Permanent Mission of the Russian Federation to the United Nations

No.: 236/N

The Permanent Mission of the Russian Federation to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and, with reference to its communication No. DDA/06-2005/TSA of 14 February 2005, has the honour to submit herewith the report on implementation in the Russian Federation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The Permanent Mission of the Russian Federation to the United Nations takes this opportunity to renew to the Department for Disarmament Affairs of the United Nations Secretariat the assurances of its highest consideration.

New York, 2 May 2005
Department for Disarmament Affairs of the
United Nations Secretariat
New York
Report on implementation in the Russian Federation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (as of April 2005)

Under Russian legislation, small arms and light weapons are not in a separate category of conventional arms. The general procedure for regulating transfers of items for military use applies to small arms and light weapons.

The Russian Federation takes the recommendations of the Programme of Action into account as much as possible during consideration of issues concerning the problem of small arms and light weapons and is adopting effective measures at the national, regional and international levels to prevent the illicit proliferation of such weapons.

A. National level

1. National coordination agency

The problem of the illicit proliferation of small arms and light weapons is multifaceted and its specific aspects fall within the jurisdiction of different Russian departments. In general, the task of combating the illicit manufacture of and traffic and trade in small arms and light weapons is performed jointly by the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Defence, the Federal Security Service, the Public Prosecutor’s Office, the Federal Service for Military and Technical Cooperation, the Federal Service for Technical and Export Control, the Federal Customs Service, the Federal Agency for Industry (Rosprom) and other bodies concerned within the limits of their jurisdiction. The Russian Ministry of Foreign Affairs coordinates the negotiation process relating to all issues concerning small arms and light weapons at the international level.

2. National point of contact

A national point of contact has been established in the Russian Federation to provide liaison between States on matters relating to the implementation of the Programme of Action: the Ministry of Foreign Affairs, Department of Security and Disarmament Matters, Section for Military and Technical Cooperation (Smolenskaya-Sennaya pl., 32/34, Moscow, 119200, telephone: 244-36-86, fax: 253-90-82/83, e-mail: DVBR@mid.ru).

3. Legislation, regulations and administrative procedures

All types of activity related to small arms and light weapons in Russia are subject to licensing.

3.1 Development, manufacture, repair and recycling of small arms and light weapons

Licences for the development, manufacture, repair and recycling of small arms and light weapons, the manufacture of cartridges for small arms and light weapons and the development, manufacture and recycling of ammunition are issued by Rosprom in accordance with the following legal acts:


Government Decision No. 135 of 11 February 2002 on the licensing of specific types of activity — Sobranie zakonodatelstva Rossiiskoi Federatsii, 4 March 2002, No. 9, page 928;

Government Decision No. 455, 456 and 457 of 21 June 2002 confirming the following:

Regulation on the licensing of the manufacture of weapons and basic components of firearms — Sobranie zakonodatelstva Rossiiskoi Federatsii, 1 July 2002, No. 26, page 2598;

Regulation on the licensing of activities in the area of weapons and military equipment — Sobranie zakonodatelstva Rossiiskoi Federatsii, 1 July 2002, No. 26, page 2599;

Regulation on the licensing of the manufacture of cartridges for weapons and component parts of cartridges — Sobranie zakonodatelstva Rossiiskoi Federatsii, 1 July 2002, No. 26, page 2600;


In accordance with the administrative procedures adopted in the Russian Federation, at the manufacturing stage of small arms and light weapons, the following are subject to control:

(a) Use of technical documentation on weapons;

(b) Registration and storage of specialized technical equipment;

(c) Registration of parts, assembly units and the finished product in the process of manufacture, transport and storage;

(d) Procedure for the storage and destruction of weapons, including defective weapon parts;

(e) Procedure for the marking and stamping of weapons.
3.2 Foreign trade activities involving small arms and light weapons

Decisions on the export, import and re-export of small arms and light weapons are taken by the President, the Government or the Federal Service for Military and Technical Cooperation on the basis of the following legislative and regulatory acts:

Federal Act No. 164 of 8 December 2003 on the bases for State regulation of foreign trade activities, as amended by Federal Act No. 122 (article 1) of 21 August 2004 — Sobranie zakonodatelstva Rossiskoi Federatsii, 15 December 2003, No. 5, page 4850;

Federal Act No. 10 (article 17) of 13 December 1996 on weapons;

Federal Act No. 114 (articles 4 and 9) of 19 July 1998 on military and technical cooperation between the Russian Federation and foreign States;

Federal Act No. 183 of 18 July 1999 on export control, as amended by Federal Acts No. 196 of 30 December 2001 and No. 58 (articles 1, 2, 5, 8, 16 and 25) of 29 June 2004 — Sobranie zakonodatelstva Rossiskoi Federatsii, 26 July 1999, No. 30, page 3774;

Presidential Decree No. 235 of 18 February 1993 on the procedure for imposing an embargo on the supply of weapons and military equipment, the provision of military technical services and the supply of raw material, materials and equipment and the transfer of military and dual-use technology to foreign States, including members of the Commonwealth of Independent States — Sobranie aktov Prezidenta i Pravitel'stva Rossiskoi Federatsii (Collection of Acts of the President and Government of the Russian Federation), 22 February 1993, No. 8, page 658;


Presidential Decree No. 1357 of 17 November 2003 on the federal State unitary enterprise Rosoboroneksport, as amended by Decree No. 1083 of 16 August 2004 — Sobranie zakonodatelstva Rossiskoi Federatsii, 24 November 2003, No. 47, page 4518;


Government Decision No. 244 of 21 February 1998 confirming the Regulations on the register of organizations of the Russian Federation entitled to engage in foreign economic activities with respect to items for military use, as amended by decisions No. 181 of 16 February 1999, No. 1354 of 6 December 1999,

