

ORGANIZACIÓN DE LOS ESTADOS AMERICANOS



COMISIÓN INTERAMERICANA PARA EL CONTROL DEL
ABUSO DE DROGAS

cicad

THIRTY-FOURTH REGULAR SESSION
November 17-20, 2003
Montreal, Canada

OEA/Ser.L/XIV.2.34
CICAD/doc1281/03
13 November 2003
Original: English

**Model Regulations for the Control of
the International Movement of Firearms,
their Parts And Components and Ammunition - Updated**

**MODEL REGULATIONS FOR THE CONTROL OF
THE INTERNATIONAL MOVEMENT OF FIREARMS,
THEIR PARTS AND COMPONENTS AND AMMUNITION 1**

Table of Contents

INTRODUCTION

	Page
1 Preamble.....	1
1.1 Purpose and Scope of Application.....	1
1.2 Definitions.....	2

CHAPTER I

FIREARMS, PARTS AND COMPONENTS

Exportation

2.1 Procedure	
2.2 Information required on Export Certificate and Attachment.....	4

Importation

3.1 Procedure.....	7
3.2 Information Required on Import Certificate.....	7

In-Transit Shipments

4.1 Procedure.....	9
4.2 Information Required on In-transit Authorization.....	10

CHAPTER II

AMMUNITION

Exportation

5.1 Procedure.....11

5.2 Information Required on Export Certificate and Attachment.....12

Importation

6.1 Procedure.....15

6.2 Information Required on Import Certificate.....15

In-Transit Shipments

7.1 Procedure.....17

7.2 Information Required on In-Transit Shipment Authorization.....17

CHAPTER III

GENERAL CONDITIONS APPLYING TO ALL CERTIFICATES, ATTACHMENTS AND AUTHORIZATIONS

General Conditions Applying

8.1 Validity period.....19

8.2 No extension.....19

8.3 Authorized Quantities.....19

8.4 Authenticity of Documentation.....19

8.5 Changes to Documentation.....20

CHAPTER IV

RESPONSIBILITIES OF MEMBER STATES

9	Responsibilities	
9.1	Record-Keeping.....	20
9.2	Computerization of Records.....	21
9.3	Information Exchange.....	21
9.4	Sharing of Information.....	21
9.5	Training and Technical Assistance.....	21
9.6	Confirmation of Import/Export and In-Transit Transactions.....	21
9.7	Cancellation.....	22
9.8	Identification of Agencies.....	22
9.9	Shipment Irregularities.....	22

RECOMMENDATIONS

Recommendations of the Group of Experts to CICAD.....	22
----------------------------------------------------------	----

INTRODUCTION

1.1 Preamble

In view of the continuing importance attached to the subject of illicit trafficking in firearms and explosives by the member states of the Organization of American States as manifested in General Assembly Resolutions AG/RES. 1045 (XX-0/90) and the recommendation that the Inter-American Drug Abuse Control Commission ("CICAD") perform studies, hold seminar workshops and establish an Expert Group to address the subject of the illicit transnational movement of firearms and explosives and their linkages to drug trafficking as prescribed in AG/RES. 1115 (XXI-O/91 and AG/RES. 1197 (XXII-O/92)

And in view of the member states' conviction that illicit international trade in firearms, their parts and components and ammunition constitutes a specific risk to the security and well-being of member states and that measures to promote further cooperation among them, in particular by the promotion of harmonized import and export controls over the legal international movements of firearms, their parts and components and ammunition and a system of procedures for applying them, will assist in preventing illegal trafficking among the countries concerned

The General Assembly recommends to the member states the adoption of measures and procedures consistent with those provided herein directed at controlling the legal international movements of firearms, their parts and components and ammunition, in accordance with the provisions of their legal systems and their fundamental laws.

1.2 Purpose and Scope of Application

The purpose of these Model Regulations is to set out for use on a multilateral basis, harmonized measures and a harmonized system of procedures for monitoring and controlling international movements of firearms, their parts and components and ammunition, in order to prevent their illegal trafficking and diversion to illegal uses and purposes.

These Model Regulations, shall apply in national jurisdictions, in free-trade zones, in free ports and in other customs divisions.

These Model Regulations apply to all classes of commercially-traded firearms, their parts and components and commercially traded ammunition. These Regulations are not intended to address state-to-state transactions or transfers for purposes of national security.

