

October 2016

# The Proliferation of Small Arms and Ammunition



## Table of Contents

Glossary .....	4
Executive Summary .....	5
1. The Scope and Extent .....	5
1.1 Background .....	5
1.2 Response to questionnaire .....	6
1.3 Objectives .....	6
2. Research Design .....	7
2.1 Methodology .....	7
3. Status of Problem .....	7
3.1 Legitimate Use .....	8
3.2 Legitimate Transportation .....	8
3.4 Criminality .....	9
3.5 Payment .....	10
3.6 Methods and Techniques .....	11
4. Controls.....	12
4.1 Borders – Roles and Responsibilities .....	13
4.2 Dealers – Roles and Responsibilities .....	13
4.3 Owners – Roles and Responsibilities .....	14
4.4 Methods – Detection and Deterrence .....	15
5. News and other Reports.....	15
5.1 Jamaica Observer Newspaper .....	15
5.2 The Kaieteur Online News .....	15
6. Analysis / Findings.....	17
7. Challenges.....	20
8. Recommendations .....	21
9. Conclusion .....	23
Annexes .....	24

CFATF Risks, Trends and Methods Group

## **The Proliferation of Small Arms and Ammunition**

## Glossary

<b>Ammunition</b>	Ammunition is defined as bullets, shells, projectiles, missiles, rounds, shot, slugs, cartridges, munitions used with Small Arms, (UN 2006 Small Arms Review Conference).
<b>ATT</b>	Arms Trade Treaty.
<b>Marking</b>	The act of permanently stamping or imprinting Small Arms and Light Weapons, or its parts and components, with at least one unique identifying mark, typically a serial number, in order to provide information on the weapon's origin and history.
<b>SALW</b>	Small Arms and Light Weapons
<b>Small arm</b>	Weapons designed for individual use, to include <i>inter alia</i> , revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns.” (UN 2006 Small Arms Review Conference)
<b>Tracing</b>	The process of using a serial number, or other identifying information, of a weapon to track its movement - from manufacturer or importer – through the chain of distribution (wholesale, retail, transfer) to the individual or body that procured it.
<b>Trafficking</b>	The import, export, acquisition, sale, delivery, movement, or transfer of firearms, ammunition, explosives, and other related materials from or across the territory of one State Party to that of another State Party, if any one of the States Parties concerned does not authorize it.
<b>UN</b>	United Nations
<b>UNODC</b>	United Nations Office on Drugs and Crime

## Executive Summary

The proliferation of small arms and ammunition is of growing concern as these weapons are used to destroy life and impede the socio-economic development of countries. There are national security implications for member jurisdictions if the illegal cross-border movement of small arms and ammunition goes unchecked.

This study examines the proliferation of small arms and ammunition within the region and seeks to gain an understanding of the extent of the problem, the control measures in place and vulnerabilities which may exist within individual systems. In conclusion, recommendations will be made with a view of enhancing existing mechanisms.

### 1. The Scope and Extent

#### 1.1 Background

Small arms and ammunition have become the weapons of choice in conflicts around the world and feature prominently in crimes. A number of control mechanisms have been suggested for implementation, in attempt to alleviate this situation. Small jurisdictions which do not manufacture small arms and ammunition are constantly confronted with challenges in effectively policing the proliferation of small arms and ammunition.<sup>1</sup>

The Caribbean Financial Action Task Force (CFATF) Risk, Trends and Methods Group (CRTMG) has chosen to undertake this study to gain greater insight into the scope of the problem with which its members are confronted.

---

<sup>1</sup> [http://www.smallarmssurvey.org/fileadmin/docs/H-Research\\_Notes/SAS-Research-Note-43.pdf](http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-43.pdf)

## 1.2 Response to questionnaire

The table below shows countries that provided responses to the questionnaire out of the CFATF's 27 members:

Member Countries	Yes	Member Countries	No
Anguilla	✓	Antigua and Barbuda	✗
Barbados	✓	Aruba	✗
Belize	✓	Bahamas	✗
Cayman Islands	✓	Bermuda	✗
Dominica	✓	British Virgin Islands	✗
Guatemala	✓	Curaçao	✗
Jamaica	✓	Dominican Republic <sup>2</sup>	✗
Montserrat	✓	El Salvador	✗
St. Kitts and Nevis	✓	Grenada	✗
St. Maarten	✓	Guyana	✗
St. Vincent and the Grenadines	✓	Haiti	✗
Trinidad and Tobago	✓	St. Lucia	✗
Turks and Caicos Islands	✓	Suriname	✗
		Venezuela	✗
	<b>48%</b>		<b>52%</b>

## 1.3 Objectives

The main objectives of this project are to develop a regional report on typologies related to the proliferation of small arms and ammunition and identify the effects that these activities have on member jurisdictions, including any possible nexus to money laundering and terrorist financing.