Government Decision No. 1109 of 2 October 1999 confirming the Regulations on the provision by federal executive bodies of military and technical support and control of the development, manufacture and supply of items for military use — Sobranie zakonodatelstva Rossiskoi Federatsii, 11 October 1999, No. 4, page 4927;

Government Decision of 20 November 1999 on several measures for State regulation of military and technical cooperation with foreign States — Sobranie zakonodatelstva Rossiskoi Federatsii, 29 November 1999, No. 4, para. 5856;

Government Decision No. 647 of 30 August 2001 confirming the procedure for listing items for military use licensed for transfer to foreign clients and the procedure for listing States licensed to transfer items for military use indicated in the list of items for military use licensed for transfer to foreign clients, as amended by Government Decision No. 49 of 1 February 2005 — Sobranie zakonodatelstva Rossiskoi Federatsii, 10 September 2001, No. 37, page 3688;

Ministry of Trade Instruction No. 58 of 10 February 2000 on the procedure for providing the Ministry of Trade with information and documents necessary for the registration of contracts concerning foreign trade activities related to items for military use and for exercising control over their execution — “Byulleten' normativnykh aktov Rossiskoi Federatsii” (“Bulletin of Regulatory Acts of the Russian Federation”), No. 16, 17 April 2000.

3.3 Transit

The transit of small arms and light weapons is governed by the Regulations on the transit of arms, military equipment and military stores through the territory of the Russian Federation, approved by Government Decision No. 306 of 8 April 2000 — Sobranie zakonodatelstva Rossiskoi Federatsii, 17 April 2000, No. 16, page 1702.

Transit may be effected by any means of transport with authorization from the Federal Customs Service in agreement with the Russian departments concerned, including the Ministry of Defence, the Ministry of Foreign Affairs, the Ministry of Internal Affairs and Federal Security Service (paragraph 2 of the decision).

Small arms and light weapons are subject to border and customs control and formalities while in transit through the territory of the Russian Federation (paragraph 3 of the decision).

Aircraft carrying small arms and light weapons may not cross the territory of the Russian Federation without landing for border and customs formalities (paragraph 4 of the decision).

4. Law enforcement/criminalization

In accordance with the Constitution of the Russian Federation of 12 December 1993, all national laws must be officially published. No regulatory or legal instruments affecting human rights, freedoms and obligations may be applied unless they have been officially published for general information (article 15).
Legal regulation in the area of small arms and light weapons involves the need for authorization: all actions not permitted explicitly under legislative acts are prohibited. Depending on the type of violation of the procedure governing trade in small arms and light weapons, Russian legislation provides for administrative, material or criminal liability.

In accordance with the Criminal Code of the Russian Federation of 13 June 1996, the illegal manufacture, storage, trade, acquisition, transfer, transport and bearing of small arms and light weapons are defined as criminally punishable offences. Criminal punishments are also provided for the theft, negligent storage and inadequate protection of small arms and light weapons.

Article 188 provides for punishment for the smuggling of firearms in the form of imprisonment for up to 12 years (revised version of 7 May 2002).

Article 222 provides for punishment for the illegal acquisition, transfer, sale, storage, transport or bearing of firearms, ammunition, explosive materials and explosive devices in the form of imprisonment for up to eight years (revised version of 25 June 1998).

Article 223 provides for punishment for the illegal manufacture of firearms in the form of imprisonment for up to eight years (revised version of 25 June 1998).

Article 224 provides for punishment for the negligent storage of firearms creating conditions for their use by another person, if this leads to grave consequences, in the form of imprisonment for up to one year.

Article 225 provides for punishment for dereliction of duty by a person to whom a firearm, ammunition, explosive materials or explosive devices have been issued, if this leads to their theft, destruction or other grave consequences, in the form of imprisonment for up to two years.

Article 226 provides for punishment for the theft or extortion of firearms, spare parts for them, ammunition, explosive materials or explosive devices in the form of imprisonment for up to 15 years.

Article 348 provides for punishment for violating the rules for protecting weapons, ammunition or items of military equipment that have been entrusted for service use if, through negligence, this leads to their loss, in the form of imprisonment for a period of up to two years (revised version of 25 June 1998).

Article 349 provides for punishment for violating the rules for the use of weapons and ammunition if, through negligence, this causes the death of a person, in the form of imprisonment for up to five years or, in the case of the death of two or more persons, for a period of up to 10 years.

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

Prohibition of the supply of small arms and light weapons to States in respect of which a Security Council embargo is in effect is imposed immediately by a decree of the President of the Russian Federation. The procedure for such actions is established by Presidential Decree No. 235 of 18 February 1993. In accordance with this procedure, provision of the aforementioned supplies and services and the relevant licensing of participants in foreign trade activities is halted and the relevant intergovernmental agreements and contracts lapse until the Security Council lifts the sanctions.

5. Stockpile management and security

The circulation of small arms and light weapons is governed by the following regulatory acts:

Federal Act No. 10 of 13 December 1996 on weapons;


Government Order No. 1207 of 3 August 1996 confirming the list of civilian and service weapons and ammunition for them included in the State register of civilian and service weapons — Sobranie zakonodatelstva Rossiskoi Federatsii, 12 August 1996, No. 34, page 4014;

Government Order No. 868 of 21 June 2000 on the establishment of a federal automated inventory of civilian, service and combat firearms owned by organizations and citizens — Sobranie zakonodatelstva Rossiskoi Federatsii, 3 July 2000, No. 27, page 2855;


In accordance with the Regulation on the Ministry of Internal Affairs (Presidential Decree No. 927 of 19 July 2004), the organization and implementation of State control over the circulation of weapons are among the Ministry’s main responsibilities. The Ministry is responsible for the implementation of national measures to detect and suppress instances of illicit trafficking in weapons and
ammunition, the establishment of channels for their acquisition and transportation, the tracking of such activity through systematic intelligence operations and the organization of cooperation with other law enforcement structures.

