

REPUBLIC OF LIBERIA
LIBERIA NATIONAL COMMISSION ON
SMALL ARMS AND LIGHT WEAPONS
(LiNCSA)

REPORT ON THE IMPLEMENTATION OF THE
UNITED NATIONS PROGRAMME OF ACTION TO
PREVENT, COMBAT AND ERADICATE ILLICIT
TRADE SMALL ARMS AND LIGHT WEAPONS IN
ALL ITS ASPECTS (UNPoA)

January 2010

Introduction:

Pursuant to operative paragraphs 10, 11, 12, and 13 of General Assembly resolution 64/38 entitled “The illicit trade in small arms and light weapons in all its aspects” in which States are encouraged to submit their national reports on the implementation of the 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 on the implementation of 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), in order to facilitate preparations for the Fourth Biennial Meeting of States, to be held in New York, from 14 to 18 June 2010, by the Office for Disarmament Affairs this report informs the readers of actions taken by Liberia as follow:

Consistent with Article 24 of the ECOWAS Convention on Small Arms and Light Weapons and their Related Materials, entitle: “Institutional and Implementation Arrangements”, the government of Liberia has established the Liberia National Commission on Small Arms (LiNCSA) pending the formal legislative enactment.

The Commission is temporarily housed in the Ministry of Foreign Affairs building, Republic of Liberia pending the completion of its own office building located on grounds of the Executive Mansion.

1. National Level of Implementation:

National Coordinating Agency:

The Liberia National Commission on Small Arms (LiNCSA)

2. National Focal Point/Persons:

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3. Legislation, Regulations, Administrative Procedures:

Functions and Mandates of the Commission

1. The general mandate of the Commission shall consist of formulating and ensuring the implementation of policies and measures aimed at addressing the problem of small arms proliferation and illicit trafficking; and to coordinate and monitor all private and public sector efforts to prevent, combat and eradicate the proliferation and the illicit trade in small arms and light weapons within and across the borders of Liberia.

2. Without limiting the generality of Subsection (4.1) of Chapter IV above, the Commission shall have the following specific functions:
 - a. To develop and implement, or caused to be implemented under its oversight, a national policy, strategy or action plan on small arms and Light Weapons control;

 - b. To develop a policy for the meaningful and sustained participation of civil society in the development and implementation of programs pertaining to small arms and light weapons;

 - c. To provide regular briefings and reports to the President and National Legislature on progress and challenges in the implementation of the national policy, strategy on small arms and light weapons, with the aim of facilitating the necessary political will, understanding and support for activities and programs dealing with small arms and light weapons;

 - d. To collaborate and share information with other Small Arms Commissions, existing now or to be established hereafter in the region and the world; to also collaborate with other regional and international public and private institutions similarly engaged with tackling the problem of small arms and light weapons; and, in connection thereto, to execute and implement agreements as would be required in the effective discharge of its mandate;

 - e. To conduct or commission research, studies and surveys to gather accurate information on impact(s) of interventions, the mutating

dimension, if any, of the problem of small arms and light weapons, the lessons learned; and to use such information in deciding the content, timing and phasing/sequencing of future activities and strategies;

- f. To identify, confirm and mobilize the resources necessary to support implementation of the activities and tasks involved in tackling the challenging problem of small arms and light weapons; and
- g. To coordinate the design and implementation of an effective public education and awareness campaign relative to small arms and light weapons.

4. National Laws, Regulations and Decrees on SALW:

a. National Level of Implementation:

Liberia is still under the UN arms embargo imposed in 2003 and renewed by a UN Security Council Resolution 1854 in 2008 which remains imposed until late 2009 and the country is bound to the ECOWAS Convention on Small Arms and Light Weapons and their Related Materials.

Current legislations, Laws, Regulations and Decrees are subordinated to the above.

b. Marking and Tracing

Liberia subscribes to conditions of marking and tracing of weapons in line with the ITI and the ECOWAS Convention on Small Arms and Light Weapons and their Related Materials. However, since the country is under arms embargo, the UN peace keeping force performs the task.

c. Registration

All registered firearms are those approved by the UN Security Council for the use of Special Security Services (SSS), the Police and the Military.

d. Importation

Importation of weapons is done in line with ECOWAS procedures as stated in the ECOWAS Convention on Small Arms and Light Weapons and their Related Materials. Weapons imported are those approved by the UN Security Council and brought in by our partners (Nigeria, United States) to be used specifically by the Special Security Services, Police and the Military.

e. Exports Controls

Liberia does not export weapons or being used as a transit state for such export. All transfer on weapons is done with the consent or by the UN Mission in Liberia.

f. Possession of an unregistered firearm

The Firearms Traffic Act states that any person found with an unregistered firearm shall be fined and be compelled to take out a registration. The possession of unregistered arms poses a serious national and sub-regional threat and as a measure to stem this proliferation is accompanied by criminal sanctions and consequences.

Presently, there is a total ban on civilian possession of firearms. Anybody in the possession of firearms who is not a part of one those security institutions approved to bear firearms is consider illegal. Such person shall face the law.

5. Criminal offenses relating to illicit SALW

All criminal offenses relating to the use of fire arms are those committed by non state actors or criminals (armed robbers). Those caught has been prosecuted or undergoing prosecution according to the laws of Liberia.