The specific objectives were to:

1. Identify on a regional level, the magnitude of the situation;
2. Identify the laws that are enacted to counter the proliferation of small arms and ammunition;
3. Identify the efficiency of investigations and/or judgments related to these crimes;
4. Identify the level of international cooperation received within the region;
5. Identify the warning signs to be reported to Law Enforcement;

<sup>2</sup> The Dominican Republic withdrew its membership in August 2016 from the CFATF. This was after the data capture period.

6. Identify the linkage between the proliferation of small arms and ammunition and money laundering and/or terrorist financing;
7. Identify the warning signs with a view to warn the general public; and
8. Make recommendations, if necessary, for the improvement of legislation to counter the proliferation of small arms and ammunition.

## 2. Research Design

### 2.1 Methodology

This study incorporates a mixed method approach in the examination of existing literature on this topic; and statistical data obtained from responses to questionnaires. Interviews were also conducted with Mr. Christopher Orcinolo, Regional Firearms Advisor, U.S. Alcohol, Tobacco, Firearm and Explosives (ATF) expert based in Trinidad and Tobago. This approach was used to determine the control mechanisms and compare them to the statistics in order to ascertain the extent of the proliferation of small arms and ammunition within the region.

## 3. Status of Problem

In December 2015, the project team distributed a questionnaire to CFATF members seeking information covering the period 2010 to 2015. Responders were requested to provide information on the proliferation of small arms and ammunition within their jurisdictions.

One-third of the member states responded. While no jurisdiction manufactures either small arms or ammunition the majority (77%) of the respondents reported that there exists within their respective jurisdiction a small arms and ammunition problem.

Information received suggests that small arms and ammunition has a direct impact on the increasing crime rate in member countries. Regional and international reports highlighted high murder rates in the CFATF member states resulting from firearm offences where small arms were mainly used in committing such crimes.

There are several control mechanisms in place which aid in the interception, investigation and prosecution of small arms and ammunition related activities. These include but are not limited to:

- firearm legislation;
- special criminal investigation units;
- intelligence units;
- joint task forces;
- use of scanners at ports;
- border and coastal patrols;
- increased random and targeted searches;
- small arms and ammunition sniffer dogs and
- memoranda of understanding (domestically and internationally).

### 3.1 Legitimate Use

Throughout the region, licenses for small arms are granted by competent authorities such as the Police for use by law enforcement agencies (LEAs) in the execution of their duties; as well as to members of the public for recreational hunting; and in some cases, the protection of life and property. These licenses are often accompanied by conditions related to storage, carriage, concealment and use.

In all of the countries examined, there is legislation that makes it a criminal offence to have an unlicensed firearm in your possession; or to be in possession of a firearm and ammunition, without being the holder of a firearm permit, in the case of personal use. Additionally, legislation also exists to allow for the legitimate sale of firearms and ammunition.

### 3.2 Legitimate Transportation

Small arms enter the respective countries mainly via air cargo and remains under the supervision of the Customs Department (Customs) until handed over to the Police for safe keeping and appropriate (lawful) distribution.



Licensed firearm vendors or licensed citizens are permitted to import firearms, providing they have obtained the appropriate importation license.

**Figure 1 – Firearms and Ammunition sold legally<sup>3</sup>**

Particulars	2010	2011	2012	2013	2014	2015
Small arms	67	74	58	45	54	4
Ammunition sold	4970	51772	68650	65585	53160	2500