The national legislation and regulatory base for exercising control over the manufacture, storage, transport and use of small arms and light weapons and cartridges for them continued to be enhanced between 2003 and 2005.

Of the crimes related to the illicit trade in small arms and light weapons, 79.4 per cent involved illicit acquisition, transfer, sale, storage, transport and bearing; 11.3 per cent involved manufacturing and 8.4 per cent involved theft.

The Ministry of Internal Affairs has taken up the issue of additional marking of weapons issued. An encrypted marking system for gas weapons was introduced at the Izhevsk Mechanical Plant in 2003. The methods and means used for the encrypted marking make it practically impossible to destroy the marks on the weapon. There are plans to introduce the encrypted marking system for all manufactured models of civilian and service weapons beginning in 2005.

The certification requirements for civilian and service weapons are being systematized. For this purpose, the Ministry of Internal Affairs has adjusted forensic requirements on the basis of analyses of crimes involving weapons, through:

The establishment of additional restrictions for models with built-in (integrated) parts designed for silent firing;

The introduction of new requirements to prevent the conversion of gas weapons into firearms;

The establishment for barrelless self-defence weapons of the same marking and tracking requirements as for firearms;

The determination of parameters for tracking cartridge cases for smoothbore firearms and gas and flare weapons;

The prohibition against manufacturing items designed to look like weapons, including full-scale mock-ups of weapons.

The Ministry of Internal Affairs is seriously concerned about the circulation of models of civilian weapons that are almost identical to their military counterparts.

Therefore, in accordance with Government Order No. 1511 of 23 November 2004, the Ministry of Internal Affairs is participating in drafting additions to the Programme to formulate technical regulations for 2004 to 2006. There are plans to establish requirements at the legislative level for the safety of civilian and service weapons, their basic parts and cartridges for weapons and additional requirements for their safe trading.

In accordance with Federal Act No. 814 of 21 July 1998 on weapons and Government Decision No. 868 of 21 June 2000, automated systems to monitor the circulation of small arms and light weapons are being introduced.

Automated monitoring is urgently needed to provide direct domestic control over organizations dealing with weapons. The most promising avenue involves automated monitoring of the presence and movement of weapons and cartridges for them on the basis of established databanks on the registration, sale, transfer and withdrawal of weapons and on their owners and users.
The Ministry of Internal Affairs is now setting up the Oruzhie automated information-retrieval system, which is needed in order to create the necessary databank. Installation of the computer hardware and software for all internal affairs agencies of the constituent entities in the Russian Federation was completed on schedule in 2004.

By 1 January 2005, more than 4.5 million weapons had been registered with the Ministry of Internal Affairs central databank, which accounts for 83 per cent of the number of weapons registered by internal affairs agencies. In addition, most of them (70 per cent) were registered in the central databank in 2004.

The long-term objective of expanding the operational capacities of the automated information-retrieval system is to establish an integrated information system for the Ministry of Internal Affairs, enabling the Oruzhie digital information-retrieval system to interface with databases on stolen and lost weapons and integrated databases at the federal and regional level.

The Ministry of Internal Affairs provides information to the Ministries and departments concerned about violations that have been detected with regard to trade in weapons and explosive materials and prepares joint instructions on ways and means of combating illicit trading in weapons, ammunition and explosive materials as one of the priorities of efforts to combat organized crime.

In 2004, the Russian Government adopted a programme for 2005 to 2010 developed specifically by the Ministry of Defence for restructuring stockpiles of missiles, ammunition and explosive substances and making their storage and operating systems safe from explosions and fire. By improving logistics, implementation of this programme greatly enhances the safety of the existing stockpiles of small arms and light weapons and ammunition for them held by the Armed Forces.

A unified coordination body (Service for monitoring the weapons trade) was established in the Armed Forces in 2003.

The Ministry of Internal Affairs and other authorized bodies systematically verify compliance with the rules on registration and storage of firearms at enterprises. Ensuring adequate security for small arms and light weapons and ammunition for them in the Russian Federation is a major obligation of the officials concerned. They are required to have exact information at all times about the existence and condition of small arms and light weapons, to follow a strict procedure for organizing their protection, registration, storage, delivery and use that precludes loss and theft, to verify the condition of storage sites regularly, and to take immediate steps to eliminate any violations found. The officials are appointed on the basis of the findings of a board of certification.

Small arms and light weapons and ammunition are stored in separate locations, equipped with alarm systems, under continuous physical protection. Technical means of protection ensure the reliable operation of alarm systems in the event of any unauthorized opening of the storage sites of small arms and light weapons or damage to wiring (there is no device for forcibly shutting down the alarm). The opening of a weapons chamber is carried out only with the permission of the commander of the subdivision, and the duty officer of the unit is duly informed.
Officials who have not taken the necessary steps to ensure the security of small arms and light weapons and their ammunition, and also persons who have stolen or lost them, are criminally prosecuted under the established procedure. The competent bodies institute criminal proceedings and organize inquiries. In units and subdivisions there is provision for recording the serial numbers of stolen (lost) and missing weapons in a separate ledger.

The above-mentioned elements of the procedure for managing stockpiles of small arms and light weapons and ensuring their security, adopted in the Russian armed forces, are standard for all State militarized organizations.

