



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Inter-Parliamentary Seminar on

PARLIAMENTARY ACTION ON SMALL ARMS – THE ILLICIT TRANSFER OF
SMALL ARMS TO LATIN AMERICA

27 April 2010, Washington D.C., USA

MINUTES

On April 27th 2010 the Parliamentary Forum on Small Arm and Light Weapons organized a seminar titled “Parliamentary Action on Small Arms – the illicit transfer of small arms to Latin America” in Washington D.C., USA, with special guest Congressman James P. McGovern. The seminar was held in Room B-340 Rayburn House Office in the United States Congress.

The seminar drew a lot of attention, more than seventy participants attended the seminar and among these were: US congressmen, representation from US Congressmen and Congresswomen’s Offices, representation from a US Senator’s Office, Representation from US State Department, Members of Parliament from Sweden, Mozambique, Uruguay, Brazil, El Salvador, Nicaragua, and Colombia, as well as strong representation from Embassies, National and International Organisations, Research Institutes, and the Media.

The overarching theme of the seminar consisted in the common understanding that the proliferation of illicit small arms and light weapons is a major threat to development, democracy and security in many parts of the world, and hence a serious concern for parliamentarians world-wide. Countries in Latin America, and in particular Central America, are among those worst affected. The consequences in society with insecurity, firearms and crime are of prime concern to citizens of the region.

Illicit weapons in Latin America originate from all over the world, however a significant number is the result of illicit transfer of individuals and organized crime from the US across the border to Mexico for further transfer in the region. The response to this threat is a common responsibility for parliamentarians in Latin American countries and the US Congress and any counter measures would benefit from a common understanding among legislators in all countries concerned. Hence, the main objectives of the seminar were to:

- Provide a platform for exchange of views between the US Congress and parliamentarians from the targeted region;
- Share information of best practices and ongoing work related to improved control of the illicit transfer of SALW;
- Deepen discussion on the consequences for security in Latin America;
- Explore the various forms on moving the issue forward.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Opening session

Mr. Peter Quilter, Latin America Professional Staff Director, House Committee on Foreign Affairs moderated the first session of the seminar. In his opening address he welcomed all participants and included a reminder that media is present and that they operate under the “Chatham House Rules”. He then continued by introducing the first speaker Hon. Congressman James P. McGovern.

Hon. Congressman James P. McGovern, (USA)

U.S. Rep. Jim McGovern thanked Mr. Quilter notifying the audience of his brilliant work within the U.S. Congress and stated that his knowledge about Latin America had been invaluable to him on many occasions. He welcomed all participants; especially the delegation of Latin American Members of Parliament and the representatives of the diplomatic community. He also expressed a special thank you to the Forum’s secretariat, the staff of the Tom Lantos Human Rights Commission and the House of Foreign Affairs Committee.

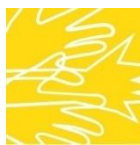
It was with a great deal of humility that he now addressed his audience – both as a U.S. citizen and as a Member of the U.S. House of Representatives. He said that he fully understands it is his country’s demand for illegal drugs and their inability to stem the flow of cash and guns that fuels the deadly violence affecting so many countries in the South and that the U.S. has a special responsibility for the violence.

In his speech he stressed the following:

Latin America and the U.S. must now work together. Last year, President Obama and Secretary of State Hillary Clinton - the highest officials of the U.S. – acknowledged this shared responsibility and how the actions – or inaction - of the U.S. directly affects Latin America. The Obama Administration is indeed taking this matter seriously and is increasing efforts to disrupt the flow of arms. He also highlighted that the problem is now not only involving illegal drugs and arms but is spilling over to include human trafficking, pirated goods and kidnapping. As a Member of Congress, he has been very active and engaged in issues concerning Latin America and visits the region frequently. He made a special note about El Salvador where people today are more subject to violence than during the civil war.

A report conducted by the General Accountability Office which found that 87% of firearms seized by Mexican Authorities originate in the U.S, constituted a wake-up call for many Members of the Congress. However, it had not been enough to turn around American politics but collaboration with the neighboring countries is ongoing.

The majority of the joint efforts have been carried out in Latin American countries and these are very important. However, he hoped to find out more about what the U.S. can do. It is also importance to address the legal trade to stop arms ending up in the hands of criminals.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

He ended his speech on a very personal note, sharing with the audience how his own uncle had been killed in an armed robbery. Armed violence does not only extinguish lives, it deeply affects the lives of the survivors, families and communities.

Vice-president of the Parliamentary Forum on Small Arms and Light Weapons Dr. Manuel de Araujo (Mozambique), addressed all participants at the seminar and on behalf of the Parliamentary Forum on Small Arms and Light Weapons he expressed his strong appreciation for the possibility to have such an important gathering of parliamentarians, in the search for peaceful and secure communities.

