an increasing critical mass of South American NGO networks initiated in Brazil several years earlier.

### THE ANDEAN COMMUNITY

Perhaps the most interesting sub-regional development in Latin America since 2001 was the adoption of Andean Community Decision 552 in 2003, the Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects. The Andean Plan is an agreement with obligatory implementation in Bolivia, Colombia, Ecuador, Peru and Venezuela. While its implementation has been slow, it nevertheless represents the most comprehensive sub-regional SALW agreement in Latin America and is in many ways a convergence and sub-regional contextualisation of commitments made via CIFTA and the PoA. The Decision 552 Action Plan has also been integrated into larger sub-regional frameworks including the developing Common External Security Policy and the long-term establishment of the Andean Community as a 'Zone of Peace'.

Governance crises in Bolivia and Ecuador have made comprehensive implementation difficult while ongoing political problems in Peru and Venezuela combined with the Colombian armed conflict have also affected the ability of these countries to develop and implement comprehensive SALW control action plans. The Secretariat of the Andean Community of Nations in collaboration with UN-LiREC, both institutions with headquarters in Lima, Peru, called for a meeting of Member States to discuss furthering SALW controls in May 2005. In Colombia a couple of civil society networks have emerged working towards greater SALW control while important, but less co-ordinated civil society action has begun to surface in Ecuador and Peru.

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### COLOMBIA SNAPSHOT: MULTI-DISCIPLINARY COMMISSION AND SALW DESTRUCTION

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The Government of Colombia continues to work towards greater implementation of the PoA despite finding itself in the middle of armed conflict with guerrilla movements, paramilitary groups and drug traffickers. As Chair of the 2001 Conference, Colombia played a key role in the development of the PoA and has established the Ministry of Foreign Affairs' Vice-Ministry for Multilateral Affairs as the point of contact for the reporting on its implementation. In February 2003 Colombia ratified the Inter-American Convention and was one of the leading proponents of the development of Andean Community's Decision No. 552, an Action Plan to Prevent, Combat and Eradicate the Illicit Trade in SALW also in 2003. In order to implement the Andean Community Decision 552 and other initiatives at the UN and OAS levels the government has established a multi-disciplinary Commission involving the following government entities and in consultation with local civil society:

- Ministry of Foreign Affairs (Chair)
- Intelligence
- Anti-narcotics
- Armed Forces/Ministry of Defence
- Attorney General
- Ministry of Interior and Justice
- Military Industries
- Ministry of Industry, Commerce and Tourism
- National Police.

One of the major tasks of this Commission is to develop proposals for a new national law on arms, ammunition and explosives, and in this regard representatives from the Colombian senate have received training on SALW issues and comparative legislation from UN-LiREC.

In 2001 and 2002 the Colombian Ministry of Defence destroyed substantial quantities of surplus SALW with authorisation by decree. At present the Government of Colombia is taking part in a disarmament and demobilisation process with a specific group of paramilitary forces, including combatants under the age of 18. However, because of the fluidity and ongoing nature of this process it is difficult to ascertain its comprehensiveness and sustainability.

As Colombia's national arms law is currently a topic of discussion and debate, Colombian civil society organisations have been advocating for greater restriction on civilian possession and use, the regulation of arms brokering and for the government's signature and ratification of the UN Firearms Protocol.

## CENTRAL AMERICA

The Central American Integration System's (SICA) Security Commission continues to develop a sub-regional action plan to combat the illicit trade in SALW with technical and financial support from the UNDP Bureau for Crisis Prevention and Recovery. In 2004 sub-regional workshops were convened to analyse and further the creation of national commissions, stockpile management and transfer controls. The decision was also made for the co-ordination of the Central American plan to be hosted by the Nicaraguan Ministry of Foreign Affairs in Managua. However tangible sub-regional progress has yet to emerge despite important national reforms, particularly the passage of the new arms law in Nicaragua which regulates brokering along the lines of what is advocated by civil society through the Arms Trade Treaty.

Civil society is especially active in Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica where organisations participate intensively in a variety of activities including training, research, advocacy for legal reforms, awareness raising among youth and children and the production of a sub-regional documentary on the SALW problem. Belize and Panama civil society have lagged behind in terms of activity partly because they have not had the same levels of support from the international community.