Comprehensive inspections of sites for the storage and manufacture of weapons, ammunition and explosive substances are now being conducted in these organizations, regardless of the department to which they are attached. The findings will result in the development and implementation of measures to bring conditions for the storage of small arms and light weapons into conformity with regulations.

6. Collection and disposal

6.1 Collection

Following departmental instructions, checks are regularly conducted in the Russian Federation to identify surplus stocks of small arms and light weapons in relation to the needs of the armed forces and State militarized organizations. Such surpluses are taken out of service and placed in secure storage. Subsequently, they may be exported in accordance with the law or destroyed.

Active efforts are being made to locate lost and stolen small arms and light weapons. As of 1 January 2005, more than 28,000 confiscated foreign-made firearms were reported by the Ministry of Internal Affairs, of which some 12,000 were rifled weapons. In 2004 alone, 1,194 weapons made in Germany, China, the Czech Republic, Italy and Belgium were withdrawn from illegal circulation. Most of the smuggled items were sent through the Baltic countries and Poland and also Georgia and Azerbaijan to north-western and south-western areas.

For these purposes a draft instruction is being developed together with the Federal Customs Service, specifying measures to strengthen prevention in the border regions, including participation of the Federal Security Service and law enforcement bodies of neighbouring countries.

In order to step up efforts to combat the illicit trafficking in weapons, large-scale operations are being conducted such as “Dinamit-Balans,” “Arsenal,” “Piroteknika,” “Shchit” and others, during which 14,500 illegal firearms, more than 200,000 pieces of various ammunition and rifle cartridges and 1.9 million pyrotechnic items were withdrawn from illicit circulation. Criminal proceedings have been instituted against 12,500 persons and administrative proceedings against 89,300.

Disposal

Illegal small arms and light weapons withdrawn (confiscated or collected) by the internal affairs agencies are generally destroyed to the extent allowed by the criminal cases, regardless of their technical suitability.
The destruction of small arms and light weapons is carried out in accordance with the departmental regulatory documents.

The method for recycling small arms and light weapons used in the Russian Federation — turning them into scrap metal — completely excludes the possibility of their subsequent reassembly or reuse. They are converted into scrap metal by means of heating in a furnace (oven) and then completely reshaped into metallic strips under a press (hammer). If necessary, before heating, they are broken into pieces. These methods of destroying small arms and light weapons have proven to be a reliable means of permanently recycling these weapons.

The Russian departments are now preparing a draft governmental decision confirming the 2006 to 2010 special federal programme on industrial recycling of weapons and military equipment, whereby the Federal Agency for Industry will upgrade methods and procedures for the effective destruction of small arms and light weapons, strict registration of recycled weapons and optimal means of shipment.

7. Export controls (details on the regulations governing exports of small arms and light weapons are given in section 3.2)

Among the most effective instruments for preventing small arms and light weapons from entering illegal circulation are the authorization procedures for foreign trade activities with respect to items for military use.

The Federal Service for Military and Technical Cooperation coordinates and monitors foreign trade activities of Russian entities involved in military and technical cooperation.

Federal Act No. 114 of 19 July 1998 on military and technical cooperation between the Russian Federation and foreign States (article 4) provides for a State monopoly in the area of military and technical cooperation, which ensures that exclusive authority is exercised by the Russian organs of State Authority.

The President formulates and endorses two lists for foreign trade activities related to items for military use, which may be amended where necessary:

List No. 1 includes items for military use permitted to be transferred to foreign clients. Items not on the list may be exported only on the basis of a presidential decision.

List No. 2 includes the States to which the items for military use on List No. 1 may be transferred. The transfer of specific types of such items to individual States on List No. 2 may be restricted by presidential decision. Items may be exported to States not on List No. 2 only on the basis of a presidential decision. List No. 2 is drawn up by the Ministry of Foreign Affairs.

In cases not requiring a decision by the Russian President, the transfer of items for military use requires a decision of the Federal Service for Military and Technical Cooperation and, where necessary, a decision of the Russian Government at the request of the Service.

In decisions on the transfer of small arms and light weapons, a variety of political, economic and military factors are taken into account, as well as some other factors such as: the international legal status of the receiving State or organization.
for which the contract for the supply of small arms and light weapons has been concluded; the domestic situation in the receiving country and in the region as a whole with regard to the existence of tension or armed conflict (the transfer must not lead to the destabilizing stockpiling or use of weapons); whether the receiving country respects international law and other obligations on the non-use of force; and whether human rights are respected in the receiving country.

The Ministry of Foreign Affairs is the leading federal body in the area of relations with foreign Governments and international organizations and provides overall monitoring of the implementation of the Russian Federation’s international obligations. The Ministry coordinates the activities of other federal executive bodies in this area. (Presidential Decree No. 375 of 12 March 1996, paragraph 1).

In accordance with Presidential Decree No. 1953 of 1 December 2000 on questions relating to military and technical cooperation between the Russian Federation and foreign States, export licences for small arms and light weapons may be issued only if the following documents are submitted by the importer:

(a) An authorization to carry out a specific transaction issued by the competent State agency of the country of registration of the foreign firm that has concluded a contract with a Russian organization to carry out a foreign economic operation involving small arms and light weapons;

(b) The duly certified (by the Russian consulate in the importing country) original copy of the end-user certificate issued by the competent State body, specifying the obligations of the receiving country to use the imported small arms and light weapons only for its stated needs and not to allow their re-export or transfer to a third country without the written consent of the Russian Federation.

