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NATIONAL REPORT BY PAKISTAN
ON
THE IMPLEMENTATION OF THE UN PROGRAMME OF ACTION TO
PREVENT, COMBAT AND ERADICATE THE ILLICIT TRADE IN SMALL
ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS

Pakistan accords high priority to achieving the objectives set out by the UN Programme of Action to Prevent, Combat and Eradicate the illicit trade in Small arms and Light Weapons in all its aspects. Pakistan has long pursued a policy of constructive engagement at both regional and international levels to find ways and means to address this complex issue. Guided by this spirit, Pakistan actively contributed to the proceedings of the 2001 UN Conference on SALW which adopted the Programme of Action.

The Government of Pakistan has followed a proactive policy to implement the Programme of Action in line with the existing legislative and administrative framework. Weapons collection and destruction campaigns, some of the important steps taken by the Government of Pakistan and members of the civil society, even preceded the adoption of UNPoA.

Implementation at National level

A national point of contact has been established under the supervision of the Director General of the United Nations and Disarmament Division of the Ministry of Foreign Affairs, Islamabad, to act as liaison with other states on SALW matters in the context of UNPoA. In addition, a special Cell, headed by a Director General, in the Ministry of Interior has been functioning for almost 3 years to deal with the problems associated with organized crime, terrorist activities and illicit SALW. Both of these offices interact closely in consultation with other relevant government departments for policy inputs, public awareness and monitoring activities.

Legislation, Administrative Procedures, Law Enforcement

Effective legislative, administrative regulations and procedures both at the Federal and Provincial levels have evolved since Pakistan's inception which govern its SALW policy. The production, import, export, transit and retransfer aspects of the SALW regime are covered by the Arms Act of 1878 as amended,

Pakistan Arms Ordinance of 1965 as amended in 1988 and Surrender of Illicit Arms Act of 1991 as amended in 2001. In addition to this legal framework, administrative procedures are in place to regulate and monitor the lawful possession of arms by law enforcement agencies and armed forces.

Production and manufacturing of licit SALW is undertaken entirely by the public sector. Penal provisions exist and are applied after due process of law on account of unlawful possession and production of SALW. All small arms and light weapons, produced, manufactured and sold in Pakistan, are uniquely marked to maintain distinction for civilian, law enforcement and armed forces use.

Record of all types of arms manufactured by public sector ordnance factories or imported in Pakistan is kept. Private arms dealers can only sell a few specified categories of arms under a license issued by the government. Details of weapons including ammunition containing markings etc. are submitted to the Federal authorities for record keeping. Record for all weapons under use or possession by law enforcement agencies and armed forces is kept on permanent basis.

A strict licensing regime to regulate and monitor the lawful private possession of SALW was put in place in March 2001. In addition, licensing authorities at various levels have been directed by the Federal Government to issue arms licenses on a very restrictive basis.

Stockpile management and security of all SALW held by law enforcement agencies and armed forces is governed by comprehensively laid out procedures which are monitored regularly and implemented rigorously.

Pakistan observes a strict Export Control regime for SALW. Export of all such weapons is regulated by the Ministry of Defence with inputs from the Ministry of Foreign Affairs. Exports of SALW and ammunitions are subject to receipt of a No Objection Certificate, End-user Certificate and consultations between the Defence Production Division and the Ministry of Foreign Affairs to ensure conformity with government policy and to comply with UN embargoes.

Pakistan's strategy to combat the problem of illicit SALW

Pakistan believes that there is a close linkage between organized crime, narcotics, money laundering, terrorist activities and the illicit trade in SALW. Pakistan became a victim of these problems during and after the foreign occupation of Afghanistan in 1979. Afghanistan became a repository of

millions of small arms and light weapons, a number of which found their way into Pakistan. The invasion of Afghanistan led to the largest influx of more than 3 million refugees in Pakistan. The anarchy in Afghanistan gave rise to narcotics trafficking which in turn produced a nexus between forces of terrorism and violent crimes that was frequently sponsored from abroad.