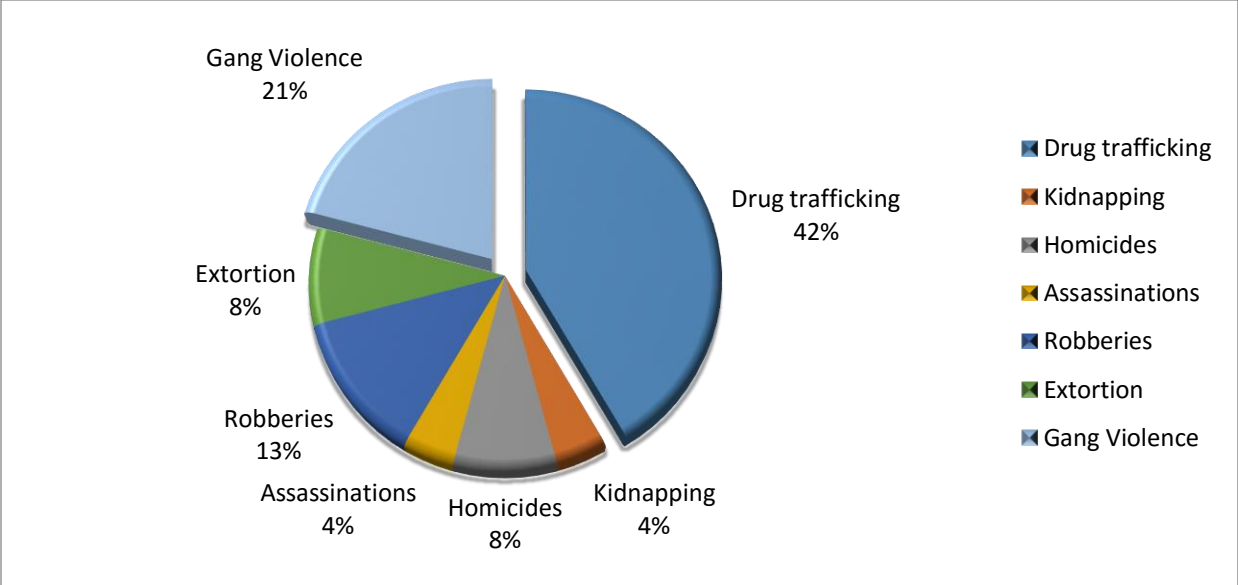
### 3.4 Criminality

This study found that criminals obtained and use small arms and ammunition primarily for drug trafficking purposes (*ten (10) out of twelve (12) respondents stated this*). The secondary use of the small arms and ammunition was identified as gang violence as reported by four (4) of the ten (10) countries that provided responses. (*See data in the Annex*)

**Figure 2 – Firearm related crimes**

---

<sup>3</sup> The figures in this table are reflective of the responses received from Guatemala, St. Vincent & the Grenadines, Barbados and the Cayman Islands.



Self-employed persons, taxi drivers, vendors and fishermen, are some of the groups of persons identified as being perpetrators involved in small arms and ammunition offences.

### 3.5 Payment

The countries surveyed indicated that the main form of payment for illegal small arms and ammunition are:

1. cash;
2. barter system (*drugs and goods exchanged for arms/ammunition*); and
3. stolen property being exchanged for arms/ammunition.

**Figure 3 – Payment method for firearms and ammunition**

<b>Name</b>	<b>Cash</b>	<b>Barter</b>	<b>Stolen property for arms/ammunition</b>
Anguilla	X	-	X
Barbados	X	-	-
Belize	X	X	-
Cayman Islands	X	X	X
Dominica	X	-	-
Guatemala	X	-	-
Jamaica	-	X	-
Montserrat	-	-	-
Sint Maarten	X	X	-
St. Kitts & Nevis	X	-	-
St. Vincent & the Grenadines	X	X	-
Trinidad and Tobago	X	X	-
Turks and Caicos Islands	X	-	-

### 3.6 Methods and Techniques

An analysis of the responses provided by the responding countries showed that illegal firearms enter the various countries via legitimate routes and in most cases, via the same routes used for drug trafficking throughout the region.

Small arms enter countries in a variety of ways, which includes but are not limited to:

Among clothing items	Fishing boats
Appliances	Food items
Barrels	Go-Fast boats ( <i>through porous borders</i> )
Car parts	Human person
Commercial boats	Toys
Commercial trade	Vehicle tires
Containers	Vehicles
Vacuum cleaners	Water Heaters
Bicycles	Paint

#### **4. Controls**

All of the countries that participated in this survey have legislation in place that governs the acquisition, use, sale, and disposal of small arms and ammunition.

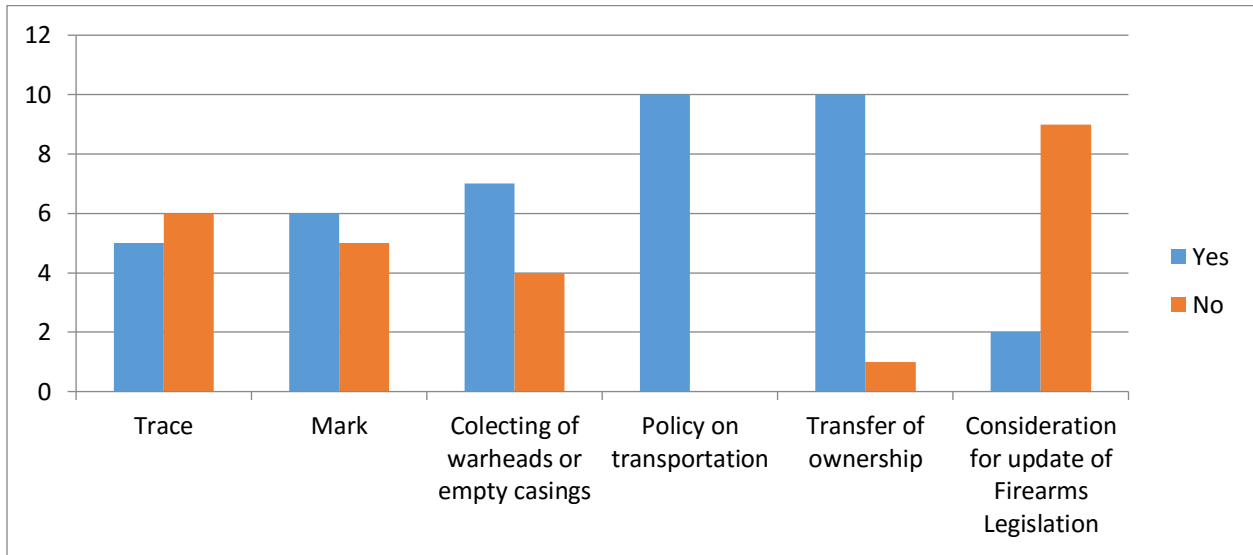
However, the Arms Trade Treaty (ATT), created by the United Nation's Office of Disarmament Affairs, has impressed upon countries the need to strengthen their legislative framework by enacting and/ or updating legislation that directly relates to the trafficking, marking and tracing of, and maintaining statistics pertaining to Small Arms and Ammunition.

