

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. fax	cover sheet, Mary Vogt to Deanne Benos (partial) (1 page)	12/20/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Deanne Benos (Subject File)
OA/Box Number: 21322

FOLDER TITLE:

OAS [Organization of American States] Convention on Illicit Trade in Small Arms

2012-0726-S

kc903

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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b(1) National security classified information [(b)(1) of the FOIA]
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NATIONAL SECURITY COUNCIL

FAX COVER SHEET

**NATIONAL
SECURITY
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Did you get a complete,
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(202) 456-9361

From: Fred Rosa

To: Leanne Shimabukoro

Agency: DPC

Fax Number: 6-7028

Date/Time: 1700 5 Jan 00

No. of pages to follow: 10

Message: Leanne – Attached is a draft State Fact Sheet on arms trafficking that I thought DPC should take a look at before its release; also provided is an antecedent U.S.-EU Fact Sheet already released on the same topic... Please review/clear for DPC, or direct me to whoever should handle this...

Thanks!... Regards, Fred



** Released by whom for what purpose? 6-4378
* Other documents*

** STATE
* link is reference to comprehensive initiative...
* let us meet in early FEB...*

**U.S. DEPARTMENT OF STATE
Bureau for International Narcotics
And Law Enforcement Affairs**

Office of Europe, the NIS and Training
INL/ENT Room 5819
2201 C Street NW, Washington, DC 20520
Tel: (202) 736-4551 Fax: (202) 736-4515

DATE: 1/3/00

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PRIORITY

URGENT

TO:

Fred Ross NSC

NUMBER OF PAGES cover + 6

FROM:

Ken Keller DCI - INL/ENT

FAX NO:

To. 456-9360 from 736-4515

COMMENTS:

Fredy here's the latest version as
cleared by all. Appreciate your
prompt attention, we want to release ASAP
this week

Thanks Ken Keller

DRAFT

**Fact Sheet: U.S. Comprehensive Initiatives to Combat
Illicit Trafficking in Small Arms and Light Weapons**

The United States is taking a wide range of steps to address growing international concern about trafficking in small arms and light weapons. U.S. efforts are intended to promote regional security, peace and reconciliation in regions of conflict and to make the world safer by helping to shut down illicit arms markets that fuel the violence associated with terrorism and international organized crime.

As Secretary of Albright told the United Nations in September 1999, "The international community must develop an integrated, comprehensive response -- in countries of origin and countries of conflict, among buyers, sellers and brokers, and with governments as well as international and non-governmental organizations." The U.S. contribution to this effort is summarized below.

OAS Convention Against Illicit Firearms Trafficking. The United States was a leader in concluding in 1997 the "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms," the first international agreement designed to prevent, combat, and eradicate illicit trafficking in firearms, ammunition, and explosives. First proposed by Mexico and negotiated in just seven months, this agreement strengthens the ability of the OAS nations to eradicate illicit arms trafficking, while protecting the legal trade in firearms. Key provisions include requiring an effective licensing or authorization system for the import, export, and in-transit movement of firearms, an obligation to mark firearms indelibly at the time of manufacture and import to help track the sources of illicit guns, and requiring states parties to criminalize the illicit manufacturing of and illicit trafficking in firearms.

OAS Model Regulations: As directed by the President, the United States is implementing the Model Regulations to Control the Movement of Firearms, Ammunition, and Firearms Parts and Components drafted by the OAS Inter-American Drug Abuse Control Commission (CICAD) in furtherance of the OAS Convention.

International Protocol Against Illicit Firearms

Trafficking. The United States is working toward completion of the United Nations "Protocol to Combat the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components" by the end of 2000. This protocol would build on and globalize the standards incorporated in the precedent-setting OAS Convention. The protocol is currently under negotiation in the UN Crime Commission in Vienna as part of the negotiations to conclude the Convention Against Transnational Organized Crime.

Arms Brokering Legislation. The President signed legislation in 1996 amending the Arms Export Control Act to give the State Department greater authority to monitor and regulate the activities of arms brokers. Cornerstones of the brokering provisions are the requirements that brokers must register with the Department of State, must receive State Department authorization for their brokering activities, and must submit annual reports describing such activities. The United States is one of the few countries to have instituted such legislation, and we are working to promote adoption of similar laws by other nations and to incorporate such a provision into the Vienna protocol. Law enforcement officials made the first seizure of munitions under the provisions of the new legislation in November 1999.

Greater Accountability. The United States maintains the world's most open arms export procedures, and is promoting greater openness in the practices of other nations. In 1996, the President signed legislation amending the Foreign Assistance Act of 1961 to require the annual publication of information about arms authorized for commercial export by the United States that fall below the previously existing reporting thresholds for U.S. arms transfers. The report includes detailed, country-by-country information on the numbers of firearms, ammunition, and other "small-ticket" defense items authorized by the United States for export, setting a world standard for transparency. The U.S. has presented this report as a model to the 33-nation Wassenaar Arrangement, which promotes restraint and transparency in the export of conventional arms. The United States also publishes reports on arms flows to regions of conflict in order to raise public awareness of the issue. Last July, for example, the State Department released Arms and Conflict in Africa. It is available at: www.state.gov.

Careful Scrutiny of Export Licenses. If arms export license applications exceed the normal, reasonable domestic needs of a given importing country or show other abnormalities, the United States will audit and, if necessary, cut off exports to that country. On that basis, the United States has suspended exports to Paraguay since 1996. In addition, as U.S. law prohibits arms and munitions exported from the United States to be re-transferred by the recipient without prior U.S. approval, audits are conducted if diversions or transshipments are suspected.

Destroying Excess Weapons. Helping other nations destroy seized or excess firearms can be an important element in securing a lasting peace in conflict regions. The United States has contributed experts and funds to destroy small arms, light weapons and ammunition in Liberia, Kuwait, Haiti, Panama, and the former Yugoslavia. The U.S. recently agreed with 10 nations of southeast Europe on a program to destroy illicit arms in the region. The United States is also working with the Euro-Atlantic Partnership Council (EAPC), some of whose members have been sources of illicit weapons shipments to the Balkans and central Africa, on programs to improve security of weapons stockpiles.

Cracking Down on Financing of Illicit Arms. Illicit markets in valuable commodities such as diamonds have helped finance arms flows, particularly to embargoed groups and nations. The United States and other concerned countries are identifying ways to track and intercept illicit trafficking in precious gemstones used in financing conflicts in Africa. The U.S. is considering legislation that would require each diamond to be sold with a certificate of origin guaranteeing its legality. The Administration is working closely with the diamond industry, whose cooperation is essential for any dependably effective regime.

Embargo Enforcement. The United States carefully observes sanctions and embargoes established by the United Nations. U.S. laws permit the prosecution of those who violate embargoes. We urge others also to criminalize such violations. We recommend that governments find ways to exchange information on violations to truly globalize embargo enforcement. In addition, the United States does not authorize commercial or government-to-government weapons transfers to conflict areas such as the Democratic

Republic of the Congo, Ethiopia, Eritrea, and Angola, whose governments are not subject to UN embargoes. We encourage all governments to announce and observe such voluntary moratoria.

Vigilance at the Borders. The Administration has made the prevention of illicit arms trafficking across our borders a high priority. The Bureau of Alcohol, Tobacco, and Firearms and the United States Customs Service have intensified their interdiction and investigative efforts. The Attorney General has directed United States Attorneys along the southwest border to make a dedicated effort to prosecute traffickers, large and small, caught attempting to smuggle firearms.

Possession of Firearms by Aliens: Since 1968 the Gun Control Act has prohibited the possession of firearms and ammunition by aliens illegally or unlawfully in the United States. In response to the 1997 shootings at the Empire State Building in New York committed by a nonimmigrant alien legally in the United States, the Administration amended regulations implementing the Gun Control Act to require that legal resident aliens provide proof that they have resided in the United States for at least 90 days prior to purchasing firearms from Federally licensed dealers. Due to concern over firearms violence committed by nonimmigrant aliens, the law was amended in 1998 to prohibit persons admitted to the United States under a nonimmigrant visa from possessing firearms.

Africa Focus. Arms transfers and trafficking and the conflicts they feed are having a devastating impact on Sub-Saharan Africa. Some of the programs we are pursuing, include:.

- **AFRICA BASELINE SURVEY.** Support to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) to survey the small arms legislation, regulations, and law enforcement capacities of African countries to provide a benchmark for future work.
- **The West African Small Arms Moratorium.** Technical assistance for the 1998 Economic Community of West African States (ECOWAS) moratorium on the import, export and manufacturing of small arms in West Africa. We are also seeking congressional approval to release modest

funding for the moratorium, which was included in the Fiscal 99 Foreign Authorizations Act.

International Diplomacy. The United States is working with many nations and international organizations on the problem of illicit small arms.

- **U.S.- EU.** At their December 1999 summit in Washington, the United States and the European Union released a statement of "Common Principles on Small Arms and Light Weapons," in which they pledged to observe the "highest standards of restraint" in their small arms export policies, and took further steps to harmonize their export practices and policies. They approved a 10-point "Action Plan," and established a formal working group through which they will continue their activities.
- **United Nations.** The U.S. was an active participant and strong supporter of the recommendations of the 1997 Report of the UN Panel of Governmental Experts on Small Arms. The U.S. will also take active part in preparations for the international conference in 2001 on the "Illicit Arms Trade in All its Aspects."
- **Norway.** The U.S. has worked closely with a group of like-minded nations led by Norway that is helping to set the international agenda for addressing the problem of small arms proliferation. The statement released by the 18 countries attending the last such conference in Oslo in December 1999 focused special attention on the importance of regulating the activities of arms brokers. President Clinton and Norwegian Prime Minister Bondevik also announced a bilateral task force on small arms and light weapons, focusing on efforts to destroy surplus small arms in conflict zones.

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 21, 1999

FACT SHEET

U.S. - EU Statement of Common Principles and Action Plan on Small Arms and Light Weapons

December 17, 1999

Statement of Common Principles

The United States and the European Union agree that the problem of the destabilizing accumulation and spread of small arms and light weapons demands the urgent attention of the international community.

They agree that a comprehensive approach is needed, addressing human security, development, law enforcement, disarmament and arms control, and legitimate national and collective defense requirements.

Both are committed to seeking urgent, concrete, and practical responses through global, regional and national measures. Their approaches include stemming the flow of illicit trafficking, confronting those aspects of the legal trade that contribute to the destabilizing accumulation and spread of small arms and light weapons, and dealing with the root causes of conflict that fuel the spread of small arms.

To better address these issues, the U.S. and the EU will expand their cooperation, coordinate their activities, and reaffirm the common principles governing their conduct.

The EU pledges cooperation with the U.S. Comprehensive Initiative on Small Arms and Illicit Trafficking. The U.S. pledges cooperation with the EU on small arms, including support for the objectives and principles of the EU Joint Action on Small Arms and Light Weapons adopted in December 1998, consistent with U.S. policy and domestic legislation.

They agree that the UN conference on the illicit trade in small arms and light weapons in all its aspects should undertake concrete and tangible steps to combat the destabilizing accumulation and spread of small arms and light weapons.

They agree on the goal of concluding the Protocol to Combat the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition by 2000, which will serve as a key element in international efforts to combat illicit firearms trafficking.

Recognizing the special responsibilities that arms exporting states have, the U.S. and the EU affirm their commitment to observe the highest standards of restraint in the transfer of small arms and light weapons. They reaffirm support for the OSCE Principles Governing Conventional Arms Transfers. With respect to policies on small arms and light weapons the U.S. welcomes the EU's adoption of the EU Code of Conduct on arms exports and the principles contained in its criteria, which the U.S. endorses.

The U.S. and the EU agree on the importance of effective national controls for arms brokering.

The U.S. and the EU underline the importance of preventing the unauthorized retransfer of small arms and light weapons.

They will explore appropriate and effective measures of transparency in the transfers of small arms and light weapons.

The U.S. and the EU will work to improve their cooperation and coordination with third countries, and to that end, they will focus urgent attention on practical disarmament measures in potential conflict and post-conflict situations where the problems are most severe, in particular in Africa. They will also pursue measures to address the problem of the destabilizing accumulation and spread of small arms and light weapons in the Balkans.

The U.S. and the EU resolve to encourage and support states to ensure the security of stockpiles of small arms and light weapons and to coordinate respective activities designed to assist countries to collect and destroy surplus weapons. They will contribute to reducing and ending the excessive and destabilizing accumulation and uncontrolled spread of small arms, taking into account requirements for legitimate national and collective defense, and participation in peacekeeping operations under the UN Charter and internal security.

The U.S. and the EU welcome the interest of the NGO community in this field, and encourage them to continue their important efforts, which complement the work of governments.

In furtherance of the above-mentioned principles, the U.S. and the EU agree to identify areas for coordinated action.

Action Plan

In support of the principles agreed by the United States and the European Union and to advance their common objectives, the U.S. and the EU will take the following steps:

1. Establish a working group on small arms and light weapons for regular exchanges at the expert level. The working group will promote increased cooperation and information sharing and evaluate progress achieved by the U.S. and the EU on small arms issues. The group will meet at least once during each EU Presidency.

2. Work together to address the problem of illicit trafficking in firearms, including the completion by 2000 of the Protocol to Combat Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition now being negotiated in Vienna as part of the Convention Against Transnational Organized Crime, complementing other efforts to prevent the destabilizing accumulation and spread of small arms and light weapons.
3. Coordinate efforts to provide assistance, in particular, where the problem of the destabilizing accumulation and spread of small arms and light weapons is most severe.
4. Promote support for the observance and the enforcement of the Economic Community of West African States' (ECOWAS) moratorium on the import, export and manufacturing of small arms in West Africa.
5. Promote the observance of UN sanctions governing arms transfers to areas of conflict in Africa. Work together in the UN and in other fora to strengthen enforcement of arms embargoes established under the UN Security Council, including working together to tighten controls on sources of financing that help sustain arms flows and violent conflict in Africa.
6. Cooperate in considering measures to combat illicit arms brokering and measures to prevent the unauthorized retransfer of small arms and light weapons.
7. Promote the inclusion in UN peacekeeping mandates and other relevant missions of effective measures to deal with the collection and destruction of small arms and light weapons, and to coordinate assistance provided for this purpose.
8. Cooperate with appropriate bodies of the UN for more effective coordination of assistance in areas severely affected by small arms problems.
9. Work together in regional fora, such as the OSCE and EAPC, in efforts to contribute to combating and preventing the destabilizing accumulation and spread of small arms and light weapons, including stockpile management and security.
10. Coordinate their planning for a successful outcome to the UN international conference on the illicit trade in small arms and light weapons in all its aspects with a view to achieving tangible results at the conference, including an action plan for the international community to deal with the small arms problem.

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Information Regarding Gun Litigation

- 29 cities, counties and the NAACP have sued the gun industry for its marketing, distribution and design practices. Some of these litigants have asked the Clinton Administration to participate in negotiations to settle these legal claims. Courts in New York, California, Illinois and Georgia already have ruled favorably on these legal theories, while courts in Connecticut, Florida and Ohio have dismissed city suits at the trial court level.
- Various public housing authorities, under HUD's guidance, are prepared to file a lawsuit against the gun industry. Over the past several months, HUD has looked closely at the viability of a lawsuit that would be brought by public housing authorities, including those under Federal control, against the gun industry. HUD has concluded that a suit would indeed be viable, and the housing authorities are prepared to file if necessary.
→ DOT says HUD has this legal authority.
- The Clinton Administration, including HUD, would prefer a strong, comprehensive settlement rather than litigation. Talks are under way between gunmakers and states, cities and counties, and there is an important role for the federal government to play in reaching a resolution. The Administration expects to work closely with these parties to help them reach a settlement.
- Any settlement should have strong remedies with teeth. This effort is not about the money – it's about saving lives. The Administration will join the cities, counties, states and NAACP in asking for a number of reforms including:
X Distribution controls to prevent the leakage of firearms into the
X illegal gun market, and improvements in the design and safety of firearms to prevent accidents and unauthorized uses. This effort is designed to make our communities safer – not to take away guns from responsible owners.
- The Administration will continue to do everything in its power to keep guns out of the wrong hands, even as Congress fails to act. We will continue to press for strong, common-sense gun legislation. The President and Vice President are determined to make progress on gun safety, with or without the help of Congress. A negotiated settlement can secure many public safety gains, but Congress still has a responsibility to close loopholes in our gun laws.

Gun-Related Injuries and Deaths in America.

- Every year in America guns are used to kill more than 30,000 people¹ and injure about 100,000 people.²
- Crimes, murders, suicides, accidents – all are avoidable gun-related tragedies. The numbers are compelling:

• 600,000 crimes,³ including about 70% of all murders,⁴ are committed with guns each year;

• 18,000 suicides committed with guns in one recent year alone;⁵

• 1,300 accidental deaths caused by guns in one recent year alone.⁶

• Our children pay the heaviest price:

• The rate of firearm deaths for American kids is higher than for any other country and is 12 times higher than the rate for children in the world's other 25 industrialized nations combined.⁷

• From 1984 to 1994, the firearm death rate for 15-19 year olds increased 222%, while the non-firearm homicide death rate decreased almost 13%.⁸

• Gunshot wounds have become the second leading cause of death for Americans between the ages of 10 and 24.⁹

Gun Violence and Murder in Public Housing.

- Gun violence is a community-wide problem that has taken a deadly toll on our nation's public housing community. Residents of many public housing projects – already disadvantaged by the negative effects of intense poverty

¹ National Summary of Injury Mortality Data, 1987-1994. Atlanta, GA: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, November, 1996 ("National Summary").

² Annett JL, Mercy JA, Gibson DR, Ryan GW. National estimates of nonfatal firearm-related injuries: beyond the tip of the iceberg. JAMA 1995;283:1749-1754.

³ This is an estimate based upon the one-time study conducted by the Department of Justice which analyzed data for 1994. See Department of Justice, Bureau of Justice Statistics 1994.

⁴ National Summary; and Federal Bureau of Investigation, Uniform Crime Reports, 1997.

⁵ See National Summary. In 1994, there were more than 18,700 suicides committed with guns in the United States.

⁶ National Summary (1994 figure used).

⁷ Centers for Disease Control, Rates of Homicide, Suicide and Firearm-Related Death Among Children – 26 Industrialized Countries, 1997.

⁸ See National Summary.

⁹ National Summary.

– must endure constant fear of violent crime because of the widespread availability of unsafe guns.

- In America's 100 largest Public Housing Authorities there are 10,000 crimes each year and an average of one murder each day committed with a gun.
- The individual tragedies suffered are overwhelming. Just a few examples include:

- On July 21, 1999, one teenager was murdered and three others – including a 15 year old who was 9 months pregnant – were shot at a birthday party in the Easter Hill public housing complex in Richmond, CA – San Francisco Chronicle, "Richmond Teen Dies After Party Shooting" July 23, 1999
- On ~~July 10, 1999, Renee Childers, her 9 year old son and two others were held hostage for 13 ½ hours before the gunman killed Mrs. Childers and himself in the Lincoln Park public housing community in Portsmouth, VA – The Virginian-Pilot, "Police Wanted to Charge Man Months Before Fatal Standoff; In December, Portsmouth Prosecutors Decided the Case Wasn't Strong Enough" July 22, 1999~~
- On June 21, 1999, grandmother Helen Foster-El was shot to death as she tried to shepherd neighborhood children to safety in the East Capitol Dwellings public housing complex in Washington, DC – Washington Post, "Renovation Planned at Slaying Site; Agency to Rebuild East Capitol Units" July 1, 1999
- On June 13, 1998, 17 year old Antonio Taliaferro was killed and two friends were wounded in a drive-by shooting on the steps of the New Hope Apostolic Temple across the street from the Southside Terrace public housing development in Omaha, Nebraska – Omaha World-Herald, "One Dead in Shooting at Church Two Others are Injured After Shots are Fired From a Passing Car Early Saturday Morning" July 14, 1998
- In May 1998, Melissa Stone, a 29 year old mother of 7, was abducted at gunpoint, then raped and killed in the Desire public housing complex in New Orleans, LA – The Times-Picayune "Body of Woman ID'd by Family; Mother of 7 Last Seen on Sunday" July 7, 1998

Remove
b/c of
reference to
poor prosecutions
of gun crimes

Economic Costs of Gun Violence in Public Housing.

