



UN Programme of Action

National Reporting Tool

Ireland

2016

SECTION 1: POINTS OF CONTACT

Sources National Coordination Agency

- PoA II.4 1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects?

Sources National Point of Contact

- PoA II.5, 24 2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN Programme of Action on Small Arms (PoA)?
- 2.1. Details:
- a) Name : Disarmament and Non-Proliferation Section
- b) Organization or agency : Department of Foreign Affairs and Trade
- c) Address : 80 St. Stephens Green, Dublin 2, Ireland.
- d) Telephone number(s) : +353-1-4082392
- f) Email : brian.mcnally@dfa.ie
- ITI 25 2.2 Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the International Tracing Instrument (ITI)?

SECTION 2: MANUFACTURE

Sources Laws, regulations and administrative procedures

- PoA II.2 3. Are there any SALW manufactured in your country?

Sources International assistance

- PoA III.6 4. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture?

SECTION 3: INTERNATIONAL TRANSFERS

Sources Laws, regulations and administrative procedures

- PoA II.2, 12 5. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?
- PoA II.11 5.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.
- As there is no exporting industry for SALW in Ireland, most applications for the export of weapons relate to the personal exportation of individual shotguns for sporting / heritage purposes. Consequently many of the questions in this and other segments are not applicable. Furthermore, export control over SALW and associated risk assessments and controls are designed to take account of infrequent exports of single firearms in well defined circumstances. The Firearms Acts 1925-2009 provide for restrictions on the importation of firearms. Any person wishing to import a firearm into the State must apply to the Department of Justice and Equality for an importation licence. A licence will not be granted unless the applicant has a good reason for importing it and granting the licence would not prejudice public safety and security. The Control of Exports Act, 2008 is the primary legislation in force. This legislation establishes an export licensing regime over all exports of controlled products, including Small Arms and Light Weapons. However, Ireland does not have a manufacturing capacity for these weapons. See section 2 above. Control of Exports (Goods and Technology) Order 200912 The Control of Exports (Goods and Technology) Order 200912 provides for the control of exports of goods and technology listed in the Schedule to that Order. This Order relates to goods and technologies on what is commonly referred to as the EU Common Military List. Member States are required to control the export of these, and the 200912

Order provides they can only be exported "under and in accordance with a licence". European Communities (Intra-Community Transfers of Defence-Related Products) Regulations 2011 S.I. No 346 of 2011. These Regulations give effect to Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community. The Directive provides that the transfer of defence-related products between Member States shall be subject to prior authorisation. It provides for three types of transfer licences to cover such transfers; general transfer licences, global transfer licences and individual transfer licences. Defence-related products are defined as any product listed in the Annex to the Directive which corresponds with the Common Military List of the European Union. These lists are updated annually. The latest list is given effect in Ireland by European Communities (Intra-Community Transfers of Defence-Related Products) (Amendment) Regulations 2015, S.I. No. 88 of 2015.

Sources	Licensing and authorisation	
PoA II.11	5.2. Does a person or an entity who transfers SALW require a licence or other form of authorisation to transfer SALW from/into your country?	Yes ▾
PoA II.3	5.3. Is it a criminal offence to trade SALW without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation, in your country?	Yes ▾
PoA II.11	5.4. What kind of documentation does your country require prior to authorising an export of SALW to another country?	
PoA II.12	<p>a) An end-user certificate (EUC) from the importing country</p> <p>i) What elements does an end-user certificate in your country contain (check relevant boxes)?</p> <p>1) Detailed description (type, quantity, characteristics) of the SALW or technology <input checked="" type="checkbox"/></p> <p>2) Contract number or order reference and date <input type="checkbox"/></p> <p>3) Final destination country <input checked="" type="checkbox"/></p> <p>4) Description of the end-use of the SALW <input checked="" type="checkbox"/></p> <p>5) Exporter's details (name, address and business name) <input checked="" type="checkbox"/></p> <p>6) End-user information (name, position, full address and original signature) <input checked="" type="checkbox"/></p> <p>7) Information on other parties involved in the transaction <input checked="" type="checkbox"/></p> <p>8) Certification by the relevant government authorities of the authenticity of the end-user <input type="checkbox"/></p> <p>9) Date of issue <input checked="" type="checkbox"/></p> <p>10) Other <input checked="" type="checkbox"/> A police removal certificate is also required before an export license is issued.</p> <p>b) Other types of end-user documentation Licenses for personal firearms are provided on the basis of an administrative procedure involving close liaison with the national police authorities and the provision by the police authorities of a removal certificate. This contributes to establishing the bona fides of a transaction involving a personal export transaction. See answer to Question 6.</p>	Yes ▾
PoA II.12	<p>5.5. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided?</p> <p>5.5.1 Details: Where required, the authenticity of EUCs can be verified through diplomatic channels.</p>	Yes ▾
	<p>5.6. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation?</p> <p>5.6.1 Details: The presentation of EUCs is an element of a legally-based export regulation system and in that context the presentation of false documentations is criminalised.</p>	Yes ▾
Sources	Post-delivery controls	
	5.7. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State?	No ▾
	5.8. After exporting, does your country verify or seek to authenticate DVCs provided?	No ▾
	5.9. When importing, does your country grant the right to the exporting State to conduct a physical check at the point of delivery?	Yes ▾
Sources	Marking at import	
ITI 8b	5.10. Does your country require that SALW imported into your country be marked at the time of import?	Yes ▾
	<p>5.10.1. Who is required to mark the SALW? The firearms (Proofing) Act 1968 refers to a requirement to have all firearms imported into the state proof marked. This does not include the stamping or engraving of unique reference or serial numbers. Section 3A(2) specifies that it is the responsibility of the manufacturer to engrave the unique number. Statutory Instrument No. 493 of 2010 gives effect to the EU Directive 91/477/EEC on the control of the acquisition and possession of weapons. Section 6 of the SI 493 of 2010 inserts Regulation 3A requiring engraving/stamping of a unique number on firearms imported into the state or into the EU through this state.</p>	

