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Report of the Republic of Kazakhstan

On implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Executive summary

A. National level

- 1. National coordination agency**
- 2. National point of contact**

The national coordination agency for the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is the **Ministry of Defence of the Republic of Kazakhstan**.

The national point of contact is:

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The Arms Reduction Control and Inspection Activities Support Centre at the Ministry of Defence of the Republic of Kazakhstan was established by Government decree in 1995 to coordinate Kazakhstan's implementation of international non-proliferation and arms-control treaties and agreements including:

- The Treaty on the Non-Proliferation of Nuclear Weapons;
- The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles;
- The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms;
- The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems;
- The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC);
- The Treaty on Conventional Armed Forces in Europe;

- The 1999 Vienna Document of the negotiations on confidence- and security-building measures;
- The Agreement on military confidence-building in border areas concluded by the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the People's Republic of China;
- The Treaty on Mutual Reduction of Military Forces in Border Areas concluded by the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the People's Republic of China;
- The Agreement to prevent dangerous military activities in border areas concluded by the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the People's Republic of China;
- Other United Nations instruments adopted through General Assembly resolutions;
- Other instruments of the Organization for Security and Cooperation in Europe adopted through decisions of the Forum for Security Cooperation;
- Other international non-proliferation and arms -control treaties and agreements.

In the context of the United Nations Programme of Action, the Centre is responsible for collecting information submitted every year by the relevant ministries and departments of the Republic of Kazakhstan regarding implementation of the Programme, for analysing and processing that information, for transmitting it through the diplomatic channel to the United Nations Department for Disarmament Affairs, for establishing contact and cooperation with international organizations, with government and non-governmental organizations and with the verification centres of other States.

The Centre currently has 25 staff.

3. Legislation, regulations, administrative procedures

(i) What national laws, regulations and administrative procedures exist to exercise effective control over SALW in the following areas? (II.2)

- production
- export
- import
- transit
- retransfer

National laws, regulations and decrees

<i>Area</i>	<i>Law/regulation/decree</i>	<i>Date</i>
Production	Act of the Republic of Kazakhstan on licensing The Act governs issues connected with State licensing or activities subject to licensing; it also establishes a list of licensed activities www.zakon.kz	17 April 1995
	Decree of the Government of Kazakhstan on implementation of the Act of the Republic of Kazakhstan on licensing The Decree adopts the list of State bodies entitled to issue licences and establishes model licences www.zakon.kz	29 December 1995
	Decree of the Government of Kazakhstan on certain issues relating to the licensing of development, production etc. of military firearms and their cartridges The Decree lays down the qualifying conditions for licensing of development, production, repair, trading in, acquisition and export of military firearms and their cartridges www.zakon.kz	8 June 2004
Export/Import/ Transit/Retransfer	Act of the Republic of Kazakhstan on State control of the circulation of certain types of weapon The Act regulates the legal issues connected with the circulation of civilian, service and military firearms and edged weapons in the territory of the Republic of Kazakhstan www.zakon.kz With amendments introduced by the Act of the Republic of Kazakhstan of 22 February 2002	18 June 1996
	Decree of the Government of Kazakhstan on measures to implement the Act on State control of the circulation of certain types of weapon The provisions lay down the rules for the circulation of weapons and their cartridges, instructions regarding the drawing up and publication of the State registry, rules for the establishment of a State cartridge gallery and rules for initial training of weapon owners and users	30 December 1998

<i>Area</i>	<i>Law/regulation/decree</i>	<i>Date</i>
	www.zakon.kz	
	Decree of the Government of Kazakhstan	3 August 2000
	Rules for the circulation of small arms and their ammunition, and of edged weapons	
	The rules govern the circulation of firearms and ammunition, and of edged weapons	
	www.zakon.kz	

(ii) What national measures exist to prevent the manufacture, stockpiling, transfer and possession of unmarked or inadequately marked SALW? How have these been implemented? (II.8)

The legislation of Kazakhstan provides that every weapon manufactured must have an individual number.

Legal persons possessing a licence to trade in arms may not sell in the territory of the Republic of Kazakhstan any weapon without a number or stamp or any cartridge not carrying a type approval mark.