Furthermore, he was most grateful to Congressman James McGovern, who has worked with the Forum in order to make this seminar possible. A dialogue with the colleagues in Washington on how to best jointly address a common problem has been a priority for many years for the Forum's members in Latin America. In his speech, Dr. de Araujo then continued with a brief summary of the work of the Parliamentary Forum.

The Parliamentary Forum is a young organization of parliamentarians worldwide concerned with the un-controlled proliferation of small arms and the effects these weapons have on building and sustaining prosper and secure societies.

The work of the Parliamentary Forum originates from the aftermath of the hurricane Mitch in Central America in the 90ies. At that time, it became clear to many actors in the international community that the proliferation of small arms was a major obstacle to re-building the societies. A reality that had been clear to parliamentarians in these countries for many years. Spanish and Swedish members of parliaments took the initiative to form a network to offer political, legal and financial support to their colleagues in Central America, how to deal with the problem. This concrete act of solidarity was strongly appreciated, and based on that experience the need to have a more permanent network of parliamentarians was identified.

Gradually the work grew, geographically as well as qualitatively. The Forum became a membership organization of parliamentarians, able to speak for and work with members in many parts of the world. Gradually the whole of Latin America was covered and a growing interest from African parliamentarians to participate emerged. At present, the Forum has 200 members in 60 countries and the bulk of the membership is in Latin America, Sub-Saharan Africa and Europe. It is the Forum's ambition to further expand to Asia as well as the Middle East, and ultimately engage more members from all the regions of the globe.

The method of bringing parliamentarians from different countries and continents together to share perspectives and learning from each other is crucial when dealing with issues of peace and international security. Parliaments have a key role in peace making, promoting and informing public debates, collaborating in policy development and implementation, monitoring and criticising government initiatives, and controlling the budget allocations of the public security sector.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Parliaments are the only bodies with authority to create and reform legislation and to ratify international treaties. As democratically elected representatives, parliamentarians have unique access to the public space and as such a possibility to create debate and stimulate public opinion. Parliaments also serve as links with civil society and governments, thus assuring both the legality and legitimacy of policy initiatives.

The role of parliamentarians is thus imperative in promoting security, and Dr. Manuel de Araujo stressed their role in fighting illicit arms trade. Since these weapons easily cross borders it immediately becomes a problem of international concern and, as such, requires commitments at a national, regional and international level. The Parliamentary Forum is of the view that, in order to address the issue, efforts should be made to tackle both the supply of *and* the demand for weapons and as parliamentarians we have every tool available to do so. Alongside the harmonization of national laws and regulation at an international level, governments also need to address inequalities and poverty, improve public security and crime prevention, as well as undertake criminal justice reform and democratic community policing in order to help reduce armed violence, and thus the demand for weapons and illicit transfers.

Armed violence is a complex issue, which makes it necessary for parliamentarians to work with all their available tools. According to Dr. Manuel de Araujo, that in particular, is the main reason while there is a growing interest among parliamentarians to work with small arms. And an interest from a variety of parliamentarians – women and men, from the political right, left and centre, from small countries and large countries.

In his concluding remarks, he emphasized that the illicit arms trade today does not recognize borders and that it is therefore necessary for the measures to deal with illicit arms trade goes further beyond borders as well. Finally, he hoped that the seminar would provide a most fruitful exchange.

Moderator, Mr. Peter Quilter, ended the session by saying that a positive aspect is that this issue is gaining more attention under the current administration and that the illegal movement of small arms is a concern of all countries. It is becoming clear that this is a national and international issue and that cooperation necessary.

Session I: The private illicit transfer of small arms from the USA to Latin America

Ms. Cindy Buhl, Legislative Director, Rep. Congressman James P. McGovern moderated the first session and started by introducing Mr. Samuel Logan.

Mr. Samuel Logan, Journalist and Analyst, Founding Editor of Southern Pulse | Networked Intelligence gave a presentation the on private illicit transfer of small arms from the USA to Latin America, focusing on the trafficking of arms that goes across the border to Mexico. As a journalist and analyst, Mr. Logan provided an independent view on this problem.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

He started by presenting an overview on the supply and demand side as well as current facts.

Supply: Estimated total of 250 million illegal and legal weapons circulating inside the United States.

Demand: Mexican Drug Trafficking Organizations (DTOs) are taking over regional drug trade and other illicit businesses, earning an estimated US\$13.6 and 40 billion/year.

There are over 25,000 licensed private gun dealers in Texas, Arizona, New Mexico, and California, with gun shows occurring nearly every weekend in Arizona, and on a regular basis in California and Texas.

