

Ten Goals to Prevent Diversion of Small Arms and Light Weapons (SALW)



IANSA is highlighting the following priorities for action by States to prevent the diversion of SALW to unauthorised or unlawful end-users or for an unauthorised or unlawful end-use/user.

1. State review of counter-diversion measures. States should conduct a thorough review of the legislative, administrative, security-related, logistical, and other measures that the country has in place to prevent, detect, and prosecute the rerouting and misappropriation of SALW and related ammunition, parts, and components, throughout the following points in the chain of transfer:[1]

- a. Manufacture and assembly;[2]
- b. Brokering of transactions;
- c. Pre-export preparation of cargo;
- d. Shipment, transit, and trans-shipment;
- e. Import delivery unloading, warehousing and local transport;
- f. End-use/user operations and stockpiles;
- g. Retransfer.

2. Criminalise diversion through national legislation. If not yet established, States should criminalize the deliberate or negligent act of diverting SALW or related ammunition, parts, or components, by making the unauthorised rerouting and misappropriation a crime subject to criminal sanctions, whether by means of theft, fraud, deception, corruption, violence, or any other method. Legislation should enable cross border cooperation and international tracing operations to deter, detect, and intercept illicit movements and diversion of SALW, ammunition, parts, and components.[3]

3. Ensure sufficient capacity in national transfer control systems for export and import authorisations, and for transit authorisation or notifications, including sufficient capacity to assess the risks of diversion of all transfers and, where necessary, to take measures to reduce risks to an absolute minimum, as well as capacity to screen applicants and to objectively assess undertakings from the prospective receiving State that it will and can fully comply with relevant best practice transfer control standards to prevent diversions.[4]

4. Standardise detailed forms authorising exports and imports. Authorisations should in all cases be in standardised written form with a limited expiry date and include a detailed description of the items to be transferred, their origin, quantity, weight, and value, as well as the names and full addresses of the contract holders, the consignee, the consignor, any intermediaries or agents involved, and the proposed route and means of delivery.[5]

5. Verify End-Uses and End-Users and Authenticate Related Documentation. End-use/user certificates should include signed undertakings not to re-transfer or re-circulate the items to another state or end-use/user without the agreement of the sending national authority. Documents should not be issued to authorise any transfers unless the end-use/user documents are first authenticated with an expiry date, and until the legitimacy and reliability of the intended end-user/end use, and the other entities involved in the transfer of the SALW and related items, have first been verified with the importing state.[6]

6. Destroy Illicit and Surplus Stocks. This should be the preferred method of disposal of SALW and their ammunition by the authorities, including from collection programmes, in order to prevent conflict and violence. In addition, the reactivation and conversion of weapons to enable live firing without official authorisation and direct control should be made illegal, including unauthorised possession of deactivated SALW that are not rendered inoperable and can be reactivated, or readily convertible weapons, such as acoustic expansion weapons and alarm pistols, which can be converted from blank to live fire and thus adapted for an unintended end-use.[7]

7. Ensure marking, record keeping and safe storage of all holdings. This should follow international best practice standards carried out by the authorities at safe and secure facilities with strictly controlled access and practices that are subject to regular robust inventory management and accounting procedures. It should include the comprehensive and unique marking of all weapons, essential parts and components, and ammunition packages at the time of manufacture, import, transfer to civilian use, confiscation and deactivation, and the recording of all marked items' movements and transactions, which are inspected by the national authorities.[8]

8. Organize and fund public awareness and community safety programmes. The aim should be to build capacities at local, provincial, and national levels for communities and authorities to encourage all persons, including adolescents and youth, to proactively solve private and community level disputes in non-violent ways and to create conditions that discourage demand for weapons and clarify understanding of the firearms control law. Programmes should be sufficiently resourced to promote values and analyses consistent with the rule of law, human rights, equality, and democratic accountability. Activities should include the full and effective participation of underrepresented groups and the mainstreaming of gender in conflict prevention, management and resolution. Specific local structures should facilitate equal access to justice and equal protection by impartial security services. [9]

