

## **Bangladesh National Report (2008) on Implementation of PoA on SALW**

As a responsible Member State of the United Nations, Bangladesh continues to establish effective state mechanism to prevent illicit trade in small arms and light weapons (SALW) within its territory. It may be mentioned that SALW held by defense and law enforcement agencies are procured from legitimate international market following strict procurement procedure of the state, international norms and regulations and are solely used for national defense and security purpose. All such weapons are properly accounted for, marked and securely maintained and their stocks are periodically reviewed under strict internal verification mechanism. Surplus, obsolete and illegal arms and ammunitions are destroyed / disposed off in accordance with the internationally accepted procedure and are properly accounted for.

Small arms and ammunitions manufactured at the state-owned Bangladesh Ordnance Factory are for the sole consumption of the defense forces and law enforcement agencies of the country. These weapons and ammunitions bear unique permanent marks which identify the name of the manufacturer, country of manufacture and have distinct serial number. Thus it fulfils the prime requirement of the instrument on marking and tracing of small arms manufactured in the country under state sponsorship.

Possession of small arms and ammunition by the valued citizens of the country are being strictly regulated by the state through licensing system. The list of such licensed persons, particulars of weapons and ammunitions are also being maintained by the competent government authority. Import of small arms of non-prohibited bore for the licensed citizen of the country has been regulated through strict rules and regulations. Licensing of legitimate arms traders of the country is compulsory. Accurate record keeping of all transaction by the traders of the country is compulsory is being monitored by the state.

The state has strict rules, regulations and laws for punishment of illegal possession and use of arms and ammunitions. Violators are being punished through the judiciary systems and the rule of the law. It may be noted that illicit arms brokers often do not own the goods they deal in. However, they capitalize on the increased opportunities in international transportation, finances and communication. In order to deal with such issues it requires universal effort for enactment of legislation and national plans of action of all surrounding countries to combat illicit arms brokering. It requires active cooperation on regional and international levels.

The Government of Bangladesh has taken some necessary steps towards implementation of the PoA on SALW. In this regard, it has been decided that out of all the illegally confiscated SALW, only those which are re-useable according to expert



opinion, will be allocated for use by Government agencies subject to relevant regulations. The rest of such weapons would be disposed off through destruction.

It may be noted that in pursuance of the recommendations of the PoA adopted by the United Nation Conference on "Illicit Trade in Small Arms and Light Weapons in all Its Aspects" held from 9-20 July 2001 and a decision of the third session of the Prep Com for the Conference, the Government of Bangladesh has taken the following policy decision and precautionary measures:

- 1) Adoption of destruction as a major means of disposal of confiscated illegal small arms and light weapons;
- 2) Observance of 9 July every year as "Small Arms Destruction Day";
- 3) Issuance of licenses for small arms after strict and proper verification;
- 4) Regular monitoring of the licensed arms traders to control illegal arms uses;
- 5) Strict deployment of border security force (BDR) at border outposts;
- 6) Monitoring and vigilance of welding machines factory, especially those that operate at nighttime;
- 7) Monitoring of the activities of courier service providers and transport agencies.

The cooperation from the United Nations with regards to training on tracing instruments would be very much helpful for Bangladesh to establish effective tracing mechanism of illegal arms recovered inside the country. Universal regional plan and cooperation is also essential to combat illicit arms brokering.

Bangladesh needs appropriate modern technology, instruments, machineries, equipment for arms checking, scanning and recovery. Detail technical training program is also needed for the law-enforcement personnel to use modern technology, machineries and equipment for illegal arms control. The relevant organ of the UN may assist the country in procuring modern technology, equipment and conducting technical training session for controlling the illicit trade of SALW.



The following filled-in questionnaire constitutes part of the Bangladesh National Report (2008) on Implementation of PoA on SALW

### Preparation Questionnaire for Implementation of POA

#### A. National Framework\*

#### 1. National coordination agencies or bodies and institutional infrastructure (e.g. national point of contact, coordination agency, small arms commission) POA 11; 4,5,11]

Have any institutional arrangements been made?	YES. Director General (UN) of the Ministry of Foreign Affairs has been the national focal point on SALW matters. Implementation of the PoA on SALW has been coordinated by the Ministry of Home Affairs.
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#### 2. Current Legislative Framework (Laws, regulations, decrees, administrative procedures and other) [POA 11; 2,3,14,23].

