



Transfer from Surplus to Civilian Market

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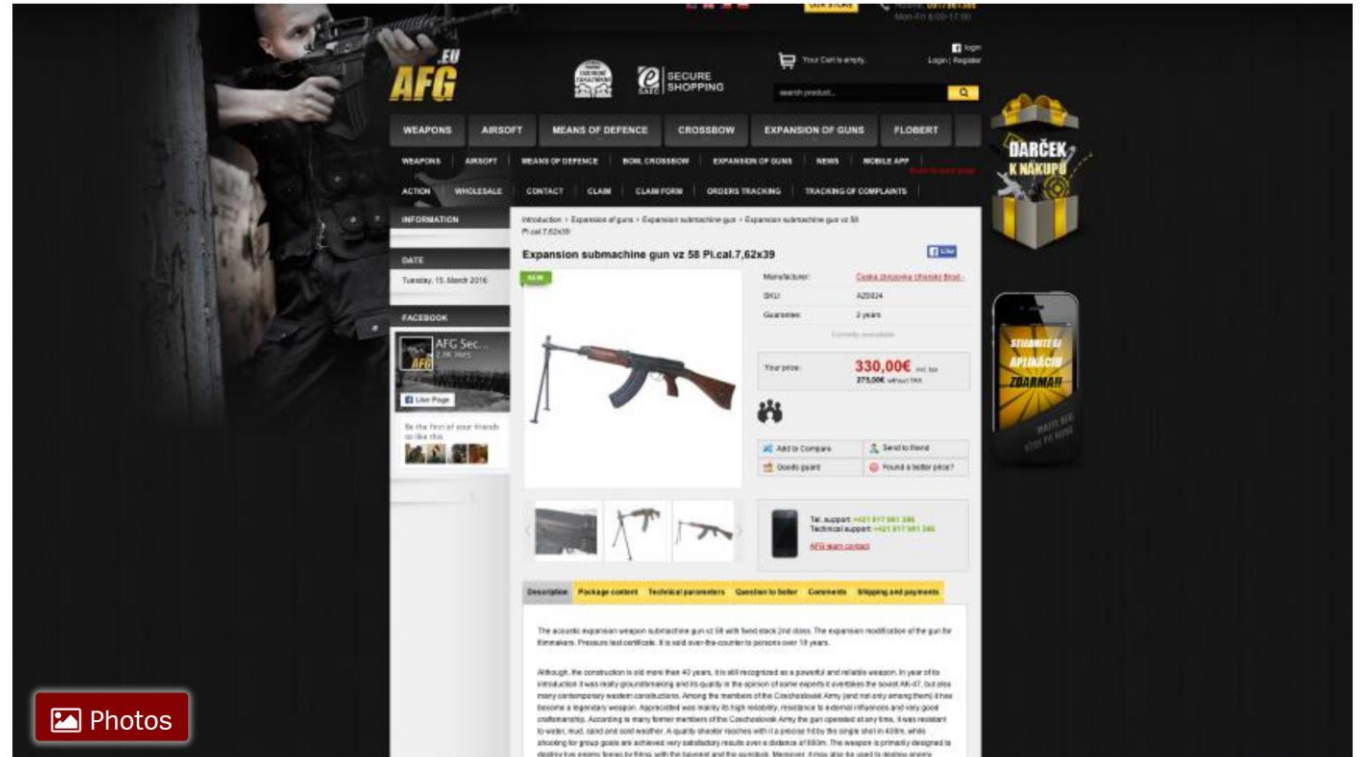
Deactivation and Reactivation

Case 1: AFG



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Weapons Without Borders

Uncontrolled routes taken
by arms, also used in terror
attacks, to Western Europe

Arms
that have been
but can be
d



15.000 weapons
Sold?

Case 2: Spain



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What is the
problem?

- Background check of the company that is purchasing
 - Storage rooms
 - Civilian market
 - Deactivation process
 - Time frame for deactivation

Legal Framework – UN Firearms Protocol

Article 9. Marking at the time of transfer from government stocks to civilian use

1. Every public service agency that transfers a firearm from government stocks to permanent civilian use shall ensure that the firearm is marked in accordance with paragraph 2 of this article before the transfer takes place.

2. The identification mark applied to every firearm transferred from government stocks to permanent civilian use in accordance with paragraph 1 of this article shall identify [name of State] as the country where the transfer is taking place.

3. Where a firearm to be transferred from government stocks to permanent civilian use does not bear an identification mark at all or the existing identification mark does not include all of the following information, the firearm shall be marked with the following information: (a) The country of manufacture; (b) The name of the manufacturer; and (c) The unique serial number.

Legal Framework – International Tracing Instrument

The International Tracing Instrument also requires that small arms and light weapons transferred from government stocks to permanent civilian use that are not marked in a manner that allows tracing be marked in such a way as to permit identification of the country from whose stocks the transfer is made. European Council directive 2008/51/EC amending Council directive 91/477/EEC on control of the acquisition and possession of weapons (revised article 4, paragraph 2) also requires that Member States “ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the appropriate unique marking permitting identification by States of the transferring country”.

With respect to paragraph 3, there is no express requirement under the Protocol that States must ensure that firearms transferred from government stocks to permanent civilian use bear identification markings other than the country of transfer. However, this may be because there is an assumption that all firearms will have been marked at the time of manufacture or import (in accordance with article 8, paragraph 1 (a) and (b), of the Protocol). States should ensure that firearms to be transferred from government stocks to permanent civilian use are marked with the appropriate manufacture and import markings prior to transfer (see the Legislative Guide, paragraph 88, and the International Small Arms Control Standards, module 05.30, “Marking and record-keeping”).



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Change

- Deactivation Regulation EU
 - Standard procedures of deactivation



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- Questions

