

# ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

**THIRTY-EIGHTH REGULAR SESSION**  
December 6-9, 2005  
Washington, D.C.

**OEA/Ser.L/XIV.2.38**  
**CICAD/doc.1468/05**  
**5 December 2005**  
**Original: English**

**REPORT TO CICAD ON ACTIVITIES AND DEVELOPMENTS IN  
THE AREA OF FIREARMS CONTROL**

# **REPORT TO CICAD ON ACTIVITIES AND DEVELOPMENTS IN THE AREA OF FIREARMS CONTROL**

## **INTRODUCTION**

This is a brief report on the Secretariat's activities in relation to firearms in the current year. However, for the information of persons new to CICAD, the Commission has been involved with this subject since the early '90 s, when the OAS General Assembly, concerned about the proliferation of firearms in the region, assigned the matter to CICAD, beginning with a request that CICAD review the legislation and situation of firearms in the hemisphere and that it prepare a document that could be of use to the member states in their efforts to address the issue.

Much has changed since that time. CICAD has convened a number of expert group meetings of various member states and developed model regulations for the control of the import, export and trans-shipment of firearms as well as model regulations for the control of firearms brokers. In addition, with the support of the responsible agencies of a number of OAS member states, CICAD has held a number of training and information seminars on firearms control throughout the region. It has also developed relationships on firearms control issues with UN agencies having responsibilities of firearms and other regional bodies, and with the responsible agencies of several OAS member states (Canada, the US, Mexico and others) and permanent observer states, in particular Sweden, Spain, France and the United Kingdom. Within the OAS itself the passage of the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other related Materials (CIFTA), has impacted positively upon CICAD's contacts and responsibilities on firearms matters, as will be indicated below.

This presentation consists of the following four parts: CICAD-CIFTA Expert Group on Model Legislation, the SALSA system, CICAD's representational work on firearms, and a brief comment on a new project

## **CICAD-CIFTA EXPERT GROUP ON MODEL LEGISLATION**

At the First Conference of the States Party to the Inter-American Firearms Convention (CIFTA) held in Bogotá, Colombia, in March of 2004, under the Declaration of Bogotá (subsequently adopted by the OAS General Assembly that year in AG/RES. 1999 XXXIV-O/04)) on the functioning and application of the Convention, it was proposed that model legislation be developed for the purpose of facilitating the Convention's full legislative implementation. The model legislation referred to in the Bogotá Declaration is intended to address areas under the CIFTA Convention that are not covered in the Model Regulations of CICAD.

The CIFTA provides in Article XX for the establishment of a Consultative Committee on Firearms of State Parties and the responsibilities of this Committee. Regarding the proposed Model Legislation, the General Assembly Resolution, stated that this would be the responsibility of the Consultative Committee with support from the Secretariat for Legal Affairs and the Executive Secretariat of CICAD. To this end, a draft would be prepared by the Legal Affairs and CICAD Secretariats and then reviewed and further developed by an expert group for CIFTA-CICAD. Once the model legislation was

approved by the Expert Group, it would be reported on to the Consultative Committee and CICAD, and presented through the Committee on Hemispheric Security to the Permanent Council and then to the General Assembly for adoption.

Mr. Chairman, this is simply to inform that the first piece of model legislation on the subject of firearms and ammunition marking and tracing was completed last week, and that the draft is a joint product of CICAD's Secretariat and the Secretariat of Legal Affairs. The expert group to review the draft is being convened for February 6, 2006, and Convocation Notices are being sent out to Member States through the OAS Missions this week. With the good work of the expert group it is anticipated that the model legislation document will be adopted by the 2006 General Assembly.

## **SALSA SYSTEM**

Briefly, as many of you know, the SALSA system is an electronic secure system intended to apply CICAD's Model Regulations for the control of the import, export and trans-shipment of firearms in various countries of the hemisphere. The idea is for countries to control firearms movements by notifying one another when firearms are leaving a country and on each leg of their transport to the importing country. The system provides countries, especially those to which firearms are sent for import, with better means to control these movements. In addition the system proposes that all parties to a firearms transaction (including brokers and shippers) will be recorded by the countries of import, export and trans-shipment. The system is intended to assist countries involved in a firearms transaction to be better able to impede diversions of firearms from legitimate transactions to illicit purposes, and to help trace firearms "lost" or diverted while moving between the countries.

Despite a successful preliminary pilot of the system in four Caribbean countries (Bahamas, Grenada, Jamaica and Trinidad & Tobago) in 2004, several issues have impeded progress of further implementation of the system in the current year including, in particular, hosting of the system, and the adapting of the system for full functionality.

Full functionality first appeared as a problem when the consultant who designed the SALSA system sold his business to a company called Forensic Technology Inc. (FTI) located in Montreal. Discussions were held during the year with FTI, however, despite an early indication that FTI might be interested to assist CICAD in the development of the system's functionality at no cost to the OAS, the engineers of the company determined that the costs to them to adapt the system were considerably higher than they anticipated and that they were not interested in pursuing the task further. Full functionality of the system remains an outstanding issue requiring technical adjustment.

Additionally, understandably, information exchanges between the competent authorities of countries about firearms movements are sensitive and it is critical that the system is one that ensures that all information exchanges among the countries are secure. Hosting the system in the OAS has, at least for the present time, ruled out, not for security reasons, but in view of price quotes to host and maintain the system from the OAS Office of Information and Technology which are simply not viable. (\$140,000 per year).

The silver lining concerning the foregoing, however, is CICAD's relationship through its Cooperation MOU with the United Nations Regional Centre for Peace Disarmament and

Development in Latin America and the Caribbean(UN-LiREC), based in Lima Peru, with whom CICAD has been carrying out a number of other related firearms activities over the past five years, including training seminars, parliamentary firearms programs, weapons destruction and the preparation of a compendium of firearms legislation in the region, to mention a few.

While it had been agreed some time ago that UN-LiREC and CICAD would work together on SALSA, in practical terms this became more a reality during the year. Funding anticipated in 2005 from the EU to UN-LiREC that would be applied in part to this project has been temporarily delayed, but is expected to be forthcoming in 2006.

It is not anticipated that this project can be fully implemented in the short run, but we expect to be able to report on its progress at CICAD's next regular session.

### **REPRESENTATIONAL WORK IN 2005**

CICAD, along with the Government of the UK, The Bahamas, CARICOM and UNLiREC organized and participated in a regional seminar on firearms transfer control initiatives in the Bahamas in early May. It also participated later that month on the same basis in a similar seminar held in Lima which in addition to the UK, CICAD, UNDP and UN-LiREC involved the Government of Peru and the Andean Community.

In June, CICAD was invited to and made presentations on illicit brokering in firearms at two UN Department of Disarmament Affairs (DDPA) workshops on that subject.

### **NEW PROJECT**

Finally, Mr. Chairman, I just wanted to make reference to an agreement with Costa Rica's Instituto Costarricense sobre Drogas (ICD) and the Ministry of Public Security of that country to improve and update that country's firearms record-keeping system and to provide computerized tamper proof firearms licenses. It is expected that the agreement will be signed shortly and will go into effect in early 2006. This is a very interesting and, we expect, directly demonstrable project that once implemented, will have positive impacts on firearms control in Costa Rica.