Meanwhile, since December 2006, the Mexican president has steadily turned up the pressure, forcing firefights and fractionalization (more firefights) between rival Drug Trafficking Organizations (DTOs) and between the Mexican Government and criminals.

In the US one can buy weapons with a driver's license and a clean background check. With a valid Social Security Number and no criminal record, one can buy anything in the store. It is more difficult to purchase a weapon in Mexico. In Mexico, to purchase a low-caliber pistol only, one must demonstrate honest work (recommendation letter), submitted to psychological evaluation, drug screening, those obligated must have completed their military service, and found to have not committed a crime involving firearms. In Mexico, there are less than an estimated 8,000 gun owners in the whole country.

In March Mexico's National Defense Commission reported that around 700,000 weapons illegally pass from the United States to Mexico every year. From 1995 to 2006, the Mexican government seized around 90,000 weapons. The average of long barrel weapons seized, annually, from 2002 to 2006 is 2,500. The average of weapons seized from December 2006 to May 2009 is 38,404 with 21,308 long barrel and 3,009 grenades. In 2008 alone, Mexican authorities seized 21,021 guns.

He compared this to the Bureau of Alcohol, Tobacco, and Firearms (ATF):

- 7,700 guns were traced to Mexico in 2008;
- 3,300 in 2007;
- 2,100 in 2006.

The Bureau of Alcohol, Tobacco, and Firearms (ATF) reported a total of 7,700 guns smuggled to Mexico in 2008 while the Mexican Attorney General's office claimed over 21,000 seizures. As a result, there is a discrepancy of over 13,000 weapons.

Mr. Logan highlighted two things:

1. It is not hard to smuggle weapons into Mexico;
2. There is a certain amount of difficulty in obtaining information about seized weapons, and



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

in many cases can only be traced back to specific gun store, which most likely sold the weapon to a law abiding citizen.

Still, a peak was reached in November 2008 when authorities registered the largest seizure in over a decade:

- 314 long barrel weapons, including 288 AK-47s, AR-15s, P90;
- 7 Barret .50 rifle;
- 126 pistols;
- 2 MGL grenade launchers;
- 287 grenades;
- Over 500,000 rounds of ammunition.

An example on prices and the incentive to break the law was given:

- If you were to invest in the purchase of ten AK-47 rifles in good condition, you would spend US\$6,000.
- You could then smuggle them to Mexico and given you have a contact with a local fence, you could sell the whole lot for around US\$15,000, and make a US\$9,000 profit.
- A contact in Nuevo Laredo once told him that if you time it right and with a little luck you could hit three or four gun shows in two days, buy the guns and smuggle them into Mexico for sale, and in under a week one can make over \$10,000 between long barrels, parts, pistols, and ammunition.

Mr. Logan presented an overview on drug trafficking routes and concluded that they almost overlap the gun trafficking routes perfectly. It is a similar system and the close overlap is because of the same actors and the same connections. Texas is probably the main source of weapons moving from the USA to Mexico. There is a concentration of seizures in states such as Michoacan, Tamaulipas, Sinaloa, Sonora, Baja California, Chihuahua.

There are nineteen border crossing areas between the US and Mexico. It is mostly informal crossing, which means that a lot of individuals are crossing the borders with a small amount of guns. There are many hands and small amounts in combination with insufficient border controls. This method is also often referred to as “ant-trafficking”.

For many years Central America was the source for arms in Latin America and these firearms are now old and rusty. A lot of guns in Central America are old guns that are kept from the wars. The groups are now aiming for the new guns in the military depots. He also stressed that many guns manufactured in the USA are not necessarily brought from the USA.

Furthermore, Mr. Logan highlighted how easy it is to gain access to a manual on how to make a gun from parts and stressed that the Achilles heel on this issues is that no one is talking about the gunsmiths.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Mr. Logan shared an anecdote on the case of Central America:

- In Guatemala the military are selling weapons to Los Zetas, a criminal organization in Mexico dedicated mostly to illegal drug trade. According to CICIG (commission against impunity), 639 military weapons were stolen with help of military officials;
- April 2009: seizure in Amatitlan (just south of Guatemala City), 11 grenade launchers, some 600 fragmentation grenades, 11 M-16 rifles, 11 M-60 machine guns, and over 5,000 rounds of ammunition;
- Between April and August, 2009 - Guatemalan authorities seized 1,100 fragmentation grenades and at least 12 grenade launchers;
- *Meanwhile* in Honduras, the local media reported in mid-April that there were around 800,000 weapons in circulation in the country, of which 650,000 were owned illegally.