- HUD spends approximately \$3 billion annually in Operating Fund grants to PHAs, a significant percentage of which is allocated to security costs.
- It is estimated that PHAs spend about \$1 billion per year on security and other costs related to gun violence.
- For example, in 1997 Chicago spent \$43,777,157 of its HUD Public Housing Comprehensive Grant -- 38% of the total -- on security.
- In 1998, HUD's Drug Elimination Program grants totaled \$243,736,400, of which about 46% was spent by Housing Authorities on security, law enforcement, investigators and tenant patrols.

X Gun Industry's Problematic Behavior. The gun industry bears some responsibility for the flood of guns into public housing and the acquisition of guns by criminals, for example:

- Manufacturers have failed to address dealers who are repeatedly associated with guns that are recovered by Federal, State and local law enforcement agencies in connection with crimes.
- Manufacturers also market guns to criminals. For example, Intratec advertises its TEC-DC9 as an "assault-type pistol" with a coating that provides "excellent resistance to fingerprints."

X Remedies for the Gun Industry's Practices. PHAs are This isn't about money: it's about saving lives. The Administration is interested in injunctive relief of the sort that has been proposed by many of the cities in their suits against the gun industry. This includes industry reforms that improve distribution controls to prevent firearms from reaching the illegal market (especially felons and children), changes to the design of firearms to improve safety and prevent accidents and unintended uses, and an end to the practice of marketing guns to criminals and juveniles. As President Clinton said, this could include cutting off supply to unscrupulous gun dealers, ending the marketing and manufacture of guns with criminal-friendly features such as fingerprint resistance or easily obliterated serial numbers, and requiring the incorporation of safety features into the design of firearms, such as trigger locks or chamber-loaded indicators. These are just some of the remedies that the Administration will consider as part of a comprehensive settlement. Our goal is changes that truly make our communities safer.

need to be considered

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001. fax	cover sheet, Mary Vogt to Deanne Benos (partial) (1 page)	12/20/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Deanne Benos (Subject File)
OA/Box Number: 21322

FOLDER TITLE:

OAS [Organization of American States] Convention on Illicit Trade in Small Arms

2012-0726-S
kc903

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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[001]

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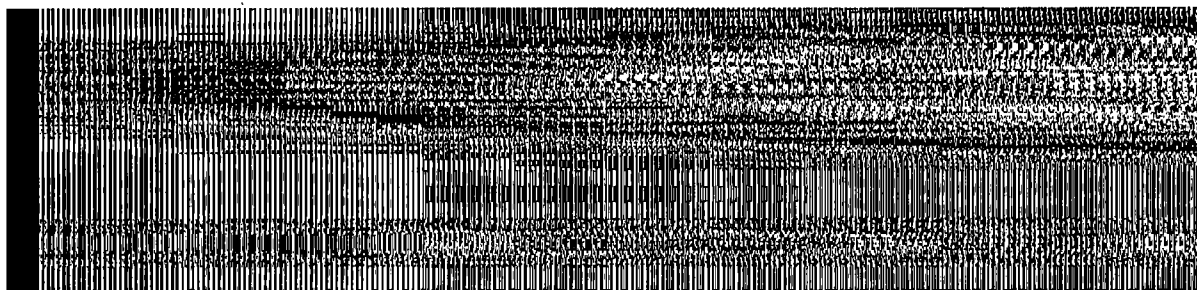
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NOTES/COMMENTS:

P6(b)(6)

Mary Vogt



**A-63: INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND
TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS**

ADOPTED AT: WASHINGTON D.C.

DATE: 11/14/97

CONF/ASSEM/MEETING: TWENTY-FOURTH SPECIAL SESSION OF THE GENERAL ASSEMBLY OF THE
ORGANIZATION OF AMERICAN STATES

ENTRY INTO FORCE: 07/01/98 IN ACCORDANCE WITH THE ARTICLE XXV OF THE
CONVENTION

DEPOSITORY: GENERAL SECRETARIAT OAS (ORIGINAL INSTRUMENT AND
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UN REGISTRATION: / / No. Vol.

OBSERVATIONS:

GENERAL INFORMATION OF THE TREATY: A-63

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Argentina	11/14/97	/ /	/ /	/ /
Bahamas (Commonwealth	04/15/98	06/05/98	07/30/98 RA	/ /
Belize	11/14/97	11/17/97	01/12/98 RA	/ /
Bolivia	11/14/97	02/12/99	04/29/99 RA	/ /
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Colombia	11/14/97	/ /	/ /	/ /
Costa Rica	11/14/97	/ /	/ /	/ /
Dominican Republic ..	11/14/97	/ /	/ /	/ /
Ecuador	11/14/97	06/08/99	R 06/23/99 RA	/ /
El Salvador	11/14/97	01/08/99	03/18/99 RA	/ /
Grenada	11/14/97	/ /	/ /	/ /
Guatemala	11/14/97	/ /	/ /	/ /
Guyana	11/14/97	/ /	/ /	/ /
Haiti	11/14/97	/ /	/ /	/ /
Honduras	11/14/97	/ /	/ /	/ /

Jamaica	11/14/97	/ /	/ /	/ /
Mexico	11/14/97	05/19/98	06/01/98 RA	/ /
Nicaragua	11/14/97	/ /	/ /	/ /
Panama	11/14/97	/ /	/ /	/ /
Paraguay	11/14/97	/ /	/ /	/ /
Peru	11/14/97	06/04/99	06/08/99 RA	/ /
Saint Lucia	06/03/98	/ /	/ /	/ /
Saint Vincent and the	11/14/97	/ /	/ /	/ /
St. Kitts and Nevis .	11/14/97	/ /	/ /	/ /
Suriname	11/14/97	/ /	/ /	/ /
Trinidad and Tobago .	05/12/98	/ /	/ /	/ /
United States	11/14/97	/ /	/ /	/ /
Uruguay	11/14/97	/ /	/ /	/ /
Venezuela	11/14/97	/ /	/ /	/ /

REF = REFERENCE

D = DECLARATION

R = RESERVATION

INFORMA = INFORMATION REQUIRED BY THE TREATY

INST = TYPE OF INSTRUMENT

RA = RATIFICATION

AC = ACCEPTANCE

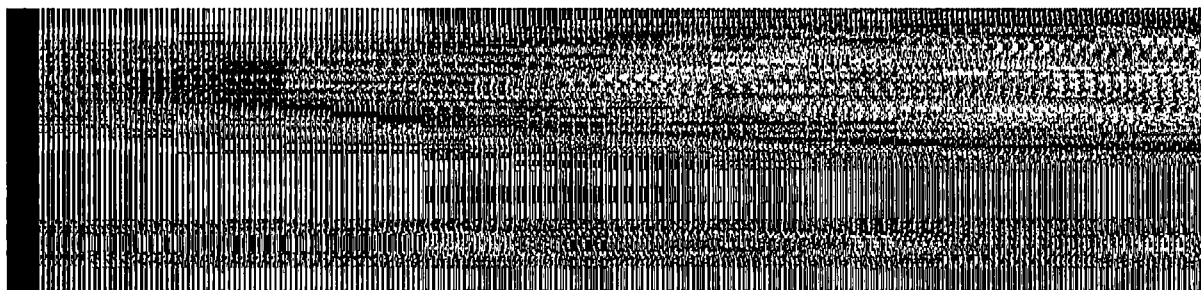
AD = ACCESSION

Text of the Treaty

[Home Page](#) | [Inter-American Juridical Committee](#) | [Secretariat for Legal Affairs](#)
[The Inter-American Legal Agenda](#) | [Programs and Plans of Action](#) | [Model Laws](#)
[Charter of the OAS](#) | [Inter-American Treaties](#) | [Anti-Corruption Network](#)
[Publications](#) | [National Legal Instruments](#) | [Resolutions and Declarations](#)
[What's New](#) | [OAS Home Page](#)

Questions and Suggestions

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**A-63: INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND
TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS**

ADOPTED AT: WASHINGTON D.C.

DATE: 11/14/97

CONF/ASSEM/MEETING: TWENTY-FOURTH SPECIAL SESSION OF THE GENERAL ASSEMBLY OF THE
ORGANIZATION OF AMERICAN STATES

ENTRY INTO FORCE: 07/01/98 IN ACCORDANCE WITH THE ARTICLE XXV OF THE
CONVENTION

DEPOSITORY: GENERAL SECRETARIAT OAS (ORIGINAL INSTRUMENT AND
RATIFICATIONS)

TEXT:

UN REGISTRATION: / / No. Vol.

OBSERVATIONS:

GENERAL INFORMATION OF THE TREATY: A-63

SIGNATORY COUNTRIES	SIGNATURE REF	RA/AC/AD REF	DEPOSIT INST	INFORMA REF
Antigua and Barbuda .	11/14/97	/ /	/ /	/ /
Argentina	11/14/97	/ /	/ /	/ /
Bahamas (Commonwealth	04/15/98	06/05/98	07/30/98 RA	/ /
Belize	11/14/97	11/17/97	01/12/98 RA	/ /
Bolivia	11/14/97	02/12/99	04/29/99 RA	/ /
Brazil	11/14/97	/ /	/ /	/ /
Canada	11/14/97	/ /	/ /	/ /
Chile	11/14/97	/ /	/ /	/ /
Colombia	11/14/97	/ /	/ /	/ /
Costa Rica	11/14/97	/ /	/ /	/ /
Dominican Republic ..	11/14/97	/ /	/ /	/ /
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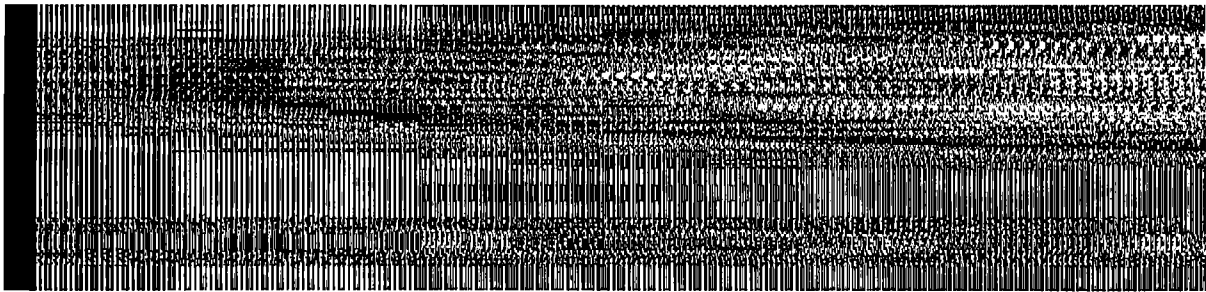
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Text of the Treaty

[Home Page](#) | [Inter-American Juridical Committee](#) | [Secretariat for Legal Affairs](#)
[The Inter-American Legal Agenda](#) | [Programs and Plans of Action](#) | [Model Laws](#)
[Charter of the OAS](#) | [Inter-American Treaties](#) | [Anti-Corruption Network](#)
[Publications](#) | [National Legal Instruments](#) | [Resolutions and Declarations](#)
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Questions and Suggestions

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**INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING
OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND
OTHER RELATED MATERIALS**

THE STATES PARTIES,

AWARE of the urgent need to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, due to the harmful effects of these activities on the security of each state and the region as a whole, endangering the well-being of peoples, their social and economic development, and their right to live in peace;

CONCERNED by the increase, at the international level, in the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials and by the serious problems resulting therefrom;

REAFFIRMING that States Parties give priority to preventing, combating, and eradicating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials because of the links of such activities with drug trafficking, terrorism, transnational organized crime, and mercenary and other criminal activities;

CONCERNED about the illicit manufacture of explosives from substances and articles that in and of themselves are not explosives--and that are not addressed by this Convention due to their other lawful uses--for activities related to drug trafficking, terrorism, transnational organized crime and mercenary and other criminal activities;

CONSIDERING the urgent need for all states, and especially those states that produce, export, and import arms, to take the necessary measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

CONVINCED that combating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials calls for international cooperation, exchange of information, and other appropriate measures at the national, regional, and international levels, and desiring to set a precedent for the international community in this regard;

STRESSING the need, in peace processes and post-conflict situations, to achieve effective control of firearms, ammunition, explosives, and other related materials in order to prevent their entry into the illicit market;

MINDFUL of the pertinent resolutions of the United Nations General Assembly on measures to eradicate the illicit transfer of conventional weapons and on the need for all

states to guarantee their security, and of the efforts carried out in the framework of the Inter-American Drug Abuse Control Commission (CICAD);

RECOGNIZING the importance of strengthening existing international law enforcement support mechanisms such as the International Weapons and Explosives Tracking System (IWETS) of the International Criminal Police Organization (INTERPOL), to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

RECOGNIZING that international trade in firearms is particularly vulnerable to abuses by criminal elements and that a "know-your-customer" policy for dealers in, and producers, exporters, and importers of, firearms, ammunition, explosives, and other related materials is crucial for combating this scourge;

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;

RECALLING that States Parties have their respective domestic laws and regulations in the areas of firearms, ammunition, explosives, and other related materials, and recognizing that this Convention does not commit States Parties to enact legislation or regulations pertaining to firearms ownership, possession, or trade of a wholly domestic character, and recognizing that States Parties will apply their respective laws and regulations in a manner consistent with this Convention;

REAFFIRMING the principles of sovereignty, nonintervention, and the juridical equality of states,

HAVE DECIDED TO ADOPT THIS INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS:

Article I Definitions

For the purposes of this Convention, the following definitions shall apply:

1. "Illicit manufacturing": the manufacture or assembly of firearms, ammunition, explosives, and other related materials:
 - a. from components or parts illicitly trafficked; or
 - b. without a license from a competent governmental authority of the State Party where the manufacture or assembly takes place; or
 - c. without marking the firearms that require marking at the time of manufacturing.
2. "Illicit trafficking": the import, export, acquisition, sale, delivery, movement, or transfer of firearms, ammunition, explosives, and other related materials from or across the territory of one State Party to that of another State Party, if any one of the States Parties concerned does not authorize it.

3. "Firearms":

- a. any barreled weapon which will or is designed to or may be readily converted to expel a bullet or projectile by the action of an explosive, except antique firearms manufactured before the 20th Century or their replicas; or
- b. any other weapon or destructive device such as any explosive, incendiary or gas bomb, grenade, rocket, rocket launcher, missile, missile system, or mine.

4. "Ammunition": the complete round or its components, including cartridge cases, primers, propellant powder, bullets, or projectiles that are used in any firearm.

5. "Explosives": any substance or article that is made, manufactured, or used to produce an explosion, detonation, or propulsive or pyrotechnic effect, except:

- a. substances and articles that are not in and of themselves explosive; or
- b. substances and articles listed in the Annex to this Convention.

6. "Other related materials": any component, part, or replacement part of a firearm, or an accessory which can be attached to a firearm.

7. "Controlled delivery": the technique of allowing illicit or suspect consignments of firearms, ammunition, explosives, and other related materials to pass out of, through, or into the territory of one or more states, with the knowledge and under the supervision of their competent authorities, with a view to identifying persons involved in the commission of offenses referred to in Article IV of this Convention.

Article II Purpose

The purpose of this Convention is:

to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

to promote and facilitate cooperation and exchange of information and experience among States Parties to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

Article III Sovereignty

1. States Parties shall carry out the obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of states and that of nonintervention in the domestic affairs of other states.

2. A State Party shall not undertake in the territory of another State Party the exercise of jurisdiction and performance of functions which are exclusively reserved to the authorities of that other State Party by its domestic law.

Article IV

Legislative Measures

1. States Parties that have not yet done so shall adopt the necessary legislative or other measures to establish as criminal offenses under their domestic law the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.
2. Subject to the respective constitutional principles and basic concepts of the legal systems of the States Parties, the criminal offenses established pursuant to the foregoing paragraph shall include participation in, association or conspiracy to commit, attempts to commit, and aiding, abetting, facilitating, and counseling the commission of said offenses.

Article V Jurisdiction

1. Each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offenses it has established in accordance with this Convention when the offense in question is committed in its territory.
2. Each State Party may adopt such measures as may be necessary to establish its jurisdiction over the offenses it has established in accordance with this Convention when the offense is committed by one of its nationals or by a person who habitually resides in its territory.
3. Each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offenses it has established in accordance with this Convention when the alleged criminal is present in its territory and it does not extradite such person to another country on the ground of the nationality of the alleged criminal.
4. This Convention does not preclude the application of any other rule of criminal jurisdiction established by a State Party under its domestic law.

Article VI Marking of Firearms

1. For the purposes of identification and tracing of the firearms referred to in Article I.3.a, States Parties shall:
 - a. require, at the time of manufacture, appropriate markings of the name of manufacturer, place of manufacture, and serial number;
 - b. require appropriate markings on imported firearms permitting the identification of the importer's name and address; and
 - c. require appropriate markings on any firearms confiscated or forfeited pursuant to Article VII.1 that are retained for official use.
2. The firearms referred to in Article I.3.b should be marked appropriately at the time of manufacture, if possible.

Article VII Confiscation or Forfeiture

1. States Parties undertake to confiscate or forfeit firearms, ammunition, explosives, and other related materials that have been illicitly manufactured or trafficked.

2. States Parties shall adopt the necessary measures to ensure that all firearms, ammunition, explosives, and other related materials seized, confiscated, or forfeited as the result of illicit manufacturing or trafficking do not fall into the hands of private individuals or businesses through auction, sale, or other disposal.

Article VIII Security Measures

States Parties, in an effort to eliminate loss or diversion, undertake to adopt the necessary measures to ensure the security of firearms, ammunition, explosives, and other related materials imported into, exported from, or in transit through their respective territories.

Article IX Export, Import, and Transit Licenses or Authorizations

1. States Parties shall establish or maintain an effective system of export, import, and international transit licenses or authorizations for transfers of firearms, ammunition, explosives, and other related materials.

2. States Parties shall not permit the transit of firearms, ammunition, explosives, and other related materials until the receiving State Party issues the corresponding license or authorization.

3. States Parties, before releasing shipments of firearms, ammunition, explosives, and other related materials for export, shall ensure that the importing and in-transit countries have issued the necessary licenses or authorizations.

4. The importing State Party shall inform the exporting State Party, upon request, of the receipt of dispatched shipments of firearms, ammunition, explosives, and other related materials.

Article X Strengthening of Controls at Export Points

Each State Party shall adopt such measures as may be necessary to detect and prevent illicit trafficking in firearms, ammunition, explosives, and other related materials between its territory and that of other States Parties, by strengthening controls at export points.

Article XI Recordkeeping

States Parties shall assure the maintenance for a reasonable time of the information necessary to trace and identify illicitly manufactured and illicitly trafficked firearms to enable them to comply with their obligations under Articles XIII and XVII.

Article XII Confidentiality

Subject to the obligations imposed by their Constitutions or any international agreements, the States Parties shall guarantee the confidentiality of any information they receive, if requested to do so by the State Party providing the information. If for legal reasons such confidentiality cannot be maintained, the State Party that provided the information shall be notified prior to its disclosure.