For the purposes of these Model Regulations, parts and components shall be treated in the same manner as firearms. Ammunition shall be treated in a separate chapter.

1.3 Definitions

Except as otherwise expressly provided, or where the context of a provision calls for another interpretation, the following definitions shall apply to the terms employed throughout these model regulations:

"ammunition" means the complete round or its components, including cartridge cases, primers, propellant powder, bullets, or projectiles, that are used in firearms;

"certified copy" means a copy of an original document certified by a notary public or other competent official that bears the statement "certified copy", the original signature and/or agency seal of the issuer and the date of certification;

"export" and "import" mean respectively, in relation to firearms, parts and components and ammunition, exit from or entry into a customs jurisdiction;

"Export Attachment" means the document issued by the authorizing agency of the exporting country for attachment to or inclusion on the Export Certificate that when completed contains the information referred to in Articles 2.2.2 and 5.2.2 ;

"Export Certificate" means the document issued by the authorizing agency of the exporting country that when completed contains the information referred to in Articles 2.2.1 and 5.2.1;

"final recipient" means the natural or juridical person authorized by the importing country to take possession of a shipment;

"firearm" means any barreled weapon which will or is designed to or may readily be converted to expel a bullet or projectile by the action of an explosive, but does not include antique firearms manufactured before the twentieth century or their replicas;

"Import Certificate" means the document issued by the authorizing agency of the importing country that when completed contains the information referred to in Articles 3.2 and 6.2;

"In-transit shipment authorization" means the document issued by the authorizing agency of the in-transit country that when completed contains the information contained in Articles 4.2 and 7.2;

"In-transit country" means the country through which a shipment is moved, which is neither the country of origin nor the country of ultimate destination;

"Parts and components", in relation to firearms, means those elements that are essential to their operation;

"Shipment transaction" means the movement of an individual shipment that is authorized to be made under the authority of an export or import certificate, an export attachment or an in-transit authorization;

"Shipping mode" in respect of a shipment means transportation by air, sea, river, rail, highway or inter-modally;

"Verifying agency" means the entity of the export, import or in-transit country, as the case may be, responsible for confirming the accuracy of the information presented to it in relation to a shipment.

CHAPTER I

FIREARMS AND PARTS AND COMPONENTS

2. EXPORTATION

2.1 Procedure

The steps to be followed for the exportation of firearms or parts and components are:

(i) The authorizing agency of the country of export may issue an Export Certificate to an applicant who:

(a) meets the applicable domestic legal requirements;

(b) provides the applicable information required under Article 2.2.1;

and

(c) supplies the original or a certified copy of the Import Certificate referred to in Article 3.2.

(ii) The authorizing export agency shall only authorize the export of firearms or parts and components pursuant to an export certificate when the applicant provides to the export agency the export attachment information required under Article 2.2.2. The export attachment information may be provided on a portion of the Export Certificate or on a separate Export Attachment document.

(iii) Where the firearms or parts and components are proposed to pass through an in-transit country or countries before reaching the country of final destination, the exporter shall also provide to the verifying agency of the country of export, an In-transit Shipment Authorization, referred to in Article 4.1, from each in-transit country.

(iv) The authorizing export agency shall, upon request, send the original or a certified copy of the Export Certificate and Export Attachment including the information required under Articles 2.2.1 and 2.2.2 to the verifying agency of the importing country and, where applicable, to the applicable agency of each in-transit country.

(v) The shipper identified by the exporter in the export attachment information shall present the firearms or parts and components, together with the original or a certified copy of the Export Certificate and Export Attachment to the verifying agency of the exporting country, and upon verification by the latter, the shipment may be exported.

2.2 Export Certificate and Export Attachment Information

2.2.1 Export Certificate

An Export Certificate shall accompany each shipment. Each Export Certificate shall contain at a minimum, the information identified in items 1 through 12 and, where required by the legal regime of a particular importing country, the information set out in items 13 and 14.