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### **COSTA RICA SNAPSHOT: REFORMS TO NATIONAL ARMS LAW AND SALW EDUCATION PROGRAMME**

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Costa Rica has continued to play an active role in implementing the PoA and other multilateral efforts to combat the illicit trade in SALW. The Government of Costa Rica has established joint points of contact to report on the implementation of the PoA integrating the Ministry of Foreign Affairs Directorate for Multilateral Policy and the Ministry of Public Security's Directorate General for Armaments and is currently considering the creation of a national SALW Commission to liaise with initiatives at the UN, OAS and Central American Integration System levels. In September 2003 Costa Rica ratified the UN Firearms

Protocol and has been one of the leading government advocates of an Arms Trade Treaty governing SALW transfers. At the sub-regional level Costa Rica was one of the key governments involved in the development of the Central American project to combat the illicit trade in SALW currently receiving financial and technical co-operation from UNDP.

The Costa Rican assembly passed reforms to the national arms law in December 2001 that have led to:

- implementation of the Inter-American Convention article requiring the use of end-user certificates in the case of exports and imports
- penalisation of violations of the national arms law that prior were categorised as administrative breaches
- the December 2004 destruction of 1,700 weapons confiscated in illegal activities by the Ministry of Public Security.

In an effort to prevent increasing levels of armed violence within Costa Rica, a coalition of institutions led by the Ministry of Public Health, and including the Ministry of Public Security and Police and the Arias Foundation for Peace and Human Progress, with the support of UNDP, UN-LiREC and Save the Children Sweden, has initiated a programme to address issues of SALW and violence within the education system and at the municipal levels.

Costa Rican civil society organisations have advocated for legislative reform to govern the activity of SALW brokers and intermediaries as a way to enhance the Government's capacity to combat the illicit trade. At present, intermediaries are dealt with exclusively in the context of the process of importation and the transfer of imports to the domestic market.

## ASSISTING THE VICTIMS OF GUN VIOLENCE IN GUATEMALA

1,000,000 people are thought to be injured every year by guns. Transitions is an IANSA member in Guatemala that works with children and adults with disabilities around Guatemala City and Antigua, first seeing to a patient's medical needs, then fitting him/her for prosthetics or orthopaedics, and securing physical therapy and medical care. This treatment generally takes a year. Patients often stay an additional year for education and vocational training. After that, many remain as members and employees of Transitions, working in the workshop manufacturing wheelchairs (they built over 165 mountain terrain devices in 2002) and fitting prosthetic and orthopaedic devices.

The Transitions basketball team from Guatemala visited London in December 2004 to mark World Disability Day (3 December). As well as advocacy work they played a game against Great Britain's Paralympic team. One of Transitions co-founders, Alex Galvez - paralysed after being shot when he was 16 -- told his powerful story of injury, disability and psychological recovery to the international media.

For more information, email Alex Galvez at [transiciones@conexion.com.gt](mailto:transiciones@conexion.com.gt)

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## GUATEMALA CASE STUDY: NATIONAL DISARMAMENT PLAN AND COMMISSION

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On 29 December 1996 Guatemala ended a thirty-six year civil war with Peace Accords negotiated under the auspices of the United Nations. Within the Peace Accords the Agreement Regarding the Strengthening of Civilian Power and the Role of the Military in a Democratic Society established a commitment to reform

the national SALW legislation with the purpose of restricting the possession and carrying of weapons by civilians. It also called for the transfer of authority for SALW control from the Ministry of Defence to the Ministry of Interior. As of January 2005, neither of these objectives had been completed.

In March 2004 the incoming President of Guatemala, Oscar Berger, publicly announced that his government would initiate a gun buy-back programme, exchanging weapons for cash. This announcement caught public attention and reinvigorated the public debate related to SALW in Guatemalan society. When the Institute of Education for Sustainable Development (IEPADES)<sup>26</sup> learned about the programme the organisation made a proposal to the President's representative for security and defence affairs that the government should consider conducting a weapons collection campaign as part of a broader, more comprehensive, effort for disarmament and small arms control. Based on this proposal President Berger decided to develop a national disarmament plan to be implemented by a new National Disarmament Commission (NDC).

### **National Disarmament Commission**

In mid-2004, the NDC was created by a temporary Presidential decree, later ratified by the Ministries of Interior and Defence, to include the following organisations and their roles:

- Ministry of Interior (Mol) – has overall responsibility for the maintenance of peace and order in the country and for the control of the legal SALW in circulation and the behaviour of the individuals and legal entities who possess them. (In reality the control of SALW is not carried out by the Mol, but rather by the MoD. Even though the 1996 Peace Accords call for the arms control function to be transferred to the Mol the law has not yet been reformed to allow for such)
- Presidential Office for Security Affairs (SAAS) – in charge of providing physical security to the President and advising on general security matters
- Ministry of Defence (MoD)– maintains the country's arsenal for national defence and oversees the SALW control entity DECAM
- Presidential Office for Public Affairs – responsible for disseminating information to the public regarding government policies
- National Civilian Police (PNC) – implements both the Mol's polices for the maintenance of law and order and the application of the MoD's mandate for SALW control in the streets
- Department for Control of Arms and Munitions (DECAM) – by law registers and authorizes all legal weapons and users in Guatemala under MoD control
- IANSA NGO/IEPADES – provides technical support to the NDC and its activities.