Article XIII Exchange of Information

1. States Parties shall exchange among themselves, in conformity with their respective domestic laws and applicable treaties, relevant information on matters such as:

- a. authorized producers, dealers, importers, exporters, and, whenever possible, carriers of firearms, ammunition, explosives, and other related materials;
- b. the means of concealment used in the illicit manufacturing of or trafficking in firearms, ammunition, explosives, and other related materials, and ways of detecting them;
- c. routes customarily used by criminal organizations engaged in illicit trafficking in firearms, ammunition, explosives, and other related materials;
- d. legislative experiences, practices, and measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials; and
- e. techniques, practices, and legislation to combat money laundering related to illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

2. States Parties shall provide to and share with each other, as appropriate, relevant scientific and technological information useful to law enforcement, so as to enhance one another's ability to prevent, detect, and investigate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials and prosecute those involved therein.

3. States Parties shall cooperate in the tracing of firearms, ammunition, explosives, and other related materials which may have been illicitly manufactured or trafficked. Such cooperation shall include accurate and prompt responses to trace requests.

Article XIV Cooperation

1. States Parties shall cooperate at the bilateral, regional, and international levels to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

2. States Parties shall identify a national body or a single point of contact to act as liaison among States Parties, as well as between them and the Consultative Committee established in Article XX, for purposes of cooperation and information exchange.

Article XV Exchange of Experience and Training

1. States Parties shall cooperate in formulating programs for the exchange of experience and training among competent officials, and shall provide each other assistance that would facilitate their respective access to equipment or technology proven to be effective for the implementation of this Convention.

2. States Parties shall cooperate with each other and with competent international organizations, as appropriate, to ensure that there is adequate training of personnel in their territories to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials. The subject matters of such training shall include, inter alia:

- a. identification and tracing of firearms, ammunition, explosives, and other related materials;
- b. intelligence gathering, especially that which relates to identification of illicit manufacturers and traffickers, methods of shipment, and means of concealment of firearms, ammunition, explosives, and other related materials; and
- c. improvement of the efficiency of personnel responsible for searching for and detecting, at conventional and nonconventional points of entry and exit, illicitly trafficked firearms, ammunition, explosives, and other related materials.

Article XVI Technical Assistance

States Parties shall cooperate with each other and with relevant international organizations, as appropriate, so that States Parties that so request receive the technical assistance necessary to enhance their ability to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, including technical assistance in those matters identified in Article XV.2.

Article XVII Mutual Legal Assistance

1. States Parties shall afford one another the widest measure of mutual legal assistance, in conformity with their domestic law and applicable treaties, by promptly and accurately processing and responding to requests from authorities which, in accordance with their domestic law, have the power to investigate or prosecute the illicit activities described in this Convention, in order to obtain evidence and take other necessary action to facilitate procedures and steps involved in such investigations or prosecutions.
2. For purposes of mutual legal assistance under this article, each Party may designate a central authority or may rely upon such central authorities as are provided for in any relevant treaties or other agreements. The central authorities shall be responsible for making and receiving requests for mutual legal assistance under this article, and shall communicate directly with each other for the purposes of this article.

Article XVIII Controlled Delivery

1. Should their domestic legal systems so permit, States Parties shall take the necessary measures, within their possibilities, to allow for the appropriate use of controlled delivery at the international level, on the basis of agreements or arrangements mutually consented to, with a view to identifying persons involved in the offenses referred to in Article IV and to taking legal action against them.
2. Decisions by States Parties to use controlled delivery shall be made on a case-by-case basis and may, when necessary, take into consideration financial arrangements and

understandings with respect to the exercise of jurisdiction by the States Parties concerned.

3. With the consent of the States Parties concerned, illicit consignments under controlled delivery may be intercepted and allowed to continue with the firearms, ammunition, explosives, and other related materials intact or removed or replaced in whole or in part.

Article XIX Extradition

1. This article shall apply to the offenses referred to in Article IV of this Convention.

2. Each of the offenses to which this article applies shall be deemed to be included as an extraditable offense in any extradition treaty in force between or among the States Parties. The States Parties undertake to include such offenses as extraditable offenses in every extradition treaty to be concluded between or among them.

3. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it does not have an extradition treaty, it may consider this Convention as the legal basis for extradition with respect to any offense to which this article applies.

4. States Parties that do not make extradition conditional on the existence of a treaty shall recognize offenses to which this article applies as extraditable offenses between themselves.

5. Extradition shall be subject to the conditions provided for by the law of the Requested State or by applicable extradition treaties, including the grounds on which the Requested State may refuse extradition.

6. If extradition for an offense to which this article applies is refused solely on the basis of the nationality of the person sought, the Requested State Party shall submit the case to its competent authorities for the purpose of prosecution under the criteria, laws, and procedures applied by the Requested State to those offenses when they are committed in its own territory. The Requested and Requesting States Parties may, in accordance with their domestic laws, agree otherwise in relation to any prosecution referred to in this paragraph.

Article XX Establishment and Functions of the Consultative Committee

1. In order to attain the objectives of this Convention, the States Parties shall establish a Consultative Committee responsible for:

- a. promoting the exchange of information contemplated under this Convention;
- b. facilitating the exchange of information on domestic legislation and administrative procedures of the States Parties;
- c. encouraging cooperation between national liaison authorities to detect suspected illicit exports and imports of firearms, ammunition, explosives, and other related materials;
- d. promoting training and exchange of knowledge and experience among States Parties and technical assistance between States Parties and relevant international organizations, as well as academic studies;

e. requesting from nonparty states, when appropriate, information on the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials; and

f. promoting measures to facilitate the application of this Convention.

2. Decisions of the Consultative Committee shall be recommendatory in nature.

3. The Consultative Committee shall maintain the confidentiality of any information it receives in the exercise of its functions, if requested to do so.

Article XXI Structure and Meetings of the Consultative Committee

1. The Consultative Committee shall consist of one representative of each State Party.

2. The Consultative Committee shall hold one regular meeting each year and shall hold special meetings as necessary.

3. The first regular meeting of the Consultative Committee shall be held within 90 days following deposit of the 10th instrument of ratification of this Convention. This meeting shall be held at the headquarters of the General Secretariat of the Organization of American States, unless a State Party has offered to host it.

4. The meetings of the Consultative Committee shall be held at a place decided upon by the States Parties at the previous regular meeting. If no offer of a site has been made, the Consultative Committee shall meet at the headquarters of the General Secretariat of the Organization of American States.

5. The host State Party for each regular meeting shall serve as Secretariat pro tempore of the Consultative Committee until the next regular meeting. When a regular meeting is held at the headquarters of the General Secretariat of the Organization of American States, a State Party that will serve as Secretariat pro tempore shall be elected at that meeting.

6. In consultation with the States Parties, the Secretariat pro tempore shall be responsible for:

- a. convening regular and special meetings of the Consultative Committee;
- b. preparing a draft agenda for the meetings; and
- c. preparing the draft reports and minutes of the meetings.

7. The Consultative Committee shall prepare its own internal rules of procedure and shall adopt them by absolute majority.

Article XXII Signature

This Convention is open for signature by member states of the Organization of American States.

Article XXIII
Ratification

This Convention is subject to ratification. The instruments of ratification shall be deposited with the General Secretariat of the Organization of American States.

Article XXIV
Reservations

States Parties may, at the time of adoption, signature, or ratification, make reservations to this Convention, provided that said reservations are not incompatible with the object and purposes of the Convention and that they concern one or more specific provisions thereof.

Article XXV
Entry into Force

This Convention shall enter into force on the 30th day following the date of deposit of the second instrument of ratification. For each state ratifying the Convention after the deposit of the second instrument of ratification, the Convention shall enter into force on the 30th day following deposit by such state of its instrument of ratification.

Article XXVI
Denunciation

1. This Convention shall remain in force indefinitely, but any State Party may denounce it. The instrument of denunciation shall be deposited with the General Secretariat of the Organization of American States. After six months from the date of deposit of the instrument of denunciation, the Convention shall no longer be in force for the denouncing State, but shall remain in force for the other States Parties.

2. The denunciation shall not affect any requests for information or assistance made during the time the Convention is in force for the denouncing State.

Article XXVII
Other Agreements and Practices

1. No provision in this Convention shall be construed as preventing the States Parties from engaging in mutual cooperation within the framework of other existing or future international, bilateral, or multilateral agreements, or of any other applicable arrangements or practices.

2. States Parties may adopt stricter measures than those provided for by this Convention if, in their opinion, such measures are desirable to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

Article XXVIII
Conference of States Parties

Five years after the entry into force of this Convention, the depositary shall convene a conference of the States Parties to examine the functioning and application of this Convention. Each conference shall determine the date on which the next conference should be held.

Article XXIX Dispute Settlement

Any dispute that may arise as to the application or interpretation of this Convention shall be resolved through diplomatic channels or, failing which, by any other means of peaceful settlement decided upon by the States Parties involved. Article XXX Deposit

The original instrument of this Convention, the English, French, Portuguese, and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which shall forward an authenticated copy of its text to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the United Nations Charter. The General Secretariat of the Organization of American States shall notify the member states of the Organization of the signatures, of the deposits of instruments of ratification and denunciation, and of any reservations.

ANNEX

The term "explosives" does not include: compressed gases; flammable liquids; explosive actuated devices, such as air bags and fire extinguishers; propellant actuated devices, such as nail gun cartridges; consumer fireworks suitable for use by the public and designed primarily to produce visible or audible effects by combustion, that contain pyrotechnic compositions and that do not project or disperse dangerous fragments such as metal, glass, or brittle plastic; toy plastic or paper caps for toy pistols; toy propellant devices consisting of small paper or composition tubes or containers containing a small charge or slow burning propellant powder designed so that they will neither burst nor produce external flame except through the nozzle on functioning; and smoke candles, smokepots, smoke grenades, smoke signals, signal flares, hand signal devices, and Very signal cartridges designed to produce visible effects for signal purposes containing smoke compositions and no bursting charges.

Signatories and Ratifications

[Home Page](#) | [Inter-American Juridical Committee](#) | [Secretariat for Legal Affairs](#)
[The Inter-American Legal Agenda](#) | [Programs and Plans of Action](#) | [Model Laws](#)
[Charter of the OAS](#) | [Inter-American Treaties](#) | [Anti-Corruption Network](#)
[Publications](#) | [National Legal Instruments](#) | [Resolutions and Declarations](#)
[What's New](#) | [OAS Home Page](#)

Questions and Suggestions

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

November 14, 1997

FACT SHEET

OAS Convention Against Illicit Firearms Trafficking

The United States and its partners in the Organization of American States today signed the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, the first international agreement designed to prevent, combat, and eradicate illegal trafficking in firearms, ammunition, and explosives.

The Convention will make the citizens of the hemisphere safer by helping to shut down the gray and black arms markets that fuel the violence associated with drug trafficking, terrorism, and international organized crime. The initiative responds to President Clinton's call to the international community three years ago at the United Nations, and is part of the Administration's broader efforts -- with our partners in the Summit of the Eight and through independent steps -- to address this serious transnational danger.

Initially proposed by Mexico and negotiated in the last seven months, the Convention is an outstanding example of the contribution that the OAS is making to the security of our hemisphere.

While strengthening our ability to eradicate illicit arms trafficking, this agreement protects the legal trade in firearms, and does not discourage or diminish the lawful ownership and use of firearms.

Key Provisions of the Convention

Export, Import, and Transit Licenses. To help ensure that arms are transferred to legitimate users, parties to the Convention are required to establish or maintain an effective licensing or authorization system for the export, import, and transit of firearms, ammunition, explosives, and other related materials. States may not permit firearms to be exported or transited across their borders without proper licensing from the receiving and in-transit countries.

Marking of Firearms. To improve the ability to track down the sources of illegal firearms, parties to the Convention are obligated to require, at the time of manufacture, the marking of firearms with the name, place of manufacture, and serial number. Similar markings are required for imported firearms. U.S. manufacturers and importers currently follow this practice.

Criminalization of Illicit Arms Production and Sales. Nations that have not already done so are required to adopt laws and regulations criminalizing the illicit manufacture of and trafficking in firearms, ammunition, explosives, and related materials.

Information Exchange. Consistent with their national laws, parties will share information on legislative practices and other national measures to combat illicit trafficking; techniques used to combat money laundering related to illicit transfers; routes customarily used by criminal organizations engaged in illicit trafficking; and the means of concealment used and ways of detecting them.

Law Enforcement and Regulatory Cooperation. Parties agree to cooperate with one another in the effort to eradicate arms trafficking through the establishment of a single point of contact that will act as the formal liaison among states.

Technical Assistance and Training. States agree to cooperate to better ensure adequate training in such areas as identification and tracing; intelligence gathering; and detection methods and search protocols at borders.

The Administration's Program Against Illicit Trafficking

U.S. support for the OAS Convention is part of the Administration's broader effort to address the problem of illicit international firearms trafficking.

Monitoring Exports. At the request of the President, the State and Treasury Departments have undertaken an intensified country-by-country review of applications for licenses to export firearms, ammunition, and explosives from the United States to ensure that exported weapons are not diverted to illicit purposes.

OAS Model Regulations. The United States has worked with its OAS partners to produce Model Regulations governing the transfer of firearms. The Model Regulations to Control the Movement of Firearms, Ammunition, and Firearms Parts and Components, drafted by a group of experts of the OAS Inter-American Drug Abuse Control Commission (CICAD), were agreed in Lima earlier this month. The President has directed the State Department to begin to implement these regulations immediately and to encourage regulatory and licensing authorities in other countries to do the same.

Arms Brokering Legislation. The President has signed legislation amending the Arms Export Control Act to give the State Department greater authority to monitor and regulate the activities of arms brokers. The amendment closes a loophole in US law that had permitted brokers with US ties to act as middlemen for arms transactions conducted abroad, without being subject to US laws and regulations.

Vigilance at Our Borders. To ensure the continued integrity of our borders, the Administration has made prevention of illegal arms trafficking a priority. The Bureau of Alcohol, Tobacco, and Firearms, and the U.S. Customs service have recently intensified their interdiction and investigative efforts at borders. The Attorney General has directed U.S. attorneys along the southwest border to begin a dedicated effort to prosecute traffickers, large and small, caught attempting to smuggle firearms across the border.

Residency Requirements for Gun Purchasers. To contribute to the safety of citizens on both sides of our southern border, the President announced earlier this year that the Bureau of Alcohol, Tobacco, and Firearms will tighten up the residency requirements for aliens purchasing firearms from dealers in the United States. Regulations have been issued requiring aliens to prove they have been residents for at least 90 days in the state where they are trying to buy a gun.

International Cooperation. The United States is working with its partners in the Group of Eight and through the UN Crime Commission to expand cooperation on combating illicit arms trafficking.

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— Nov 12th 1997 J

Q President Zedillo arrives tomorrow for a working visit on Friday with the President. Can you talk about what issues the President will raise with him? And also, do you know anything about the OAS agreement on arms trafficking?

MR. MCCURRY: I know that the two Presidents plan to visit the OAS during the course of the day on Friday. That will be an important part, element of the trip itself. I know that they've got a range of issues that will be on their agenda. They want to discuss ways that we can deepen cooperation on our effort to fight narcotics trafficking. Certainly there will be discussions of issues relating to migration and the environment, specifically, discussions about global climate change and the importance of working together to address that issue. They'll talk about further plans for hemispheric cooperation, leading up to the Santiago Summit of the Americas next April. And obviously they will discuss our trade and commercial relations.

It will be a good opportunity to review the status of the relationship; a good opportunity for the President to compliment President Zedillo on the strength of the Mexican economy. It has not been -- only a matter of years since the peso crisis in 1994, and the improvement in the Mexican economy, the strength of the economy and the response in the aftermath of that crisis, largely because of some very courageous steps taken by the government of Mexico with respect to economic liberalization, is something the President surely will want to note.

Q If, after this resolution on Iraq and the Iraqi officials have already indicated they don't plan to back down, what would the next step be? Can you just walk through it?

MR. MCCURRY: You know you won't have an answer to that question and you know that we're not going to speculate on what next steps are. There's no point in really asking that question.

Q Mike, with the expulsion of U.S. inspectors make what has been a multilateral, not a U.N. issue, a unilateral issue for the United States?

MR. MCCURRY: Those inspectors are part of the U.N. team. The importance of the cancellation of the nine inspections today, that's a decision that's been made by Chairman Butler on behalf of the United Nations. The Americans are participating there as part of that team. And later today we hope you'll see a very strong statement by the United Nations, strongly supported by the United States government, that expresses exactly the concern and the condemnation of that action that

Saddam Hussein deserves.

Q Is it fair to call that statement a compromise statement between U.S. views and those of others?

MR. MCCURRY: It's fair to say it's a strong, unambiguous statement and it reflects a very determined effort on the part of the United States government to keep the world community together and united as we face the provocation posed by Saddam Hussein.

Q -- reference to consequences with the United States, would the President rather have seen more specificity?

MR. MCCURRY: We indicated we sought the strongest possible expression of condemnation in unambiguous terms, and that's exactly what we've achieved.

Q Mike, over the years the President has been very laudatory about the role played by Egypt in the Middle East peace process. But Mubarak has taken sort of an increasingly independent line -- he didn't show up here after the blow-up following the tunnel episode in Jerusalem. Now he's not going to the Mid-East economic summit. Does the President still view Egypt as a full, 100 percent partner and ally in the Middle East peace process, or is there some reassessment going on with regard to Egypt's role?

MR. MCCURRY: The President's views have not changed. President Mubarak is, himself, a leader dedicated to peace in that region and provide enormous insight and strength of purpose when it comes to discussions related to that process. A number of leaders who have worked tirelessly and with a great amount of patience on the Middle East peace process do, at times, become frustrated when it's not possible to see the parties themselves making the progress they need to make.

But frustrations aside, we understand that patience is required and we need to continue to build the kinds of opportunities like the Doha conference that allow for relations in that region to take a more normal course. Those that choose to absent themselves from the Doha conference are missing an opportunity to be a part of what will surely at the end of time will be the history of that region -- growing commercial relations between nations, with Israel as a full partner economically in the progress that that region makes economically.

Q Doesn't it leave the President with the image of somebody who had some chits, had some IOUs with Mubarak and being rather rudely rebuffed on something the President regards as very key, very crucial to

the pursuit of the Middle East peace process?

MR. MCCURRY: No.

Q Mike, don't the travel restrictions proposed by the Security Council represent a pretty small sanction considering that Saddam has shut down UNSCOM?

MR. MCCURRY: Well, Saddam Hussein has sought the lifting of sanctions; instead it appears that he will see a tightening of sanctions. That's not the course of action that he would have wanted, and it's an expression of the international community's sense that he is moving in the wrong direction, not the right direction. I suspect there will also be some reference to the further measures that are available if it should become necessary to increase pressure beyond those items that are referred to in the resolution under development.

Q But if I can follow up, do you actually expect travel restrictions to make him change course on this, which is so important to him?

MR. MCCURRY: I think that he has gained an opportunity to exploit what he perceived to be a lack of unanimity in the world community. Instead, his actions have provoked a united response by the world community. The nature of the restrictions are less important than what they say about the judgments being made within the Security Council and within the United Nations about Saddam Hussein. And I think that he has failed to achieve an objective and, if anything, made matters worse for himself through his provocations of recent days.

Q Is the President meeting with his security advisors this afternoon after the U.N. vote?

MR. MCCURRY: He is getting a report. They are meeting today and have, in fact, been meeting every day on the situation in Iraq. I believe they met yesterday; they are meeting today; they will most likely meet tomorrow and in coming days.