9. Implement UN Standards for the Law Enforcement Use of Firearms. The UN standards should be reflected in strict legislation and administrative procedures to ensure that the management of law enforcement firearms and ammunition is fully accountable, and that officers using firearms are rigorously trained to comply with the law. Specific rules should be included in the regulations to prevent officers diverting firearms and ammunition issued to them, and to avoid any arbitrary act likely to provoke illegal demand for weapons amongst civilians. UN standards should be implemented that require officers to apply non-violent means before resorting to the use of force and firearms and to only use lawful force and firearms to the minimum extent necessary if other means remain ineffective. The UN standards also require arbitrary or abusive use of force and firearms by law enforcement officials to be punished as a criminal offence.[10]

10. Strictly limit and control civilian possession of firearms. National legislation should only allow the possession and use of a firearm and its ammunition and parts/components by a civilian if the individual has been granted an official licence or permit specifying the purpose. All such licenses or permits should be subject to regular renewal and only be approved by the national authority in cases where the applicant can demonstrate (a) a compelling reason to possess a certain type of firearm and ammunition; (b) has undergone background checks to ensure the applicant has no previous involvement in illegal activity related to acts of diversion, illicit trafficking or violence; (c) has completed a recognised firearms training course for civilians; and (d) has the capacity to keep the firearm and ammunition in separate safe storage and file annual reports to the authorities.[11]

IANSA is calling on all States to take action to achieve all of these goals and ensure they are robustly implemented so that irresponsible transfers and diversions of small arms and light weapons to unauthorized users can be prevented.

For the full report and sources see Dr. Brian Wood, 'Ten Goals to Prevent Diversion of Small Arms and Light Weapons' Briefing Paper published by IANSA, May 2022. Available at: <https://iansa.org/ten-goals-to-prevent-diversion-of-small-arms-and-light-weapons-may-2022/>

[1] MOSAIC 03.20 National controls over the international transfer of small arms and light weapons, UNODA June 2014; MOSAIC 04.40 Monitoring, evaluation and reporting, UNODA August 2020; MOSAIC 04.10 Designing and implementing a National Action Plan, UNODA April 2016.

[2] MOSAIC 03.10 National controls over the manufacture of small arms and light weapons.

[3] MOSAIC 05.60 Border controls and law enforcement cooperation, UNODA August 2012; MOSAIC 05.31 Tracing illicit small arms and light weapons, UNODA August 2021.

[4] MOSAIC 03.40 National coordinating mechanisms on small arms and light weapons control, UNODA June 2014.

[5] MOSAIC 03.20 National controls over the international transfer of small arms and light weapons, UNODA June 2014.

[6] MOSAIC 03.21 National controls over the end-user and end-use of internationally transferred small arms and light weapons, UNODA June 2014.

[7] MOSAIC 05.50 Destruction: Weapons, UNODA August 2012; MOSAIC 05.40 Collection of illicit and unwanted small arms and light weapons, UNODA August 2012; EUROPOL, [The role of EUROPOL in combatting firearms trafficking](#), Brussels 15 March 2016.

[8] MOSAIC 05.30 Marking and Record Keeping, UNODA August 2012; MOSAIC 05.20 Stockpile management: Weapons, UNODA August 2012.

[9] MOSAIC Module 04.20 Designing and implementing community safety programming, UNODA January 2017; MOSAIC Module 04.30 Awareness-raising, UNODA March 2017; MOSAIC Module 06.10 Women, men and the gendered nature of small arms and light weapons, UNODA October 2017; MOSAIC 06.20 Children, adolescents, youth and small arms and light weapons, UNODA April 2018.

[10] [United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#), 7 September 1990; United Nations Code of Conduct for Law Enforcement Officials.

[11] MOSAIC 03.30 National regulation of civilian access to small arms and light weapons, UNODA June 2015.

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