Remarks by India at the MGE, 10 May 2011

Thank you Mr. Chairman. I would like to address briefly the issue of marking and record keeping of small arms and light weapons by highlighting some elements of the Indian experience and by trying to address some of the questions that you raised yesterday.

All small arms produced or manufactured in India are uniquely marked. This requirement is based in law. The Arms Act of 1959 provides that arms which do not bear specified identification marks may not be sold or transferred. Further, under the same Act, any person found in possession of a weapon without identification marks would be presumed to have removed or obliterated the marks unless proven otherwise.

With regard to technology and content, the SALWs produced by Indian factories are marked by stamping, engraving or laser marking to indicate the type, the country of origin (IN), number, manufacturer/factory of origin and the year of manufacture on one or more of the vital and critical components of the arm. A record of each and every weapon manufactured by the factory is kept in designated registers including the Gun Manufacturing Register and the Register of Rectification which contains data on arms which are not passed by the Proof House on first submission.

For imported firearms, if an imported firearm does not bear the manufacturer’s name, the importer is required to engrave appropriate identification marks identifying the importer as allotted by the Government under the provisions of the Arms Rules of 1962. Further, the Government has issued instructions to the procurement agencies not to import small arms which do not have markings indicating country of origin. To this end the requirements of para 8 of the International Tracing Instrument have been incorporated in the Request for Proposal for import of SALWs.

Let me now address a couple of the issues you raised and which other delegations have raised. First, on what technology is best suited for marking, in my view cost and recoverability of the mark (for tracing) are the most important considerations in the choice of technology. It should be noted here that stamping, one of the older technologies, is superior on both these counts. Second, on import markings, again as highlighted by the Kenyan delegation the issue of cost and resources is important. The exporting manufacturer could assume the responsibility and cost of marking, failing which the importing country can place the mark, preferably under a legally-binding requirement for marking. Finally, on marking of ammunition, I would like to note just as the U.S. delegation did yesterday that there are practical difficulties with marking ammunition. This is a complex issue with many facets. However, we can keep it under review. In this regard we thank the delegation of Brazil for highlighting their successful experience with laser marking of ammunition.