Q Is he meeting with them, or will he get a report on their --

MR. MCCURRY: He has been getting reports regularly from Mr. Berger and has been meeting separately and individually with some of the individual members and talking with them. There has not been a full-fledged Situation Room meeting of the President with the principals, but he has been in very active contact with them. He did meet with some of them on Saturday.

Q That's what I was getting to, my earlier question about the further measures that you just talked about that could possibly be taken. There is no, I realize, deadline within this signal, this resolution to Saddam Hussein. When would you think that -- sort of just a rough idea of how long people would wait? Or do you think the alliance is firmly behind stronger further measures?

MR. MCCURRY: I believe that the world community is going to be behind an effort to convince Saddam Hussein he must change course. Now, I can't predict, you can't predict, no one can predict how that will happen and when it will happen. It will surely happen, one way or another.

Q Given that, as you pointed out, the Americans on that team are representing an international body, if it were the judgment of U.N. that one way to avert this crisis would be to make minor representations in the proportionate representation on that body, would that be something the United States would simply be obliged to go along with, since it's an international body? Or would you say, no, that's a slight to the United States?

MR. MCCURRY: Well, we would consider any proposed inspections regime consistent with our own interests, but there has been nothing but indications from the Special Commission and from Chairman Butler that they will work aggressively to safeguard the interests of the world community and safeguard the interests that we have that the government of Iraq not pursue programs related to weapons of mass destruction.

I want to make it clear, however, that it will be up to the United Nations to determine a composition of those inspections regime and not Saddam Hussein, Tariq Aziz or any representative of the government of the Iraq.

Q But not the United States as well, right?

MR. MCCURRY: We, as a permanent member of the U.N. Security Council have a great deal to say about it.

Q Is it accurate to say the President is fully satisfied with the resolution before the Security Council?

MR. MCCURRY: He is fully satisfied with the resolution. It remains to be seen whether he's fully satisfied with the response from the government of Iraq.

Q Is the President going to veto DOD authorization?

MR. MCCURRY: It's still under study.

Q Well, before it was still under study, you people put out the word that his advisors were going to recommend a veto. Is that still --

MR. MCCURRY: It's still under study.

Q There's been some speculation that the White House is looking at a major tax proposal to include in the State of the Union address in January. I wonder where that stands, whether there are active discussions underway about some wholesale tax change?

MR. MCCURRY: I've indicated to you in the past that there are discussions underway and have been underway at Treasury and here at the White House on ways that we can make the tax system simpler, fairer, and when it's possible provide tax relief to the American people. We look at those ideas all of the time, and I think there is some interest in addressing those questions as the President looks ahead to the State of the Union. I can't rule in at this point any package of tax measures, but it's sufficient to say that the President's economic advisors will be looking at those sets of issues as they prepare recommendations for the State of the Union.

Q Has there been any Republican input in these discussions?

MR. MCCURRY: Well, it's the President's State of the Union address, so at this point, not. But we do have ongoing consultations on the Hill with members of the tax writing committees.

Q Well, at the same time, then, are you saying that simpler would mean flatter? When he was asked about that this weekend, he indicated misgivings about that possibly being regressive in nature. And as you know, Congressman Gephardt also has a flat tax proposal --

MR. MCCURRY: I thought the President had a very instructive and insightful answer on both the question of flat taxes and consumption taxation. I don't really see any need to add to what he said.

Q What's on the agenda tomorrow, Mike? Is he going to meet with King Hussein for sure tomorrow?

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FOCUS - 32 OF 33 STORIES

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The Christian Science Monitor

April 11, 1997, Friday

SECTION: INTERNATIONAL; Pg. 1

LENGTH: 1272 words

HEADLINE: Mexicans Too Have a Problem Border: Awash in US Guns

BYLINE: Howard LaFranchi, Staff writer of The Christian Science Monitor

DATELINE: MEXICO CITY

BODY:

Enrique Becerra wanted a shotgun.

Not to go around in the street shooting up people, the Mexico City lawyer says, but to continue a long tradition of family sport shooting and "keeping firearms in the house for security." So ignoring Mexico's strict laws that all but prohibit gun ownership, the young man ordered an Italian 12-gauge Perazzi from a Laredo, Texas, gun dealer and paid an American \$ 100 to smuggle it across the border.

Mr. Becerra (not his real name) is one of tens of thousands of Mexicans who, for reasons ranging from self-defense concerns to the criminal, depend on a flourishing illegal arms trade to satisfy their needs. In recent weeks, the hue and cry over contraband may have been focused on illegal drugs, but Mexico and other Latin American countries increasingly worry about the flood of pistols, machine guns, grenade launchers, and other firearms invading their towns.

The proliferation of guns and explosives - and the frighteningly easy access to them - led Mexico last fall to propose to its Latin American partners a convention against illicit firearms trafficking. The idea quickly won favor with neighboring countries also feeling the effects of illegal-arms proliferation. It is now being considered by the **Organization of American States** - including the United States - and could be adopted by OAS members as early as June.

"This is one of those rare topics in the hemisphere where countries are generally in agreement, making progress possible," says Carlos Rico Ferrat, the Mexican Foreign Relations Secretariat's arms trafficking expert. Particularly promising for Mexico is Washington's interest in the convention, since the US is the source of so many of Mexico's illegal arms.

In Mexico, some of the guns come in one at a time, in what authorities call "ant trafficking." Thousands more are smuggled in containers holding hundreds of illegal but highly prized arms.

Possessing a gun is illegal in most cases in Mexico, and anything more powerful than a .380 caliber rifle is strictly reserved for use by the Army and other security forces.



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Still, it's not so much the Becerras of the world that have Mexican authorities pushing neighboring countries to help crack down on the illegal gun trade.

Increasingly, guns are being used by street criminals in holdups, kidnappings, and other crimes. Mexico's guerrilla groups are thought to depend principally on supplies from the large arsenals left over from Central America's now-doused civil conflicts. And Mexican authorities say the country's drug traffickers depend largely on arms from the US to supply their fearsome firepower.

In the past two years, 60 Mexican drug agents and police have been killed by suspected drug thugs. In 1995, 7,200 illegal weapons were seized in non-drug-related crimes alone - up from 28 in 1992.

"At my social level, people don't usually carry arms, but just about everyone has them in their house," says Becerra. "But if you go into Doctores [a central Mexico City neighborhood] or similar barrios, everybody carries a gun."

Mexico's illegal arms trade is not new. In 1993, Guadalajara's Roman Catholic Cardinal Juan Jose Posadas Ocampo was gunned down in a drug-gang shootout by a weapon smuggled in from the US. A year later, presidential candidate Luis Donaldo Colosio was assassinated in Tijuana, also with an illegal gun from north of the border.

But the problem briefly moved center stage last month after two Mexico-bound truck containers stuffed with thousands of automatic rifles and grenade launchers were seized in a San Diego warehouse. US Customs Service officials called the arms cache one of the largest uncovered in US history.

Tide of guns flows from north ...

Coming on the heels of intense US criticism of Mexico's antidrug-trafficking program, the Mexico-bound gun shipment raised irate criticism of US efforts against illegal arms trafficking. This wasn't helped by US Customs officials speculating that another four containers might already have slipped across the border.

"When we talk about drugs they [Americans] say it [the problem] is the supply, and when we bring up arms they respond that it's the demand. In other words, we can never win," Mexico's ambassador to Washington, Jesus Silva-Herzog, told reporters shortly after the San Diego arms discovery.

American arms dealers are supplying Mexico's drug-trafficking organizations with high-powered weapons, Mr. Silva-Herzog charged. Mexican officials believe that in some cases drugs-for-guns deals exist between drug lords and gun dealers.

Nevertheless many Mexican officials remain reluctant to discuss the problem, either because it raises the same issues of demand that they say the US ignores in the drug war, or because the growing number of firearms challenges the myth of a peaceful, unarmed society.

Others, like Mr. Rico, say the task of controlling Mexico's illegal arms trade is especially difficult when gun trade and ownership are so much easier in the US. With 6,000 legal gun shops in the four US states bordering Mexico, he says,



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control is particularly difficult.

... and south

Despite the focus on the US border, however, unreleased studies by Mexican officials also suggest that the country's southern border with Guatemala is at least as important a hotbed of arms contraband. A recent report by the Attorney General's Office (which justice officials did not want to comment on) says that arms shipments are easily transferred across the largely unpopulated and jungle-covered border.

The report, cited in the Mexico City daily El Financiero, says the problem on the southern border is especially serious because of the huge pool of arms circulating around formerly war-torn Central America. Honduran military officials estimate, for example, that more than half-a-million AK-47 rifles exist in just Honduras, Nicaragua, and El Salvador. In Honduras alone, with a population under 4 million, as many as 1 million illegal weapons are thought to be in circulation.

It was such daunting statistics that led Mexico to propose a hemispheric arms-trafficking convention. Among other things, Rico says, the convention should begin to establish a consensus about just what kinds of arms are to be considered illegal for international trade, and set rules of notification for arms shipments for both sending and receiving countries. The draft convention calls for an annual assessment among hemispheric officials of progress in curtailing arms trafficking.

Yet because large financial interests are at stake, as with the illegal drug trade, no one believes denting the arms trade will come easy. Rico notes that the gun shipment seized in San Diego originated in Vietnam, traveled to Germany, passed through the Panama Canal, and then landed in Long Beach before heading south for Mexico. "Someone was going to a lot of trouble and spending a lot of money to get this shipment," he says.

Mexican officials say that in Guatemala, for example, military officials or civilians closely linked to the military hierarchy control a network of more than 100 outlets, usually disguised as sporting-goods stores, where firearms can be purchased.

But Guatemala's military doesn't have the corner on the arms market. Mexico's Becerra says that in his country's gun-collecting circles it's easy to procure a large variety of arms. "And often," he adds, "it's military officials doing the selling."

GRAPHIC: PHOTO: BORDER WATCH: This sign warns against drugs, but makes no mention of the illegal guns that travel from the US into Mexico. ROBERT HARBISON - STAFF/FILE. MAP: Showing US and Mexico. DAVE HERRING - STAFF

LANGUAGE: ENGLISH

LOAD-DATE: April 10, 1997



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FOCUS - 22 OF 33 STORIES

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November 14, 1997 21:22 GMT

SECTION: Domestic, non-Washington, general news item

LENGTH: 418 words

HEADLINE: US, Mexico sign inter-American convention against arms trafficking

DATELINE: WASHINGTON, Nov 14

BODY:

The presidents of the United States and Mexico Friday signed an inter-American convention aimed at stamping out illegal weapons trafficking.

"Today, our 34 democracies are speaking with one voice, acting with one conviction, leading toward one goal, to stem the flow of illegal guns and munitions in our hemisphere," said President Bill Clinton, who with his Mexican counterpart Ernesto Zedillo presided over the ceremony at the headquarters of the **Organization of American States**.

"Our hemisphere is setting a new standard for the world in taking on global challenges," Clinton said.

OAS member states signing the convention agree to information exchanges, weapons marking to aid in identification and shipment approvals, among other cooperative steps.

ltl/mla/jsr

The United States won Mexico's support Friday on steps to be taken to address global warming at the December 1 UN Kyoto conference on climate change, a White House official said.

Mexican President Ernesto Zedillo voiced his government's support for the US position in a meeting with President Bill Clinton, said Jim Dobbins, senior director of the National Security Council.

Washington has refused to accept a specific percentage reduction of its greenhouse gas emissions if developing countries are not bound to assume the same kind of commitment.

The United States has argued that developing countries soon will emit as much carbon dioxide as developed ones, and that not keeping them out of a Kyoto agreement would diminish the deal's credibility.

It has been looking for support in the developing world but to date had only brought Argentina on board.

"Mexico, like Argentina, has agreed to work with us on climate change,"



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Dobbins said.

"And in the communique, you see that Mexico agrees that developing countries like Mexico should be willing to participate in an appropriate global regime, and we believe that's important."

At the first meeting on global climate change in Berlin in 1995, industrialized countries agreed to take on the struggle against the greenhouse effect alone, for the time being.

"Mexico also agreed on the importance of joint implementation as an element in that global regime," Dobbins added.

Clinton and Zedillo signed a joint statement saying developed countries such as the United States should lead the effort to curb greenhouse gas emissions, while developing countries such as Mexico should be willing to take part in an appropriate global arrangement.

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LOAD-DATE: November 14, 1997



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Americas (English Edition)

January 11, 1998

SECTION: No. 1, Vol. 50; Pg. 52; ISSN: 0379-0940

IAC-ACC-NO: 20123813

LENGTH: 771 words

HEADLINE: No guns will travel; Nov. 14, 1997, at the 24 special session of the **Organization of American States**, an inter-American convention was signed against illegal manufacturing and trafficking in guns, ammunition, explosives and related items; Brief Article

BODY:

A Milestone in hemispheric cooperation was reached last November 14, at the Twenty-Fourth Special Session of the OAS General Assembly, with the signing of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

U. S. president Bill Clinton, Mexican president Ernesto Zedillo, and OAS secretary general Cesar Gaviria all addressed the distinguished gathering of ambassadors to the OAS, government leaders, and members of the U.S. Congress on the occasion of the signing of this historic convention by twenty-nine OAS member states.

President Clinton remarked that the agreement "underscores the new spirit of the Americas and the new dynamism of the Organization." He went on to state, "in the last year alone, thousands of handguns and rifles, and hundreds of thousands of rounds of ammunition destined for illegal export have been seized in the Americas. And this is not simply a hemispheric concern. The illegal export of firearms is a worldwide phenomenon, and it demands an international response."

Reaffirming the commitment of the U.S. to the elimination of gun trafficking, Clinton stated, "Last year, the U.S. Bureau of Alcohol, Tobacco and Firearms received approximately thirty thousand requests from OAS member states to trace weapons used in crimes. Gun trafficking is an issue of national security for our governments, and a matter of neighborhood security for all of us in the Americas." Clinton stressed that illegal trade in guns has been a major force in undermining democracy and peace in the hemisphere.

The U.S. president also outlined the major points of the convention: First, it requires countries to establish and maintain a strong system of export, import, and international transit licenses for arms, ammunition, and explosives; second, other nations will join the United States in putting markings on firearms, not only when they are made, but also when they are imported; third, countries will adopt laws that criminalize illicit arms production and sales;



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and fourth, every level of information sharing will be stepped up, from common routes used by arms traffickers, to tips on how to detect smuggled goods.

In his address, President Zedillo recognized the concern and sensitivity of the U.S. government to the grave problem of arms trafficking. He remarked that this convention is the first to set forth a "precise definition of 'illicit' and establish a commitment to adopting internal national legislation and legal mechanisms that enforce strict controls for licensing and manufacturing arms."

"This convention is cause for great pride," continued Zedillo, "as it is executed within the framework of the principles of respect for the sovereign rights and equality of the states, territorial jurisdiction of each nation, and cooperation for international peace and security." Zedillo pointed out that his country has advocated and promoted the convening of a special session of the United Nations General Assembly to address ways of combating the illegal production, trafficking, and consumption of drugs. "Mexico respectfully and fraternally invites all the OAS member nations to participate in this high-level session that will take place in June of 1998," he concluded. "The steps we have taken here today demonstrate that we are taking responsibility for building a peaceful and secure future for our children."

Secretary General Gaviria hailed the treaty as "the fruit of an initiative of the government of President Zedillo; of an understanding between the government of the United States and the Caribbean nations in Barbados; of the impressive political will of all our governments; as well as a daring idea, a visionary proposal which has created a powerful tool in record time to bring about a climate of security, peace, and well-being, and to address the problems of insecurity of citizens caused by drug trafficking, terrorism, and criminal enterprises."

Gaviria added that the treaty complements other instruments that have been forged by the OAS, including the Convention against Corruption, the Plan of Action against Terrorism, the Hemispheric Strategy against Drugs, and others that are part of "a joint effort to confront the problems that weaken and undermine the legitimacy of our democracies." In conclusion, Gaviria stated, "Our success will depend, in large measure, on our determination to ensure the effectiveness of the principles enshrined in our charter, those agreed to in Miami, and those that will emerge from the Summit in Chile."

GRAPHIC: Photograph; Illustration

LANGUAGE: ENGLISH

IAC-CREATE-DATE: January 26, 1998

LOAD-DATE: January 27, 1998



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April 16, 1998, Thursday, Final Edition

SECTION: OP-ED; Pg. A21

LENGTH: 704 words

HEADLINE: Reshaping the Hemisphere

BYLINE: Cesar Gaviria

BODY:

This weekend in Santiago, Chile, we will witness a remarkable affirmation of shared goals and values, when the heads of state and government from the hemisphere's 34 democracies meet for the Second Summit of the Americas.

The leaders who will gather in Santiago represent some 750 million people of different races, languages and dreams who live in the vast stretch from the Yukon to Patagonia. The economies of their countries have a combined GDP of \$ 9 trillion.

Once divided by Cold War conflicts of interest, our nations today are united by an unprecedented convergence of ideals and values. With the exception of Western Europe, no other region in the world can lay claim to such political stability and economic potential. The 34 countries that will be represented in Chile -- all of which sit together at the table within the **Organization of American States** (OAS) -- now have democratically elected governments. Some have left behind a dark past of repressive dictatorships or civil wars; today, they have resolved to strengthen democratic gains, promote human rights, foster economic growth and improve the everyday lives of citizens.

Of course, we do not all have the same perspectives or needs. Consider this: Canada's economy is 125 times the size of Jamaica's -- and Canada's is not the largest economy in the Americas, nor is Jamaica's the smallest. The disparities in education levels and economic opportunities within our hemisphere are sobering and painful. That is what makes our shared vision all the more remarkable.

While education is the priority for Santiago, the hemisphere's leaders will look at more than 20 issues, ranging from promoting equal opportunity for women to improving our nations' telecommunications systems. They will also set in motion a multilateral effort to evaluate the region's progress in the fight against drugs.

In the little more than three years since our first summit in Miami, we have taken a number of concrete steps that are reshaping the architecture of the hemisphere. Many of these advances do not make headlines, but they do make a



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difference.

For example, in 1996 the OAS adopted an anti-corruption convention -- the first international agreement of its kind -- which gives us new tools to combat bribery, illegal enrichment and related crimes.

We have a new convention in the hemisphere to stop illegal arms production and trafficking. This agreement, signed last November in the presence of President Clinton and Mexico's President Ernesto Zedillo, will help us track the flow of illegal firearms, explosives and ammunition, and cooperate in stemming these international crimes.

The hemisphere has focused on the need for the type of development that takes into account not only economic concerns but also environmental and cultural factors. A detailed plan to address these issues came out of the 1996 Summit of the Americas on Sustainable Development, held in Bolivia.

Acting on another mandate from Miami, our nations have developed a comprehensive strategy to combat illegal drug production, trafficking and consumption. In 1996, we also adopted a plan of action against money laundering.

We have made progress on other fronts too, including trade. Even though the lack of fast-track authority by the U.S. government is a setback, the momentum behind free trade is already established. Average tariffs in Latin America have fallen from 40 percent in the late 1980s to 11 percent today. In a recent meeting of trade ministers in Costa Rica, the governments agreed to launch formal negotiations in Chile to create a Free Trade Area of the Americas by 2005.

Nobody denies the immensity of the task ahead -- especially when it comes to addressing such complex challenges as fighting poverty and giving our citizens better access to education. The nations of the Americas have missed opportunities in the past to address many of our problems. But today, in a climate of economic growth and democratic values, we have every reason to be optimistic that we can seize the day and build on the progress we have already made.

The writer is secretary general of the Organization of American States and a former president of Colombia.