Licenses to develop, produce, repair, trade in, acquire and exhibit combat weapons and their cartridges are issued to individuals whose qualifications meet the requirements laid down in the existing Decree of the Government of the Republic of Kazakhstan, including the requirement for them to provide the interested State agencies' findings regarding the compatibility of the proposed activities with security requirements.

The Ministry of Internal Affairs has issued an Instruction regarding internal affairs agencies' implementation of the licensing and authorization system. Pursuant to the Instruction, internal affairs agencies are responsible for preventing violations of the rules governing the circulation of weapons, and the acquisition, stocktaking, storage, transportation and use of articles and substances subject to special handling arrangements and for preventing the loss, theft, misuse or criminal use of those items.

(iii) Please describe how national laws, regulations and procedures that impact on the prevention, combating and eradication of the illicit trade in SALW in all its aspects are made public. (II.23)

Normative legislation adopted in the Republic of Kazakhstan is published in the government newspaper *Kazakhstanskaya Pravda*, whenever the legislation in question so provides.

In addition, the Ministry of Internal Affairs and the principal internal affairs authorities in the *oblasts* have established press offices responsible for providing objective information within those agencies.

Another step in this direction is the creation of websites to help interested individuals and organizations to find objective information on the results and problems of combating crime, including illicit SALW trade and many other aspects

of the activities of internal affairs agencies and to familiarize themselves with the normative legislation in force.

At the initiative of the internal affairs agencies, the practice of biannual targeted operational and preventive campaigns, entitled “Karu”, to prevent and detect crimes committed with the aid of firearms, explosives and explosive devices, and to remove those items from illegal circulation, was launched in 1995.

To coincide with the campaigns, the media publish a public appeal from the Ministry of Internal Affairs of the Republic of Kazakhstan regarding voluntary surrender of illegally held firearms, edged weapons, ammunition and explosives.

The appeal explains the conditions under which individuals who voluntarily surrender arms and other weaponry may be exempted from criminal and other proceedings and how a weapon may subsequently be registered to the person voluntarily surrendering it.

The police also post the appeals in public places and population centres and in police stations. There are also radio and television broadcasts on the procedure for voluntary surrender of weapons.

4. Law enforcement/criminalization

(i) What national legislative or other measures exist to make the illegal manufacture, possession, stockpiling and trade of SALW criminal offences under domestic law? How have these measures been implemented? (II.3)

National criminal offences relating to illicit SALW trade

<i>Area</i>	<i>Law/other measure</i>	<i>Date</i>
Smuggling	<p>Criminal Code of the Republic of Kazakhstan</p> <p>Article 250: smuggling of items withdrawn from circulation, or items with restricted circulation</p> <p>Illicit transfer of firearms across the State customs border is punishable by up to five years' imprisonment</p> <p>The same acts, if committed repeatedly, by a person exploiting his official capacity or with the use of force against a customs inspector, are punishable by 2-8 years' imprisonment</p> <p>The above acts, if committed by an organized group, are punishable by 7-15 years' imprisonment with confiscation of assets</p> <p>www.zakon.kz</p>	16 July 1997

<i>Area</i>	<i>Law/other measure</i>	<i>Date</i>
Procurement/transfer/ sale/storage/transport/ carrying	<p>Criminal Code of the Republic of Kazakhstan</p> <p>Article 251: unlawful procurement, transfer, sale, storage, transport or carrying of weapons</p> <p>Unlawful procurement, transfer, sale, storage, transport or carrying of firearms (except for smooth-bore firearms) is punishable by up to five years' imprisonment</p> <p>The same acts, if committed by a group of persons with premeditation or repeatedly, are punishable by 3-8 years' imprisonment</p> <p>The above acts, if committed by an organized group, are punishable by 5-10 years' imprisonment</p> <p>www.zakon.kz</p>	16 July 1997
Manufacture	<p>Criminal Code of the Republic of Kazakhstan</p> <p>Article 252: Illicit manufacture of arms</p> <p>Illicit manufacture of arms is punishable by up to five years' imprisonment</p> <p>The same acts, if committed by a group of persons with premeditation or repeatedly, are punishable by 3-8 years' imprisonment.</p> <p>The same acts, if committed by an organized group, are punishable by 5-10 years' imprisonment</p> <p>www.zakon.kz</p>	16 July 1997

(ii) Have those groups and individuals engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit SALW been identified, where applicable? What action has been taken under appropriate national law against such groups and individuals? (II.6)

Information on the activities of the law-enforcement agencies in this regard can be found on the official website of the Ministry of Internal Affairs of the Republic of Kazakhstan — www.mvd.kz.