The NDC is chaired by the Presidential Office for Security Affairs and has been given a mandate of two years with the possibility of an extension for an additional two years. In an effort to maintain a broad scope of action within the NDC the Human Rights Ombudsman, Attorney General and a representative of the National Legislature were allowed to joint the Commission's work at a later date.

On 9 July 2004, International Small Arms Destruction Day, the NDC presented its plan and conformation publicly in a symbolic ceremony where representatives from the executive, judicial and legislative branches of government destroyed SALW and presented them to the Human Rights Ombudsman. At the same time elementary school students exchanged violent toys for roses. The toys were moulded into a monument to peace. In this same act, all institutional members of the NDC signed a joint declaration to halt violence in Guatemala. The declaration calls on all parties involved to respond to the public outcry for a reduction in rates of violence beginning with a national disarmament programme to be monitored by the Human Rights Ombudsman and Attorney General's Office.

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<sup>26</sup> IEPADES was a founding member of IANSA and has been working on SALW control in Guatemala since 1998.

The primary objective of the National Disarmament Committee is to carry out a national disarmament programme by co-ordinating actions between distinct institutions with the purpose of reducing armed violence, decrease the availability of SALW nationwide and raise awareness among the population regarding their negative effects. The NDC's national disarmament programme focuses on two key pillars: a) restricting access to SALW by implementing national measures as well as others in co-operation with neighbouring countries and b) diminishing the amount of weapons in circulation via direct contact with the population. The strategy also contemplates more rigorous application of existing law related to illicit SALW trafficking, including the growing problem of craft weapons.

In relation to restricting access the programme calls for:

- strengthening the legal framework for SALW control and the modernising the law in accordance with international agreements
- making the PNC more professional in its ability to carry out preventive measures, as well as improving the capacity of the government to carry out and archive ballistics tests
- rigorously controlling the import and export of SALW
- promoting the adoption of additional sub-regional and bi-lateral measures for SALW control
- identifying and pursuing strategies for involving civil society.

It should be noted here that some of these measures, especially adapting the national law to international SALW regimes such as the Inter-American Convention will likely require a constitutional amendment, since the Guatemalan constitution guarantees citizens the right to bear arms and this law is often interpreted quite broadly.

In relation to reducing the quantity of SALW in circulation the programme calls for:

- destruction of surplus SALW
- raising public awareness about opportunities to voluntarily surrender and to register/legalise SALW
- a gun registration campaign
- Goods for Guns campaign
- research into the phenomenon of craft production
- pilot efforts to develop SALW violence indicators
- increased investigation, persecution and sentencing of illegal SALW traffickers.

Since the launch of the NDC the greatest public reaction has been in relation to the proposed 'Goods for Guns' programme. In a public opinion poll of 50 men and 50 women, 92% were in favour of the 'Goods for Guns' concept, 88% thought the current environment of insecurity justified the campaign and 73% believed it would contribute to a reduction in armed violence. President Berger has committed US\$129,000 to the 'Goods for Guns' programme. However this is not going to be enough, given the widespread proliferation of SALW in Guatemala society.

As the Constitution allows for the possession of SALW by civilians the NDC also seeks to provide advice to enable legal and responsible ownership for those who do not wish to disarm. In addition the NDC is developing alternative sites for the legal registration of weapons as currently the only office able to do this is located in the capital.

Given its technical expertise the NDC is proposing that it either replaces or shares the role of National Focal Point with the Ministry of Foreign Affairs who currently hold this responsibility.

### **NDC initiatives and activities**

Craft weapons are now the fourth most common type of weapon confiscated by the authorities. For this reason the NDC is planning to develop a program of research and investigation into their production, proliferation and use in Guatemala.

Additionally, a persistent weakness of the present legal regime has been the lack of enforcement of existing legislation. Regardless of the status of future reforms to the law the NDC looks to increase enforcement and prosecution of violators under the current law.

A public awareness campaign is a key part of the work of the NDC, especially with regard to the consequences of SALW possession and use. With this in mind the NDC has developed a public information campaign with three slogans 'Arm Yourself with Courage and Disarm', 'A Bullet Always Kills More than One Person' and 'Long Live Peace.' The campaign is led by the Presidential Office for Public Affairs in co-operation with NGOs and the national print, radio and television media.