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FOCUS - 15 OF 33 STORIES

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Americas (English Edition)

March 13, 1998

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LENGTH: 2889 words

HEADLINE: Foundations for a golden anniversary; 50th anniversary of the
Organization of American States

BODY:

Our heroes of North and South America, Washington and Bolivar, Lincoln and San Martin, might all have been fashioned in a single hour, in the same mold; they were laborers in a common task. Our constitutions, the fruit of their might, were inspired by equal visions, and have the family resemblance of plants nurtured in the same soil.

For fifty years the **Organization of American States** has been the principal arena for the conduct of inter-American relations. From the moment that the OAS Charter was adopted on April 30, 1948, the sovereign nations of the Western Hemisphere have structured their multilateral efforts for peacekeeping, development, and regional integration through the Organization. Over the course of the past half century, as the political, economic and social priorities of the member states have shifted, the concerns of the OAS have also shifted. What have remained constant are the high ideals and objectives that were incorporated into the Charter, and to which the member states rededicated themselves during the past decade: "individual liberty and social justice based on respect for essential human rights, within the framework of democratic institutions."

I have often asked myself, why does the Organization exist? And contemplating this, I see that the time has come formulate a philosophy that has been in search of an author for over a century: The overwhelming reason is to gather strength from who we are.

-- German Arciniegas, 1985

Responding to an invitation from then U.S. secretary of state James G. Blaine, representatives of eighteen American republics met in Washington in 1889. When the conference ended on April 14, 1890., the participants had created the Bureau of American Republics, which would gather and exchange commercial information, and the Columbus Memorial Library, which as a depository of literature produced by each state, would constitute a cornerstone of the inter-American system.

By 1913 the Bureau of American Republics had evolved into the Pan American



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Union, with a permanent staff and headquarters in Washington, D.C. Roughly every five years, except during the two world wars, an inter-American conference was held, which considered the propositions of its members, reviewed the work of the secretariat, and adopted resolutions that became the foundation of international law. The international conferences of the Pan American Union provided a forum in which, over the next half century, the legal conventions and agreements underlying inter-American economic, social, and cultural collaboration were established.

Through the Sixth Conference (held in Havana, Cuba, in 1928), the countries of Latin America pressed forward with concepts of equality and adherence to the principles of sovereignty and absolute nonintervention within the hemispheric community. Increasingly, these discussions were marked by disquiet and frustration with the asymmetrical nature of inter-American relations. Following the 1933 Montevideo Conference and the announcement of the "Good Neighbor Policy," there was a gradual lessening of tensions, which eventually led to the development of solidarity both before and during World War II. The common experience of the Great Depression strengthened inter-American cooperation and gave rise to a series of promises, implicit and explicit, that after the war there would be a brighter day for the nations of the Americas. The war, too, led to a general agreement for a stronger multilateral response to threats to peace and security in the Americas. Tracing the elaboration of ideas through a series of foreign ministers' conferences, both during and immediately after World War II, one finds that these principles and promises were incorporated in the OAS Charter in 1948.

No less characteristic in a democracy is social justice. This demands a solution to the frightening indexes of infant mortality, of malnutrition, lack of education, illiteracy, wages not sufficient to sustain life.

-- Rigoberta Menchu, 1995

The transition from the Pan American Union to the OAS was smooth. The director general of the Pan American Union, Alberto Lleras Camargo, became the first secretary general of the OAS. The secretariat continued to be called the Pan American Union. The changes were seamless but momentous. National sovereignty, territorial integrity, and nonintervention had become the basic tenets upon which the Organization was established. At the same time, the close cooperation of the American nations during the war years and the series of agreements regarding hemispheric security meant that all the American nations were eventually to become a part of, and be held captive to, the Cold War.

As a part of postwar agreements that led up to the adoption of the OAS Charter, the Inter-American Treaty of Reciprocal Assistance (Rio Treaty) was to play a substantial role over the next forty years in the resolution of conflicts and long-standing disputes that periodically flared between countries, as well as the shifting alignment of American nations in the Cold War. Until the late 1980s and the redefinition of the OAS's role -- reflected in the changes in its Charter -- regular consultations by the foreign ministers responded to each successive crisis.

In its first conflict, the 1948 border dispute between Costa Rica and Nicaragua, the Organization sent observers, arranged a cease-fire and, the following year, obtained a negotiated solution. From 1948 to 1964, the



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Inter-American Peace Commission was regularly reconstituted to encourage dialogue between contesting parties. After its creation in 1959., the Inter-American Commission on Human Rights became increasingly involved in the residual effects of conflict and political repression. In 1965 the OAS had its only experience with an inter-American Defense Force in the Dominican Republic. Since then, when a multinational peacekeeping military force is needed, as with the demobilizing of the resistance forces in Nicaragua in 1990, the UN, which has provision, mechanisms, and experience with this kind of operation, has been the choice preferred by the OAS member states.

In several cases in which the OAS became involved, its traditional penchant for dialogue eventually led to peaceful and substantial solutions. In 1969, when the "Soccer War" between Honduras and El Salvador quickly escalated into a full-scale conflict, the OAS was able quickly to place observers in the field and manage a cease-fire. After a long process of negotiation, a peaceful solution was achieved in 1980. The "flag riots" in the Panama Canal Zone in 1964 led to conflictive confrontation between Panama and the United States. OAS mechanisms were invoked; immediate questions were resolved; discussion continued about deeper issues. The culmination of that process was the signing of the Panama Canal Treaties at the OAS in 1977, whereby the United States agreed to release the Panama Canal and the Canal Zone to Panama by the end of the century.

In its early years, the OAS was confronted with a variety of economic problems, both immediate and structural, that adversely affected Latin American development. For Latin Americans one of the principal expectations of the new OAS was a "Marshall Plan" for the Americas, which would supply the public funding for physical infrastructure and industrial development. By the end of the first decade, Latin American leaders were insisting on a broad effort to achieve more balanced development throughout the region.

In 1958 President Juscelino Kubitschek of Brazil, supported by President Alberto Lleras Camargo of Colombia, former OAS secretary general, proposed a massive plan, Operacao Pan Americana, calling for inter-American financial cooperation. The aim was to support states in their efforts to create, through public investment, the economic and social conditions that would attract private enterprise to Latin America to finance industrial development throughout the region. This was proposed as the fundamental development program of the OAS.

The proposals of Operacao Pan Americana became a reality two years later with the Alliance for Progress. Created by President John F. Kennedy in May 1961, the Alliance, was a unique effort on the part of the United States, together with Latin American countries, to press forward with programs to accelerate social and economic development in the hemisphere.

The Alliance was a massive undertaking, without historic precedent in inter-American relations. From 1958 to 1970, it generated US\$ 15-16 billion in external assistance to the region; Latin America supplied 85-90 percent of the resources channeled to investments. The OAS had a major role and responsibility for its overall management, notably through the annual CIES (Inter-American Economic and Social Council) meeting; the annual country reviews of the CLAP (Inter-American Committee for the Alliance for Progress); and through direct technical assistance.

Every country has something to teach and something to learn; thus, all of us

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Latin Americans must play a part in this challenge of our destiny. For this reason, the financing of development is a joint responsibility of the hemisphere; integration, insofar as it is an effort, must be made by Latin Americans for the benefit of Latin Americans.

-- Galo Plaza, 1968

Between 1967 and 1970 the OAS created the General Assembly, composed of foreign ministers, as the highest organ of the Organization. During the early 1970s, reforms to the OAS structure, as well as, ironically, The slowing down and virtual termination of the Alliance for Progress, and the initiation of more multilateral developmental cooperation, set the OAS on its greatest period of expansion. The revised Charter created new standards of cooperation and led to the adoption of specific objectives: equitable distribution of income, rapid eradication of illiteracy, and adequate housing for all sectors of the population. The OAS was fortunate to have as secretary general, Galo Plaza Laso (1967-75), former president of Ecuador, a committed internationalist, who reorganized technical cooperation and created a number of inter-American centers of research and training in Latin America across a wide spectrum. From 1957 to 1997, some eighty-five thousand individuals were trained in special long- and short-term OAS programs and through formal university education supported by the OAS Fellowship Program.

Resolutions passed by the General Assembly during the administration of Secretary General Alejandro Orfila (1975-84), reflect the problems faced by the inter-American system in this period. In the 1970s and early 1980s, member states turned away from multilateral channels, exhibiting decreased interest in the OAS and shifting emphasis instead to conventional bilateral diplomatic channels as the chief means of dealing with issues and advancing their interests. Yet, the predominance of military dictatorships in Latin America led to a growing concern for human rights. The need for accelerated economic growth and the resulting concern about trade barriers led to increased efforts for expanding trade and greater diversification. Changing world conditions and the triumph of free trade ideologies during the administration of the next secretary general were to lead to a substantial shift of focus, returning the OAS closer to its original purposes.

Human security is a matter of human dignity. It is a child who does not die, a disease that did not spread, an ethnic tension that did not explode, a dissident who was not silenced, a human spirit that was not crushed.

Oscar Arias, 1995

During the administration of Secretary General Joao Clemente Baena Soares (1984-94), the Organization refocused its attentions on political and social issues, which were reflected in reforms to the Charter. These gathered speed and were driven by the redemocratization process in most member states during the same period. The Protocol of Cartagena (Colombia) in 1985 provided that representative democracy was enshrined in the Charter as a juridical obligation. More recently, the Protocol of Washington (1992) gave the General Assembly the power to suspend from membership any government that overthrows a democratic regime.

Through the past decade, the OAS played a crucial role in the series of



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negotiations and agreements between conflicting parties that brought peace to Central America. At the invitation of member states, the Organization facilitated the peace process by observing elections, demobilizing and disarming resistance groups, and assisting in the return to civil society.

After

decades of repression and years of negotiation, unfettered elections were held in Haiti in 1990, witnessed by OAS observers. Within a year, however, President Jean-Bertrand Aristide was forcibly removed. In defense of their principles, OAS member states demanded a return to democratic rule and, utilizing economic and political pressures, succeeded in returning Aristide to his elected office in 1994.

In 1993, with the Protocol of Managua, the Charter was revised for a third time. Having strengthened and clarified the OAS's political role, the General Assembly now relegated economic and social development to secondary importance. By combining all the councils, offices, centers, and remnants of the development structure that had been created since the Alliance for Progress into the Council for Integral Development, the OAS focused on the singular problem of extreme poverty and on the Organization's own policy and coordinating roles in its resolution.

Since 1994 the OAS's priorities have focused on four areas and on the development of conventions and agreements that will chart the future of the Organization. Three of the areas existed prior to the administration of Secretary General Cesar Gaviria: (a) the Inter-American Commission on Human Rights, which extends its concerns to indigenous peoples and cultural rights; (b) the Inter-American Drug Abuse Commission, which concentrates on demand reduction as well as related problems (for example, street children, money laundering, and arms trafficking); and (c) the Unit for the Promotion of Democracy, which, while initially concerned with electoral observation and technical assistance, has been involved in demining in Central America and in strengthening democratic institutions and conflict resolution in Latin America and the Caribbean. The fourth area, the recently created Trade Unit, has within a few years offered technical, informational, secretarial, and research support for the hemisphere-wide move toward a free-trade zone in the Americas by 2005. When the OAS was created in 1948, the twenty-one countries of the Pan American Union became the member states of the Organization. Beginning with the ratification of the Charter by the government of Trinidad and Tobago in 1967, the membership of the Organization was gradually expanded to include all the nation states of the Caribbean. When the governments of Belize and Guyana ratified the Charter in 1991, the Organization became truly hemispheric: all thirty-five independent nation states of the Americas are now members of the OAS. Incorporating thirteen Caribbean nations into the inter-American system made the Organization richer and more diverse, bringing to its affairs a tradition of widespread political participation as well as the Westminster model of government.

At the same time, since 1972 non-Western Hemisphere countries interested in associating themselves with the OAS have been granted status as observer members. Thirty-eight states, the Holy See, and the European Community have become observer members. These countries have participated in a variety of ways -- from assisting in electoral observations to providing funds for programs involving street children and drug rehabilitation; the potential for cooperation has yet to be fully realized.



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The reforms to the structure and size of the General Secretariat, initiated in the late 1980s, were brought to their logical conclusion five years later, transforming the OAS into a more compact and responsive organization. As political mandates shifted and the international conventions increased the Organization's responsibilities -- in arms trafficking, demining, anti-terrorism, government corruption, environment, universal access to education, and telecommunications -- the shape and direction of the OAS changed. What remains the same are the goals that helped to create the inter-American system and are embodied in the Charter: regional integration, representative democracy and the rights of the individual, and respect for the sovereignty of nations.

I come to this Hall of the Americas in full awareness of the acknowledged weaknesses of the inter-American system, but with the assurance that within us -- within our marvelous diversity of history and culture; within our societies which run the gamut of industrialized to least developed economies and in which democracy and respect of human rights exist to varying degrees -- within us dwell the intellect, the creativity, and ingenuity to overcome our differences and cooperate for the advancement of our peoples, for peace and security.

Michael Manley, 1990

GRAPHIC: Photograph; Illustration

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FOCUS - 10 OF 33 STORIES

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Los Angeles Times

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SECTION: Part A; Page 3; Metro Desk

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HEADLINE: CALIFORNIA AND THE WEST;
MEXICAN CONGRESS TAKES AIM AT ILLEGAL GUNS FROM U.S.;
WEAPONS: ANGRY OVER FLOW OF ARMS COMING SOUTH, MANY LINKED TO DRUG TRAFFICKING
CARTELS, LAWMAKERS ARE EXPECTED TO APPROVE HARSHER PENALTIES FOR SMUGGLERS.

BYLINE: JAMES F. SMITH, TIMES STAFF WRITER

DATELINE: MEXICO CITY

BODY:

Next time you pop across the Mexican border for a visit, remember to leave your AR-15 semiautomatic assault rifle at home.

This year, 123 U.S. citizens have been arrested in Mexico on weapons charges, according to the U.S. Embassy here, and about 70 Americans--including an Orange County man--are now being held, accused or convicted of violating the country's strict Firearms and Explosives Act.

In some cases, people honestly forget that they have a gun in the trunk or bullets in the glove compartment, U.S. and Mexican authorities acknowledge. But other cases are more sinister: Mexico is awash in guns smuggled in from the United States and used by organized crime syndicates, many of them linked to brutal drug cartels.

The Mexican Congress is close to giving final approval to a new law that would give border officials more discretion in cases in which visitors obviously have inadvertently brought weapons with them. But be warned: The law also will make the penalties even harsher for those who do try to smuggle arms into Mexico. Already, those convicted face up to 30 years in prison. The law will make more weapons offenses subject to such tough prison terms.

Just as Washington is dismayed about illegal drugs flowing north from Mexico, so the Mexican government is angry over the flood of illegal weapons coming south. More than 1,000 illegal weapons a month were seized from 1995 to mid-1997, nearly 40% of them linked to drug trafficking cartels, according to the Foreign Relations Ministry.

Pointing to the flow from the north, Mexican officials like to note, for



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example, that the gun used to assassinate presidential candidate Luis Donaldo Colosio in 1994 was traced to Texas.

"Just as the Americans pressure us on certain issues, we are going to do the same thing and make this fair," Jesus Silva Herzog, a former ambassador to the U.S., told a radio interviewer last year. "While there has been a lot of racket about the movement of drugs from Mexico to the United States, we have been insisting on the need to study the movement of arms into Mexico."

His comment came just days after customs officials in San Diego seized two truckloads of illegal weapons, including grenade launchers and automatic rifles, that were about to be smuggled into Mexico.

Scott McClung, the Orange County ship captain arrested last month on charges he transported two AR-15 rifles and three shotguns into Mexico, doesn't fit neatly into either common profile: forgetful, innocent or purposeful gun-runner. Yet his case illustrates the potential dangers for U.S. citizens who bring guns to Mexico.

In a jailhouse interview hours before his indictment on the weapons charge, McClung, who runs deep-sea religious voyages for youths, said he knew the Mexican gun and maritime laws and complied with them. Ships may dock with arms aboard if the weapons are declared upon landing, but they may not be brought ashore.

The 36-year-old skipper said he declared his guns--aboard for protection against pirates, he said--as soon as his ship reached the harbor of the resort island of Cozumel on Aug. 10 during an unexpected stop because of engine trouble. He collapsed and was hospitalized after being ordered to stand trial.

McClung, who remains in an island hospital while awaiting trial, charges that he is the victim of a local prosecutor who thought he could solicit a quick bribe. The prosecutor argued that McClung made no declaration of weapons aboard. Beyond that, the prosecutor has said he is prohibited from commenting on the case, including the accusations against him, other than to note that a trial judge considered the evidence presented by both sides and ruled that McClung must stand trial--and be held without bail until then.

McClung's 71-year-old father, Eugene, who also was jailed with his son for nine days until charges against the elder man were dropped, said: "I don't have any problem with them controlling the flow of guns into the country. All they need to do is abide by their own laws."

The gun issue has long been a sore point in U.S.-Mexican relations, to the extent that Mexican officials prepared the legal change earlier this year to alleviate some of the irritants.

"There are different perceptions about weapons in the U.S. and Mexico," a senior official in the attorney general's office said. "In Mexico, we believe that carrying a gun implies the potential to commit a crime. Historically, the U.S. has had greater political stability. Here, since the '60s and '70s, there have been guerrilla uprisings, and there is more and more violent crime, with firearms, that ends up in killings."



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The Mexican Senate approved the bill in April, and the lower house is expected to give its assent by November. Among other provisions, the law would allow nonresidents who are considered innocent bearers of arms to be turned back or fined rather than face automatic arrest and prosecution.

"We have found ourselves faced with some cases where Americans who are accustomed to carrying guns forget them and bring them into Mexico," said Sen. Jose Alvaro Vallarta, a retired general who is head of the National Defense Commission in Congress.

But Vallarta noted that the leniency is limited to first-time offenders who have brought in no more than a single weapon. Furthermore, the weapon must be among those that may legally be owned in Mexico and are not restricted to military use. In Mexico, guns larger than .38-caliber are defined as being for military use only.

Therefore, McClung would not have been eligible for leniency, because he had more than one gun and the AR-15s are for military use only in Mexico.

The charge against McClung is particularly severe: clandestinely transporting weapons reserved for military use into Mexico, with conviction bringing a prison term of five to 30 years. Lawyers are mounting dual legal and political campaigns to get the charges dropped, arguing that McClung and his millionaire father are hardly arms smugglers.

In May, Mexico formally ratified an inter-American convention against arms trafficking, adopted last year by the **Organization of American States**. The convention requires member states to monitor arms sales strictly, mark guns clearly for easier tracing, share information on weapons and work together to track down stolen arms. The U.S. has not yet ratified it.

The official in the attorney general's office described two categories of arms smugglers: the major organized crime syndicates, often linked to drug traffickers, and the "ant smugglers" who slip a gun or two and a few bullets into the country each time they cross the border.

"What we've seen is that all the drug cartels are involved in the importation of illegal arms," he said. "It is obvious that these criminal organizations arm themselves with smuggled guns to carry out their wars. And once these guns arrive, they filter into regular street-crime gangs."

A U.S. Embassy official, speaking on condition of anonymity, said the Mexicans are concerned not only about major arms trafficking but also "this bit-by-bit smuggling, one or two bullets at a time." He said the U.S. government has mounted a broad publicity campaign, including prominent signs on highways leading to the Mexican border, warning U.S. citizens not to bring guns into Mexico.

The nine consular districts in Mexico frequently respond to calls from people arrested on arms and other charges, although the diplomats' powers to intervene are severely limited. Consular officials visit suspects, provide lists of lawyers and seek to ensure that detainees are decently treated, but they cannot provide legal advice.



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A week before McClung's arrest in Cozumel, the State Department issued a warning to U.S. citizens saying, "The Mexican government strictly enforces its laws restricting the entry of firearms and ammunition along all land borders and at air and seaports."