(iii) What national measures have been taken, including legal or administrative means, against activity that violates a United Nations Security Council arms embargo in accordance with the Charter of the United Nations? (II.15)

National measures for the enforcement of United Nations Security Council arms embargoes

<i>Area</i>	<i>Legal/administrative means</i>	<i>Date</i>
Enforcement of United Nations arms embargoes	<p>Act of the Republic of Kazakhstan on export control</p> <p>Article 9: Participation by the Republic of Kazakhstan in international sanctions connected with export control</p> <p>Kazakhstan's participation in international sanctions connected with export control directed at one or more States, and the entry into force of such sanctions, is determined by the legislation of the Republic of Kazakhstan on the basis of decisions of the United Nations and other international organizations. In some cases, the Republic of Kazakhstan may introduce such sanctions unilaterally.</p> <p>Article 10: Restriction of exports</p> <p>The Republic of Kazakhstan has the right to introduce restrictions, targeted at foreign States, on the export, import and transit of items subject to export controls, up to the level of an embargo, if those States violate their commitments to the Republic of Kazakhstan or pursuant to decisions of international organizations of which the Republic of Kazakhstan is a member.</p> <p>www.zakon.kz</p> <p>With amendments introduced by the Act of the Republic of Kazakhstan of 24 November 2000</p>	18 June 1996

5. Stockpile management and security

- (i) What national standards and procedures exist for the management and security of SALW stocks held by armed forces, police or other authorized bodies? (II.17)

National standards and procedures for stockpile management and security

In the Republic of Kazakhstan, small arms are kept in enclosed areas fitted with security devices, multiple levels of protection, fire, perimeter and targeted alarms, monitoring stations and alarm consoles connected, in accordance with established procedure, to a chief guard and section duty officer.

National procedures for managing and securing stockpiles of small arms and light weapons include:

- Placing stockpiles in sparsely populated areas; establishing exclusion zones and districts around storage sites;

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- Establishing a system of controlled access to stocks;
 - Cooperation with local authorities in emergencies;
 - Keeping a count of stocks, conducting annual inventories and both routine checks and spot checks of stocks;
 - Placing of storage sites under armed guard; installation of fire alarms;
 - Education and legal instruction for personnel authorized to handle stocks or protect storage sites;
 - Training of staff working at or protecting storage sites; planning and carrying out functions relating to the storage and protection of small arms;
 - Performing checks on internal affairs, national security and medical institution personnel to determine authorization to handle and protect stocks;
 - Criminal prosecution, in accordance with the legislation of the Republic of Kazakhstan, of individuals responsible for the loss or theft of small arms;
 - Loss or theft of small arms is addressed together with internal affairs agencies;
 - Obtaining the authorization of the Chairman of the chiefs of staff of the Ministry of Defence of the Republic of Kazakhstan to transport small arms, organizing armed escorts and, where vehicle transport is used, working with local internal affairs agencies along the route.
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(ii) How often are stocks of SALW held by armed forces, police and other authorized bodies reviewed? (II.18)

There are yearly inventories of the weapons equipping the armed forces, internal affairs agencies and other authorized bodies of the Republic of Kazakhstan. In addition, both routine checks and spot checks of SALW stocks are performed.

(iii) How are those stocks of SALW held by armed forces, police and other authorized bodies that are surplus to requirements identified? (II.18)

A Government Decree empowered the Ministry of Defence of the Republic of Kazakhstan to decide what should be done with weapons, military technology and other military assets not used by the armed forces, other troops and military units.

The Military-Technical Commission attached to the Ministry of Defence of the Republic of Kazakhstan, in which representatives of other troops and military units are also involved, makes proposals regarding arms sales, military technology and dual-use goods released by the armed forces and other troops and military units to the Inter-Departmental Commission on the sale of weapons, military technology and dual-use goods of the Security Council of the Republic of Kazakhstan, for it to take a decision on those matters.