EXPORT CERTIFICATE		
Item	Element	Requirement
<i>Export Certificate Information - Required by All Countries</i>		
1	Domestic Export Certificate identifier	Unique by country of issuance.
2	Country of issuance	By name, or by unique country code.
3	Date of issuance	In international date format.
4	Authorizing agency identification	Name of agency, address, telephone and fax, signing officer and signature.
5	Exporter identification	Name, address, telephone and fax, representative's name if commercial body and signature.
6	Exportation Authorized	Total quantity of firearms or parts and components approved for export listed by classification-description.
7	Certificate expiry date	Date by which total quantity of firearms or parts and components must be shipped pursuant to the Export Certificate, or date of expiry of the Certificate, whichever is earlier.
8	Importing Country Information	Domestic Import Certificate identifier, country of issuance, date of issuance of certificate, identification of authorizing agency, identification of importer and final recipient, authorized import quantity of firearms or parts and components, certificate expiry date.
9	Importer	Name, address, country code of residence, citizenship if individual, name of representative if commercial or government.
10	Final Recipient (if different from importer)	Name, address, country code of residence, citizenship if individual, name of representative if commercial or government.

112	<u>Broker Information (where a broker was involved in the transaction)</u>	<u>Name, address, telephone and , country code of residence, citizenship if individual, name of legal representative if a business, broker registration number where applicable, and certified copy of broker license authorizing the transaction.</u>
12	Source of firearms/parts and components	Name, address, telephone and fax, country code of residence, citizenship if individual, name of representative if commercial or government and signature.
13	Certificate cancellation information (applicable when certificate cancelled)	Date, agency identification, address, telephone and fax, name of officer and signature, quantities of firearms or parts and components by classification-description shipped to-date against this Export Certificate.
<i>Particular Certificate Information - Required by Some Countries</i>		
14	Applicable Brussels Convention tariff classification	Applicable tariff classification number, by class.
15	Additional descriptive information respecting firearms or parts and components	For example, barrel length, overall length, action, number of shots, manufacturer's name and country of manufacture.

2.2.2 Export Attachment

An Export Attachment shall accompany each shipment and may be included as part of the Export Certificate or as a separate document. Each Export Attachment shall contain the following information.

EXPORT ATTACHMENT		
<i>Export Attachment Information - Required by All Countries</i>		
15	Shipment Information	Serial numbers of firearms or of parts and components (where applicable) being shipped, within each classification-description (as per bill of lading if required by the exporting and/or importing countries)

2. As recommended by the CICAD Expert Group on Firearms at its meeting in Managua, Nicaragua, April 7-9, 2003.

		date of shipment, exit port, routes planned, and specifying all shipping modes and shippers.
16	For each shipper identified above	Name, address, telephone and fax, representative's name if commercial or government and signature.
17	Information on prior shipments, if any, made against the applicable Export Certificate	Date(s) of exit of previous shipment(s), quantities of firearms or parts and components shipped, by classification-description per shipment, cumulative quantities of all shipments shipped prior to this shipment, name of shipper.

3. IMPORTATION

3.1 Procedure

The steps to be followed for the importation of firearms or parts and components are:

- (i) The authorizing agency of the importing country may issue an Import Certificate to an applicant who meets the applicable domestic legal requirements, who provides the applicable information required pursuant to Article 3.2.
- (ii) The importer shall provide an original or certified copy of the Import Certificate to the exporter for presentation to the authorizing agency of the country of export, as required under Article 2.1(i).
- (iii) The verifying agency of the importing country, upon confirming that the contents of the shipment and the identity of the importer or final recipient are in accordance with the information specified in the Import Certificate, Export Certificate and Export Attachment, and that the importer or final recipient meets the applicable domestic requirements, shall release the shipment to the person who satisfies the agency that he is the authorized representative identified on the Import Certificate.

3.2 Information Required on Import Certificate

Each Import Certificate shall contain at a minimum the information identified in items 1 through 10 and, where required by the legal regime of a particular importing country, the information prescribed in items 11 and 12.

IMPORT CERTIFICATE		
Item	Information	Requirement
<i>Import Certificate Information - Required by All Countries</i>		
1	Domestic Import Certificate Identifier	Unique by country of issuance.