While 130 countries are signatories to this treaty only 86 have ratified it.<sup>4</sup>

---

<sup>4</sup> <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2016/11/ATT-status-table-WebReport-1-November-2016.pdf>

**Figure 4 – Extent of 6 key elements of ATT in respondent’s legislation**



#### **4.1 Borders – Roles and Responsibilities**

Within each of the respondent countries, the Customs Department has a major role to play in protecting the country’s borders, which includes the legitimate ports as well as the illegal ports of entry.

Customs officials have law enforcement powers, together with regular enforcement agencies, namely the Police and Immigration Authorities, to protect their respective territories from activities associated with small arms and ammunition trafficking.

In the legislation provided by the responding countries, ports of entry or permitted places of loading/ unloading are areas approved by the Comptroller of Customs or other designate, as areas where goods or persons legally enter or depart from a country.

#### **4.2 Dealers – Roles and Responsibilities**

Persons holding a Firearm Dealer’s Licence are not permitted to deal in firearms or ammunition at any location other than the place specified in the licence.

The dealer is required to display a sign, identifying the licensee as a licensed firearm dealer and shall provide and keep a register of transactions relating to his business as a licensed dealer. However, from the information provided, it is unclear as to the number of countries which grant

firearm dealers licenses. The following countries have indicated that their Firearms laws allow for the granting of Firearm Dealer's Licenses:

- a. Barbados
- b. Belize
- c. Cayman Islands
- d. Dominica
- e. Guatemala
- f. Jamaica
- g. Montserrat
- h. Sint Maarten
- i. St. Vincent and the Grenadines
- j. Trinidad and Tobago
- k. Turks and Caicos Islands

#### 4.3 Owners – Roles and Responsibilities

There is no right to bear arms in any jurisdiction surveyed; therefore, the roles and responsibilities of firearm owners are dictated by the procedures for obtaining a firearms permit. That process is as follows:

- Application
- Interview
- Home Visit – Secure location for firearm
- Firearms / Range Training
- Examination
- Issuance of licence

Licenseses have the responsibility to, *inter alia* secure the firearm on their person or in a safe place, as provided for by law and to carry and use said firearm in a safe and secure manner.

#### 4.4 Methods – Detection and Deterrence

There are a number of ways of detecting firearms and ammunition that enter a country via the legitimate trade/ travel routes – Airports and Sea ports – they include but are not limited to human resources; trained sniffer dogs; or x-ray scanning. Some of these measures are already implemented in the surveyed countries.

### 5. News and other Reports

#### 5.1 Jamaica Observer Newspaper

*“The issue of gun control is far from limited to the domestic politics of individual states. The Caribbean Basin Region, due to its geographical location, is positioned between the largest arms industries in the hemisphere – The United States of America in the North and Brazil in the South. These countries, as a result of big business, have created the phenomenon and are therefore in the best position to staunch the flow of illegal arm within the region.”* (Julia Sweig, 2014).

#### 5.2 The Kaieteur Online News

The Kaieteur News reported in its December 12<sup>th</sup> 2014 edition ran a headline stating, *“Guyana among top 20 countries with the most murders.”* Of the twenty (20) countries mentioned, Guyana in addition to nine (9) other countries form part of the Caribbean Basin Region. According to the report, these countries have separately indicated that more than 45% of murders in their jurisdictions were by use of firearms.