In the region of Central America there are three million firearms in circulation, of which around one million are carried illegally. Central America has for a long time been a source of weapons, but the Mexican Drug Trafficking Organizations (DTOs) are more interested in military grade only and explosives, not in the leftovers from civil wars. That is why the US has shifted to become the main source. He also added that when he considers that the FARC has been shipping weapons out of Central America for decades it is easy to believe that what is left over is scrap in comparison to what one can find on in an Arizona show.

Looking ahead, one can see an escalation taking place. Improvised Explosive Devices (IEDs) are now showing up in Mexico, something that has never been seen before and that is of great concern. Examples of Improvised Explosive Devices (IEDs):

- Anti-tank weapons: M72, AT-4;
- Rocket Launcher: RPG-7, MGL 37mm caliber;
- On March 30, after a battle between Mexican military and gunmen, soldiers seized 50 rifles, 60 hand grenades, and eight IEDs which are made of mining-grade explosives;
- Military disabled an Improvised Explosive Device in Oaxaca in February and another exploded in Nuevo Leon in March.

In his concluding remarks, he said that since 1995 Mexican drug trafficking organisations have taken over from Colombian organisations. Mexico has extended themselves into South America and in countries in Africa and Europe. Weapons that are passing from the US to Mexico may easily end up further south. At last, he stated that looking ahead; we are going to see an escalation of fire power in Mexico and more US-sourced firepower across the Americas.

Discussion

Mr. Logan (Southern Pulse Networked Intelligence) commented on the example he gave on Guatemala and the circulation of weapons. He said that as Mexican Drug Trafficking Organizations (DTOs) come to control more and more turf across the Americas, they will continue to exploit smuggling networks from the US to the south and he would not be surprised to learn that the ATF has traced weapons seized in Guatemala back to a US gun store in Arizona or Texas.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

A question was raised about the report from Mexico's National Defense Commission on the annual transfer of illegal weapons from the US to Mexico. *Mr. Logan (Southern Pulse Networked Intelligence)* explained around 700,000 weapons illegally pass from the United States to Mexico every year. Yet only 20% (140,000) remain in Mexico. Traffickers ship 37% (259,000) to Colombia, and the rest (301,000) are transferred to Central America, Ecuador, Peru, and Venezuela.

A participant asked what happened in 2004 that changed the trafficking. *Mr. Logan (Southern Pulse Networked Intelligence)* explained that on September 23, 2004 under the Bush administration, the Federal Assault Weapons Ban expired as part of the law's sunset provision.

A participant asked how deep the gun show problem is. *Mr. Logan (Southern Pulse Networked Intelligence)* answered that the problem with guns shows goes very deep and wide. They are found all over the country and authorized dealers re-sell the weapons.

A participant intervened during the debate on that there is a very strong perception of possession of firearms in the US which originates in the 2nd amendment in the US Constitution. This also involves a lot of money and ultimately that is why it is not going to change in these countries.

Mr. Logan (Southern Pulse Networked Intelligence) agreed that part of the problem has to do with economics and also with boarder control. It is not possible to stop everyone crossing the border due to the high volume of traffic and the "ant-trafficking" problem; by stopping one car one will find three guns, but the problem is that there are thousands of cars.

Session II: Consequences for security in Latin America

Hon. Member of Parliament Christer Winbäck, (Sweden), Board Member of the Parliamentary Forum on Small Arms and Light Weapons moderated this session.

Hon. Member of Parliament Daisy Tourné, (Uruguay), former Minister of Interior of Uruguay and former President of the Parliamentary Forum on Small Arms and Light Weapons, gave the key note address of the session. Latin America is, without a doubt, one of the regions most affected by the terrible consequences that easy access to weapons imposes on society. She gave a brief introduction and explained the history of the Forum and then pointed to the severity of the problem in Latin America in comparison to other regions.

Central America has one of the highest rates with 29 homicides per 100,000 inhabitants of which 77% are committed with firearms. Western Europe has only 3 homicides per 100,000 inhabitants, of which less than 20% are committed with firearms. Problems of insecurity, firearms and crime are of prime concern to the citizens of Latin America. "The Latin American Barometer 2008" which is a public opinion survey, has reported that for the first time since the survey was initiated, Latin Americans consider crime to be the most serious of problems, pushing unemployment and other economic issues into second place.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

The problems which arise from the manufacturing of firearms etc are indeed an area where the United States, as well as other core countries, plays an important part. This will undoubtedly have implications on security in various other regions of the world.

With all this in mind she therefore hoped that the Parliamentary Forum, with its broad membership consisting of parliamentarians of various ideologies representing different countries and continents, can provide a visualization of the problem in all its comprehensiveness and various dimensions. The Forum should establish an area for discussion and the exchange of experiences that can serve all in order to nurture the most important initiatives in these matters and update us on the ongoing processes.