In accordance with the Regulation on the procedure for military and technical cooperation between the Russian Federation and foreign States confirmed by Presidential Decree No. 1953 of 1 December 2000:

– Small arms and light weapons being moved across the customs border of the Russian Federation are subject to customs formalities and customs control in accordance with the procedure established by Russian customs legislation. In addition, an appropriate licence to import (export) such items issued by the Federal Service for Military and Technical Cooperation is a prerequisite for the completion of customs formalities and customs control (paragraph 8);

– The adoption of a decision on the export of small arms and light weapons requires a document specifying the obligation of the competent body of the foreign State to use the small arms and light weapons exported from the Russian Federation only for the stated purposes and not to allow their re-export or transfer to third countries without the consent of the Russian Federation (paragraph 5);

– Decisions on the re-export or transfer to third countries of small arms and light weapons delivered to foreign clients and on the transfer to third countries of small arms and light weapons manufactured under Russian licence are taken by the President of the Russian Federation, if the delivery is made on the basis of a decision of the Russian President or if it is planned to re-export or transfer such weapons to a State not on the list of States to which the transfer is permitted of items for military use or the list of military items permitted to be
transferred to foreign clients. In other cases, decisions on the re-export or transfer to third countries of small arms and light weapons are taken by the Government of the Russian Federation (paragraph 6):

– Contracts concluded by entities involved in military and technical cooperation must include the obligation for foreign clients to use small arms and light weapons purchased by them only for the stated purposes and not to allow their re-export or transfer to third countries without the consent of the Russian Federation (paragraph 12).

In accordance with the Regulation on the procedure for granting organizations of the Russian Federation the right to conduct foreign trade activities with respect to items for military use, confirmed by Presidential Decree No. 1953:

Entities involved in military and technical cooperation must take measures to prohibit the re-export or transfer to third countries of Russian-made small arms and light weapons without the permission of the President or Government of the Russian Federation and, upon discovery of such cases, report them immediately to the Federal Service for Military and Technical Cooperation (paragraph 10).

In accordance with the Procedure for licensing in the Russian Federation the import and export of items for military use, the import and export of which is subject to control and licensing, confirmed by Presidential Decree No. 1953:

In order to receive a licence entitling it to engage in foreign trade activities with respect to items for military use, the applicant organization must present to the Federal Service for Military and Technical Cooperation a document specifying the obligation of the competent body of the foreign Government to use the exported items for military use only for the stated purposes and not to allow their re-export or transfer to third countries without the consent of the Russian Federation.

Within the framework of the special federal programme for the reform and development of the military industrial complex (2002 to 2006), Rosprom is creating an integrated database on organizations developing and manufacturing items for military use that are a party to foreign trade contracts; for this purpose, organizations are now obliged to keep statistics on deliveries of items for military use to be exported.

8. Brokering

Foreign trade in small arms and light weapons may be carried out only by legal entities: the State agent, the specialized federal State enterprise “Rosoboroneksport” or organizations developing and manufacturing small arms and light weapons which have obtained this right under the established procedures and received a licence from Rosprom to develop and/or manufacture items for military use. Organizations that have obtained the right to engage in foreign trade in items for military use become entities involved in military and technical cooperation in the same way as “Rosoboroneksport”. In addition, organizations developing and manufacturing small arms and light weapons may export only the items that they develop and/or manufacture. This activity is prohibited for Russian natural persons (article 6 of the Federal Act on military and technical cooperation between the Russian Federation and foreign States).
9. Marking, record keeping and tracing

9.1 Marking of small arms and light weapons

A unique SALW marking system is used in the Russian Federation. Although it was developed and introduced some time ago, it corresponds to all the recommendations in the Programme of Action and makes it possible to identify any small arm or light weapon from the time that it is manufactured until it is recycled. The need to apply a marking on each small arm or light weapon is laid down in the Federal Act on weapons (art. 16) and in departmental regulatory documents approved even before the adoption of the Programme of Action.

Every small arm and light weapon carries a marking, which includes an identification mark of the manufacturer, an individual number for the weapon assigned according to the manufacturer’s system and a date of manufacture. The number is imprinted (no less than 0.2 millimetres deep) and, if removed mechanically, can be easily restored through forensic examination.

In the same way, the hammer and trigger assembly, the piston, breach lock, stock, gas cylinder and safety catch are also marked with the last three digits of the product number. Where necessary, an electrographic marking is also placed on the basic weapon parts.

The marking may not have a manufacturer’s identification mark if the type of weapon in question is manufactured by only one company.

The marking of service and civilian weapons meets the requirements of the Permanent International Commission for the Proof of Small Arms established pursuant to the Brussels Convention for the Reciprocal Recognition of Proof Marks on Small Arms of 1 July 1969, to which the Russian Federation has been a party since November 1994.

The marking of both rifled and smoothbore service and civilian weapons contains information on the country of manufacture (“made in the Russian Federation”), the trademark of the manufacturer, the identification mark of the weapon model, the year of manufacture or last two figures of the year of manufacture and the individual number of the weapon. Rifled weapons indicate, in addition, the type of cartridge used (“calibre and length of casing: 7.62 x 39 mm, 7.62 x 51 mm”, etc.), and smoothbore weapons indicate the calibre of the cartridge used and length of the barrel chamber, the nominal bore diameter, the size of a tapered muzzle or presence of an enlarged bore and the permissible maximum pressure level of explosive gas.

The Russian Institute of Precise Mechanical Engineering has now developed a firearms marking system in which the cartridge surface is microscopically embossed with a symbol containing coded information on the registration number of the weapon. When the weapon is fired, this information is transmitted to the casing in the form of a trace impression, which allows the weapon to be identified from the discharged casing; this can even be done immediately at the scene of a crime.