6. Collection and disposal

(i) Please give details of any national programmes that have been established and implemented for the responsible disposal of surplus stocks of SALW held by armed forces, police and other authorized bodies. (II.18)

The armed forces of the Republic of Kazakhstan have adopted the following procedures for the destruction of surplus small arms and light weapons:

(a) The Standing Military-Technical Commission attached to the Ministry of Defence meets to determine the quantity of small arms and light weapons unsuitable for further use for their intended purpose;

(b) Agreements are concluded with the appropriate organizations, through “Kazarnaulyeksport” (Kazspetseksport), a State enterprise of the Ministry of Defence of the Republic of Kazakhstan, for the disposal of surplus small arms.

The procedure used by the Ministry of Internal Affairs of the Republic of Kazakhstan to collect, keep records of, store and destroy firearms, gas weapons, ammunition, hunting powder and edged weapons seized, voluntarily surrendered or found is regulated by a decree of the Ministry of Internal Affairs of the Republic of Kazakhstan.

The selection and destruction of weapons and ammunition is undertaken by members of technical commissions established pursuant to decrees of the heads of the central internal affairs directorates of the cities of Astana and Almaty and the central or regional internal affairs directorates.

Businesses with the appropriate licence also have the right to engage in disposal activities.

(ii) Is destruction the means used to dispose of such stocks? (II.18)

Yes.

(iii) What national measures exist to safeguard such stocks prior to their disposal? (II.18)

The safeguarding of firearms, gas weapons, ammunition, explosive substances and materials, powder and edged weapons seized, voluntarily surrendered or found within the city, regional or line internal affairs agencies is the responsibility of the internal affairs official who performs licensing and authorization functions.

Once the head of the local internal affairs agency has taken the decision to transfer material to a court, the internal affairs official who performs licensing and authorization functions will carry out that transfer, and must store seized weapons and ammunition in a metal box with a personal metal seal pending a court decision.

Should a decision be made to seize weapons and ammunition in retaliation for violations of the established procedure for acquisition, storage or use, they must be returned to their owner, covered by an inventory, following payment of the stipulated fine.

The required details of the weapons received must be recorded by the internal affairs official who performs licensing and authorization functions in a register of weapons, ammunition and explosive substances and devices seized, voluntarily surrendered or found.

Each individual weapon is tagged, and ammunition is packed in a crate with an appropriate inventory attached. Weapons and ammunition received are stored in a metal cabinet set aside for weapons and ammunition seized, voluntarily surrendered or found. It has a personal metal seal and is placed in the care of the internal affairs agency operational duty officer. One copy of the key to the cabinet remains in the possession of the official who performs licensing and authorization functions and is responsible for safeguarding the weapons; the second copy is in a sealed box kept by the internal affairs agency operational duty officer.

All firearms, ammunition, explosive substances and materials, powder and edged weapons seized, voluntarily surrendered or found which are received by the internal affairs agency operational duty officer and transferred to the official who performs licensing and authorization functions must be stored in metal cabinets.

All firearms, explosive substances and materials, powder and edged weapons voluntarily surrendered, found or illicitly held by businesses, institutions, organizations or individuals must be transferred within 10 days to the internal affairs agencies' storage facilities, unless those items constitute material evidence.

Weapons entering the storage facilities are transferred as soon as possible to the forensic departments for test firing, in order to determine whether they were involved in an earlier crime.

(iv) Subject to the exceptions set out in paragraph II.16 of the United Nations Programme of Action, are all confiscated, seized or collected SALW destroyed? (II.16)

Yes.

(v) What methods has your country used to destroy surplus stocks of SALW designated for destruction? (If appropriate, please make reference to the report of the United Nations Secretary-General (S/2000/1092) of 15 November 2000.) (II.19)

Weapons designated for destruction are first mechanically deformed.

Prior to that operation, all non-metallic components are removed for separate destruction by incineration.

In addition to mechanical methods of deformation, weapons and their components may be destroyed by cutting with a gas welding torch. Cuts must be made along and across gun barrels; other components and mechanisms must be cut through in a way that prevents future use of any part.

The deformed weapons are loaded into a furnace in the presence of members of the technical commission and a representative of the industrial concern. Destruction of the weapons by smelting is confirmed by a statement signed by the technical commission members present.

