



सत्यमेव जयते

INDIA
भारत

Statement
by
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to the Conference on Disarmament

at the
First Biennial Meeting of the States
on the Implementation of the Programme of Action
of the 2001 United Nations Conference
on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

7-11 July 2003
New York

Madame Chairperson,

At the outset, please accept the compliments of the Indian delegation on your assuming the Chair of the First Biennial Meeting of the States on the Implementation of the Programme of Action of the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The energy and enthusiasm with which you have prepared the ground work for this important meeting will certainly help our deliberations result in a positive outcome during this week.

India's commitment to the eradication of the illicit trade in Small Arms and Light Weapons was reflected in its active participation in the first ever UN Conference on this subject in July 2001. The Programme of Action (POA) adopted by consensus at that Conference was more modest than what we had hoped for. Our implementation of the POA is well advanced. At the national level, there exists an established and comprehensive system of regulatory policies and practices relating to Small Arms and Light Weapons. The Arms Act (1959) and Arms Rules (1962), amended and updated from time to time, provide statutory regulations covering all aspects such as manufacturing, marking, record keeping, possession, sale, transfer, transport, export, import, etc of arms and ammunitions and provide penal provision for any violations. In addition, the Prevention of Terrorism Act (2002), Armed Forces (special powers) Act, Indian Penal Code, the Army Act and the analogous laws also contain provisions relating to illicit possession, manufacture etc of SALW.

The legal framework strengthens India's hands in dealing with the problem of illicit SALW which are smuggled into the country by various anti-national groups. Our National Report on the Implementation of the POA provides details of illicit weapons seized and a list of 32 organisations banned by the Government of India under the Prevention of Terrorism Act. The markings and types of weapons seized clearly reveal that these are brought into India through illicit channels from outside the country. There is therefore, need for active and enhanced international cooperation to address this problem.

The manufacture of SALW in India is strictly regulated under a licensing system. These weapons are uniquely marked by stamping to indicate the registration number, manufacturer/factory of origin and the year of manufacture on one or more of the critical components. There is an elaborate and rigorous record keeping mechanism which involves periodic monitoring and inspections. Prescribed procedures are followed for disposal /destruction of seized weapons.

Export of SALW is subject to a stringent regime that include the requirement for end user certificates on a government to government basis and a ban on exports to countries under UN embargo. Exports by individuals or commercial entities are not permitted for sale or military purposes. Similarly imports by individuals or commercial entities are permitted against a license for renowned shooters/rifle clubs for their own use. Any transfer of such imported firearm is not permitted during the lifetime of the importer/licensee.

Considering that illicit trade in SALW is closely linked with terrorism, illicit drug trafficking, money laundering, and other trans-national organised crimes, India has taken bilateral initiatives with a number of countries including Kazakhstan,

Tajikistan, Uzbekistan and Poland. India has supported the relevant UNSC Resolutions relating to the fight against terrorism including Resolution 1373 and has signed all 12 UN Conventions and Protocols relating to terrorism. India has also signed the UN Convention on Transnational Organised Crimes and its associated protocols including the Firearms Protocol.

India was disappointed that the Conference in July 2001 could not agree to prevent the sale of arms to non-State Groups, a concern reflected in the statement by the President of that Conference after the adoption of the POA. The world has since become more acutely conscious of the need to deal with the scourge of terrorism and destabilization engaged in by non-State actors in several countries. This is an issue that the international community needs to address seriously again in the preparatory phase for the Review Conference in 2006.

India was privileged to chair the Group of Governmental Experts established pursuant to UN Resolution 56/24V which has just submitted its report to the UNSG, recommending that a decision to negotiate, under the auspices of the United Nations, an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, be taken by the General Assembly at its fifty- eighth session.

India has also been actively associated with various seminars and workshops organised either under the UN auspices or by other interested parties to further effective international cooperation on SALW since the July 2001 Conference.

Madame Chairperson,

Let me conclude by reiterating India's commitment to remain constructively engaged in the international efforts to address the problem of illicit trade in small arms and light weapons in all its aspects and in promoting the effective implementation of the Programme of Action, which is the primary focus of our work this week.