To achieve this, we must consolidate and strengthen the lines of work and partnerships formalized by the Parliamentary Forum. She highlighted the Arms Trade Treaty (ATT) as a priority area and the importance of the USA being involved and called for constant interaction with the UN Group of Governmental Experts.

She urged the United States, as well as the rest of the core countries, a major arms exporter, to play an important role in this matter.

She concluded by saying that meetings like this should serve to define the objectives to be achieved, as well as to identify which programmes and initiatives are needed to achieve them.

Country specific comments

Hon. Member of Parliament Raul Jungmann, (Brazil) held a presentation on Armed Violence in Rio de Janeiro and the Route of the Weapons produced in the United States.

He began his presentation by noting that Latin America and the Caribbean have about 30% of all violent crimes in the world and that Brazil is the fourth most violent country in the world in terms of firearms and fatalities. He then continued his presentation focusing on the seizure of weapons conducted in Rio de Janeiro between 1998 and 2003. The number of weapons seized during that period was 3,654 and the clear majority has been identified as manufactured in the US. The Brazilian Parliamentary Commission of Investigation (CPI) and the Bureau of Alcohol, Tobacco, and Firearms (ATF) have been engaged in tracking such transfer.

Furthermore, he continued by identifying the first buyer (shop or distributor), the path the trafficking of weapons is taken to end up at a retail shop (retail sale), and the end user (buyer). A comparison was also made between brand, type, size, first purchaser, the city, nationality and country of residence of the purchaser of those weapons.

In the mid 90s a rise in commercial transfers of weapons to the region can be observed. One reason for this is that “sporting rifles” was sold in both Argentina and Paraguay. These weapons,



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

which included semi-automatic versions of military type rifles, were then sold to Brazilian collectors, shooters, and hunters. Other factors that influenced the transfers of weapons in the region were: the parity between the dollar/peso/real facilitated the purchases and sales between Argentina and Brazil, the political instability between Hugo Chavez and the opposition in Venezuela increased the demand for arms in the region, as well as the soft laws for foreigners purchasing weapons in Paraguay.

MP Jungmann also highlighted that the availability of weapons in the US in combination with the vast Diasporas of Brazilians living there, facilitates the transfer of weapons to Brazilian organizations dedicated to organized crime. Therefore, it is essential to continue to cooperate with the Bureau of Alcohol, Tobacco, and Firearms (ATF). It is also necessary to strengthen relations and border police cooperation at a regional level, especially with Venezuela, Argentina and Paraguay, in order to combat the arms trafficking.

In his concluding remarks, he stated that it is historical to have this seminar in the US and stressed the need for enhancing the relationship between Latin America and the US.

Hon. Member of Parliament Benito Lara, (El Salvador) held a presentation on the illegal transfer of arms to Latin America and the situation in El Salvador.

Since 1999, many firearms and materials have been registered in El Salvador, yet about 56% of these licences of weapons have expired and many of these weapons have been use for criminal uses. A lot of weapons that circulate within the country have no registration at all. Approximately 85% of the firearms involved in criminal activities in El Salvador have once been registered and legal. In many cases weapons have been reported lost or stolen by their owners.

Furthermore, weapons are closely linked to crimes such as homicides and organized crimes. Statistics shows that a person who carries a gun is 10% more prone to become victimized by the perpetrator in comparison with a person not carrying a gun, which shows that carrying firearms also enhances the possibility of becoming a target. Also, there are costs related to firearm violence, since each wounded person entering a hospital costs 2000 USD.

In his closing section, he stressed that the current situation can be alleviated by reducing both the supply and the demand of firearms. The control and supervision of firearms is, thus, essential, and therefore there is a great need to monitor and to control the circulation.

Hon. Senator Barreras, Senator, (Colombia) presented on the traffic of arms and explosives and the consequences for security in Colombia.

The traffic of arms and explosives has reached a high number in Colombia, to the extent that a number of 49.797 illegal weapons have been seized between 2002 and 2010. The transfers of weapons originate all over the world, however, due to the routes used and the proximity, a large



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

numbers of weapons originate from the United States and neighbouring countries such as Ecuador, Peru, Venezuela and Panama.

For many years Colombia has suffered from Guerillas, which has led to a generation characterized by paramilitary groups. In the specific case of the Revolutionary Armed Forces of Colombia (FARC), they have been supplied with weapons from Venezuela in the north and from Ecuador in the south, through various illegal crossings between these countries. Colombia needs to cooperate with its neighbours but have special difficulties with Venezuela.