It noted that the only way to import certain firearms legally is to get a permit in advance from a Mexican consulate. Such advance permission is sometimes given for hunters and gun collectors.

In its "Tips for Travelers to Mexico," the State Department notes that Mexico traditionally has the highest prison population of U.S. citizens outside the United States and that the Mexican judicial system regards accused people to be guilty until proved innocent.

The document adds, "The U.S. Embassy has noted an increase of Americans being detained for illegally smuggling arms into Mexico" and points out that "some Mexican cities have ordinances prohibiting the possession of knives or anything that might be construed as a weapon."

The pamphlet's advice is blunt: "Do not bring firearms."

*

This story did not appear in all of Sunday's editions of The Times because of a late-breaking story.

GRAPHIC: PHOTO: Eugene McClung, Noah Bailey and Scott McClung sit in jail in Cozumel, Mexico, last month on gun smuggling charges. Scott McClung is awaiting trial.

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HEADLINE: Damage control; analysis of illegal arms trading

BYLINE: Nelson, Daniel N.

BODY:

By tackling illicit arms sales, the United States hopes to defuse the light arms campaign and protect the legal trade.

A global campaign to constrain or ban trade in small arms and light weapons is not the stuff of headlines, nor does it quicken pulses. But U.S. diplomats have been called off the bench and heavy hitters are stepping to the plate. But for what purpose?

While the rhetoric is promising, the Clinton administration's actual policy is merely to head off, defuse, and redirect the energies of activist organizations and vocal Western governments so the small arms-light weapons campaign does not too greatly inconvenience American interests.

Officially, the United States does "not believe that a single forum encompassing all efforts, or a single-issue campaign, will be effective." Unofficially, however, Washington doesn't want much to come of this campaign-in-the-making.

American "equities," the noun du jour inside the Beltway, are heavily weighted toward unrestricted legal transfers by governments and private sales to legitimate end-users. The United States provides immense quantities of arms on an overt or covert basis to friendly governments or other recipients--from which the United States thinks it gains either greater influence or prosperity, or both. Protecting such capabilities and options is the leitmotif of U.S. government policy on small arms and light weapons.

Deeply engaged in making the case for protecting these equities are powerful domestic lobbies, including the National Rifle Association and arms manufacturers with substantial economic roles in many U.S. states. The Clinton administration, as with every White House in recent memory, desperately wants to avoid antagonizing the gun lobby or further estranging industrialists and their Capitol Hill friends.



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Thugs and drugs

Americans and guns seem bound together in life and death. The Second Amendment right to bear arms suggests to many the right to market, sell, or transfer weapons to friends.

At the same time, the White House has sent clear signals throughout the executive branch to steer clear of producing another diplomatic debacle like the anti-personnel land mines campaign. The land mines campaign is remembered painfully in the halls of U.S. government bureaucracies as an issue that involved bumbling policymaking and interagency squabbling, leading to the 1997 Ottawa Treaty to which the United States said "no," putting it cozily in the company of a rogues' gallery of dictators and regimes known to sponsor state terrorism.

Between the jaws of the gun lobby and the tangled web of nongovernmental organizations engaged in the small arms-light weapons campaign, the Clinton administration steps gingerly. The strategy is to appear "activist" and show concern about the "cheap and deadly arms" in which the world is awash, while pushing the arms trade discourse decisively away from "the legitimate international trade in arms or the sale of individual weapons to sportsmen, collectors, businesspeople, and homeowners."

"Guns don't kill people--people kilt people." This kind of bumper-sticker thinking now guides U.S. diplomacy. The bad guys are at fault, not the guns. According to Secretary of State Madeleine Albright, "It is a trade carried out by profiteers, abetted by corruption, creating a bottomless armory for rogue militias, criminal empires, and bands of thugs." It is "the forces of extremism and hate ... [who] get the weapons they need to carry out their destructive designs.... Terrorist groups, criminal syndicates, and narcotraffick[ers]" are too often in possession of dangerous weapons such as shoulder-fired missiles.

In short, the nasty, lying, thieving underworld corrupts an otherwise perfectly legitimate, licit, and even beneficial (for U.S. security) arms trade. Stop the bad guys and the problem goes away. The story of the U.S. diplomatic non-effort, then, focuses on thugs and drugs.

Bait and switch

A deputy assistant secretary of state whose brief is international narcotics and law enforcement is at the forefront of U.S. interagency discussion on small arms and light weapons. He consults with mid-ranking officials from the Defense, Treasury, and Commerce Departments, as well as the Arms Control and Disarmament Agency (ACDA). The integrity of these individuals ought not be impugned; they perform valued service and often seek far more latitude than they receive from the highest levels.

Yet, the subtext of U.S. diplomacy has been provided by military and civilian personnel at the Defense Department--sometimes joined by officials from other agencies--whose sidebar comments demean efforts by nongovernmental organizations and some allied governments on small arms-light weapons as "one more leftist campaign" or "another Axworthy step towards the Nobel Peace Prize." (Lloyd Axworthy, Canada's foreign minister, has long been out front on the issue.)



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U.S. diplomacy has faced up to the problem of devising an action plan that looks active but confines the discourse and action to the illicit trade. Madeleine Albright's speeches to the U.N. Security Council on September 24, 1998, and particularly her November 10, 1998 address at the International Rescue Committee in New York--see "U.S. Initiatives," page 30--were meant to raise the profile of American efforts.

Indeed, the Clinton administration has proposed, inaugurated, or signed on to a substantial array of steps that sound caring, earnest, and forthright. But, if it isn't exactly smoke and mirrors it is certainly bait and switch. To promote an image of activism while ensuring that certain red lines are not crossed requires astute American diplomacy--motion, manipulation, and a long list of "proposals" devoid of much belief in the principles espoused by partisans of the small arms-light weapons campaign.

Transparency and reporting, and more transparency and more reporting--the confidence and security-building measures of the campaign--plus added attention to domestic enforcement in other countries constitute the menu of American initiatives.

The State Department says it is scrutinizing export licenses more closely to ensure that the end users are who the license says, while the Customs Service is trying to crack down on illegal shipments from American sources.

U.S. spokesmen advocate full and timely disclosure of arms shipments to conflict zones; a voluntary arms sales moratorium to "conflictual" regions (for example, Central Africa); greater information exchange among governments, international organizations, and NGOs; a U.N. clearinghouse for rapid exchange of data; conventions against illicit trafficking; and a new international center to collect and share information on small arms transfers.

But the United States resists efforts to actually lower the reservoir of rifles, light and heavy machine guns, mortars, grenade launchers, anti-tank projectiles, and other man- or team-portable weapons, especially via a global treaty to ban government shipments of particular kinds of weapons to certain groups of recipients.

European-led efforts to link human rights records to arms transfers via a universal Code of Conduct, and NGO suggestions to limit the lethality of small arms-light weapons exports also have met with little U.S. enthusiasm.

Likewise, the United States is loathe to engage in--although it applauds from afar--efforts to collect and destroy weapons after hostilities have ceased. Even where NATO forces were deployed in huge numbers to enforce the Dayton Accord for Bosnia, finding weapons, disarming criminals, and destroying arms caches were occasional and secondary efforts of the peacekeeping forces.

At the root of American intransigence lies a flat rejection of controls on production, a rigid focus on the illicit arms trade, and a geographic stress on the Southern Hemisphere. This "just say no" triumvirate amounts to saying that efforts directed against illicit distribution by criminals--operating in or from developing countries--are the key to handling this issue.

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Illusory firewall

U.S. involvement in international discussions about small arms began with the U.N. Panel of Governmental Experts on Small Arms established by the General Assembly in December 1995. Its report, issued in August 1997, resulted in a series of recommendations that fell well short of control or limitations, and stressed information-sharing and cooperation, approaches favored by the Clinton administration.

Likewise falling within the comfort range of U.S. government policy has been U.S. participation in the U.N.'s Commission on Crime Prevention and Criminal Justice in Vienna, where the emphasis is on illegal firearms.

Mexico began an effort in 1996 to create an **Organization of American States** convention against illegal arms trafficking, in part as a response to U.S. apathy regarding the fact that many of the guns that make their way into Mexico or beyond come from the United States. The resulting convention was signed in November 1997. The United States signed on.

And, in the Group of Eight Industrialized Nations, the United States has been somewhat more active on small arms issues, particularly after it became clear that the OAS convention initiative posed no insurmountable problems while offering security benefits.

The G-8's Firearms Subcommittee, established in June 1997 and chaired by Japan, offered an OAS-type list of measures--all of which involve improving the identification and tracking of weapons and information exchange. Such measures are not very intrusive, require no legislative vehicles, and are largely non-enforcement, passive mechanisms.

In mid- to late 1998, the United States was represented at most forums at which small arms and light weapons were discussed. The increased pace of NGO and allied government-sponsored conferences and colloquia generated heightened attention in the Clinton administration, albeit attention to avoid losing an agenda-setting role, a lesson of the anti-personnel land mines disaster.

At a 21-nation meeting in Oslo in July, sponsored by Norway and Canada--the first truly international meeting among governments [about small arms--the chief U.S. delegate was an able, experienced, but not high-ranking official from the Arms Control and Disarmament Agency.

In late September, coinciding with the U.N. General Assembly session, various NGOs convened an additional seminar in New York, to which the United States again sent a mid-level ACDA representative as well as an undersecretary from Treasury. Similarly, the October International Conference on Sustainable Disarmament for Sustainable Development in Brussels, cosponsored by the Belgian government and Nobel Peace Prize winner Oscar Arias, led to a "Call for Action" that American representatives endorsed.

But a call for action is not quite the same as an actual plan of action. A proposed International Program of Action focused on small arms-light weapons stirred little U.S. government interest.

U.S. delegations are inclined to endorse various initiatives, not to offer



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new steps. Among U.S. delegates, the watchwords are "to ensure balance," "to avoid surprises," "to protect American equities," and to "not lurch forward."

In comparison, new varieties of American gunboat diplomacy carry far more weight. The Clinton administration has continued a long-standing policy of supplying weapons via "legitimate" transfers to regions in conflict--to allied governments of dubious democratic credentials like Turkey and Indonesia and many others, and to "non-state actors" who may be more amenable to perceived U.S. national interests. The resale, theft, or re-routing of such shipments enlarges by many times the weapons reservoir available for crime, terror, and abuse.

For principal American allies such as Israel, secondary transfers--that is, transfers of U.S. weapons and often sophisticated U.S. technologies to third parties--have long been reported. And on occasion, during the post-Yugoslav wars for instance, the United States has apparently turned a blind eye to violations of U.N. arms embargoes, presumably to ensure that well-armed and viable Croatian and Bosnian armies emerge to push back and "balance" Serb armies.

With each wink and every nod, America's credibility in controlling the arms trade weakens. Cumulatively, U.S. aid to brutal regimes--Indonesia, for instance, which has a government that kills people in East Timor as well as hundreds of pro-democracy demonstrators closer to home with "legally" transferred small arms and light weapons--denies to American diplomacy any moral high ground.

That Secretary Albright has focused major speeches on the topic of small arms and light weapons is significant. She evinces real concern about weapons that kill more people in more locales than any of the sophisticated weaponry deployed by large states.

But the purpose of U.S. attention must change. The firewall between so-called illicit and licit trade is illusory. Transfers presumed to be legitimate today become, over time, the reservoir for sales, thefts, and pilferage to dangerous end-users. More immediately, the ethos of U.S. diplomacy will frustrate efforts by many people whose noble goal is to reduce the legacy of death that arms transfers bequeath to generations ahead.

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There is no easy way to prevent small shipments of small arms.

The year 1998 witnessed two events, modest in and of themselves, with little direct effect on global peace and security. Their importance, rather, lay in what they showed about the changing nature of the least conspicuous and most deadly aspect of the global arms trade.

First was the death on April 29 of Samuel Cummings, widely renowned as the most talented arms dealer of the second half of the twentieth century. For 50 years he had been the acknowledged master of the business of selling not just weapons but small arms in particular. With Cummings also died an era of business practices in which private firms traded large quantities of military equipment to whomever had the cash. Although Cummings was a private entrepreneur, his business served the interests of states. Almost all his biggest clients were governments. The other major clients were groups to which Western governments gave covert support.

Personally visible and accountable, Cummings apparently was scrupulously legal in his practices, as were virtually all successful arms dealers of his era; those who weren't ended up in jail. During his life, however, Cummings saw his role as an arms supplier marginalized as governments asserted progressively greater direct control over arms exports. Regulations and government sales practices designed to control and support sales of major weaponry eventually were extended to the trade in small arms. His niche was disappearing. In the end there was little left for legal, private dealers like Cummings to sell other than collectors' items to sportsmen.

The second modest event of 1998 was the 350th anniversary on October 24 of the Treaties of Westphalia. Those agreements ended Europe's Thirty Years' War, created the modern international system, and established the sovereign state--and by implication, the primacy of national interest.



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Like Cummings's death, the anniversary of Westphalia also marks the end of an era, in this case the era of the sovereign state it formalized. While states obviously survive--we all live in one--they no longer dominate international politics as completely as they did for the past three centuries.

The trade in major conventional military equipment may remain essentially Westphalian. It is, after all, primarily a business between governments. But its salience has been replaced by the more unpredictable and dangerous trade in small arms--a trade that often views the state as an obstacle or adversary. In place of the legal sellers and official recipients that Cummings knew, we now have post-Cold War congeries of hustlers and partisans serving the demands of ethnic insurgencies, terrorists, and criminal conspiracies.

States do not often make, war on one another these days; the riddle of postmodern arms control is how to arrest the growing strength of non-state threats to international security. While the orthodox state-to-state trade in major weaponry was fascinating in its complexity, it also is the image of straightforward simplicity, compared to today's trade in small arms.

Old weapons, new buyers

The rise of ethnic insurgencies, terrorist organizations, and criminal conspiracies is not new. What has changed is their role in the international system. During the Cold War such groups could find large quantities of small arms only with the connivance of state sponsors. The rise of the Viet Minh in the 1950s and the Viet Cong in the 1960s would have been inconceivable without support from the Soviet Union and China channeled through North Vietnam.

Without the Reagan administration the Nicaraguan contras would not have existed. It was Libyan-supplied arms that enabled the Irish Republican Army to remain a fighting force in the 1980s, just as East Germany stocked the Red Army Faction. But with the end of the Cold War competition for global geopolitical advantage, there was nothing to be gained through such activities and they largely ceased.

The actors that took their place differed in being almost exclusively home grown and supported. Instead of relying on state sponsors, today's insurgents, terrorists, and criminals generate their own income and buy their own armaments. Unlike their predecessors they cannot be stopped by convincing a traditional sponsor to end their support.

Not only are today's most questionable arms buyers nongovernmental entities, but the strongest advocates of small arms control are nongovernmental organizations. NGOs have long contributed to arms control and disarmament, but their contributions were limited as long as states controlled the goals and the pace of the process and were guided exclusively by national interests.

As the grip of the state relaxes, as it has in recent years, other perspectives can gain consideration; today, NGOS can help shape the global agenda. NGOS, for instance, were responsible for the convention banning land mines, signed in 1997. In that case, more than a thousand groups joined the Landmines Campaign, led by Vietnam Veterans of America and Human Rights Watch, and they created enormous pressure within the disarmament community.



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The convention emerged not because of the lobbying of any one government, but in reaction to NGO pressure. Turning the juggernaut of sentiment into a treaty required government action, of course, and the personal support of officials like Canadian Foreign Minister Lloyd Axworthy was instrumental. But with no major national interests at stake, most governments found it easiest to get out of the way and give the NGOS their treaty.

One of the most impressive aspects of the land mine campaign was the way national interests were submerged and practically ignored. When they were allowed to speak out, the armed forces of various nations often expressed serious reservations about the effects of the convention relative to their country's national interest.

Many authorities tried to reconcile the convention with national interests, but their efforts were not persuasive. They also were beside the point. The few governments to buck the international consensus were apologetic exceptions. Instead of being based on the specific interests of sovereign states--like all arms control and disarmament treaties before, from the Washington Naval Treaty to START II--the land mines convention reflects judgments on collective international security and fundamental human rights.

Small arms have been placed on the international agenda in much the same fashion by many of the same groups. But so far they have been unable to develop a global consensus on the issue equal to that against land mines. Unable to mount pressure against states, they must work with them. Much has been done to persuade governments that small arms control is in their national interest.

With strong governmental interest in controlling organized crime in particular, this has led to a series of U.N.-sponsored meetings and encouraged considerable regulatory reform. (See "The U.N. Gears Up," page 58.) But more aggressive action has not been quick in coming. The Oslo conference on small arms last July acknowledged the importance of the issue but also testified to the great difficulty of building a consensus to do anything about it; the official delegations lacked consensus even on why they were there.

The NGOS have the strength to put small arms on the international agenda and keep it there, but they cannot resolve the problem. Unlike land mines, small arms still arouse a strong sense of national interest that states will not let go of. States may not fully control the trade in small arms any more, but their consent and active participation are required to deal with the issue.

Different challenges, different responses

There are three distinct small arms phenomena that require solutions: state-controlled or state-sponsored conflict; large-scale small arms procurement by non-state actors; and small-scale procurement by groups and individuals. Contrary to the common wisdom regarding the virtual impossibility of resolving any aspect of ethnic conflict or any other aspect of post-modern chaos, the first and second of these have solutions, which, if not simple, at least lie within the realm of feasibility.

The easiest small arms problems to address are those where all protagonists in the fighting--in the tradition of Westphalia and Sam Cummings--are states or rely on government sponsorship. To be sure, none of the leading powers



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responsible for Cold War-era sponsorship of insurgencies or terrorism--China, the Soviet Union, and the United States under the Reagan Doctrine--continue to do much.

State sponsorship survives instead among regional rivals, who have discovered that support for guerrilla fighters is an affordable and less risky, way to challenge their neighbors or to advance their own global goals. One of the biggest geostrategic surprises of the post-Cold War world has been the emergence of Uganda as a Central African superpower, supporting insurgencies in Rwanda, Congo, and Sudan.

Libya has played an equally decisive role in Liberia and other West African conflicts. Pakistan supports--or turns a blind eye to private support for--Kashmiri separatists. Outside powers often are involved in these situations--Washington, for example, tolerated the arming of Bosnia by Iran in 1994-95 and it supports Uganda today. Nevertheless, the role of state sponsors is increasingly marginal.

Where state sponsorship does serve as the principle conduit for arms, traditional diplomacy can be fully effective. Because small arms flow from a supplier state to a recipient government (which is responsible for their final delivery to the insurgents who will actually use them), formal licensing controls and end-use restrictions can be used if suppliers insist.

Controlling large illegal transfers of small arms poses a more difficult problem, caused by the decline of governmental authority. The most important sources of large illegal transfers are Russia, the other ex-Soviet states, and the former Warsaw Pact nations. The problem is not lack of laws; the rub is in the enforcement. Many of these governments are not strong enough to see to it that laws are followed. Often internecine disputes over the national interest lead one agency to approve what another would prefer to halt. If this is not the case, corruption makes it possible to bribe a deal through.

When weak governments are unable or unwilling to enforce arms export restrictions, other governments must help the appropriate official institutions develop the attitude and means to ensure that the law is carried out, in letter and in spirit. This problem is not confined to small arms exports; it is chronic in exports of all forms of defense technology, from handguns to biological warfare expertise, from fissile materials to ballistic missile assistance. Dealing with this aspect of the small arms problem is no different diplomatically from the better publicized export problems. The key is making sure the small arms aspect receives the attention it deserves.

