LESOTHO NATIONAL REPORT

ON

THE 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 (PROGRAMME OF ACTION)
AND THE INTERNATIONAL INSTRUMENT TO ENABLE STATES
TO IDENTIFY AND TRACE IN A TIMELY AND RELIABLE
MANNER ILLICIT SMALL ARMS AND LIGHT WEAPONS
(International Tracing Instrument)
INTRODUCTION

The report is an update of the report that was submitted by the Kingdom of Lesotho at the Third Biennial Meeting of states held from 14 to 18 July, 2008 New York. The report covers the period from August 2008 to December 2009.

2. IMPLEMENTATION OF THE PROGRAMME OF ACTION

To be able to make progress on globally agreed implementation commitment, Lesotho emphasizes the need for increased cooperation and coordination of activities related to small arms and light weapons (SALW).

In Southern Africa, the SADC Protocol on the Control of Firearms, Ammunition and Other Related Materials (SADC Protocol) covers a comprehensive range of issues under the Programme of Action. The SADC Protocol came into force as a legally binding document in 2004.

The Lesotho Mounted Police Service is a member of the Southern Africa Regional Police Chiefs Cooperation Organisation (SARPCCO) Community (SADC) to implement the SADC Protocol and other instruments on SALW.

SADC and SARPCCO are committed to facilitating cooperation and coordination in the combat of illicit SALW trafficking, misuse and proliferation; sensitize and renew the spirit of the stakeholders in the implementation of the Programme of Action and other instruments on SALW and also to chart the way forward in the fight against this problem. SARPCCO has established the Regional Coordinating Committee (RCC) on SALW which comprises of the National Focal Point (NFP) Coordinators in SADC member countries.

The RCC has produced the Standard Operating Procedure (SOP) for the implementation of the SADC Protocol which serves as guideline for the region on SALW issues. There is also in place the Regional Action Plan for the period 2010-2012. The action plan has outlined the activities to be done at both National and Regional levels. These activities have to be coordinated by the NFP on SALW.
The NFP for Lesotho was established in 2002 but it is not actively functional due to financial constraints. However, government of Lesotho through the police service has conducted operations to confiscate and destroy illegal firearms and ammunition.

In the period under review a total of one thousand and fifty (1050) firearms of different calibers were destroyed on the 26 September 2008 and one thousand and seventy six (1076) on the 30 September, 2009.

2.1 OVERVIEW OF LEGISLATION

The bulk of controls on firearms are currently contained within the Internal Security (Arms and Ammunition) Act of 1966. Minor amendments were made to this Act in 1999 with enactment of the Internal Security (Arms and Ammunition (Amendment) Act of 19999. While the Arms and Ammunition Act of 1966 remains in place the Amendments Act of 1999 made minor changes mostly relating to the sentences and penalties imposed for particular offences. The process of review and modernization of the law has started and the Bill takes into account recent Regional and International developments on firearms control.

3. IMPLEMENTATION OF THE INTERNATIONAL TRACING INSTRUMENT

3.1 MARKING

The requirement to mark firearms for the purpose of identification and tracing is a core provision of both the International Tracing Instrument and the SADC Protocol. Lesotho has no capacity to manufacture firearms for sale or export. However, it is an offence to manufacture or deal in firearms or ammunition without being registered.

All SALW that are legally in the country are imported from other countries. The process of marking small SALW in the country shall be done in line with the Regional Action Plan for the implementation of the SADC Protocol.
In terms of the plan, marking of state and civilian firearms should commence in the year 2011. Lesotho therefore needs technical and financial assistance to buy machines and to train officers to safely and effectively to use the marking machines.

3.2 RECORD KEEPING

The Firearms Licensing Office maintains records of all firearms in private ownership. The records are kept manually. Efforts to source funds to computerize the licensing office are ongoing. Currently, there are no time limits for keeping and destroying of records with the licensing office. They are kept indefinitely. The standard operating procedures for the implementation of the SADC Protocol have recommended that records should be kept for a minimum period of 10 years. Lesotho will consider this issue when developing a National Policy on SALW in the course of this year.

3.3 TRACING

Lesotho has in place a deliberate policy to trace the origin of all confiscated firearms before they can be destroyed. They are subjected to the process of etching. This exercise is always done with the assistance of the Government of the Republic of South Africa through the South African Police Service. To this end Lesotho Police need to train experts in the actual tracing, etching and destruction of illegal SALW.

4. CHALLENGES

There are fundamental challenges facing the country’s efforts to effectively and sufficiently combat illegal trafficking of SALW and include:

- Manual record keeping of firearms.
- Lack of hardware and software to improve the country’s stockpile management.
- Lack of capacity for operatives at the border entries to detect SALW trafficking.
- Development of National Strategy on SALW.
- Strengthening of the National Focal Point on SALW.
- Holding of the National Conference on SALW.
• Development of National Action Plan on SALW.
• Sensitization of key Stake Holders on issues of SALW.

5. CONCLUSION

Despite all constraints indicated above, Lesotho will continue to support and render her commitment to International, Regional and Sub-Regional initiatives on SALW alone and win. There is a need for collective reaction and cooperation as the Nations agreed at the 2008 Third Biennial meeting of states.