2	Country of issuance	By name, or by unique country code.
3	Date of issuance	In international date format.
4	Authorizing agency identification	Name of agency, address, telephone and fax, signing officer and signature.
5	Importer Identification	Name, address, telephone and fax, country of residence, representative's name if commercial or government body, citizenship and signature.
6	Final Recipient identification (if different from importer)	Name, address, telephone and fax, country of residence, representative's name if commercial or government body, citizenship and signature.
7 ³	<u>Broker Information (where a broker was involved in the transaction)</u>	<u>Name, address, telephone and , country code of residence, citizenship if individual, name of legal representative if a business, broker registration number where applicable, and certified copy of broker license authorizing the transaction.</u>
8	Importation Authorized	Total quantity of firearms or parts and components approved for import listed by classification-description.
9	Certificate expiry date	Date by which total quantity of firearms or parts and components must be imported pursuant to the Import Certificate, or date of expiry of the Certificate, whichever is earlier.
10	Export Country Information	Name of country of export.
11	Certificate cancellation information (applicable when certificate cancelled)	Date, agency identification, address, telephone and fax, name of officer and signature, quantities of firearms or parts and components by classification-description received to-date against this Import Certificate.
Particular Certificate Information - Required by Some Countries		
12	Applicable Brussels Convention tariff classification	Applicable tariff classification number, by class.

3. As recommended by the CICAD Expert Group on Firearms at its meeting in Managua, Nicaragua, April 7-9, 2003.

13	Additional descriptive information concerning firearms or parts and components	For example, barrel length, overall length, number of shots, manufacturer's name and country of manufacture.
----	--------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------

4. IN-TRANSIT SHIPMENTS

4.1 Procedure

The steps to be followed for an in-transit shipment are:

(i) The authorizing agency of an in-transit country may issue an In-transit Shipment Authorization to an applicant who meets the applicable domestic legal requirements, who provides the information required pursuant to Article 4.2, and who supplies the following documents:

- A. An original or a certified copy of the Import Certificate issued by the country of final destination; and
- B. An original or a certified copy of the Export Certificate and Attachment as described in Articles 2.2.1 and 2.2.2.

(ii) The recipient of the In-transit Shipment Authorization shall provide an original or certified copy of the Authorization to the exporter for presentation to the verifying agency of the county of export, as required under article 2.1 (iii).

(iii) The verifying agency of the in-transit country, upon confirming that the contents of the shipment and the identity of the shipper are in accordance with the information specified in the Import Certificate, Export Certificate, Export Attachment and In-transit Authorization, and upon confirming that domestic legal requirements have been met, shall permit the in-transit passage of the shipment.

4.2. Information Required on In-transit Shipment Authorization

Each In-transit Shipment Authorization shall contain the following information:

IN-TRANSIT SHIPMENT AUTHORIZATION		
<i>In-transit Authorization – Required by all countries</i>		
1	Individual country information	Domestic In-Transit Authorization identifier, country of issuance, by name or country code, date of issuance, authorizing agency identification, including name, address, telephone and fax.
2	Identification of Applicant	Name, address, country of residence, telephone, fax, and representative's name if commercial or government and signature.
3	Authorized in-transit shipment specifics for a particular country and shipment	In-transit authorizing agency requirements, including authorized ports of entry and exit, validity dates pertaining to authorization, any

		other specific information with respect to the shipment while in that country, such as anticipated duration and location(s) of shipment while in bond, and any restrictions or conditions imposed by the agency, authorizing officer, signature and seal.
--	--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

CHAPTER II
AMMUNITION

5. EXPORTATION

5.1 Procedure

The steps to be followed for the exportation of ammunition are:

(i) The authorizing agency of the country of export may issue an Export Certificate to an applicant who:

(a) meets the applicable domestic legal requirements;

(b) provides the applicable information required under Article 5.2.1; and

(c) supplies the original or a certified copy of the Import Certificate referred to in Article 6.2.

(ii) The authorizing export agency shall only authorize the export of ammunition pursuant to an export certificate when the applicant provides to the export agency the export attachment information required under Article 5.2.2. The export attachment information may be provided on a portion of the Export Certificate or on a separate Export Attachment document.

(iii) Where the authorized shipment of ammunition is proposed to pass through an in-transit country or countries before reaching the country of final destination, the exporter shall also obtain an In-transit Shipment Authorization referred to in Article 7.1 from each in-transit country and provide it to the verifying agency of the country of export.

(iv) The authorizing export agency shall, upon request, send an original or a certified copy of the Export Certificate and Export Attachment including the information required under Article 5.2.1 and 5.2.2 to the verifying agency of the importing country and, where applicable, to the applicable agency of each in-transit country.