Faced with the magnitude of the problem, the Government of Pakistan devised a multi-pronged and phased de-weaponization strategy in June 2001 involving actions against illegal import, smuggling, possession and exhibition of weapons. Initially, a public information campaign was launched and an amnesty period announced for voluntary surrender of illicit SALW.

After the expiry of the amnesty period, weapons collection and recovery campaigns were launched. Until April 2003, around 250,000 illicit SALW of different categories and types had been recovered/confiscated in addition to large amounts of ammunitions. After maintaining records of these weapons and ammunitions, a number of them were destroyed publicly except those which could be used, subject to laid out procedure of records and marking, by the law enforcement agencies.

Until April 2003, 85,770 persons were charged during the de-weaponisation campaign; out of these 12,029 were convicted and sentenced to various terms of imprisonment; 821 were acquitted while the remaining cases are sub-judice.

The Government of Pakistan, recognizing the vital role of law enforcement agencies in combating the proliferation and illicit trade in SALW, has revised and reformed the organizational structure, responsibilities, equipment and facilities of the Police Force under the new Police Act 2001.

As part of its efforts to raise public awareness on issues related to illicit SALW, the Ministry of Interior, organized a national seminar on 'Arms Control in Pakistan' on August 2, 2001, at Islamabad. To underscore the political commitment of the Government towards addressing the issue of illicit SALW, the President himself participated in the Seminar.

On September 10, 2002, the Ministry of Interior organized another national seminar on 'Countering Violence: Challenges for the State and the Civil Society' in Islamabad. Yet another Seminar with a special emphasis on SALW issue and to develop an integrated strategy for countering the causes of violence was organized by the Ministry of Interior in cooperation with International Organization of Migration (IOM) on 20 February 2003, in Islamabad.

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Implementation at Regional level

Considering the complex, transnational nature and the linkages of the illicit trade in SALW with terrorism, organized crime and narcotics, Pakistan believes that close regional co-operation is of equal importance to deal with the problem of illicit SALW.

Pakistan as a frontline state in the global fight against terrorism has established a number of joint counter-terrorism working groups including with Russian Federation and China. Pakistan has also proposed similar arrangements with other countries in the region and remains hopeful of concluding necessary bilateral agreements. A Tripartite Commission between Pakistan, Afghanistan and the U.S. has been in 2003 to resolve, among other issues, the problem of illicit SALW.

Implementation at Global level

Pakistan has been actively associated with international efforts to curb organized crime, eradicate narcotics trade and fight against terrorism. Pakistan has supported all the relevant UN resolutions including Resolution 1373 on terrorism and has extended full co-operation to the UN Counter Terrorism Committee. Out of the 12 UN Conventions relating to terrorism, Pakistan has signed 10 and active consideration is being given to adhere to the remaining two Conventions.

As a member of the UN Group of Governmental Experts which was established pursuant to UN General Assembly Resolution 56/24v to examine the feasibility of developing an international instrument to identify and trace, in a timely and reliable manner, illicit arms and light weapons, Pakistan supports the objectives set out in the resolution. Pakistan also supports the efforts to develop an international instrument on Marking and Tracing, to build capacities of relevant institutions which would undertake these tasks and to enhance confidence between states to make international co-operation in marking and tracing a meaningful reality.

Pakistan has always extended all possible assistance to the International Criminal Police Organization (INTERPOL) in its endeavours to control weapons and explosives. Pakistan supports the efforts to further strengthen the effectiveness of INTERPOL's International Weapons and Explosive Tracking System.

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International Co-operation

Pakistan applauds and has participated in several initiatives by different countries including the United Nations to create public awareness and promote implementation of UN Programme of Action to prevent, combat and eradicate illicit trade in Small Arms and Light Weapons through organization of workshops and seminars.

Pakistan fully supports the view that the goals set out by the UNPoA to eradicate and prevent the problem of illicit trade in SALW in all its aspects will remain largely unfulfilled unless developed states make available necessary financial resources to developing countries for capacity building of their relevant personnel and institutions.

While these initiatives are indeed necessary, Pakistan firmly believes that a long lasting solution to the multi-faceted challenges posed by the illicit trade and proliferation of SALW can effectively be dealt with through political commitment and action to resolve the underlying causes of conflicts and disputes in various parts of the world.