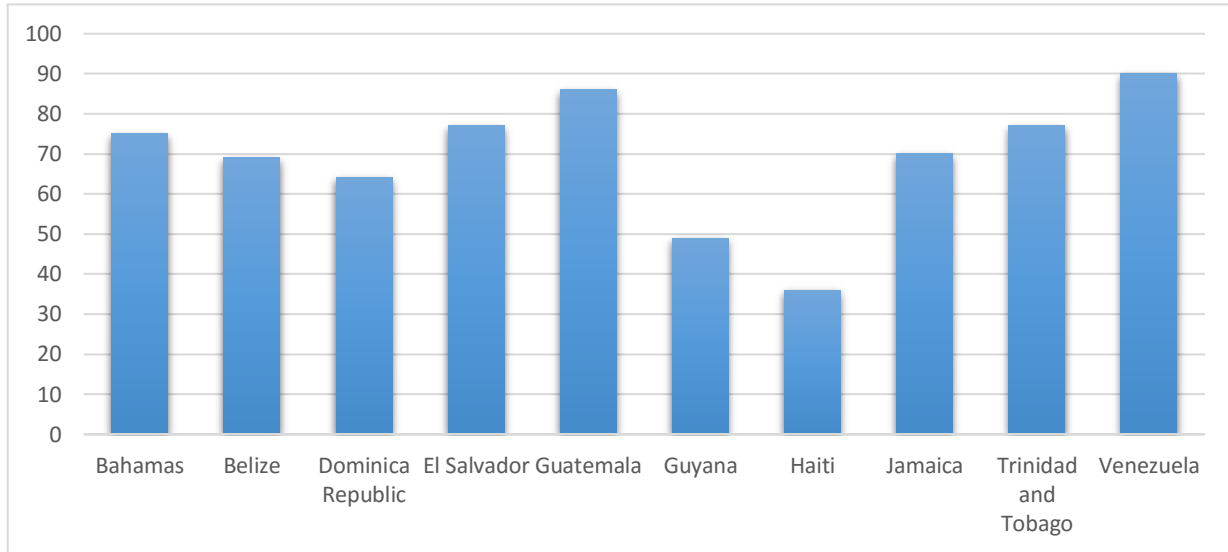
***Figure 5 – Murders by use of Firearms (Top 20 countries)***

No.	Country	Murder per 100,000	By Firearm	Rating
1	Zimbabwe	15.1	33%	20 <sup>th</sup>
2	Iraq	18.6	45%	19 <sup>th</sup>
3	Panama	19.3	80%	18 <sup>th</sup>
4	Swaziland	19.4	56%	17 <sup>th</sup>
5	Namibia	19.7	47%	16 <sup>th</sup>
6	Guyana	20.2	49%	15 <sup>th</sup>
7	Mexico	22.0	73%	14 <sup>th</sup>
8	Dominican Republic	25.4	64%	13 <sup>th</sup>
9	Haiti	26.6	36%	12 <sup>th</sup>
10	Bahamas	32.1	75%	11 <sup>th</sup>
11	Trinidad and Tobago	35.3	77%	10 <sup>th</sup>
12	South Africa	35.7	54%	9 <sup>th</sup>
13	Lesotho	37.5	50%	8 <sup>th</sup>
14	Guatemala	39.9	86%	7 <sup>th</sup>
15	El Salvador	43.9	77%	6 <sup>th</sup>
16	Colombia	43.9	80%	5 <sup>th</sup>
17	Belize	44.7	69%	4 <sup>th</sup>
18	Jamaica	45.1	70%	3 <sup>rd</sup>
19	Venezuela	57.6	90%	2 <sup>nd</sup>
20	Honduras	103.9	84%	1 <sup>st</sup>

	CFATF Member Countries
--	------------------------

*Figure 6 – Percentage of persons killed by firearms*





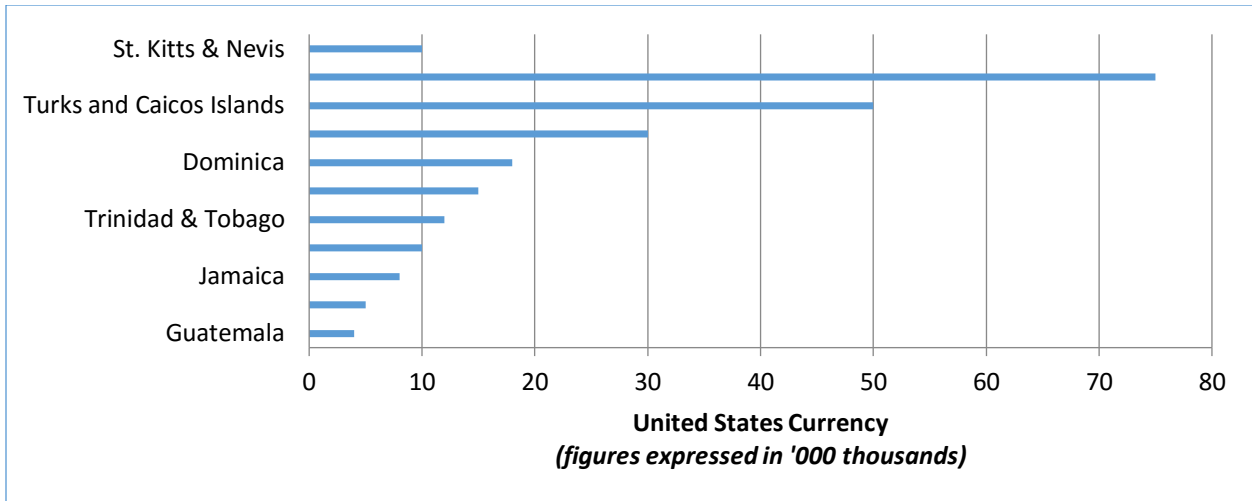
## 6. Analysis / Findings

All respondents indicated that there is relevant legislation which criminalises the trafficking of small arms and ammunition and creates conditions for the import, export, use and control of small arms and ammunition.