(v) The shipper identified by the exporter in the export attachment information shall present the ammunition, together with the original or a certified copy of the Export Certificate and Export Attachment to the verifying agency of the exporting country, and upon verification by the latter, the shipment may be exported.

5.2 Export Certificate and Export Attachment Information

5.2.1 Export Certificate

An Export Certificate shall accompany each shipment. Each Export Certificate shall contain at a minimum, the information identified in items 1 through 12 and, where required by the legal regime of a particular importing country, the information set out in items 13 and 14.

EXPORT CERTIFICATE		
Item	Element	Requirement
<i>Export Certificate Information- Required by all Countries</i>		
1	Domestic Export Certificate identifier	Unique by country of issuance.
2	Country of issuance	By name, or by unique country code.
3	Date of issuance	In international date format.
4	Authorizing agency identification	Name of agency, address, telephone and fax, signing officer and signature.
5	Exporter identification	Name, address, telephone and fax, representative's name if commercial body and signature.
6	Exportation Authorized	Total quantity of ammunition approved for export listed by classification-description.
7	Certificate expiry date	Date by which total quantity of ammunition must be shipped pursuant to the Export Certificate, or date of expiry of the Certificate, whichever is earlier.
8	Importing Country Information	Domestic Import Certificate identifier, country of issuance, date of issuance of certificate, identification of authorizing agency, identification of importer and final recipient, authorized import quantity of ammunition by classification-description, certificate expiry date.
9	Importer	Name, address, country code of residence, citizenship if individual, name of representative if commercial or government.

10	Final Recipient (if different from importer)	Name, address, country code of residence, citizenship if individual, name of representative if commercial or government.
11	Source of ammunition	Name, address, telephone and fax, country code of residence, citizenship if individual, name of representative if commercial or government and signature.
12	Certificate cancellation information (applicable when certificate cancelled)	Date, agency identification, address, telephone and fax, name of officer and signature, quantities, by classification-description, shipped to-date against this Export Certificate.
<i>Particular Certificate information- Required by Some Countries</i>		
13	Applicable Brussels Convention tariff classification	Applicable tariff classification number, by class.
14	Additional descriptive information concerning ammunition	For example, caliber, velocity and force, type of bullet, manufacturer's name and country of manufacture.

5.2.2 Export Attachment

An Export Attachment shall accompany each shipment and may be included on or together with the Export Certificate. Each export Attachment shall contain the following information.

EXPORT ATTACHMENT		
<i>Export Attachment Information - Required by All Countries</i>		
15	Shipment Information	Lot numbers of ammunition and quantity being shipped, within each classification-description (as per bill of lading if required by the exporting and/or importing countries) date of shipment, exit port, routes planned, and specifying all shipping modes and shippers.
16	For each shipper identified above	Name, address, telephone and fax, representative's name if commercial or government and signature.
17	Information on prior shipments, if any, made against the applicable Export	Date(s) of exit of previous shipment(s), quantities of ammunition shipped, by

	Certificate	classification-description per shipment, cumulative quantities of all shipments shipped prior to this shipment, name of shipper.
--	-------------	----------------------------------------------------------------------------------------------------------------------------------

6. IMPORTATION

6.1 Procedure

The steps to be followed for the importation of ammunition are:

(i) The authorizing agency of the country of import may issue an Import Certificate to an applicant who meets the applicable domestic legal requirements, who provides the applicable information required pursuant to Article 6.2.

(ii) The importer shall provide an original or certified copy of the Import Certificate to the exporter for presentation to the export authorizing agency, as required under Article 5.1 (i).

iii) The verifying agency of the importing country, upon confirming that the contents of the shipment and the identity of the importer or final recipient are in accordance with the information specified in the Import Certificate, Export Certificate and Export Attachment, and that the importer or final recipient meets the applicable domestic requirements, shall release the shipment to the person who satisfies the agency that he is the authorized representative identified on the Import Certificate.

6.2 Information Required on Import Certificate

Each Import Certificate shall contain at a minimum the information identified in items 1 through 10 and, where required by the legal regime of a particular importing country, the information prescribed in items 11 and 12.