Ammunition unsuitable for future use is destroyed by burning off powder; the resulting metal scrap is transferred to recycling firms. Destruction of ammunition is extremely dangerous and must be undertaken by suitably trained specialists.

Ammunition must be destroyed at an open site at least 1.5 kilometres from any housing.

Powder must be burnt off or incinerated in a metal bunker.

Before loading into the bunker (or barrel), ammunition must be inspected to locate and remove fuses, detonators, etc. Before being fed into the bunker (or barrel), rifle, fully automatic and hunting cartridges must be freed of both their paper and cardboard packaging. Small arm and hunting shotgun cartridges will be fed into the bunker (or barrel) through a chute from outside the covered area.

Once the bunker (or barrel) has been loaded with ammunition and fuel, all specialists must all take cover in a dugout or safety zone.

The bunker (or barrel) is not emptied of casings and bullets until the burning and detonation have ceased completely. The metal left after the powder has burnt off from the cartridges is cleaned of soil and ash, sorted and checked to ensure that no powder is left.

The members of the technical commission and the ammunition-destruction experts draw up a statement confirming that the ammunition unsuitable for future use has been destroyed. It must indicate the quantity of ammunition, the method and location of destruction and the quantity (weight) of scrap or salvaged metal obtained and describe the type and amount of explosive or fuel used to detonate or burn up the ammunition.

(vi) Please give details of any information on SALW confiscated or destroyed within your jurisdiction that is submitted to relevant regional and international organizations. (II.23)

In 2003, internal affairs agencies seized and removed from circulation 13,545 weapons, of which 10,400 were smooth-bore weapons, 1,549 were gas weapons, 354 were home-made weapons and 1,242 were rifle-bored weapons; they included 27 fully automatic weapons, 706 rifles and carbines, 42 combination weapons and 467 pistols and revolvers.

In 2003, National Security Committee agencies seized and removed from illicit circulation 186 firearms, including 9 fully automatic weapons, 18 rifle-bored weapons, 22 pistols and revolvers of various kinds and 137 hunting and sawn-off weapons.

For 2003, 9,069 weapons were voluntarily surrendered. They included 717 rifle-bored weapons, 6,987 smooth-bore weapons, 1,270 gas weapons and 95 home-made weapons.

In the past year, internal affairs agencies destroyed 5,708 weapons, including 9 fully automatic weapons, 51 pistols, 48 revolvers, 312 rifles, 41 carbines, 20 combination weapons, 4,501 smooth-bore weapons, 467 gas weapons and 259 home-made weapons.

7. Export controls

(i) Please describe the system of export and import licensing or authorization, as well as measures on international transit, used by your country for the transfer of all SALW. (II.11)

Permits to import into or export from the Republic of Kazakhstan articles and substances subject to the licensing and authorization system are issued to legal persons by the Ministry of Internal Affairs on the basis of the documents described below.

For civilian and service weapons and their cartridges:

Applications from the head of the firm, stating: the name and quantity of weapons and their cartridges to be imported or exported; the full name and issue or serial number of the identity document or passport of the individual responsible for the import or export;

The State of origin of the import or destination of the export of the articles or substances;

The customs point through which the import or export will take place;

Copies of the licence to trade in civilian or service weapons and their cartridges issued by the Ministry of Internal Affairs of the Republic of Kazakhstan;

Copies of the contract with the manufacturer for the supply of weapons and their cartridges, with specifications attached;

Copies of the certificate for the imported weapons and their cartridges, or the agreement between an accredited certification agency of the Republic of Kazakhstan and the legal person in question to arrange certification after the weapons have been imported into the territory of the Republic of Kazakhstan;

Copies of the agreement with the responsible standardization, metrology and certification agency of the Ministry of Industry and Trade of the Republic of Kazakhstan to enter in the State register, the model of the weapon and the type of associated cartridges imported or evidence that such action has already been taken. This requirement does not apply to civilian and service weapons and types of cartridge already appearing in the State register at the time of import;

Copies of the import or export licence for weapons and their cartridges issued by the Ministry of Industry and Trade of the Republic of Kazakhstan;

Copies of the guarantee obligation of the importer (end-user) issued by the Ministry of Industry and Trade of the Republic of Kazakhstan (to be presented if the legislation of the exporting country so requires);

Copies of the licence to acquire weapons and their cartridges issued by the local internal affairs agency;

Copies of the receipt for payment of the State fee for the licence conferring the right to carry out imports or exports.