The limits of arms control

The potential for stricter regulation is great, but it also can be exaggerated. Although it may stop activities in one country, all too often the activities can be moved elsewhere. The manufacturing technology for today's small arms dates directly from the 1880s; there is no form of modern arms production that is easier to transfer. Virtually all designs for automatic weapons, moreover, are 40 to 50 years old; patents have long since expired and fallen into the public domain. You do not have to be an expert to see the difference between an AK-47 built in a Soviet factory in the 1950s and one crafted yesterday in a garage workshop in Pakistan, but they are equally deadly.



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Confronted with aging technology, the established system of export licensing controls will become increasingly irrelevant. They only restrain the exports of those who have an interest in compliance--basically major manufacturers and dealers with large home markets to preserve. These controls pose no deterrent to the rise of small, globally dispersed makers and traders. Indeed, even countries virtually bereft of modern industry already have facilities building small arms or making ammunition. There are plenty of fly-by-night outfits, and their products are lethal.

If it is to alleviate human suffering, control over small arms must deal with the most dangerous forms of the trade, the trade between non-governmental actors. This turns an arms control problem into a law enforcement issue. The small arms issue is not about governments, armed forces, and manufacturers so much as it is about violent groups and individuals taking the law into their own hands. Outfits like the U.S. Defense Department's On-Site Inspection Agency lack the expertise to deal with small arms. This is the province of police and gendarmeries, customs officials and the courts. Controlling the problem requires greater attention to strengthening agencies of the state, a fact that makes civil libertarians wary.

How effective can controls over the illegal trade in small arms be? Experience has shown that it is relatively straightforward to identify and intercept large shipments--those involving several hundred weapons and weighing several tons--if law enforcement officials are alert. What existing arrangements cannot accomplish--even if better supported and attuned--is to significantly reduce smaller shipments of small arms.

Indeed, small transfers of small arms inspire the extremes of human determination and creativity; they will never be intercepted except at enormous effort, and even this will foster only more vigorous and harder smuggling efforts. Law enforcement's job is to keep them to a minimum, but there is no serious prospect of dealing with highly organized violence this way.

Further, once we begin to concern ourselves with each and every gun, civil liberties issues also become an important consideration. Some restrictions on light arms, such as laws restricting the number of guns that can be bought over a set period of time, are relatively uncontroversial, except among the most extreme of gun partisans. And Britain has recently shown that it is possible to ban possession of handguns altogether. But few other societies--not just the United States--are prepared to do the same.

This raises the possibility of a clash between civil liberties and disarmament. As long as individuals can own and buy rifles and ammunition, it will not be possible to prevent the arming of individual terrorists, criminals, and guerrillas. Where security bumps against civil liberties, we reach an irreducible conflict of principles beyond which all must tread with great caution.

Beyond arms control

If we continue to treat small arms as a government-to-government issue we will produce more arms control agreements, but these will be agreements



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fundamentally irrelevant to the most serious dangers to global security posed by small arms.

Agreements like the new Convention Against the Illicit Manufacturing and Trafficking in Firearms agreed to by the **Organization of American States** in 1997 may be state-of-the-art in small-arms control, but they are far behind the times compared to other arms control agreements. The OAS Convention is to small arms what the 1972 Strategic Arms Limitation Treaty was to nuclear arms: It codifies established practices and keeps one aspect of the armaments process from getting worse, while allowing the most serious dimensions of the problem to deteriorate further.

The analogy to strategic arms control only goes so far; small arms are not the same as nuclear weapons, no more than insurgencies are the equal of governments. As the Cold War ended and relations between Washington and Moscow improved, arms control eventually led to tangible nuclear disarmament agreements. No improvement in government-to-government relations will lead to better agreements on small arms proliferation. Ultimately this requires revolutionary steps in arms control, bringing in non-state actors.

The greatest success in disarming such groups has come through U.N.-brokered peace agreements, such as those in Central America and Mozambique. In these cases, though, arms are surrendered only after the conflict is resolved. Even then it is universally acknowledged that combatants secretly hold on to their best gear. Small-arms disarmament alone cannot bring about peace. As Northern Ireland suggests, the political pressures aroused by demanding disarmament too early can exacerbate the conflicts it was meant to ameliorate.

Perhaps post-modern problems can be resolved only through post-modern solutions. The state is no longer at the heart of the small-arms problem and it cannot be at the center of long-term solutions. We have witnessed in recent years the rise of a new kind of disarmament politics, generating new actors, new problems, and new sources of pressure. The politics of small arms are dominated by nongovernmental entities as users of small arms and by NGOs as leaders in the quest for controls.

Unfortunately this new politics does not generate its own solutions. Ultimately that responsibility will lie with NGOs, and they will be forced to be creative far beyond the demands of their successful land mines campaign.

RELATED ARTICLE: Who's involved?

So you want to fight the proliferation of small arms? The cyber meeting-house for the Global Campaign on Small Arms and Light Weapons is at www.prepcom.org.

The site was started a year ago with Ed Laurance, an expert on small arms and light weapons issues, as the administrator. It was, in his words, "a place where the members [of Prep Com] could meet, exchange ideas, and access a growing body of information on the spread and misuse of small arms and light weapons." As of early December, 114 NGOs and 45 individuals had become members.

Based at the Monterey Institute of International Studies in California, the



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site contains more than a hundred documents ranging from official reports to summaries of meetings. More important, perhaps, it provides email addresses, which are essential for today's networking.

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Security Council meets at ministerial level to consider issue of small arms

HIGHLIGHT:

Presidential Statement Calls for Effective Implementation of Arms Embargoes
Imposed by Council

BODY:

The Security Council this morning, at a ministerial-level meeting held to discuss the question of small arms, called for effective implementation of arms embargoes imposed by Council resolutions.

In a statement read out by Council President and Minister for Foreign Affairs of the Netherlands Jozias van Aartsen, the Council encouraged Member States to provide Council sanctions committees with available information on alleged violations of arms embargoes. It recommended that the chairmen of the sanctions committees invite relevant persons from United Nations organs, organizations and committees, as well as other intergovernmental and regional organizations and parties concerned, to provide information on implementation and enforcement of embargoes.

The Council also called for measures to discourage arms flows to countries or regions engaged in or emerging from armed conflicts. The Council further encouraged Member States to establish and abide by voluntary national or regional moratoria on arms transfers with a view to facilitating the process of reconciliation in those countries and regions.

Recognizing the importance of incorporating within specific peace agreements, clear terms for the disarmament, demobilization and reintegration of ex-combatants, the Council requested the Secretary-General to provide the negotiators of peace accords with a record of best practices based upon experience in the field.

The Council also asked the Secretary-General to develop a reference manual on ecologically safe methods of weapons destruction to enable Member States to ensure the disposal of weapons voluntarily surrendered by civilians or retrieved from former combatants. It invited Member States to facilitate the preparation of such a manual. Further, the Council requested the Secretary-General to specifically include the humanitarian and socio-economic implications of the excessive and destabilizing accumulation and transfer of small arms and light weapons in the studies he is currently undertaking.

Also this morning, the Council welcomed the recommendations of the Group of Governmental Experts on Small Arms, including the convening of an international conference on the illicit arms trade in all its aspects no later than 2001. It



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encouraged Member States to participate actively and constructively in the conference and any preparatory meetings. In addition, the Council underlined the importance of effective national regulations and controls on small arms transfers.

It also encouraged governments of arms-exporting countries to exercise the highest degree of responsibility in those transactions.

Opening today's meeting, Secretary-General Kofi Annan said that efforts to promote peace and security - through conflict prevention, development, diplomacy or intervention - depended, to large extent, on limiting the tools of war and violence. Measures for disarmament and demobilization should be included in peace agreements and the mandates of all United Nations peacekeeping operations. He called on the international community to seize the opportunity provided by the international conference on small arms, to be held in 2001, as a means to demonstrate its commitment to reversing the proliferation of small arms.

Stressing the need for international cooperation, the United Kingdom's Foreign Minister, Robin Cook, said that meeting the challenge posed by small arms required action on the part of producers and purchasers, businesses and bureaucrats. The United Kingdom strongly supported work on a firearms protocol. The international community should explore the feasibility of an international legal basis for marking firearms, so they could be tracked. The challenges posed by such weapons could not be addressed by individual governments alone, least of all countries in regions of conflict, said Gambia's Secretary of State for Foreign Affairs, Momodou Lamin Sedat Jobe. Due to the magnitude of the problem, international processes were needed to reinforce local, national or regional efforts. International efforts to address illicit transfers and excessive accumulation should be encouraged, but in a coherent and coordinated manner.

The international community must also address the culture of impunity related to arms trafficking, the representative of Namibia said. The effort to rid Africa of superfluous small arms was a shared responsibility of the region's leaders and the international community. Attention must be directed at arms transferred to irresponsible regimes which distributed them among ethnic groups bent on committing ethnic cleansing.

Also this morning, the Council heard from the following: France's Minister Delegate for Cooperation and Francophonie, Charles Josselin; Slovenia's Minister for Foreign Affairs, Boris Frlec; Malaysia's Minister for Foreign Affairs, Datuk Seri Syed Hamid Albar; Canada's Minister for Foreign Affairs, Lloyd Axworthy; Argentina's Minister for Foreign Affairs, Guido Di Tella; Brazil's Minister for Foreign Relations, Luiz Felipe Lampreia; Bahrain's Minister for Foreign Affairs, Shaikh Mohammed Bin Mubarak Al-Khalifa; Gabon's Minister of State, Foreign Affairs, Cooperation and Francophonie, Jean Ping; the United States Secretary of State, Madeleine Albright; as well as the representatives of the Russian Federation and China.

The meeting began at 9: 55 a.m. and adjourned at 11: 57 a.m.

Council Work Programme

The Security Council met this morning to consider the question of small arms. While this is the first time the Council has reviewed the issue as a



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separate item, it has been considered in the context of other questions. On 8 July, the Council met to consider the maintenance of international peace and security and post-conflict peace-building: disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment. In a statement following that meeting, the Council expressed concern that armed fighting among various parties and factions continued despite the conclusion of peace agreements by warring parties and the presence of United Nations peacekeeping missions on the ground. It recognized that a major contributory factor was the continued availability of armaments, particularly small arms and light weapons, to conflicting parties.

The Council stressed the need for the implementation of practical measures to promote the success of peacekeeping activities, including the prevention and reduction of the excessive and destabilizing flow, accumulation and illegitimate use of small arms and light weapons.

In 1997, the General Assembly requested the Secretary-General to study the question and make recommendations. During its fifty-third session, it requested a follow-up report, which is available as document A/54/258. Statements

KOFI ANNAN, United Nations Secretary-General, said small arms and light weapons were the primary tools of violence in many of the world's conflicts. Their proliferation aggravated the violence associated with terrorism and organized crime. Even in societies that were not beset by civil war, the availability of small arms contributed to violence and political instability. Those, in turn, damaged development prospects and human security. Many of those weapons were passed from one conflict to the next by unscrupulous arms merchants, who took advantage of legal loopholes or exploited inadequate national monitoring and enforcement structures.

The United Nations was dedicated to addressing the supply and demand aspects of the trade in small arms, which had become the instrument of choice for the killers of our time, he said. The Organization had played a leading role in putting the issue of small arms firmly on the international agenda. His 1997 Report on Small Arms to the General Assembly had served as a catalyst for a wider series of initiatives. He welcomed the General Assembly's decision last December to convene a conference on all aspects of illicit arms trafficking by the year 2001.

The Security Council had been seized with the issue, initially in the context of implementing the Secretary-General's report on Africa, he said. In the contexts of Angola and children in armed conflict, and the protection of civilians in armed conflict, the Council had shown wisdom in focusing on the need to reverse the proliferation of small arms.

Controlling the availability of small arms was a prerequisite for a successful peace-building process, and for conflict prevention, he said. He appealed to the Council to devote greater attention to conflict prevention and provide leadership in that area. Further, it was essential that specific measures for disarmament and demobilization be included in peace agreements and mandates of all United Nations peacekeeping operations.

While great challenges remained, there had been successes in the struggle against small arms proliferation and illicit arms trafficking, he said. In



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Africa, the Economic Community of West African States (ECOWAS) had declared a moratorium on the production and transfer of small arms, covering 16 countries. Other endeavours included action by the European Union to prevent illicit trafficking in conventional arms in Europe. In 1997, the **Organization of American States (OAS)** had adopted the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.

The momentum for combating small arms proliferation had also come from civil society, which had been increasingly active on the issue, he continued. The establishment, early this year, of the International Action Network on Small Arms had helped to sharpen public focus on small arms, which had helped gain the public support necessary for success.

The international community must seize the opportunity provided by the international conference in the year 2001 to demonstrate its will and commitment to reversing the global proliferation of small arms, he said. Efforts to promote peace and security - through conflict prevention, development, diplomacy or intervention - depended to large extent on the more specific challenge of limiting the tools of war and violence. With the Council's leadership, and the efforts of governments, success was possible.

CHARLES JOSSELIN, Minister Delegate for Cooperation and Francophonie of France, said that there was a proliferation of internal conflicts in which the distinction between combatants and civilians was blurred, more so than in inter-State conflicts in which regular armies fought each other. For several decades, small arms had taken more victims than arms of mass destruction. Action must be taken in many fields at all levels - global, regional and national. The legal transfer of small arms and light weapons must be controlled, and the relevant Council resolutions must be implemented, he said. At the same time, States must assume their responsibilities regarding the enforcement of national regulations, if there was to be successful control in that area. The European Union had adopted joint action on the transfer of small arms and light weapons. The conclusion of a protocol on the production of illicit firearms, along with the conclusion of the convention on organized crime, should make it possible to take control. The marketing of small arms and light weapons was a particularly critical issue.

He said the success of peace-building in post-conflict situations included the collection and disposal of weapons that were kept by combatants, so they did not fall back into the hands of opposition forces. That action must go hand in hand with demobilization. It was everyone's responsibility to see that such operations were properly resourced. Also, attention must be given to the plight of child soldiers. They must be taught that life had values other than violence. Africa was not the only continent concerned. The Council must deal with the issue of small arms in its universal aspects.

ROBIN COOK, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, said that it was important that the Council found time to consider the underlying causes of crises. One of the clearest causes was the plentiful supply of small arms. Access to small arms provided the means and the temptation to start conflicts and fuelled the tension and suspicion which sustained them. While diplomatic efforts had brought weapons of mass destruction under control, over the same period the assault rifle had become the weapon for

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mass killing. In the last decade, 3 million people had died in conflicts fought with small arms alone. The term "small arms" was inadequate, as there was nothing small about the misery and disruption they had caused. Most of the conflicts had taken place in the developing world, but most of the firearms were made in the industrialized world, so responsibility belonged to all, he said. There were three main areas where cooperation was required. First, existing firearms that were out of control must be impounded and destroyed. The number of firearms in the world was not known, but there were probably more firearms than personal computers. New imaginative ways to secure the surrender of firearms must be developed.

Second, the flow of firearms must also be reduced, he said. The ECOWAS moratorium was welcome, but manufacturing countries had an equal responsibility. The European Union had developed a code of conduct requiring consultation about contracts for sales that were refused, and a joint action seeking to ensure that the ownership of military firepower was the preserve of legitimate governments. Finally, the illicit trade in firearms - a trade just as deadly as the drugs trade - must be halted, he said. His country strongly supported work on a firearms protocol. The international community should explore the feasibility of an international legal basis for marking firearms, so they could be tracked. Meeting the challenge posed by small arms would require concerted action by: producers and purchasers; businesses and bureaucrats; and border guards. Today's Council debate provided a clear signal of the international community's resolve.

BORIS FRLEC, Minister for Foreign Affairs of Slovenia, said he looked favourably on the draft prepared by Canada on the proliferation of small arms and light weapons. He would support the Council's presidential statement. The surplus and insufficient control of small arms was the source of the small arms problem, he said. Attention should be paid to effective stockpile management and disposal of surplus weapons to prevent illicit arms flows. Countries with the resources and expertise should provide assistance to that end. Further, because small arms played an important role in both legal and illicit international arms transfers, and they were outside the scope of the United Nations Register of Conventional Arms transfers, the Disarmament Commission's guidelines for international arms transfers, adopted in 1996, should apply.

In addition, he said small arms and light weapons remaining in affected areas after conflicts were resolved presented a serious impediment to post-conflict peace-building and reconstruction. The Security Council should consider disarmament as a most crucial component of post-conflict activities, when defining mandates. It should pay due attention to weapons collection, disposal and destruction. The Council sanctions committees should also address the role of small arms and light weapons in implementing arms embargoes. Monitoring mechanisms to prevent violations of arms embargoes should be put in place, and the Council should call for better compliance with reporting on national implementation measures.

Anti-personnel mines, which were in the category of small arms and light weapons, had a strong humanitarian connotation, he added. He cited the Slovenia-based International Trust Fund for Demining and Mine Victims Assistance as an example of regional and international cooperation for addressing landmine problems. The Demining Trust Fund could serve as a model for cooperation on issues related to small arms and light weapons. It would provide an example of

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how to assist affected countries.

DATUK SERI SYED HAMID ALBAR, Minister for Foreign Affairs of Malaysia, said the proliferation of small arms impeded efforts at peacemaking and peace-building, and the illicit trade in small arms threatened international peace and security. The problem must be addressed practically at the national, regional and global levels. It should be approached from a holistic perspective, including such elements as arms control and disarmament, post-conflict peace-building, conflict prevention and socio-economic development.

The United Nations, and the Security Council in particular, could and should play a critical role in checking the proliferation of small arms, he continued. The United Nations should continue to become a central forum for enhancing public awareness of the consequences of the use of small arms. It should continue to serve as a clearing house for information, to facilitate an exchange of national experiences and to arrive at agreements and arrangements suited to the specific situations of Member States. Malaysia welcomed the Secretary-General's decision to establish the Coordinated Action on Small Arms (CASA). Also, the many recommendations in Mr. Annan's report on small arms deserved serious consideration.

Other initiatives were being undertaken by various parties to develop viable policy options, he noted. He reviewed some efforts by regional organizations and also drew attention to the important role being played by non-governmental organizations (NGOs). Malaysia supported any initiative by the United Nations, individual countries and NGOs in dealing with the issue.

The problem must be clearly defined - it was complex on the political, legal, technical, economic and social levels - and approaches and strategies must be formulated to address it, he said. It was important to note that well over 100 Member States did not manufacture weapons domestically, and had to rely on imports to meet their legitimate needs. The flow of small arms, particularly to developing countries, was driven not only by forces of demand, but also of supply.

He supported the convening of an international conference on the illicit trafficking of small arms, he said. Such a conference would afford the opportunity for an in-depth analysis of all aspects of the illicit arms trade. The conference should be focused and action-oriented, and draw upon regional experiences. As the trade in illicit arms affected so many developing countries, it would be appropriate for the conference to be chaired by one of them. Finally, he stressed that global efforts to address the issue of small arms should not detract from efforts to address nuclear disarmament, which remained the greatest threat to life on the planet.

LLOYD AXWORTHY, Minister for Foreign Affairs of Canada, said the proliferation, misuse and excessive accumulation of small arms and light weapons was a direct concern for the Council. The international community needed new ways to approach the problem of small arms. Small arms were ubiquitous, but they were useless without ammunition. The international community must consider how it might track, control or mark ammunition as one way of controlling the lethal effect of those weapons. Sometimes, it was too late to stop the supply of weapons themselves, but if one stopped the supply of bullets, the killing could be stopped.



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Canada supported the proposal for a global conference on the illicit arms trade in all its aspects in the year 2001, but one could not wait until 2001 to take action, he said. There must be practical approaches to the problem now and more active measures to limit the uses of those deadly weapons. The Council needed to inform itself about the abuse of small arms and military weapons in its examination of individual conflicts, and make redressing those abuses the centrepiece of efforts to restore stability.

