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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, presented at the Second Biennial Meeting of States, New York, 11-15 July, 2005.

General

Pakistan fully subscribes to the objectives of the UN Programme of Action to prevent, combat and eradicate the illicit trade in Small Arms and Light Weapons in all its aspects. In its National Report submitted at the first Biennial Meeting of States held in New York in July 2003, Pakistan had elaborated measures it had taken at the national, regional and international level for the implementation of the Programme of Action.

This report encompasses the period between 2003-2005 on the progressive measures undertaken by the Government of Pakistan for the effective implementation of the Programme of Action. For the purposes of clarity as well as continuity to spell out Government of Pakistan's policy in curbing in the illicit trade in SALW, references from Pakistan's first national report have been incorporated.

Legislation, Administrative Procedures, Law Enforcement

Effective legislative administrative regulations and procedures both at the Federal and Provincial levels have evolved since Pakistan's independence which govern its SALW policy. The production, import, export, transit and transfer 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.

The Government of Pakistan follows a strict regime concerning production and manufacturing of SALW. All small arms and light weapons are produced or imported entirely by the public sector. The Government applies strict penal provisions 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.

Licensing regime to regulate and monitor the lawful private possession of SALW has been further improved since 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 the concurrence of 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 arms embargoes.

National Strategy to Combat the problem of Illicit SALW

Pakistan continues to implement effective measures under a proactive policy to discourage the SALW proliferation in its illicit trade. Since the last Biennial Meeting of States (BMS), the Government of

Pakistan has taken effective measures in the collection and destruction of illicit SALW.

The foreign occupation of Afghanistan in 1979 resulted in the largest influx of more than 3 million refugees to Pakistan. Apart from the magnitude of the massive refugee problem, millions of SALW were dumped in Afghanistan, a substantive number of which found their way into Pakistan. The anarchy in Afghanistan gave rise to narcotics and SALW trafficking, which in turn produced a nexus between forces of terrorism and violent crimes that was frequently sponsored from abroad. According to conservative estimates, 3.5 to 4 million SALW are currently in circulation in Pakistan. In order to grapple with the problem, the Government of Pakistan devised a multi-pronged and phased deweaponization strategy in June 2001, involving actions against illegal import, smuggling, possession and exhibition of weapons. A sustained public information campaign was launched and an amnesty period announced for voluntary surrendering 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 number of rounds of ammunitions. From May 2003 till 31 May 2005 another 103600 SALW of various categories were confiscated during the sustained campaign launched by the Government. During this period 2,078,300 rounds of ammunition were also recovered.

Since July 2001, a total of 129980 persons were challaned for possessing illegal SALW; out of which 80748 were arrested; 32562 were convicted to various terms of imprisonment; 4073 were acquitted while 120671 cases are sub-judice in various courts of the country.

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.

The Government of Pakistan, recognizing the vital role of law enforcement agencies in combating the proliferation and illicit trade in SALW, has taken following measures:

- Steps to revise and reform the organizational structure, responsibilities, equipment and facilities of the Police Force under the new Police Act 2001.
- Ban on use of weapons and firing in the wedding and other cultural festivities.
- Technical surveillance for controlling arms trafficking.
- Controlling the situation in Federal Administered Tribal Areas (FATA) and force deployment in tribal areas.
- Active intelligence and search operations to locate, collect, and destroy hidden caches of arms.
- Mobilization of NGOs for awareness and advocacy campaign. Ministry of Interior is closely working with non-governmental organizations such Sustainable Peace and Development Organization (SPADO) and the Community Appraisal and Motivation Programme (CAMP) to encourage collection and destruction of SALW.
- Launched public awareness campaign on issues related to illicit SALW including organization of Seminars and Symposia:
 - (a) a national seminar organized by the Ministry of Interior 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.

- (b) **National Seminar on Countering Violence: Challenges for the State and the Civil Society, September 2002.**
 - (c) **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.**
 - (d) **National Seminar for countering the causes of Violence organized by Ministry of Interior and International Organization for Migration (IOM) February 2003.**
- **The Government of Pakistan will be organizing more Seminars and Workshops in future in order to sustain the campaign against illicit SALW.**

Implementation and Cooperation at Regional level

Considering the complex, transnational nature and the linkages of the illicit trade in SALW with terrorism, organized crime and narcotics, it is important to launch efforts at the regional level 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 the 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 established in 2003 to promote cooperation, among other issues, in tackling 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 1267 against Al-Qaeda,

and has extended full cooperation to the relevant Committees established under these resolutions. Out of the 12 UN Conventions relating to terrorism, Pakistan has signed 11 while active consideration is being given to sign and ratify the last Convention.

Pakistan also actively participated in the negotiations on the International Instrument to enable States to Identify and Trace, in a Timely and Reliable Manner, illicit Small Arms and Light Weapons. The instrument will be formally adopted by the 60th UNGA. The relevant departments of the Government of Pakistan are in the process of implementation of the Instrument.

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 as well as measures envisaged in the Instrument on Marking and Tracing of Small Arms and Light Weapons.

International Cooperation

Pakistan believes that the United Nations as well as several initiatives by different countries and organizations can effectively 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 will remain largely unfulfilled unless developed states make available necessary financial resources to developing countries for capacity building of their relevant personnel and institutions.

Parallel to these initiatives at regional and international level, 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.