The maximum penalties reported for gun related offenses have been stated as life imprisonment and fines of up to US\$75,000.00.

Anti-money laundering legislation, such as the Proceeds of Crime Act (POCA) in the Republic of Trinidad and Tobago, create the avenue for countries to go after the benefits derived from or property used in the commission of arms and ammunition related offences.

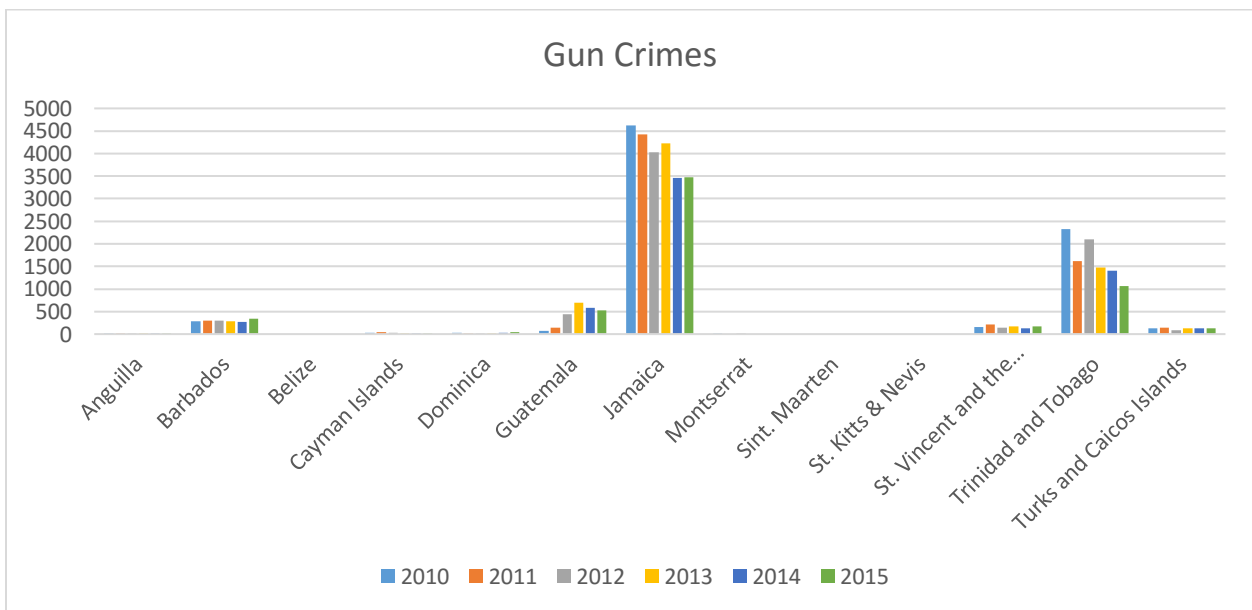
**Figure 7 – Legislative fines across CFATF member states**



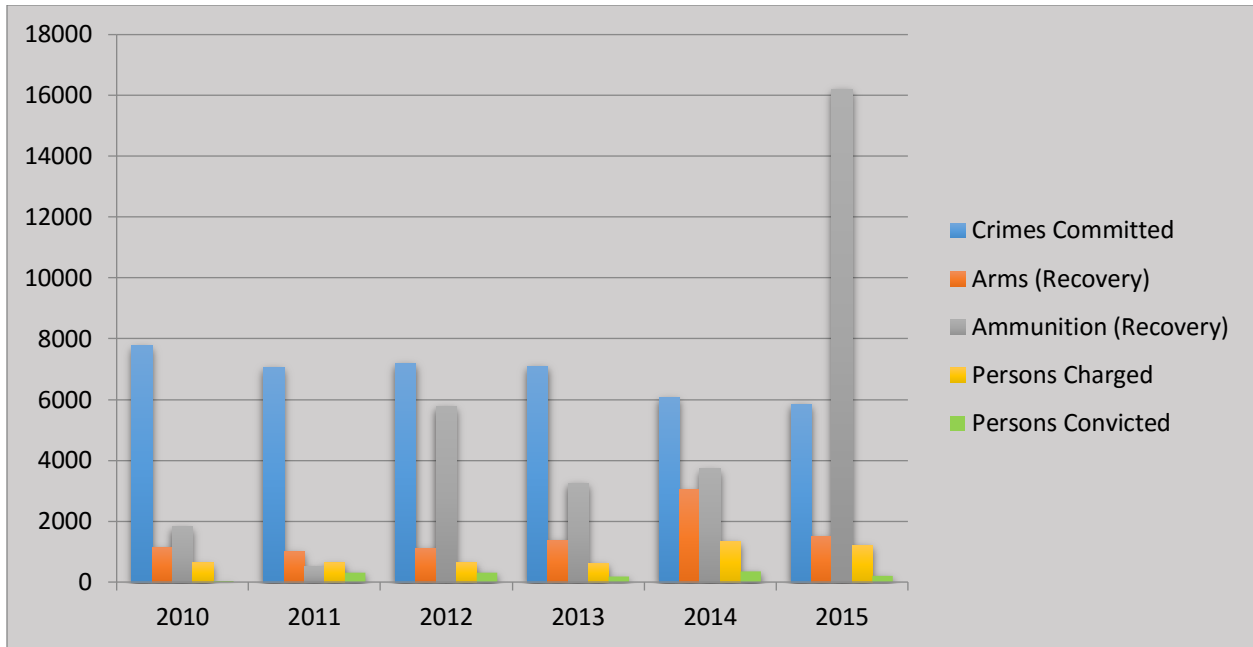
In most jurisdictions, legitimate firearms are purchased from the United States of America (USA) after receiving relevant permission/ licence issued by the Commissioner of Police and imported under special warrants by the Comptroller of Customs at the port of entry.