(ii) Please describe the national laws, regulations and administrative procedures used by your country to ensure effective control over the export and transit of SALW. How are these measures implemented? (II.12)

National laws, regulations and administrative procedures used to ensure effective control over SALW export and transit

<i>Area</i>	<i>Law/regulations/procedures</i>	<i>Date</i>
Export/transit	<p>Act of the Republic of Kazakhstan on export control</p> <p>The Act establishes the basis and procedures for export control of arms, military technology, goods for military use, etc.</p> <p>www.zakon.kz</p> <p>With amendments introduced by the Act of the Republic of Kazakhstan of 24.11.2000</p>	18 June 1996
	<p>Decree of the Government of Kazakhstan</p> <p>Rules on the Implementation of Export Controls in the Republic of Kazakhstan</p> <p>The Rules establish the procedure for licensing the export and import of goods subject to export controls</p> <p>Rules for the establishment of obligations regarding the use of goods subject to export control imported into the Republic of Kazakhstan</p> <p>The Rules regulate issues arising in connection with the import and end use of goods subject to export control</p> <p>www.zakon.kz</p>	14 December 1999
	<p>Decree of the Government of Kazakhstan</p> <p>Specific issues concerning the transit of goods subject to export control</p> <p>The Decree regulates the issuing in the Republic of Kazakhstan of permits for the transit of goods subject to export control</p> <p>www.zakon.kz</p>	11 August 1999
	<p>Decree of the Government of Kazakhstan</p> <p>On licensing the export and import of goods (works, services) in the Republic of Kazakhstan</p> <p>The Decree approves the rules for obtaining import/export licences and the procedure for presenting documents to the agency responsible</p> <p>www.zakon.kz</p>	30 June 1997
	<p>Decree of the Government of Kazakhstan</p> <p>On the establishment of an automated export control system</p> <p>The Decree establishes an automated export control system in the Republic of Kazakhstan</p> <p>www.zakon.kz</p>	30 January 1996

(iii) Does your country use authenticated end-user certificates for this purpose? (II.12)

The decision to issue or refuse an end-user import certificate in instances where it is required by the legislation of the exporting country is taken by the State agency of the Republic of Kazakhstan responsible for export control.

When goods subject to export control are exported, an authenticated original of the end-user import certificate issued by the competent State agency of the receiving country must be presented in accordance with the procedure established in the legislation of the Republic of Kazakhstan. It must state the undertaking of the receiving country to use the goods subject to export control and imported from the Republic of Kazakhstan only for that country's needs and to prevent re-export or transfer to a third country without the consent of Kazakhstan.

Copies of documents must be authenticated by the seal of the exporter (or importer).

(iv) Does your country notify the original exporting State when re-exporting or retransferring previously imported SALW? (II.13)

The following are obligatory for the issuing of permits to re-export goods subject to export control which have left the customs territory of the Republic of Kazakhstan:

- Permission from the competent central executive authority of the country of origin;
- Presentation to the State agency of the Republic of Kazakhstan responsible for export control of the contract for the supply of the re-exported goods.

8. Brokering

(i) What national legislation or administrative procedures exist to regulate the activities of those who engage in SALW brokering within national jurisdiction and control? (e.g. registration of brokers, licensing or authorization of brokering transactions and appropriate penalties) (II.14)

The applicability of the Act on export control extends to the export, re-export, import, re-import and transit of goods subject to export control, as well as to the activities of those engaged in foreign economic activity.

9. Marking, record keeping and tracing

(i) Does your country require licensed manufacturers of SALW to apply an appropriate and reliable marking on each weapon as an integral part of the production process? (II.7)

(ii) Is this marking unique? (II.7)

(iii) Does this marking identify the country of manufacture? (II.7)

Manufacturers of small arms and light weapons in the Republic of Kazakhstan apply markings to small arms in accordance with the technical requirements for each specific type of item.

Arms are identified by letters and numbers.

The manufacturing code of each arm consists of letters and numbers identifying the year of manufacture and a three-character serial number.