In the Russian Federation, the Armed Forces and State paramilitary organizations use only domestically produced small arms and light weapons, so that the problem of marking imported weapons of that type does not exist.
The manufacture of unmarked weapons in the Russian Federation is prohibited and is prosecuted in the manner established under national legislation. In this connection, the trading in and storage of unmarked small arms and light weapons in the territory of the Russian Federation is also prohibited. Such weapons are termed illegal and are destroyed or properly marked.

9.2 Record keeping and tracing

In order to keep comprehensive and accurate records of small arms and light weapons in the Russian Federation, manufacturing enterprises maintain centralized records and control. Each month, such weapons are counted individually. In addition, a commission appointed by the enterprise director conducts an annual check of the presence and storage conditions of small arms and light weapons. The registration and safe storage of finished products is regulated by the Instructions on the procedure for receiving, registering and storing finished products and admitting persons to warehouses. Information on small arms and light weapons is retained at manufacturing enterprises for 10 years and in the organizations that use them for an indefinite period.

The Armed Forces and State paramilitary organizations plan to keep special documentation recording each issuance of weapons and ammunition. Small arms and light weapons are recorded in a special register which indicates their movement and presence in warehouses and each unit. In addition, number-based records of small arms and light weapons are kept for units (leaders). Records are kept of ammunition for small arms and light weapons on the basis of classification by type, calibre, bullet effect, factory number and year of manufacture. Small arms and light weapons assigned to leaders are registered on their service record sheets (identity cards) with an indication of the type, series, weapon number and issue date. The storage of unassigned weapons is categorically prohibited.

The Ministry of Defence has established an integrated automated system of number-based records for small arms and light weapons. Records have now been compiled for 82.4 per cent of all small arms and light weapons, and work on inventory and recording such “sensitive” weapons as man-portable air defence systems (MANPADS) has been fully completed.

In order to upgrade the record-keeping system for small arms and light weapons, the Ministry of Defence has adopted a decision on the permanent retention of documents concerning trade in small arms and light weapons, man-portable air defence systems and their components, anti-tank missile systems and their missiles, ammunition, explosive substances and explosive devices.

In the interests of the law enforcement agencies, the State paramilitary organizations of the Russian Federation and the law enforcement agencies of the member States of the Commonwealth of Independent States (CIS), the Ministry of Internal Affairs is organizing and conducting centralized registration of missing (stolen or lost) and uncovered (confiscated, found or voluntarily surrendered) firearms. This registration will be carried out with the help of the Oruzhie automated information-retrieval system. A database for lost and uncovered small arms and light weapons has been created and is updated daily. Enquiries concerning weapons verification are processed on a 24-hour basis.
The Ministry of Defence and other State organizations that have small arms and light weapons inform the Ministry of Internal Affairs of instances of theft, loss and deterioration of such weapons. Information on lost weapons is collated annually with all State paramilitary organizations.

The Ministry of Internal Affairs is now studying the possibility of equipping firearms and traumatic weapons with a pressure gauge, ballistics calculator and electronically archived information, which would permit automated registration and make it possible to document whether the weapon was modified or improperly used.

10. Disarmament, demobilization and reintegration (DDR)

In the Russian Federation, disarmament, demobilization and reintegration programmes have been formulated and are being carried out; they include the collection, control, storage and destruction of small arms and light weapons, particularly in the territory of Chechnya.

The system for working with uncovered weapons in the northern Caucasus is specified in an interdepartmental order of the Ministries of Internal Affairs, Defence, Justice and Emerging Situation on the procedure for the recording, documenting, identification, transfer and storage of weapons, cartridges, ammunition and explosives confiscated, found and voluntarily surrendered during counter-terrorist operations conducted in the territory of the northern Caucasus region of the Russian Federation.

There are programmes for buying back small arms and light weapons from the population and voluntary surrender of weapons.

The public is regularly informed through the media about progress in the implementation of these programmes. In the interests of security and maintenance of law and order, there is no public destruction of small arms and light weapons.

The Ministry of Internal Affairs has taken steps to organize the voluntary surrender of illegally owned weapons by citizens.

A preventive campaign including material incentives was launched in 41 regions of the Russian Federation. Over the past nine years, some 194,000 weapons were voluntarily surrendered (in 2004, the figure was 34,900, or 4.2 per cent more than in 2003), a third of which involved compensation (at a cost of 43.5 million rubles).

Over the past five years, the number of confiscated firearms increased sevenfold (6,707 firearms in 1999 and 48,130 in 2004), not counting home-made weapons and models with serial number removed. More than 4,000 gas weapons that had been modified to shoot live rounds were also confiscated, of which 154 had been used to commit crimes.

Modified and home-made weapons make up, respectively, 11.1 per cent and 10.2 per cent of the overall number of uncovered (confiscated, found and voluntarily surrendered) weapons.

In order to implement disarmament programmes, particularly in post-conflict situations, the Criminal Code of the Russian Federation waives criminal responsibility for the illegal acquisition, transfer, sale, storage, transportation or bearing of small arms and light weapons in the case of persons who have voluntarily
surrendered weapons, provided that they have not carried out any other actions which could give grounds for prosecution.

11. Awareness-raising

As they are adopted, Russian national laws, regulations and procedures governing small arms and light weapons are announced and published in the media and are available to the public. This also applies to information on confiscated and destroyed small arms and light weapons which is provided by the Ministry of Internal Affairs and the Ministry of Defence. However, detailed data on illegal trade routes for small arms and light weapons are not widely publicized in view of the need to maintain confidentiality in combating this criminal phenomenon. The activities of law enforcement agencies, including the control of illicit trading of small arms and light weapons, are covered by the relevant press services.