5.10.2. What information is included in the marking on import (check relevant boxes)?

- a) Country of import
- b) Year of import
- c) Other

Statutory Instrument 493 of 2010, Schedule 1 part 2 refers; name of Manufacturer, Country or place of manufacture, unique serial Number and year of manufacture.

5.10.3. Are there exceptions to the requirement to mark imported SALW?

Yes ▼

5.10.3.1. If so, describe.

Article 2 of the EU Directive gives an exemption to police and armed forces of the state, public authorities, museums.

5.10.4. If marked SALW imported into your country do not bear a *unique* marking when they arrive, does your country require that they be given such a marking?

Yes ▼

5.10.4.1 Details:

Yes. Section 6 of the SI 493 of 2010 inserts Regulation 3A (3) requiring the unique serial number for firearm imported into the state.

Sources Record-keeping

PoA II.9; ITI 12

5.11. Does your country require that exporters and importers of SALW keep records of their activities?

Yes ▼

5.11.1. What information must be recorded (check relevant boxes)?

- a) Quantity of SALW traded
- b) Type or model of SALW traded
- c) Markings appearing on transferred SALW
- d) Transactions
- i) Identity of buyer/seller
- ii) Country SALW are to be delivered to or purchased from
- iii) Date of delivery
- e) Other

5.11.2. How long must records of transfers be kept?

--- Select --- ▼

Sources Actions taken during the reporting period

PoA II.6

5.12. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)?

No ▼

Sources International assistance

PoA III.6

6. Does your country wish to request assistance in developing laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?

No ▼

SECTION 4: BROKERING**Sources Laws, regulations and administrative procedures**

PoA II.14

7. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?

Yes ▼

7.1. List laws and/or administrative procedures regulating SALW brokering in your country.

The Control of Exports Act, 2008 is the primary legislation requiring export licenses to be issued for controlled products. However see answer to Question 6 regarding SALW. Control of Exports (Brokering Activities) Order 2011 S.I. No 86 of 2011 The Control of Exports (Brokering Activities) Order 2011 was made pursuant to Section 3 of the Control of Exports Act 2008. It came into effect on 1st May 2011. It imposes a licensing requirement in respect of brokering activities relating to goods and technology on the EU Common Military List as set out in the Schedule to the Order.

8.1.1 Are those laws and procedures part of the national arms export control system?

--- Select --- ▼

- 7.2. Does your country require registration of SALW brokers? No ▾
- 7.3. Does your country require a licence, permit or other authorisation for each brokering transaction? Yes ▾
- 8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker? --- Select --- ▾
- 7.4. Does your country regulate activities that are closely associated with the brokering of SALW? Yes ▾
- 7.4.1. If so which of the following activities are regulated when undertaken in connection with the brokering of SALW (check relevant boxes)?
- a) Acting as dealers or agents
 - b) Providing technical assistance
 - c) Training
 - d) Transport
 - e) Freight forwarding
 - f) Storage
 - g) Finance
 - h) Insurance
 - i) Maintenance
 - j) Security
 - k) Other services

The definition of brokering is wide so that it could cover for example acting as a project manager in relation to brokering or acting as an agent in relation to a brokering transaction.

Sources **Actions taken during the reporting period**

- 7.5 During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)? No ▾

Sources **International assistance**

- PoA III.6 8. Does your country wish to request assistance in developing laws, regulations or administrative procedures to regulate SALW brokering? No ▾

SECTION 5: STOCKPILE MANAGEMENT

Sources **Laws, regulations and administrative procedures**

- PoA II.17 9. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other entity authorised to hold SALW? Yes ▾

- PoA II.17 9.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?