The symbol of the small-arms manufacturer Metallist is the letter “M” (only on the PP-90).

The markings on combat small arms comply with the technical requirements adopted by the Ministry of Defence, with the manufacturing code of the weapon consisting of a predetermined letter index identifying the year of manufacture and a three-character serial number.

No manufacturing code identifying the country of manufacture is applied to combat small arms.

(iv) How does this marking otherwise allow concerned authorities to identify and trace the relevant weapon? (II.7)

(v) How long are records kept on the manufacture, holding and transfer of SALW under your jurisdiction? (II.9)

(vi) What national measures exist for tracing SALW held and issued by the State? (II.10)

(vii) Please give details of any steps taken by your country to cooperate in tracing illicit SALW, including the strengthening of mechanisms based on the exchange of relevant information. (III.11)

The Republic of Kazakhstan is currently examining the idea of establishing a joint mechanism, shared with neighbouring States, for controls of the circulation of small arms and light weapons.

10. Disarmament, demobilization and reintegration (DDR)

(i) Please describe any disarmament, demobilization and reintegration (DDR) programmes your country has developed and implemented, including the effective collection, control, storage and destruction of SALW. (II.21)

(ii) Please describe how your country has addressed the special needs of children affected by armed conflict, in particular the reunification with their family, their reintegration into civil society, and their appropriate rehabilitation. (II.22)

(iii) Please describe any DDR programmes or activities that your country has supported. (II.30, 34)

11. Awareness-raising

(i) Please describe any public awareness and confidence-building programmes on the problems and consequences of the illicit trade in SALW in all its aspects that your country has developed and implemented (including the public destruction of surplus weapons and the voluntary surrender of SALW). (II.20)

At Central Asia’s first United Nations conference on illicit trade in small arms and light weapons, held in Almaty in March 2004, the Ministry of Internal Affairs of Kazakhstan demonstrated the process used to destroy firearms removed from illicit circulation.

The demonstration was conducted at the Almaty heavy machinery works.

The following were destroyed by smelting in an electric furnace: 875 firearms, consisting of 86 smooth-bore weapons, 35 gas weapons, 36 carbines, 57 sawn-off weapons, 17 fully automatic weapons, 275 pistols, 1 machine gun and 368 rifles.

The demonstration was attended by approximately 70 participants in the regional conference.

Information about the destruction exercise was disseminated widely in the media by the journalists who attended.

(ii) Please describe any education and public awareness programmes on the problems of the illicit trade in SALW in all its aspects that your country has encouraged. (II.41)

By a decree of June 2002, the Ministry of Internal Affairs of the Republic of Kazakhstan adopted a programme to inform the media of the activities of internal affairs agencies and to plan work with civil society.

B. Regional level

1. Legally binding instruments

(i) Has your country been involved in negotiations for the conclusion of legally binding instruments aimed at preventing, combating and eradicating the illicit trade in SALW in all its aspects? (II.25)

(ii) Where such instruments exist, please describe the steps your country has taken to ratify and fully implement them. (II.25)

2. Moratoria and action programmes

(i) Please give details of any support your country has given moratoria or similar initiatives on the transfer and manufacture of SALW, and/or regional action programmes to prevent, combat and eradicate the illicit trade in SALW in all its aspects (including cooperation with States concerned in the implementation of these initiatives). (II.26)

3. Regional cooperation

(i) Please describe any involvement your country has had in the establishment of subregional or regional mechanisms with a view to preventing, combating and eradicating the illicit trade in SALW across borders (in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies). (II.27)

(ii) Please describe any initiatives your country has undertaken to encourage regional and subregional action on illicit trade in SALW in all its aspects in order to, as appropriate, introduce, adhere, implement or strengthen relevant laws, regulations and administrative procedures. (II.28)

From 16 to 18 March 2004, in Almaty, the United Nations Department for Disarmament Affairs conducted the first regional conference on illicit trade in small arms and light weapons to be held in Central Asia.