12. Results of efforts to combat the illicit trade in weapons

As a result of measures taken in the Russian Federation in 2004, there was a decline in the number of offences relating to illicit trading in weapons (28,446, or 47.5 per cent lower than in 2003) and of offences committed using such weapons (22,690, or a decline of 14.8 per cent). More than 344,000 firearms were removed from illicit trade, including 62,400 from armed gangs and criminals.

In 2004, the Ministry of Internal Affairs prevented 266 acts of terrorism, eliminated several channels for financing gangs and supplying weapons to them and disclosed leaks of component parts for pistol assembly from manufacturers.

The number of crimes related to the use of firearms has declined since 2003 (9,641, or 17.9 per cent fewer than in 2003).

The preventive measures organized in Dagestan which provided material incentives for surrendering arms resulted in a 3.7 per cent decline in 2004 in the number of crimes in the area of illicit trading and use of weapons.

In 2004, 176 crimes were recorded at weapons and ammunition manufacturers, including 26 in the area of illicit trading in such items and 144 criminal proceedings were instituted, of which 93 came to court.

In 2004, an operational audit was conducted of 214 manufacturers’ export contracts for the supply of weapons, ammunition and pyrotechnic items and more than 250 inter-State supply contracts.

Regulatory requirements on weapons storage conditions have been tightened, resulting in an 8.5 per cent decrease in instances of loss and theft of weapons in organizations.

The number of weapon owners fell by 4.3 per cent; 4.58 million citizens currently possess weapons and 5.43 million civilian and presentation weapons are in use. The number of stolen and lost personal weapons decreased by 2 per cent.

When verifying the observance of conditions for the storage and safety of weapons, internal affairs agencies detected 450,000 violations in 2004, issued 162,000 written directives and filed more than 306,600 reports concerning administrative offences, of which 96.7 per cent related to citizens possessing personal weapons.
B. Regional level

1. Legally binding documents

In December 1999, the Russian Federation signed the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals, adopted at Strasbourg on 28 June 1978 by the Council of Europe. The subject of the Convention is mutual assistance between the contracting parties through the appropriate administrative authorities in suppressing illegal traffic in firearms and tracing and locating firearms transferred from the territory of one State to the territory of another. The Ministry of Internal Affairs is currently developing a federal draft act on ratification of the Convention and is completing the preparation of a package of corresponding ratification instruments.

2. Moratorium and regional programmes of action

When exporting small arms and light weapons, the Russian Federation takes full account of existing regional initiatives in this area. In particular, it is exercising caution in supplying small arms and light weapons to West Africa because of the Economic Community of West African States (ECOWAS) moratorium on the import, export and manufacture of small arms and light weapons in effect since 1 November 1998. In supplying small arms and light weapons to Latin America, the Russian Federation takes into account the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials, adopted by the Organization of American States in 1997.

3. Regional cooperation

The Russian Federation also cooperates closely with States members of the Organization for Security and Cooperation in Europe (OSCE) in formulating effective measures directed towards the reduction and elimination of the illicit proliferation of small arms and light weapons.

The Russian Federation participated actively in the drafting of the OSCE Document on Small Arms and Light Weapons, which was adopted on 24 November 2000 at the OSCE Forum for Security Cooperation, and took part in the drafting and coordination of the following documents:

- Handbook of Best Practices on Small Arms and Light Weapons (the section on National Controls over Manufacture of Small Arms and Light Weapons was drafted by the Russian Federation and approved in December 2003);
- OSCE principles concerning export controls on MANPADS (adopted in May 2004);
- Standard elements of end-user certificates and verification procedures for exports of small arms and light weapons (adopted in November 2004);
- OSCE principles on the control of brokering in small arms and light weapons (adopted in November 2004).

In accordance with the Regulation on information-sharing provided for in the OSCE Document on Small Arms and Light Weapons, adopted by the Government of the Russian Federation on 26 July 2001, information for 2003 was submitted to the OSCE secretariat in June 2004 on Russian exports of small arms and light weapons.
to other OSCE member States and imports of small arms and light weapons from
OSCE member States into the Russian Federation and on the number of small arms
and light weapons destroyed in 2003, including those withdrawn from illicit
circulation in the territory of the Russian Federation.

Within the framework of the Commonwealth of Independent States, the
Russian Federation is taking steps to establish mechanisms for transborder customs
cooporation and information-sharing among law enforcement, border and customs
control agencies, with a view to preventing the illicit movement of small arms and
light weapons across borders. In this area, a number of regulatory instruments have
been adopted, including Government Order No. 999 of 8 September 2003 on
customs formalities for goods transported across the customs border of the Russian
Federation within the framework of inter-State agreements on industrial, scientific
and technical cooperation between defence sector enterprises (Rossiiskaya gazeta,
No. 208, 16 October 2003).

In implementation of the decision of the CIS Council of Heads of State of
19 September 2003, at the initiative of the Russian Federation a multilateral
intergovernmental agreement on procedures for the exchange of timely information
on MANPADS sold (transferred) and acquired among CIS member States has been
drafted and is now being coordinated in CIS. The agreement specifies a single
format, procedure and time limit for sharing of information on MANPADS.

In implementation of the decision of the CIS Council of Heads of Security
Bodies and Special Services, the Ministry of Internal Affairs took part from August
to October 2004 in updating the draft strategy for a uniform marking of weapons,
ammunition and explosive substances.

Within the framework of the Wassenaar Arrangement on Export Controls for
Conventional Arms and Dual-Use Goods and Technologies, the Russian Federation
has since 2004 been submitting data to the Wassenaar Arrangement secretariat twice
a year, in accordance with a decision of the 2003 plenary session, on the supply of
small arms and light weapons to States that are not parties to the Arrangement.

The Russian Federation has removed MANPADS from the Dniester region for
the purpose of preventing such systems from entering CIS “conflict zones”.