6. UN Arms Embargo

Liberia is a subject of a United Nations arms embargo imposed in 2003 and renewed by a UN resolution 1854 in 2008 which remains imposed until late 2009 when it was temporarily lifted; the embargo prevents the importation of arms and ammunitions to Liberia. Considering Liberia's bitter experience from the years of its armed conflicts, the legal frameworks necessary to control the proliferation of SALW have become significantly diminished; therefore, its assessment cannot be over emphasized in light of the reasons which necessitated the imposition of the United Nations arms embargo on Liberia. In this regard, establishing adequate measures and mechanisms to control the flow of small arms and ammunitions into Liberia is necessary to avoid the risk of relapsing into the horrors of its dastard and ugly past.

7. Strengthening Border Control and Security

In an effort to strengthened our border control and security, the Government of Liberia has in place a joint partnership agreement with it neighbors (Sierra Leone, Guinea and Cote d' Ivoire) for joint borders patrol in order to prevent illicit Small Arms and Light Weapons flow from one country to the other.

Some of the constraints that we are face include:

- Inaccessible borders areas
- Logistic (Vehicles, Motto bikes, Metal Detectors, etc)
- Trained man power/operatives in modern method of arms control

8. Enhancing Stockpile Management and Control:

All arms in the country are under UNMIL and arms approved by the UN Security Council Sanction Committee for the use of the Military and the Police.

During the period under review, the Commission with support from ECOSAP, UNREC and the United Nations Development Programme has benefited from training workshops and has organized workshops for members of Liberia's security institutions for the control and management of stockpiles in conformity with the International Tracing Instrument. In November 2009, the Commission organized a two-day training workshop for members of key security institutions on the management of stockpiles.

9. Awareness Raising (Sensitization and Enlightenment Campaigns on Building Culture of Peace)

The Liberia National Commission on Small Arms in collaboration with the United Nations Development Programme Small Arms Control Unit and Land Mine Action have been able to trained a number of communities dwellers in identifying and reporting small arms and light weapons and unexplored ruminants of war. In November of 2006, the Commission held the first of a series of Consultative Conference on Armed Violence for the nation. The conference brought together youth groups, students, government officials and the entire public. Major efforts are on the way for similar workshop to be conducted in major parts of the country. The Commission in 2009 carried out a massive public awareness against Electoral Violence and Armed Violence. Other awareness programs are being developed.

10. Collection and Destruction of Illicit, Surplus and Obsolete Arms

As a means of destroying illicit, surplus and obsolete arms, the Liberia National Commission on Small Arms in collaboration with the UNDP Small Arms Control Programme launch a nationwide Community Arms for Development Programme in 2006 for a two-year period. Large quantities of weapons, UXOs and ammunitions were collected and turn over to UNMIL and the LNP for destruction.

11. Cooperation with Civil Society and NGOs

The Commission has a cordial working relationship with civil society and non-governmental organizations in the country including the UNDP, Land Mine Action and the Liberia Action Network on Small Arms as well as other organizations working on the issue of arms control.

12. Regional Cooperation

i. Sub-regional level implementation

Through the efforts of ECOWAS, Liberia commenced the Small Arms and Light Weapons Survey in October 2007.

The first phase of the SALW survey has began with the Assessment already completed and the public awareness of the SALW survey is ongoing.

Since the commencement of the SALW Survey, the Commission is yet to receive any support from any organization with the exception of the ECOWAS Small Arms Control Programme (ECOSAP).

ii. Implementation of ECOWAS Convention

Liberia is a signatory to the ECOWAS Convention on Small Arms and Light Weapons and their Related Materials and has ratified of the convention.

The Convention was ratified in June 2009 as a result of the critical efforts of the Commission in collaboration with civil society organizations especially the Liberia Action Network on Small Arms (LANSA).

The Convention has since been printed into hand bills and deposited with ECOWAS.

13. Global Level

I. International Cooperation and Assistance

The Liberia National Commission has received financial, technical and logistical support from Governments and International Organizations such as the Japanese and Irish governments, ECOSAP, BCPR and the UN through UNDP Liberia.

During the period under review 2008 – 2009, all support to the Commission came from ECOSAP through UNDP Liberia.

14. Training, Capacity-building, research

During the period under review, the Commission benefited from trainings and seminars organized by ECOSAP, the Kofi Anna International Peace Keeping Training Center with support from ECOWAS, ITI training workshop with support from UNREC and other trainings and seminars both locally and internationally with support from ECOSAP and the UNDP.

15. The major constraints / challenges facing the Commission are as follows:

1. Lack of budgetary support for the running of the Secretariat including salaries for the Secretariat staff and possible honoraria for Commissioners of the Commission;
2. Logistical support (vehicles, motorbikes, communications, and office equipments;
3. Technical support and capacity building for the staff of the Secretariat and the Commissioners on the issue of small arms and light weapons control.
4. The passage into law of the Commission Draft Act by the National Legislature;
5. The passage into law of the revised Fire Arms Control Law by the National Legislature; and,
6. Getting the message on the danger of small arms throughout the entire nation;