Where appropriate, he added, the Council should impose arms embargoes and other sanctions targeting the illicit trades that paid for those weapons. The Council must ensure full and effective implementation of those measures. As the chair of the Angola sanctions committee, Canada supported choking the illegal diamond revenues that fuelled the war effort of the National Union for the Total Independence of Angola (UNITA), and reducing access to petroleum sources that made it possible for them to operate their war machine, as well as to curtail acquisition of the weapons that made the continuation of the war possible. If those efforts were successful, it would help the Council devise models that might apply to other conflicts.

In that context, he said, efforts to control the spread of small arms called for a shift in the way in which sanctions were applied. Comprehensive sanctions could not be used as a way of doing peace and security on the cheap. Sanctions needed to be razor sharp and should be pointed at the perpetrators of the conflict. The General Assembly could reinforce and push the Council to implement Council resolutions. Regional organizations could reinforce stability and security with arrangements on illicit and licit trade and trafficking in those weapons. Individual Member States could act to ensure that they had the legal framework in place to control the import and export of small arms and to destroy those weapons surplus to their legitimate needs.

He said NGOs and civil society could work in partnership with governments to promote the implementation of measures designed to enhance individual security by curbing the spread and use of small weapons and working to build societies that saw no value in the illegal possession and use of arms. The Council should pledge to achieve a global division of labour to fight on all fronts - from the Council to individual governments to the level of community organizations - to address the menace of small arms.

SERGEY V. LAVROV (Russian Federation) said the problem of small arms and light weapons proliferation was being addressed in various forums. The Russian Federation recognized the relevance of the subject and understood apprehensions that such proliferation could threaten peace and security. The problem, however, could not be resolved with one stroke. Rather, continuous efforts must aim at the long-term perspective. The United Nations had a leadership role to play. In 1997 and 1999, United Nations experts had prepared reports with specific recommendations and he hoped their implementation would impose order on the uncontrolled trafficking of such weapons.

As affirmed by Article 51 of the United Nations Charter, States had a legitimate right to self-defence, he said. At the same time, he was aware of the concerns on the part of some regarding the need to limit such weapons. Attention should not be focused on radical ideas, but rather on specific and concrete

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steps, with particular attention to crisis areas.

Regarding the need to enhance the effectiveness of arms embargoes, he said that porous embargoes would only exacerbate conflicts and undermine the United Nations authority. To be effective, there was a need for cooperation between police, and customs and licensing bodies. As a major exporter of small arms and light weapons, the Russian Federation was undertaking efforts to tighten control and intensifying its fight against illicit production and trade, including its rules and procedures for production, transfer, storage and export. He said he supported the involvement of the United Nations in efforts to collect and destroy light weapons, given the agreement of relevant States, and he was ready to support regional initiatives, if they were non-discriminatory. Both exporters and importers must be involved. It was not appropriate for one country to put forward large-scale initiatives and then have those be presented automatically to others, without consultations. The efforts of the entire international community must be joined.

The line between licit and illicit arms was often hard to establish, he continued. The Russian Federation was not against transparency, in principle, but proposals for international registration of small arms and light weapons transfers would be difficult to implement. He hoped that the international conference on problems in the illicit arms trade would prove a milestone in efforts to address the issue.

GUIDO DI TELLA, Minister for External Relations, International Commerce and Culture of Argentina, said the problem of small arms had three dimensions: humanitarian, economic, and security. The negative impact of the proliferation of small arms on human security must be curbed without violating legitimate national defence as defined in the Charter. However, an integrated approach to the problem was lacking. In that context, he supported the holding of an international conference in 2001. Also, Article 26 of the Charter should be implemented, so as to establish a system for regulating armaments. That responsibility was conferred on the Council, and it must not be evaded.

LUIZ FELIPE LAMPREIA, Minister for Foreign Relations of Brazil, said that the legitimate defence and security needs of States, as foreseen in Article 51 of the Charter, must be borne in mind when proposing measures to deal with the highly complex issue of small arms. Due to its multiple dimensions - humanitarian, criminal, disarmament and security - the matter called for an overarching and integrated approach. Its complexity should not, however, deter the global community.

Brazil had fully complied with all arms embargoes imposed by Security Council resolutions, he said. It was active in the Group of Governmental Experts on Small Arms, which was a model clearing house for the diversity of perceptions on the complex issue. The Group had taken note, for example, that there was no internationally accepted definition of what was a proportional and integrated approach to security and development. He reaffirmed Brazil's interest in having the General Assembly agree to convene, in 2001, an international conference on the illicit arms trade in all its aspects. That conference would provide the ideal setting for the consideration of measures geared towards providing the effective, generally accepted and ongoing implementation of the recommendations of the Group of Experts.

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At the United Nations Commission on Crime Prevention and Criminal Justice, Brazil and Canada had proposed the negotiation of a protocol on the illicit manufacturing and trafficking in firearms, ammunition and other related materials to the upcoming Convention on Transnational Organized Crime, he said. Those negotiations were well advanced.

Together with Norway, Brazil had stimulated debate on the marking of light weapons, which was crucial in tracing their origin, he continued. Further, it was essential that global initiatives be accompanied by regional ones. Being a region free of international conflicts, South America traditionally boasted low levels of military expenditures. Small arms was of concern mainly in connection with criminal activities. In other regions, controlling the proliferation of small arms was of direct concern to post-conflict peace-building. The Council could play an important role in the matter, he added, because in its daily dealings with conflict situations, it came into constant contact with the tragic consequences of the unrestricted spread of small arms. Another reason was because strengthening the arms trade embargoes could have a tangible effect in minimizing the consequences of the arms flow. The presidential statement to be adopted today was an additional element in the international community's efforts to eliminate the destabilizing proliferation of small arms.

WANG GUANGYA, Assistant Minister for Foreign Affairs of China, said the excessive accumulation and illegal transfer of small arms had intensified conflicts in some regions and had caused civilian casualties. In July, the United Nations Group of Governmental Experts on Small Arms had adopted a report on international progress in dealing with the issue, which would be helpful in preparing for the 2001 international conference on small arms. China was ready for active involvement in efforts to solve the problems caused by small arms, he said. China exercised strict control over the manufacture and export of small arms, and it had instituted laws for the control of guns and military material. China had achieved great progress in cracking down on the illegal manufacture and smuggling of guns, and it hoped the presidential statement on small arms would give impetus for solving the problem through global and regional cooperation. However, a number of observations were warranted.

First, he said, the Security Council should pay due attention to the issue of small arms, but it should concentrate on issues pertinent to international peace and security. The issue of small arms should be handled by the Department for Disarmament Affairs, the First Committee and other competent United Nations bodies. Second, in solving the problem, the sovereignty of concerned countries should be fully respected and their internal affairs not subjected to interference, so as to avoid complicating conflicts. The rightful self-defence and security needs of countries should be considered and their legitimate right to possess, manufacture and transfer small arms should be guaranteed. In post-conflict and peace-building situations, he continued, matters related to small arms should be carried out strictly in compliance with voluntary agreements among concerned parties and with due respect for arrangements. And, because the issue of small arms had complex roots and covered widely divergent areas, it was imperative to treat both causes and symptoms of problems on a case-by-case basis. Efforts derived from one experience and benefiting some were not necessarily applicable to others.

SHAIKH MOHAMMED BIN MUBARAK AL-KHALIFA, Minister for Foreign Affairs of



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Bahrain, said the international community must take prompt action to check the flow and fight the illicit trafficking of small and light weapons. Those were dangerous for a multiplicity of reasons, including that they impeded the provision of humanitarian assistance to civilians in conflict zones. His Government was committed to putting an end to all conflicts and called for the establishment of regulations to govern the trade in small arms. It supported all international efforts, within the context of the preparation for the international conference to be held in 2001, that were aimed at the containment and prevention of the illicit flow of such weapons.

In view of its concern with the maintenance of international peace and security, the Security Council should call upon those who traded in such arms to halt their flow to conflict zones. The Council must reconfirm its stand against the illicit traffic of such arms and against the phenomena of terrorism and organized crime. Further, the supply of weapons and funds must be denied to terrorists and fanatics. Their actions should be restricted by the tightening of immigration and residence laws, and they should be prevented from enjoying freedom of work and safe haven.

He hoped the current meeting would lead to the agreement of all Member States on a definitive and unified position, with a view to eliminating the risks and results of the misuse of small arms. He endorsed the content of the presidential statement that would be issued today.

MARTIN ANDJABA (Namibia) said that, like many countries emerging from war, Namibia had been inundated with small arms. While the numbers had been reduced significantly, illicit trafficking continued in his country due to its geographical location. The availability of small arms and light weapons encouraged the outbreak or continuation of hostilities. Weapons forced people to live in an atmosphere of insecurity, where differences became polarized and peace was fragile. That state of affairs was due largely to the impunity with which weapons manufacturers and arms exporters transferred small arms and light weapons to regimes with histories of human rights violations, and to rebel groups and anti-national elements.

The merchants of war, motivated by the prospect of fortune, felt neither urgency to curb transfers nor concern about the devastating consequences arms had on developing countries, especially in sub-Saharan Africa, he said. Arms transfers and trafficking, and the conflicts they fed, had devastating social, political and economic consequences in that region, which, despite its natural resources, had areas that were the poorest in the world.

The international community must seek to address the culture of impunity related to arms trafficking, he continued. Many argued that it was the duty of African leaders alone to constrain the availability and flow of arms to the region. But, he believed that the effort to rid Africa of superfluous small arms was a shared responsibility of the region's leaders and the international community. Attention should also be directed at arms transferred to irresponsible regimes, which would distribute them among ethnic groups bent on committing acts of ethnic cleansing. The governments of arms-exporting countries, as well as recipient countries, should exercise responsibility in transactions. JEAN PING, Minister for Foreign Affairs, Cooperation and Francophonie of Gabon, said there was an urgent need to adopt measures on the



proliferation of small arms and light weapons. Without cooperation between those countries which produced such arms and those who purchased them, all the efforts by individual governments and the United Nations to stem illicit trafficking would not produce the desired result.

He said the African States had adopted measures to combat the illicit movement of arms, including moratoria on the production of small arms and light weapons. Africa was determined to support the fight against illicit traffic in small arms and light weapons and expected the rest of the international community to demonstrate the same determination. The Council should ensure full implementation of resolution 1209 (1998) that, among other things, demanded that the Member States that had the ability to do so cooperate with African States in the implementation of national, regional and subregional programmes to combat the movement of illegal arms and the neutralization and voluntary destruction of arms.

He appealed to all Member States to take part in the preparatory work and in the conference that would consider all the aspects of the arms trade.

MOMODOU LAMIN SEDAT JOBE, Secretary of State for Foreign Affairs of the Gambia, said in societies where there were social problems, poverty and crime, the availability of small arms had profoundly negative consequences. The problem of small arms and light weapons posed complex challenges to all levels of society. The cold war was over. It was, therefore, no longer acceptable to supply arms as a conflict management device.

The challenges posed by such weapons could not be addressed by individual governments alone, least of all countries in regions of conflict, he said. The problems associated with proliferation went beyond national and regional concerns; they required international and global cooperation. Of course, local efforts were necessary, and even central. Due to the magnitude of the problem, however, international processes were needed to reinforce local, national or regional processes, as well as for the development of international norms to address the problem. International efforts to address the twin problems of illicit transfers and excessive accumulation should be encouraged, but a coherent and coordinated approach was crucial.

To address the problems of proliferation, measures for the promotion of social, economic and political conditions of safety and security were indispensable, he said. Also necessary were clear policies to improve domestic regulation, improved controls for production and transfers, and measures to address illicit trade and ensure removal of weapons from conflict situations. The Security Council could address the issues of proliferation in its interventions, he said. Arms embargoes could play a central role to help reduce proliferation, but they were often honoured more in their breach, than their observance. The Council, therefore, should make constructive efforts to ensure that such embargoes were effective.

While it could be argued that all States had the right to acquire arms for their defence needs, in the case of Africa, development interests required that a minimum of resources be diverted for military purposes, he said. African States should participate in the United Nations Register of Conventional Arms, and he supported the establishment of regional registers. While it was true that African States must get their priorities right, it was also true that arms

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manufacturing States must exercise restraint in supplying arms to African States, particularly in regions of conflict.

MADELEINE K. ALBRIGHT, Secretary of State of the United States, said prices of small arms were low, but their social costs were high. Funds were diverted, crops were mortgaged and relief supplies were stolen so the world's poorest countries could spend hundreds of millions of dollars buying small arms and other weapons. People were the losers. The international community must develop an integrated, comprehensive response. The United States strongly supported the initiatives included in the Council President's statement. The United States was engaged in several other initiatives, she said. It would refrain from selling arms to regions of conflict not covered by arms embargoes. It had passed laws to prohibit traffickers who were subject to United States law from brokering illicit deals elsewhere. It was working with the European Union to develop principles of restraint and a joint action plan. It supported the efforts of the United Nations Centre for International Crime Prevention and the Organization of American States (OAS). And it planned to support the West African small arms moratorium.

The United States would commit to completing negotiations on a firearms protocol to the United Nations transnational organized crime convention by the end of 2000, she said. The economy of war, which supported illicit arms flows, must also be attacked. Illicit arms flows were often fuelled by sales of gemstones, precious metals and narcotics. The United States hoped to work with other nations and with industry, at the United Nations, to strengthen certification regimes, particularly with diamond-producing countries. No solution to illicit traffic in small arms would emerge overnight, but governments had a responsibility to keep transactions transparent and make those involved accountable. If they did that, borders could be tightened, it would be harder to move small arms around, and illegitimate traffickers could be driven out of business.

The President of the Council, JOZIAS VAN AARTSEN, Minister for Foreign Affairs of the Netherlands, speaking as the representative of his country, said it seemed that all agreed that small arms posed challenges that the Security Council must address, in view of its mandate. A coherent approach must be used in addressing arms proliferation, taking into account all aspects of the highly complex issue. Coherence was called for in the search for practical ways and means to curb the wrongful use of small arms, and coherence should apply to the efforts of the international community, individual countries, regional organizations and civil society. The voice of civil society should be heard in the preparations for the small arms conference in 2001. A "group of friends to the conference" could considerably alleviate the preparatory work to that gathering.

The Security Council could play an important role in alerting member States to the detrimental consequences of continued arms flows to tension zones and regions in conflict, he said. It should encourage member States to refrain from such potentially harmful exports. Also, the Council could consider looking into ways to enhance the effectiveness of present arms embargoes, for example, by reviewing the functioning of all existing sanctions committees. Further, the Council had a key role to play regarding the disarmament, demobilization and reintegration of former combatants, he continued. Former combatants and surplus arms were a dangerous combination. When possible, the Council should incorporate



adequate measures into United Nations peacekeeping mandates to prevent small arms from causing additional suffering after a conflict ended.

Presidential Statement

Resuming his role as Council President, Mr. VAN AARTSEN, Minister for Foreign Affairs of the Netherlands, then read out the following presidential statement, which will be issued as document S/PRST/1999/28:

The Security Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, in view of which its attention is drawn inevitably to small arms and light weapons as the most frequently used weapons in the majority of recent armed conflicts. The Security Council notes with grave concern that the destabilizing accumulation of small arms has contributed to the intensity and duration of armed conflicts. The Council also notes that the easy availability of small arms can be a contributing factor to undermining peace agreements, complicating peace-building efforts and impeding political, economic and social development. In this regard, the Council acknowledges that the challenge posed by small arms is multifaceted and involves security, humanitarian and development dimensions. The Security Council is deeply concerned that countries involved in, emerging from, or close to protracted armed conflicts are particularly vulnerable to violence resulting from the indiscriminate use of small arms in armed conflict. In this regard, the Council recalls the report of the Secretary-General on the Protection of Civilians in Armed Conflict of 8 September (S/1999/957) and its resolution 1265 (1999) of 17 September 1999.

The Security Council emphasizes that the right of individual and collective self-defence recognized in Article 51 of the Charter of the United Nations and the legitimate security demands of all countries should be fully taken into account. The Council recognizes that small arms are traded globally for legitimate security and commercial considerations. Bearing in mind the considerable volume of this trade, the Council underlines the vital importance of effective national regulations and controls on small arms transfers. The Council also encourages the governments of arms-exporting countries to exercise the highest degree of responsibility in these transactions. The Security Council emphasizes that the prevention of illicit trafficking is of immediate concern in the global search for ways and means to curb the wrongful use of small arms, including their use by terrorists. The Security Council welcomes the various initiatives that are currently under way, globally and regionally, to address the issue. These initiatives at the regional level include the Economic Community of West African States moratorium on the production and trade in small arms, the Inter-American Convention against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials, the European Union Joint Action on Small Arms and the European Union Code of Conduct on Arms Exports. At the global level, the Council welcomes the negotiation process on the elaboration of an international convention against transnational organized crime, including a draft Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and Other Related Materials.

The Security Council emphasizes the importance of regional cooperation in tackling the issue of illicit trafficking in small arms. Initiatives, such as the work done by the Southern African Development Community and the Southern African Regional Police Commissioners Coordinating Organization, illustrate how



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regional cooperation can be harnessed to tackle small arms proliferation. The Council recognizes that while regions may sometimes benefit from the experiences of others, one region's experience cannot be extended to others without taking into account their different characteristics.

The Security Council also welcomes and encourages efforts to prevent and combat the excessive and destabilizing accumulation of and illicit trafficking in small arms and invites Member States to involve civil society in these efforts. The Security Council notes with satisfaction the growing attention paid within the United Nations system to the problems associated with the destabilizing accumulation of small arms. The Council welcomes the initiative by the Secretary-General for Coordinated Action on Small Arms (CASA), designed to ensure a coherent and coordinated approach to the small arms issue within the United Nations system.

The Security Council notes that although the humanitarian impact of small arms in a conflict situation is verifiably serious, a detailed analysis is not available. The Council, therefore, requests the Secretary-General to specifically include the humanitarian and socio-economic implications of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade, in the studies he is currently undertaking.

The Security Council calls for effective implementation of arms embargoes, imposed by the Council in its relevant resolutions. The Council encourages Member States to provide the Sanctions Committees with available information on alleged violations of arms embargoes and recommends that the Chairmen of the Sanctions Committees invite relevant persons from organs, organizations and committees of the United Nations system, as well as other intergovernmental and regional organizations and other parties concerned, to provide information on issues relating to the implementation and enforcement of arms embargoes. The Security Council also calls for measures to discourage arms flows to countries or regions engaged in or emerging from armed conflicts. The Council encourages Member States to establish and abide by voluntary national or regional moratoriums on arms transfers with a view to facilitating the process of reconciliation in these countries or regions. The Council recalls the precedents for such moratoriums and the international support extended for their implementation.

The Security Council recognizes the importance of incorporating, as appropriate, within specific peace agreements, with the consent of the parties, and on a case-by-case basis within United Nations peacekeeping mandates, clear terms for the disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition. The Council requests the Secretary-General to provide the negotiators of peace accords with a record of best practice based upon experience in the field. The Security Council requests the Secretary-General to develop a reference manual for use in the field on ecologically safe methods of weapons destruction in order better to enable Member States to ensure the disposal of weapons voluntarily surrendered by civilians, or retrieved from former combatants. The Council invites Member States to facilitate the preparation of such a manual. The Security Council welcomes the recommendations of the Group of Governmental Experts on Small Arms (document A/54/258), including the convening of an international conference on the illicit arms trade in all its aspects no later than 2001, noting the offer



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by Switzerland to host the conference. The Council encourages Member States to participate actively and constructively in the conference and any preparatory meetings, taking into account the recommendations contained in this statement, with a view to ensuring that the conference makes a meaningful and lasting contribution to reducing the incidence of illicit arms trafficking.

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