Eleven of the twelve countries which submitted responses to this survey provided statistics pertaining to small arms related crimes. The information submitted revealed key jurisdictions where small arms related crimes were most prevalent.

**Figure 8 – Small arms related crimes (Per member states) – (statistics provided in the Annex)**

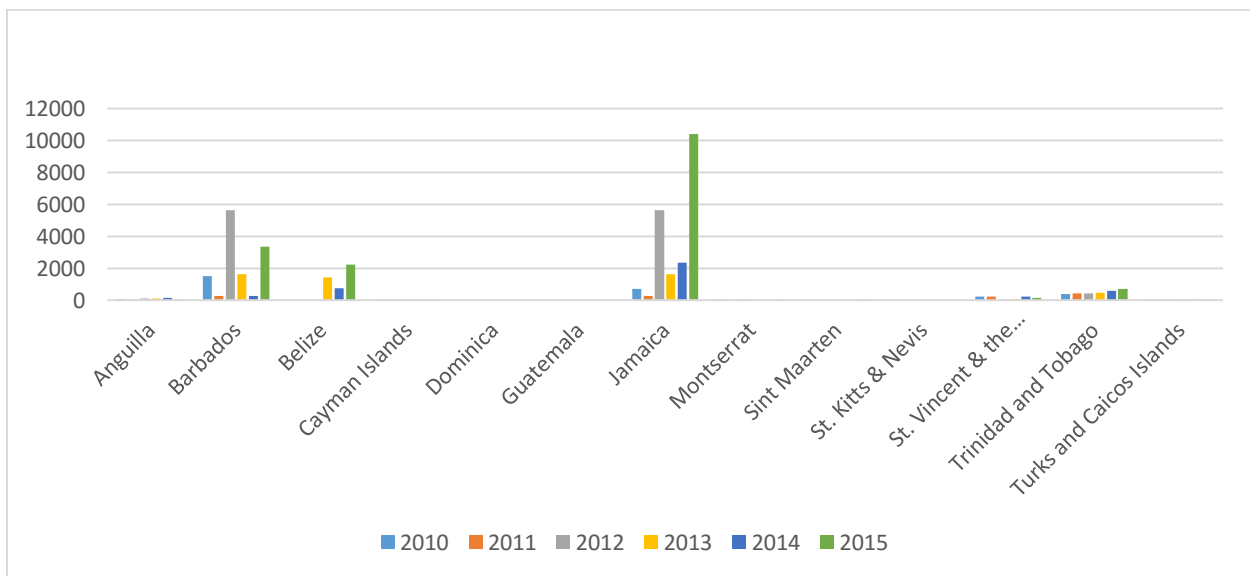


**Figure 9 – Small arms related crimes (All member states)**

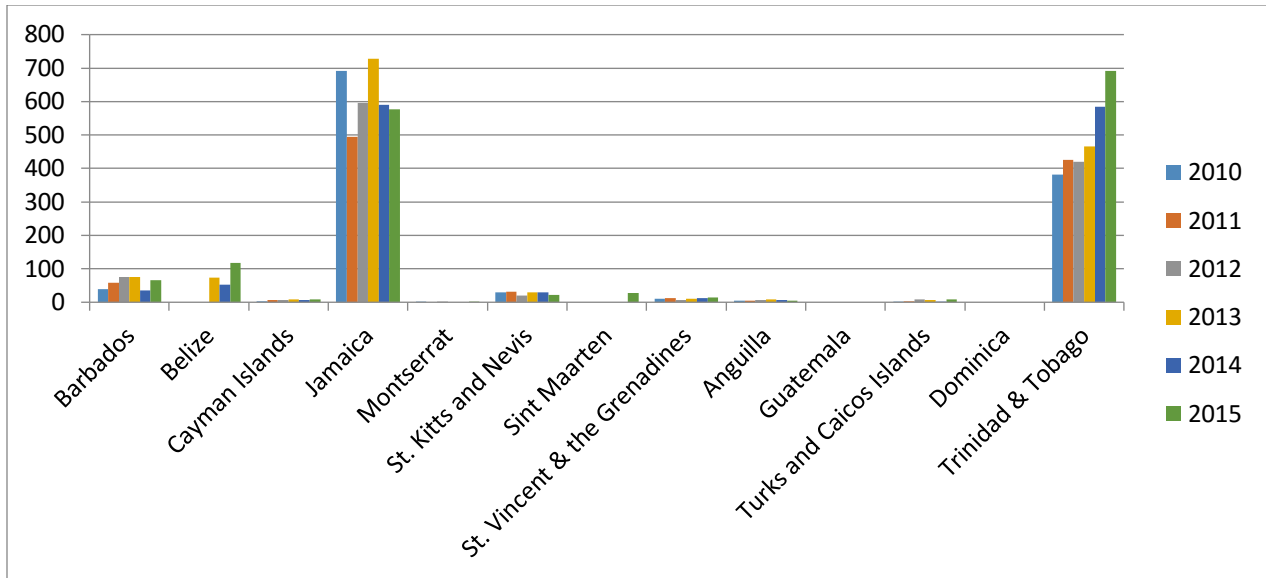


Notwithstanding being the jurisdiction with the most gun related crimes among CFATF member states, Jamaica continues to dominate in its law enforcement efforts to rid its streets of illegal firearms. Barbados, Belize and Trinidad and Tobago are the three (3) most prominent jurisdictions which have recorded successes in this area.

**Figure 10 – Illegal ammunition recovered (per country)**



**Figure 11 – Illegal firearms recovered (per country)**



Unlike the other CFATF member countries, Jamaica has a “Gun Court.” The court is a branch of the Jamaica judicial system that tries criminal cases involving firearms. The court was established by an Act of Parliament in 1974 to combat rising gun violence. Therefore, it is possible that the operations of this special court might be attributable to the convictions within that jurisdiction when compared with other jurisdictions.

From the questionnaire there were two (2) responses stating that the USA and St. Maarten have been identified as jurisdictions where the proceeds of illicit small arms and ammunition are related to ML/FT.

The majority of the countries (77%) have indicated that the proliferation of small arms and ammunition poses a real and present threat to law and order or peace and stability in their country.

## 7. Challenges

Highlighted below are the key challenges identified by participating member jurisdictions in the fight against the proliferation of small arms and ammunition:

- a. Inadequate border control measures, to include, limited human and physical resources appear to be a significant factor in the interception of illegal arms and ammunition entering member countries;
- b. Limited budgets for high cost of radar and scanning equipment at sea ports;
- c. Limited data collection by member states on the nexus between the proliferation of small arms and ammunition and the proceeds generated, seized, confiscated and forfeited from it;
- d. Limited data collection on small arms and ammunition related activities, both legal and illegal, which could inform strategic analysis and planning;
- e. Antiquated firearms legislation - with non-dissuasive sanctions;