The currency used to finance the traffic of weapons is drugs that head towards Europe and the United States. The adverse effects, however, can be seen locally through the numbers of homicides by firearms, which consistently reach 79% of all cases annually, and according to police reports four out of five of the weapons used are illegal. According to the statistics, there are more victims of weapons than of drugs.

At last, he claims that representatives from the Colombian society need to address the groups that feed on the illegal traffic, and to defy the challenges of Latin American nations. If the state is not able to defend its citizens then the citizens are going to defend themselves. That is the current scenario in Colombia, due to the history of armed groups. The control of firearms is, thus, imperative.

Hon. Member of Parliament José Figueroa, (Nicaragua) presented on the implementation of the international tracing instrument and programme of action to prevent, combat and eradicate illicit arms trafficking, drawing upon the Nicaraguan experience.

Nicaragua is a country that, despite its history of bloody wars and the amount of weapons available to civilians, has one of the best indicators of public security thanks to the efforts made by the National Police; it is not corrupted, and enjoys great respect and professionalism. It also executes a high level of inventory of weapons from the Armed and Security Forces, and of those that were legalized and seized.

This inventory is possible through measures such as the marking of firearms, applied by the Armed Forces and the Police through the body DAEM¹, by its acronym in Spanish; the registration of weapons involved in crimes or stolen; the information and tracking of people and weapons; the screening of information of legal and illegal weapons, among others.

It still faces challenges at the regional level, such as the establishment of information exchange systems; distribution and availability of data, the absence of a supervisory authority, the need for a unified system of marking of weapons, and regional legislation.

¹ The DAEM is the Directorate of Registration and Control of Firearms, Ammunition, Explosives and Related Materials. It constitutes a Specialized Unit of the National Police, which will be represented in the various delegations of the police around the country in accordance with its structure, Article 3 of the Special Act for the control and regulation of firearms, ammunition, explosives and other related materials, LAW 510/2005.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Regarding the implementation of the Programme of Action of the United Nations certain achievements were made, such as regular meetings and agreements with importers and traders of weapons, training in Spanish and indigenous languages on the general law of firearms, the creation of an automated system for management and control of information on weapons seized, and the destruction of thousands of weapons.

The remaining challenges that we still face relate to the need of reforming the criminal justice system to enforce the gun laws, and the articulation of a system for tagging, tracking and registering legal and seized weapons on a regional level.

Also various efforts provided by international agencies for training on the subject of illegal transfers has been made on for example measures to combat the illicit traffic, and on good practices carried out at national level.

Finally, the priority for future work seem to focus on the modernization of working processes, on improving coordination and cooperation between states, and on the destruction of seized and confiscated weapons.

Discussion

A representative from the Embassy of Venezuela questioned Senator Barrera's previous statement on that one of the greatest supplies of arms to FARC comes from Venezuela.

Another participant asked about Disarmament Demobilization Reintegration (DDR) in Latin America and Central America. The level of success varies between countries and Rio, Brazil came up as a good example of such a programme. It was also said that DDR is closely linked to drug trafficking, and organized crime.

Due to time constrains, the discussion continued after the next session.

Session III: Response and way forward

Mr. Peter Weiderud, Secretary General of the Parliamentary Forum on Small Arms and Light Weapons moderated this session and started by high lightening that this is in fact a complex issue.

Mr. Christopher Hernández-Roy, Director, Department of Public Security of the Organization of American States, gave the key note address of the session on the topic: Comments on regional efforts to tackle the illicit transfer of firearms, ammunition, explosives and related materials, and especially the CIFTA, Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunitions, Explosives and Related Materials.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

The Organization of American States (OAS) is very useful tool when it comes to multilateral cooperation and the organization is a gathering point for nearly all American states. Here the States can discuss international agreements and the one most relevant for this meeting is the CIFTA (Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunitions, Explosives and Related Materials). The Convention was adopted in 1997 and is the first legally binding treaty of this kind in the world. It served as a precursor for the UN Firearms Protocol. When countries ratify they agree to a number of things including marking, how to deal with confiscated weapons, and establishing security measures.

It was carefully highlighted that the CIFTA does not address the lawful trade of firearms; its objective is instead to prevent illegal trafficking: “recognizing that states have developed different cultural and historical uses for firearms, and that the purpose of enhancing international cooperation to eradicate illicit transnational trafficking in firearms is not intended to discourage or diminish lawful leisure or recreational activities such as travel or tourism for sport shooting, hunting, and other forms of lawful ownership and use recognized by the States Parties.”²

About the CIFTA Treaty:

All 34 member states have signed and all but four have ratified the Convention, the remaining ones being Jamaica, Canada, St Vincent and the Grenadines, and the US. President Obama has stated that he intends to pursue ratification.