- a) Appropriate locations for stockpiles
- b) Physical security measures
- c) Control of access to stocks
- d) Inventory management and accounting control
- e) Staff training
- f) Security, accounting and control of SALW held or transported by operational units or authorised personnel
- g) Procedures and sanctions in the event of theft or loss
- h) Other

Sources **Surplus**

PoA II.18

9.2. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?

- a) Officially declare as surplus
- b) Take out of service
- c) Record by type, lot, batch, and serial number
- d) Store separately
- e) Other

9.3. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?

- a) Destruction
- b) Sale to another State
- c) Donation to another State
- d) Transfer to another state agency
- e) Sale to civilians
- f) Sale or transfer to legal entities (e.g. museums, private security companies, etc.)
- g) Other

Sources Actions taken during the reporting period

PoA II.19

9.4. During the reporting period, has your country destroyed surplus stocks?

Yes

PoA II.20

9.4.1. How many SALW were destroyed?

During the period the Defence Forces destroyed: 10,199 FN FAL 7.62mm Rifles Approx 100 x Carl Gustaf 84mm RCL Anti Tank Weapons Approx 120 x Mortars 60mm

9.4.2. Any further comments regarding destruction?

Sources International assistance

PoA II.29; III.6

10. Does your country wish to request assistance in developing standards and procedures on stockpile management?

No

PoA III.6; 14

11. Does your country wish to request assistance in developing capacity for the destruction of weapons?

No

SECTION 6: COLLECTION

Sources Collection

12. During the reporting period, did your country collect any SALW?

Yes

PoA II.21

12.1. How many SALW were collected?

12.2. What action was taken with respect to the SALW collected (check relevant boxes)?

- a) Stored securely pending further action
- b) Marked
- c) Registered or recorded
- d) Destroyed
- e) Other

Sources International assistance

PoA III.6

13 Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW?

No

SECTION 7: MARKING AND RECORD KEEPING

Sources Marking

- ITI 8d 14. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked? Yes ▾
- 14.1. Describe the markings that are applied to government-held stocks.
All SALW are indelibly marked to international best practice.
- ITI 8c 14.2. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your government transferred the stocks? --- Select --- ▾
- ITI 8e 15. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings? --- Select --- ▾

Record-keeping

- PoA II.9 16. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory? Yes ▾
- 16.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?
Defence Forces and police force maintain accurate records of all SALW stocks. Records relating to the export and import of SALW are maintained indefinitely.
- ITI 12 a,b 16.2. How long does the government keep such records?
Indefinitely
- ITI 13 163. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government? --- Select --- ▾

Sources International assistance

- PoA III.6, ITI 27 17. Does your country wish to request assistance in building capacity for record-keeping? No ▾

SECTION 8: INTERNATIONAL TRACING

Sources Laws, regulations and administrative procedures

- PoA II.10; ITI 14, 24 18. Does your country have procedures in place to trace SALW? Yes ▾

Sources Tracing requests

- ITI 25; 31a 18.1. Which government agency is responsible for making a tracing request to another country?
An Garda Siochana (Interpol Office)
- ITI 17 18.2. What information does the designated agency include in a tracing request? (check relevant boxes)
- a) Circumstances under which the SALW was found
 - b) Reasons why the SALW is considered to be illegal or illicit
 - c) The intended use of the information being sought
 - d) Any markings on the SALW
 - e) Type/calibre of SALW
 - f) Other Make Model Serial Number

Sources Cooperation with INTERPOL

PoA II.37; ITI 33 19. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL) ?

Yes ▼

Sources International assistance

PoA II.36; III.6; ITI 27 2420. Does your country wish to request assistance in developing procedures to trace SALW? <td>

No ▼

&n

PoA III.10; ITI 28 2521. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW? <td>

Yes ▼

&n 21.1. Details

BIS- Integrated Bullet Identification System (Forensic Technologies) Currently, Detective Gardai from Ballistics Section regularly attend Interpol IBIS meetings and European Firearms Experts Meetings.

SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE

Sources Assistance requested / received / provided

PoA III.3, 6 2622. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 2-8 above, has your country requested / received / provided assistance to implement the PoA and ITI? <td>

No ▼

&n

Any further comments on PoA and ITI, including implementation challenges and opportunities? <td>

Additional information may be uploaded/attached, if necessary:

SECTION 10: INFORMATION TO BE SUBMITTED

Information on national marking practice

2823. Pursuant to paragraph 31 of the International Tracing Instrument, States will provide the Secretary-General with the following information, updating it when necessary: <td>

- a) National marking practices related to marking used to indicate country of manufacture and/or country of import as applicable.

Additional information such as images and illustrations may be uploaded/attached, if necessary:

Note: Relevant information might have been provided in questions 4.2.1, 4.2.2 and 18.1 in this report.