IMPORT CERTIFICATE		
Item	Information	Requirement
<i>Import Certificate Information - Required by All Countries</i>		
1	Domestic Import Certificate Identifier	Unique by country of issuance.
2	Country of issuance	By name, or by unique country code.
3	Date of issuance	In international date format.
4	Authorizing agency identification	Name of agency, address, telephone and fax, signing officer and signature.
5	Importer Identification	Name, address, telephone and fax, country of residence, representative's name if commercial or government body, citizenship

		and signature.
6	Final Recipient identification (if different from importer)	Name, address, telephone and fax, country of residence, representative's name if commercial or government body, citizenship and signature.
7	Importation Authorized	Total quantity of ammunition approved for import by classification-description.
8	Certificate expiry date	Date by which total quantity of ammunition must be imported pursuant to the Import Certificate, or date of expiry of the Certificate, whichever is earlier.
9	Export Country Information	Name of country of export.
10	Certificate cancellation information (applicable when certificate cancelled)	Date, agency identification, address, telephone and fax, name of officer and signature, quantities of ammunition, by classification-description, received to-date against this Import Certificate
<i>Particular Certificate Information - Required by Some Countries</i>		
11	Applicable Brussels Convention tariff classification	Applicable tariff classification number, by class.
12	Additional descriptive information with respect to the ammunition	For example, caliber, velocity and force, type of bullet, manufacturer's name and country of manufacture.

7. IN-TRANSIT SHIPMENTS

7.1 Procedure

The steps to be followed for an in-transit shipment are:

(i) The authorizing agency of an in-transit country may issue an In-transit Shipment Authorization to an applicant who meets the applicable domestic legal requirements, who provides the information required pursuant to article 7.2, and who supplies the following documents:

A. An original or a certified copy of the Import Certificate issued by the country of final destination; and

B.. An original or a certified copy of the Export Certificate and Attachment as described in Articles 5.2.1 and 5.2.2.

(ii) The recipient of the In-transit Shipment Authorization shall provide an original or certified copy of the Authorization to the exporter for presentation to the verifying agency of the country of export, as required under article 5.1 (iii).

(iii) The verifying agency of the in-transit country, upon confirming that the contents of the shipment and the identity of the shipper are in accordance with the information specified in the Import Certificate, Export Certificate, Export Attachment and In-transit Authorization, and upon confirming that domestic legal requirements have been met, shall permit the in-transit passage of the shipment.

7.2 Information Required on In-transit Shipment Authorization

Each In-transit Shipment Authorization shall contain the following information:

IN-TRANSIT SHIPMENT AUTHORIZATION		
<i>In-transit Authorization - Required by all countries</i>		
1	Individual country information	Domestic In-Transit Authorization identifier, country of issuance, by name or country code, date of issuance, authorizing agency identification, including name, address, telephone and fax.
2	Identification of Applicant	Name, address, country of residence, telephone, fax, and representative's name if commercial or government and signature.
3	Authorized in-transit shipment specifics for a particular country and shipment	In-transit authorizing agency requirements, including authorized ports of entry and exit, validity dates pertaining to authorization, any other specific information with respect to the shipment while in that country, such as anticipated duration and location(s) of shipment while in bond, and any restrictions or conditions imposed by the agency, authorizing officer, signature and seal.

CHAPTER III

GENERAL CONDITIONS APPLYING TO ALL CERTIFICATES, ATTACHMENTS AND AUTHORIZATIONS

8.1 Validity Period for Import Certificates, Export Certificates and Attachments and In-transit Shipment Authorizations

Each Import Certificate shall specify the termination date thereof (generally considered to be 1 year from date of issue). Each Export Certificate and Attachment as well as In-transit Shipment Authorizations shall specify a maximum validity date that will not extend beyond the termination date of that Import Certificate.

8.2 No extension

The validity periods of all certificates, attachments and authorizations granted shall not be extended. Upon expiry of the validity period of a certificate, attachment or authorization, a new application shall be required to be made.

8.3 Authorized Quantities

All Import Certificates, Export Certificates or Attachments, or In-transit Shipment Authorizations shall indicate the authorized quantities of each type of firearm, parts and components or ammunition as the case may be, duly identified by its applicable form of classification and description, that may be shipped pursuant to those documents. **The quantities authorized pursuant to each export certificate and export attachment, and each in-transit shipment authorization shall not exceed the amounts authorized in the corresponding import certificate.**

Shipment of the authorized quantities of firearms, parts and components and ammunition may be carried out in one or more shipping transactions.