For the purpose of providing direct public information regarding the NDC's work a toll-free telephone line was established to provide information to callers as well as receive anonymous information from the public. In addition to calls regarding future disarmament campaigns calls have included doubts about the legality of certain types of weapons, denunciations of incidents of armed violence and SALW trafficking and ideas for new campaign activities.

### **CENTRAL AMERICAN NGOs PRODUCE DOCUMENTARY ON THE IMPACT OF SALW VIOLENCE**

With economic support from the Government of Japan the Arias Foundation for Peace and Human Progress in Costa Rica produced the video 'The Weapons of Violence' documenting the impact of SALW proliferation and violence on crime, public health and the Central American psyche in Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama. Other Central American IANSA members provided expert testimony including the Institute for the Education of Sustainable Development (IEPADES-Guatemala), the Central American University (UCA-El Salvador), Foundation for the Study of Applied Law (FESPAD-El Salvador), the Centre for Human Rights Promotion (CIPRODEH-Honduras), the Centre for International Studies (CEI-Nicaragua) and the Peace and Justice Service (SERPAJ-Panama).

The video is available in Spanish and also with English subtitles. For information on how to obtain a copy contact [info@arias.or.cr](mailto:info@arias.or.cr).

### **EL SALVADOR SNAPSHOT: REFORM OF NATIONAL LEGISLATION AND A NATIONAL ASSESSMENT OF THE SALW PROBLEM**

The Government of El Salvador has actively pursued SALW control dating back to the UN-sponsored disarmament process in the early 1990s. In recent years, implementation of the PoA has been supported by a UNDP project focused on strengthening SALW controls in the context of violence prevention at the national and community levels. The Ministry of Foreign Affairs has been designated as the national point of contact for implementation of the PoA. El Salvador ratified the Inter-American Convention back in 1999 and the UN Firearms Protocol in March 2004 and has participated in the development of a sub-regional Central American approach to combating the illicit trade in SALW through the Central American Integration System.

In 2002 the national legislature reformed the 1999 law on firearms, ammunition and explosives to include the following considerations:

- the required use of end-user certificates in all SALW transfers
- the provision of written affidavits to the effect that entities within El Salvador that are importing SALW will not re-export to third countries
- the registration of SALW brokers and ensuring that each transaction they carry out is approved by the Ministry of Defence
- the criminalisation of illegal craft SALW production.

Since 2001, the Ministry of Defence's Logistics Directorate reports to have destroyed 6,669 SALW confiscated by the National Civilian Police.

Though not a formal SALW Commission in the sense of reporting to multilateral bodies, the UNDP Programme *Towards a Violence-Free Society* has constituted a multi-disciplinary working group to further its project on strengthening SALW control mechanisms by incorporating the National Civilian Police, National Public Security Council, several universities, NGOs, medical students and high profile leaders from the private sector. Collectively these actors have carried out a national assessment of the SALW problem and of national legislation in this regard; have developed computerised police records related to firearms offences; have created a culture of peace programme in public schools implemented by the police; and have carried out a national public awareness campaign on the risks and dangers of SALW proliferation.

Salvadoran civil society has identified the following gaps that, if filled, would enhance the Government's ability to implement the PoA: establishment of a national commission, stricter control over recipients of SALW import permits, and greater control over SALW possession and public carrying because of their relation to illegal trafficking and misuse.

### "THE STREETS ARE SAFER WITHOUT GUNS" CAMPAIGN IN EL SALVADOR

In 2004 and 2005 more than 3,500 Salvadoran school children between the ages of 7 and 13 participated in the national movement known as 'Angels of Peace' joined forces with the national children's museum and children's radio to promote the campaign 'Zonas Seguras, Sin Armas en la Calle' ('The Streets are Safer without Guns'). The campaign's primary objective was to raise awareness among children and their families about the dangers of carrying guns in public spaces by disseminating through radio and other public fora studies and statistics from the National Civilian Police, National Office for Legal Medicine and the Central American University that documents the SALW problem in the country and provides evidence that carrying arms for self-defence more often results in death or injury for the victim rather than acts of heroism. The local affiliate of the multinational firm Olgivy and Mather and students from the School of Communications of the national university provided support and resources for campaign materials. As part of the campaign the Angels of Peace gathered 47,000 signatures from friends, family and neighbours and presented them to the national legislature accompanied by a request to reform the national law on arms and ammunition to reflect greater restrictions on public weapons carrying. This effort follows a 2002/2003 campaign promoted by the Angels of Peace called 'Weapons...Not Even as Toys!

For more information see <http://www.pnud.org.sv> and <http://www.desarme.org>