C. Global level

1. Legally binding documents

The Russian Federation participated in the drafting of the United Nations
Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts
and Components and Ammunition, supplementing the United Nations Convention
against Transnational Organized Crime, which was adopted by the General
Assembly on 31 May 2001.

In accordance with General Assembly resolution 58/54 on transparency in
armaments, adopted in December 2004, the Russian Federation has since 2004
provided data on its exports and imports of MANPADS for the Register of
Conventional Arms.

The Russian Federation cooperates closely with the United Nations system to
ensure the effective implementation of arms embargoes decided by the United

...
Nations Security Council. Deliveries of small arms and light weapons are made to foreign States in strict compliance with the Russian Federation’s international obligations and with the purposes and principles laid down in the Charter of the United Nations.

2. **International cooperation and international assistance**

   The Russian Federation cooperates with the United Nations in the search for practical ways of resolving problems relating to the illicit proliferation of small arms and light weapons.

   The Russian Federation participated in two sessions (June 2004 and January and February 2005) of the Open-ended Working Group on Tracing Illicit Small Arms and Light Weapons established pursuant to General Assembly resolution 58/241 of 23 December 2003 to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. The basic sections of the draft document concerning the marking and registration of small arms and light weapons and international cooperation in the area of tracing illicit small arms and light weapons were developed with its active participation and took into account its position.

   In order to enhance States’ ability to cooperate in combating illicit traffic in small arms and light weapons, the Russian Federation’s bilateral and multilateral contacts with foreign States are being intensified and efforts made to improve mechanisms for active cooperation in this sphere.

   The Russian Federation participated actively in drafting the document entitled “Enhance Transport Security and Control of Man-Portable Air Defence Systems” adopted at the Group of Eight (G8) summit in Evian, the G8 Action Plan adopted at the Sea Island summit in June 2004 concerning, inter alia, reducing the threat of MANPADS as well as the document entitled “Elements for Export Controls of Man-Portable Air Defence Systems” adopted in December 2003 within the framework of the Wassenaar Arrangement.

   In July 2004, the Russian Federation co-sponsored with Australia at the fifty-ninth session of the United Nations General Assembly the draft resolution entitled “Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems”.

   The United States-Russian Federation Arrangement on Cooperation in Enhancing Control of Man-Portable Air Defence Systems, which provides for the quarterly exchange of information on the transfer of MANPADS was signed in February 2004.

   The Russian Federation cooperates with the International Criminal Police Organization (Interpol) through its National Central Bureau to identify groups and persons involved in illicit trafficking in small arms and light weapons. Effective information-sharing on crimes involving the use of foreign-made firearms and the transnational smuggling of such firearms has been set up with the member countries of Interpol.

   In accordance with Interdepartmental Order No. 684/184/560/353/257/302 of 26 June 2000 of the Ministry of Internal Affairs, the Ministry of Justice, the State Customs Committee (now the Federal Customs Service), the Federal Security Service, the Federal Tax Police Service and the Federal Border Service (now part of
the Federal Security Service) confirming the instruction on the organization of information support for cooperation between law enforcement and other State agencies of the Russian Federation through Interpol, the Interpol National Central Bureau under the Ministry of Internal Affairs receives, processes and transmits requests, investigation instructions and communications from law enforcement agencies dealing with the weapons trade to the Interpol General Secretariat and appropriate national bureaux of foreign Governments.

In addition to the Oruzhie automated information-retrieval system, the Interpol National Central Bureau under the Ministry of Internal Affairs has a database on weapons inventories covering appropriate sources of information, as well as access to verification of foreign-made firearms through the Interpol Weapons and Explosives Tracking System (IWETS) and to the databases of law enforcement agencies in the relevant countries (182 States).

As of 1 April 2004, these databases itemized 10,184 firearms, of which 5,918 were stolen.

On 10 January 2003, the Russian Federation ratified the Shanghai Convention on Combating Terrorism, Separatism and Extremism, which was signed on 15 June 2001 (Federal Act No. 3 — Sobranie zakonodatelstva Rossiskoi Federatsii, 13 January 2003, No. 2, page 155).

The Russian Federation participated in various international seminars and symposia on the implementation of the Programme of Action. In particular, in April 2005 representatives of the Russian Federation participated in the following meetings: the regional symposium in Algeria on implementation of the Programme of Action by the League of Arab States; and the seminar in China on the issue of the illicit trade in small arms and light weapons.

The Russian Federation actively cooperates with international and regional organizations and on a multilateral and bilateral basis with a view to ensuring coordination, complementarity and synergy in efforts to solve problems relating to the illicit trade in small arms and light weapons. Steps are being taken to find ways of resolving regional conflicts on the basis of negotiations.

The Russian Federation is strengthening international partnerships, including partnership with Interpol, in order to share resources and information on the illicit trade in small arms and light weapons in all its aspects.

Issues of the illicit trade in small arms and light weapons are regularly considered at meetings of the combined boards of the Ministry of Internal Affairs of the Russian Federation and the Ministry of Internal Affairs of Belarus, and at meetings of the Ministry of Internal Affairs of the Russian Federation and the Ministries of Internal Affairs of Armenia and Tajikistan.

Questions relating to cooperation in combating the illicit trade in small arms and light weapons are taken up during negotiations conducted through international organizations. For example, at meetings of experts of the G8 Lyon Group, issues of the illicit proliferation of small arms and light weapons are regularly considered: recommendations are formulated, information is exchanged and national practice is analysed.
Staff from law enforcement bodies of foreign States are currently studying at training institutions of the Ministry of Internal Affairs of the Russian Federation. In the course of their training, issues of combating the illicit trade in small arms and light weapons are regularly considered.