8.4 Authenticity of Certificates and Other Documents

To ensure the authenticity of all certificates, attachments and authorizations and any other documentation required to be submitted to authorities under these regulations, only original and certified copies will be accepted or, if agreed to by the competent authorities of the countries concerned, the documentation may be transmitted by electronic means. **Each country undertakes to exchange information and experiences and to develop best practices to prevent falsification of information and forgeries of certificates and authorizations.**

8.5 Modifications to Certificates and Other Documents

Modifications to certificates, attachments and authorizations shall only be permitted to be made by the appropriate authorizing agencies within the applicable validity periods and only with respect to the following matters:

- For all certificates: source of firearms, parts and components or ammunition, as the case may be, for export;

- For Export Attachments and In-transit Shipment Authorizations: planned shipment information - shipping routes, ports of entry/exit, modes of shipment, shipping dates and shippers for individual shipments;

All changes except changes in shipping modes will require authentication apparent on the face of the modified certificates or other documents, such as stamps, seals and authorized signatures.

CHAPTER IV

RESPONSIBILITIES OF MEMBER STATES

9.1 Record-Keeping

Countries shall maintain their own individual records of import/export/in-transit shipments of firearms, parts and components and ammunition by recording, by classification and description, the actual quantities proceeding under each shipment transaction. As a minimum, in the case of export and import transactions, records shall be maintained by the appropriate authorities that reflect the quantities of firearms, parts and components and ammunition remaining to be exported or imported, as the case may be, pursuant to a particular certificate.

Records shall be kept for a period of not less than **10** years after the last transaction effected under a particular certificate. Countries shall identify to one another the agencies responsible for record-keeping.

9.2 Computerization of Records

Countries shall use their best efforts to computerize their records, for the purposes of enhancing effective information access among one another, **and to that end are encouraged to make use of the Small Arms and Light Weapons System Application (SALSA).**

Countries that already possess computerized information systems, and the associated technical competence and expertise, agree to share this technology and knowledge with interested participating countries, in order to facilitate and harmonize record-keeping and information-sharing.

9.3 Information Exchange

Each country shall designate a Central Information Office to receive and fulfill information requests to it from participating countries, concerning import, export and in-transit shipment transactions of firearms, parts and components and ammunition. Where the information is required for judicial proceedings, it shall be provided on a basis consistent with existing agreements for such purpose.

9.4 Sharing of Complementary Information

Information such as the regulations and legislation of the participating countries concerning firearms, parts and components and ammunition, and other static public domain information, shall be consolidated by CICAD through the **Small Arms and Light Weapons System Application (SALSA)** for access by participating countries. In accordance with domestic law, countries **will share the foregoing information and, in accordance with the law, other information concerning international movements of firearms in electronic form so as to enhance and facilitate its capture and use.**

9.5 Training & Technical Assistance

Countries agree, within their resource constraints, to provide training and technical assistance for the implementation of these model regulations. As requested, CICAD could coordinate such training and technical assistance. Primarily, regional experts will be used for these purposes.

9.6 End Use Documents

As a further means of controlling and preventing firearms diversion, countries undertake to consider the desirability of employing end use documents. The authorizing agency of the exporting country will not issue an export certificate to an exporter unless the agency has previously received, in addition to an import certificate, a completed original or certified copy of an end user document prepared either by the authorizing agency of the exporting or importing country. At a minimum the end user documentation shall contain the full name, address, telephone, fax and e-mail, country of residence, representative's name if a commercial or government body, and citizenship of the prospective importer and exporter; a description of the goods including the numbers of firearms received together with their serial numbers, or quantities and identification marks of parts and components, or where applicable the quantities and lot numbers of ammunition being shipped; an identification of the actual end-user and a declaration of the firearms end use or purpose, including as appropriate, a sworn declaration that the goods are for the sole use of the

end-user, or will not be re-exported without the prior written consent of the authority of the country of export.

9.7 Confirmation of Import/Export Transactions and Delivery Verification Documentation

Confirmation of shipment entry to or exit from designated ports, by appropriate verification agencies, shall be provided to any of the countries named on the certificates, attachments or authorizations pertaining to that shipment, upon request.