<p>What is your current legislation regarding the following:</p> <ul style="list-style-type: none"> <li>• The Production of SALW.</li> <li>• The export / import and transit of SALW.</li> <li>• The re-transfer and possession of SALW.</li> </ul>	<p>The following legislations are in existence in Bangladesh:</p> <ol style="list-style-type: none"> <li>1. The Arms Act, 1878. (Act XI of 1878)</li> <li>2. The Bengal Arms Act Manual 1924</li> <li>3. Criminal Procedure Code, 1998.</li> <li>4. The Special Powers Act-1974 (Act 14 of 1974)</li> <li>5. The Police Act 1861 (Act V of 1861)</li> <li>6. Police Regulations of Bengal, 1943.</li> <li>7. Police ordinances: Dhaka Metropolitan-1976 (Ordinance-111 of 1976) Chittagong Metropolitan-1978 (Ordinance - 48 of 1978) Khulna Metropolitan - 1985 (Ordinance-52 of 1985) Rajshahi Metropolitan- 1992 (Ordinance-23 of 1992)</li> <li>8. The Customs Act, 1996.</li> <li>9. Import Policy Order, 2006</li> <li>10. Explosives Act, 1884 (Act IV of 1884)</li> <li>11. Explosive Substances Act, 1908 (Act VI of 1908)</li> </ol>
Does your legislation need to be updated and or improved?	YES

#### 3. Law enforcement (e.g. export and import controls, border control and customs) [POA 11-11-13,15,23]

Have you established an effective national system of export and import licensing or authorization of SALW?	YES
Do you have effective control over the export and transit of SALW: including the use of end-user certificates?	YES

What do you think are the major sources of any related border problem?	(i) Long porous border with India and Myanmar and (ii) open coastline.
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## ***B. Major Issues***

### **1. Brokering [POA 11:14]**

Do you have adequate national legislation or administrative procedures to regulate brokering activities (e.g., the registration of brokers, licensing or authorization of brokering transactions, criminalization against illicit brokering activities, law enforcement or information exchange) in the region?	YES.
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### **2. Manufacturing, marking, tracing and record keeping [POA 11: 6-10]**

Do you have comprehensive information on the legal production of SALW in your country?	YES.
Do you have a system for marking, tracing and record keeping and tracing of nationally produced SALW?	YES.

### **3. Stockpile management [POA 11: 17, 18]**

Have you taken any specific measures to ensure accountability for all SALW held and issued by the State?	YES.
Do you have comprehensive information and inventories of the stockpiles of SALW?	YES.
Have you established national safety standards regarding the stockpiles?	YES.
What other security measures and procedures do you exercise?	Every armory is equipped with inventories and is being periodically inspected by competent authority

### **4. Collection and disposal [POA 11: 16, 19]**

Have you undertaken weapons collection and disposal activities, including disposal of surplus weapons?	YES.
Have you established procedures and safety standards regarding the collection and disposal activities?	YES.

### C. Training & Education

#### 1. Capacity building [POA 11:17,18]

Have you identified training needs aimed especially to enhancing the capacity of and part of your Government (e.g., national commission, legislature, policy maker, law-enforcement officials, and security forces) or civil society organizations?	YES.
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#### 2. Public awareness and civil society [POA 11: 20, 21]

Have your undertaken education and public awareness on the problems and consequences associated with the illicit trade of SALW?	YES.
Have you been engaged in any small arms-related activities in cooperation with civil society including non-governmental organization?	NO.

### D. Role of the UN\*\*

Please summarize UN assistance required	UN assistances is required in the following areas: i. More efficient border control, ii. Technical assistance for capacity building in immigration checkpoints, iii. International cooperation and assistance at regional and global level, iv. Sharing of information related to illicit trade in SALW with other countries. v. Raising public awareness.
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\* In answering questionnaire above, please provide information focusing on the following:

- Date and information currently collected by your Government;
- Policies developed and measures undertaken by your Government;
- Constraints, difficulties and problems in dealing with the issue, including technical aspects.
- External assistance provided by UN and other organizations, other Member States and NGOs;
- Lessons-learned through the experience of you Government;
- Needs and specific assistance required.

\*\* Please note that your expression of interest in international assistance in this questionnaire will not be required as an official expression of request for UN assistance. Any assistance request would have to be formally addressed in writing to the Under-Secretary-General for Disarmament Affairs through you Permanente Representative in NY.