Mr. Hernández-Roy noted that national legislation is often inadequate to combat firearms trafficking and therefore model legislation and other tools has been developed to assist member states improve application of the various provisions of CIFTA.

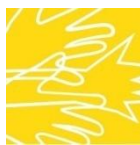
The OAS has a special fund for training programmes and the USA was the first member state to make a contribution to this. Several projects are already underway, including one within the framework of the Merida initiative as well as one to assist member states improve their marking capacity. Spain will also be providing assistance to improve legislations in the Spanish speaking countries of the region.

The OAS plays only a small role. Many countries need to be involved and other partnerships have therefore been formed with various UN programmes, CARICOM and many civil society organizations.

Discussion centred on the exchange between US Members of Congress and Members of Parliament from Latin America

MP Winbäck (Sweden) asked what can be done more specifically.

² CIFTA Treaty;
<http://www.oas.org/juridico/english/treaties/a-63.html>



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Mr. Hernández-Roy (OAS), said that the OAS can of course provide expertise but can also prove useful thanks to its convening mechanism i.e. to bring experts and parliamentarians together to promote the adoption of more democratic and transparent public security policies.

MP Jungmann (Brazil) enquired about why only two congressmen were present during today's seminar and wondered if this reflects the level of interest and efforts to tackle the problem. Brazil has a serious arms problem but on the other hand there are about twenty parliamentarians working on the issue.

Senator Barreras (Colombia) highlighted that it is necessary to act in a concrete and integrated way and this forum is very opportune. He mentioned the Latin American Parliament but that they had not made sufficient progress in comparison to for example Europe. He agreed with his colleague from Brazil that the US does not seem prepared to take a position yet. The US must control the supply side and Latin America must control the demand side of the problem. One aspect that makes the issue more difficult to handle is that the narcotics trade is seen as a health issue and not connected to security. Cooperation must be comprehensive.

Ms. Cindy Buhl, Legislative Director, Rep. Congressman James P. McGovern, without speaking on behalf of the whole of the US Congress, tried to clarify the limited participation of US congressmen. The US Congress is an insular institution. She and her colleagues were not even aware of the Parliamentary Forum on SALW before their first meeting last year. Since that initial meeting, discussions had progressed and eventually lead up to today's seminar. The fact that this seminar is taking place is a small, but a first step, to put the issue on the agenda.

Additionally, the Congress is in working session the day of the Forum, and Members of Congress have numerous other scheduling pressures, in addition to having to attend votes in their Committees and on the floor of the House. She also noted that several key congressional staff attended all or part of the Forum and staff plays a very central role in agenda-setting and decision-making in the U.S. Congress.

Relationship building is key. As a next step she suggested to visit US Senators and US Congressmen and their staff individually to brief them on the issue, in a similar way it was presented to McGovern in 2008 by the Parliamentary Forum on SALW delegation. Arms proliferation in Latin America is not a prioritized area in the US but we now have an administration that is ready to act. The issue and the severity of the problem had been new to her and her colleagues. This is why they were interested in working with the Parliamentary Forum on SALW.

Rachel Stohl, consultant for Parliamentarians for Global Action (PGA), added that having two Members of US Congress participating in a seminar on small arms is to be considered a success. The pressure from the gun culture in the US is heavy. The US Congress is not necessarily aware of how the problem in Latin America is directly linked to US policies. With few exceptions, congressional staff has not been given the opportunity to deal with the issue. The first impression



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

is often that it is about national control and the door then remains closed. She concluded by saying that for the next meeting more Senators and Congressmen would probably attend since they have now been introduced to the issue.

Ambassador Addor-Neto (OAS) continued by saying that the ratification of the CIFTA is difficult but the process is ongoing. In March 2009 an important group of American personalities, diplomats, military leaders and senior officials, in a total of 11 Generals and 16 civilians, ranging from Assistant Secretaries of State to United States Trade Representative, and including from liberals to conservatives, sent a letter to Senator John Kerry, Chairman of the Senate Foreign Relations Committee, supporting the ratification of CIFTA. It should also be noted that President Obama, during the Port of Spain Summit Meeting in April 2009, expressed his commitment to try to have the Convention ratified by the US. The CIFTA does not interfere either with internal legislation or with the international legal trade but it should help to control deviation and smuggling of firearms purchased legally. He added that he believed that stricter legislation would be beneficial in the long run. Talking to many mayors in the US he had understood that they are much more prone to stricter gun laws. However, the ratification will probably not happen during this election year.

Mr. Weiderud, Secretary General of the Parliamentary Forum on SALW highlighted the five basic tools that parliamentarians can use:

1. The responsibility to form public opinion and make policy makers as well as the public understand the link between security and arms;
2. Reform legislation;
3. Oversee budget and allocate resources;
4. Ratify conventions such as CIFTA and the Arms Trade Treaty (which the US supported during last meeting etc.);
5. Oversee the government, prevent corruption and ensure proper implementation of legislation.