Countries further undertake, in furtherance of Article IX paragraph 4 of the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials, (hereafter CIFTA) at the request of the authorizing agency of the exporting country, to issue delivery verification certificates that would attest to the arrival and proof of entry of the exported goods. This would be achieved by including on the export certificate a condition that the importer shall supply a completed delivery verification form to the issuing agency in the country of import. The latter would certify the arrival of the goods by way of the associated customs clearance documents. The delivery verification certificate would contain at a minimum, the name, address, telephone, fax and e-mail, country of residence, representative's name if commercial or government body and citizenship of both the importer and exporter; the total quantity of firearms and ammunition and serial numbers of firearms or of parts and components (where applicable) or lot numbers of ammunition received, and; date of shipment. This process would help to prevent diversions of firearms by enabling the exporting government to match its export information with the delivery verification to ensure an accurate match.

9.8 Cancellation

Cancellation of certificates, attachments or authorizations before their expiry dates shall require that the authorizing or verification agency of the canceling country inform all other countries participating in the transactions pursuant to those certificates or authorizations, so that they may cancel the corresponding authorizations for which they are responsible. Cancellations shall reflect the quantities, by classification-description, of firearms, parts and components or ammunition exported, in-transit shipped or imported to the date of cancellation against the particular authorization.

9.9 Identification of All Agencies

Each country shall identify to the others, the names, addresses, telephone numbers, **e-mail addresses** and other relevant information, of the authorizing, verifying, record-keeping and central information agencies **referred to in these Model Regulations and the names and coordinates of the corresponding officials responsible for performing those functions.**

9.10 Shipment Irregularities

Where a verification agency becomes aware of an irregularity in relation to an international shipment of firearms, parts and components or ammunition, it shall notify the central information office in order to determine whether the shipment was duly authorized and exported. If an irregularity is found to have occurred, the office shall notify its counterparts of all the other countries in order that any applicable authorizations be canceled and other appropriate actions taken.

9.11 Stockpile Management and Destruction of Firearms

Each country shall endeavor to put in place effective and up-to date stockpile management and destruction programs for confiscated firearms. Countries that already employ contemporary stockpile management and destruction methods undertake to share this knowledge with interested member countries.

9.12 Marking Firearms

To promote compliance with Article VI of the CIFTA, countries will assist one another with appropriate marking of firearms as required by the Convention in accordance with contemporary best practices in order to facilitate identification and tracing and to maintain improved supervision over firearms in their respective national territories.

**RECOMMENDATIONS OF THE GROUP
OF EXPERTS TO CICAD**

The Group of Experts requests that CICAD consider and adopt the Model Regulations to Control the Movements of Firearms, Parts and Components and Ammunition and present them to the next General Assembly of the Organization of American States, for their possible adoption by the member states.

To facilitate the adoption of the Model Regulations, the Group of Experts recommends that CICAD:

ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

1. Periodically consider the effectiveness of the Model Regulations, to assess the extent to which recommended norms have been adopted and implemented by the member states, facilitate the widest dissemination of information to the member states regarding the Model Regulations, and recommend those additional activities needed to expedite their adoption and application.
2. Provide the necessary technical collaboration to the member states which request it, for the adoption and implementation of the Model Regulations and assist in obtaining the financial resources needed for this purpose.
3. Convene periodic seminars and workshops to provide the competent authorities, the judiciary and law enforcement agencies of the member states with a forum in which to exchange experiences in their efforts to control the international movements of firearms, parts and components and ammunition.
4. Establish a close working relationship with the United Nations and other international, regional and governmental bodies carrying out similar work.

Furthermore, the Group of Experts recommends that CICAD urge the member states of the Organization of American States give high priority to:

5. Continuing with efforts to develop a common definition of accessories to firearms that includes those which increase the efficiency or danger of a firearm and its capacity to inflict harm, as well as appropriate procedures for their control for inclusion in these Model Regulations.

Convening a Group of Experts with specific knowledge of explosives to review and examine in depth that subject and explosives accessories with a view to developing model regulations for their control. In addition, such an examination should consider the feasibility and convenience of including in such model regulations provisions for the safe handling of explosives, other dangerous substances and related materials having multiple uses.