The conference participants highlighted the need to enhance regional cooperation. They particularly emphasized the need for joint action to:

- Conduct operational investigations to identify and block channels for trafficking and other forms of illicit import/export of small arms and light weapons in the countries of Central Asia;
- Take steps to prevent the loss and theft of firearms and ammunition from depots, arsenals, classified locations and other weapons storage facilities;
- Establish cooperation between law-enforcement agencies and other appropriate departments of the Central Asian States for monitoring of transnational channels and illicit circulation of small arms and light weapons;
- Devise a mechanism for regular exchanges of relevant information, including information on illegal facilitation of small-arms trade in the region.

C. Global level

1. International instruments against terrorism and crime

(i) What existing international legal instruments against terrorism and transnational organized crime has your country ratified or acceded to? (II.38)

Kazakhstan has signed a large number of international and intergovernmental agreements in this field. It is a party to 11 of the 12 existing international counter-terrorism agreements.

Kazakhstan's closest cooperation in this field is with the members of the Commonwealth of Independent States (CIS). It was at the initiative of the President of Kazakhstan that the CIS Anti-Terrorism Centre, now fully operational, was set up.

Cooperation to counter acts of terrorism also occurs in the framework of the Shanghai Cooperation Organization. A regional anti-terrorism structure has been established.

The Presidents of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan signed a Treaty on Joint Action to Combat Terrorism, Political and Religious Extremism, Transnational Organized Crime and Other Threats to Stability and Security.

Kazakhstan has concluded bilateral agreements on cooperation to combat terrorism and international criminal activity with a number of States including the People's Republic of China, Georgia, Germany, Hungary, Kyrgyzstan, Lithuania, Moldova, the Russian Federation, Pakistan, Turkey, Ukraine and Uzbekistan.

2. International cooperation and assistance

(i) Please give details of any assistance, including technical and financial assistance, your country has provided for purposes of supporting the implementation of the measures to prevent, combat and eradicate the illicit trade in SALW in all its aspects as contained in the United Nations Programme of Action. (III.3, 6, 10, 14)

(ii) Please describe any initiatives your country has undertaken to enhance mutual legal assistance and other forms of cooperation in order to assist

investigations and prosecutions in relation to the illicit trade in SALW in all its aspects. (III.13)

(iii) Please give details of any assistance your country has provided to combat the illicit trade in SALW linked to drug trafficking, transnational organized crime and terrorism. (III.15)

(iv) Please give details of your country's cooperation with Interpol for the purpose of identifying those groups and individuals engaged in the illicit trade in SALW in all its aspects. (II.37)

(v) Please give details of your country's use and support of Interpol's International Weapons and Explosives Tracking System database (including providing relevant information on the illicit trade in SALW). (III.9)

(vi) Please give details of your country's cooperation with the United Nations system to ensure the effective implementation of arms embargoes decided by the United Nations Security Council in accordance with the United Nations Charter. (II.32)

(vii) Please describe any steps your country has taken in cooperation with other States, or regional or international organizations, to develop common understandings of the basic issues and the scope of the problems related to illicit brokering in SALW. (II.39)

3. Cooperation with civil society and NGOs

(i) Please give details of cooperation with civil society and non-governmental organizations in activities related to the prevention, combat and eradication of the illicit trade in SALW in all its aspects, at the national, regional and global levels. (II.20, 40, 41; III.2, 18)

4. Information exchange

(i) Please describe any steps taken by your country to exchange information on national marking systems on SALW. (III.12)

The Republic of Kazakhstan sends information on national small-arms marking systems used for manufacture and/or import to the Organization for Security and Cooperation in Europe (OSCE) Conflict Prevention Centre every year.

(ii) Please give details of any information on, inter alia, SALW confiscated or destroyed within national jurisdiction, or other relevant information such as illicit trade routes and techniques of acquisition, that your country has submitted to relevant regional and international organizations. (II.23)

See section A, paragraph 6.

5. Training, capacity-building, research

(i) Please describe any initiatives your country has undertaken to enhance cooperation and exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in SALW in all its aspects. (III.7)

At national level:

Joint instructions of the Ministry of Internal Affairs, the Ministry of Industry and Trade and the Customs Inspection Agency regarding cooperation in the exchange of information regarding imported civilian and service weapons and other goods have been issued.

(ii) Please describe any regional and international programmes for specialist training on small arms stockpile management and security that your country has developed or supported. (III.8)

(iii) Please give details of any action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in SALW in all its aspects that your country has developed or supported. (III.18)