The role of the Parliamentary Forum on SALW is to create a platform for parliamentarians where they can learn from each other. He asked for Mr. Logan's opinion.

Mr. Logan (Southern Pulse Networked Intelligence) agreed that communication is important, which is exactly what is happening here today, and also to share information. Not all information is that sensitive and could more easily be shared.

Ambassador Addor-Neto (OAS) highlighted that SALW must be seen in broad context of public security. Lack of trust in the police is a serious issue and leads to more people arming themselves. US citizens have the right to own guns to feel more protected, although statistically this may be an illusion. Lack of trust and corruption makes all issues difficult to tackle being it drugs, crime or guns. In this spirit we should expand a bit how we deal with these issues.



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Mr. Logan (Southern Pulse Networked Intelligence) continued by highlighting Brazil's successful disarmament programme and saying that Colombia has a very professional police force. Cooperation between Colombia and Mexico could, however, be much deeper. He stressed that the Merida initiative is underfunded and that we need political will and funds.

Senator Barreras (Colombia) stressed that it is important to make people and policy makers aware of the fact that carrying a gun will not make you safer, but the contrary.

MP Jungmann (Brazil) highlighted that it is indeed illegal to carry a gun in Brazil, however, one may keep it at home. Brazil and the US have signed a defence agreement and he proposed that a similar agreement should be signed on security.

Mr. Weiderud, Secretary General of the Parliamentary Forum on SALW referred back to a previous comment on issues linked to armed violence. In the beginning the Parliamentary Forum on SALW was more focussed on addressing mere control issues. However, over the years the Parliamentary Forum on SALW has progressed and is now dealing more frequently with the root causes. Control is extremely important but it is also absolutely necessary to go deeper.

MP Figueroa (Nicaragua) continued by stating that some of the reflections at this seminar are the same reflections that we have observed in other forums. We do not take in the issue as we should. Groups of manufactures and sales are not controllable; especially if we have legislations so flexible that we are able to buy guns easily in stores. Governments of all out countries share a responsibility, together with the civil society.

MP Tourné (Uruguay) stressed that this is a problem that has to be analysed and worked on. There is a need for discussions on its complexity and political capacity. In essence, it affects us all.

Another participant argued that in terms of working around the second amendment, one possibility could be to look in to ways of controlling ammunition. Perhaps it would be fruitful to start at that end.

Mr. Logan (Southern Pulse Networked Intelligence) followed up on the previous remarks and added that gun stores owners are 'forced' to sell arms to sketchy looking people. Furthermore, he explained that he has interviewed gun owners associations in Arizona about gun shows. It is in their best interest to work with the Bureau of Alcohol, Tobacco, and Firearms (ATF). Individuals breaking the law are making the rest of the industry look bad. Gun shows are made up by gun shop owners. At these shows anyone can register and get a table, they are private individuals and it is cash and carry. AK47 in the US are considered rifles not assault rifles.

Closing session

Mr. Peter Weiderud, Secretary General of the Parliamentary Forum on Small Arms and Light Weapons stated, in his closing remarks, that this is a very important seminar for the Parliamentary



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Forum on SALW and that the Forum is committed to continue this work. He stressed that we have touched upon fundamental issues on security today including the complex relation between arms and security and the obvious understanding that outside proper regulations more arms will not give us more security.

Hon. Vice-president of the Parliamentary Forum on Small Arms and Light Weapons Dr. Manuel de Araujo (Mozambique), closed the seminar by concluding that although this has been a relatively small seminar it is both important and also historical for the Parliamentary Forum on SALW. The Parliamentary Forum has been well aware of the sensitivity of the topic yet believing that this is the correct way to proceed. The question that was raised earlier on why there were only two congressmen present today was a good question which generated great answers. He also stressed that having two congressmen present and several others through their staff at a seminar on arms control is good for a seminar held in Washington D.C.

The Parliamentary Forum on SALW believes that in order to reach success a dialogue is needed and the first attempt was to come to the US Congress to create such a dialogue. The problem cannot be solved on merely one side. It is a global problem which does not stop at any borders and therefore it is essential to look at the issues from both sides: the supply *and* the demand side.

Many lessons were learned in the seminar from the country specific cases presented as well as from presentations from specialists and key note speakers on the challenges that we are facing, possible solutions, and the role of parliamentarians and their capacity to address this problem and to push for a solution in this area.

Finally, thanks were given to all the participants in the seminar and a special thank you was given to Congressman McGovern for putting his efforts on such a sensitive problem.

END