- f. Limited cooperation between law enforcement agencies (LEAs), particularly the FIU and other LEAs; and
- g. Limited information sharing by LEAs with financial institutions to assist in the identification and reporting of transactions linked to small arms and ammunition activities.

## 8. Recommendations

The following are recommendations geared at strengthening the control measures which currently exist, thereby enhancing the combating ability of the respective member countries:

1. Member countries should consider reviewing their respective Firearms legislation and amending same where necessary, with a view to making the penalties more dissuasive;
2. Jurisdictions should ensure deterrence of illegal use of small arms and ammunition through adequate and dissuasive penalties;

3. Countries should ensure that there is comprehensive data capture of firearms related crimes and activities. This information, when collected, will aid in the development of national strategies and or policies aimed at curbing the proliferation of small arms and ammunition;
4. Member jurisdictions should consider investing in appropriate scanners (x-rays) for installation at key ports, to increase their detection rates as well as mitigate the prevalence of small arms and ammunition in their respective jurisdictions;
5. The placement of adequate human resources and monitoring at key installations and areas such as marinas and canals, remote air strips and domestic airports should be considered;
6. Countries should consider the establishment of a canine unit, with trained dogs capable of sniffing out firearms and ammunition;
7. Countries should consider enhancing their respective information sharing and or cooperation mechanisms between LEAs, in particular with their respective Financial Intelligence Units (FIUs), to allow for simultaneous parallel financial investigations. For example, the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC) Firearms Destruction and Stockpile Management (FDSM) Assistance Package and Establishment of a Caribbean Regional Armoury Management Training Centre; and
8. Consideration should be given for the establishment of a database where firearm details (*including ballistic information*) and other related activities (*both criminal and legal*) are maintained. It is further recommended that prior to the sale of legal firearms, the weapon should be discharged in a controlled setting and the ballistic information stored. This information should be managed and shared with other key local, regional and international LEAs;

## 9. Conclusion

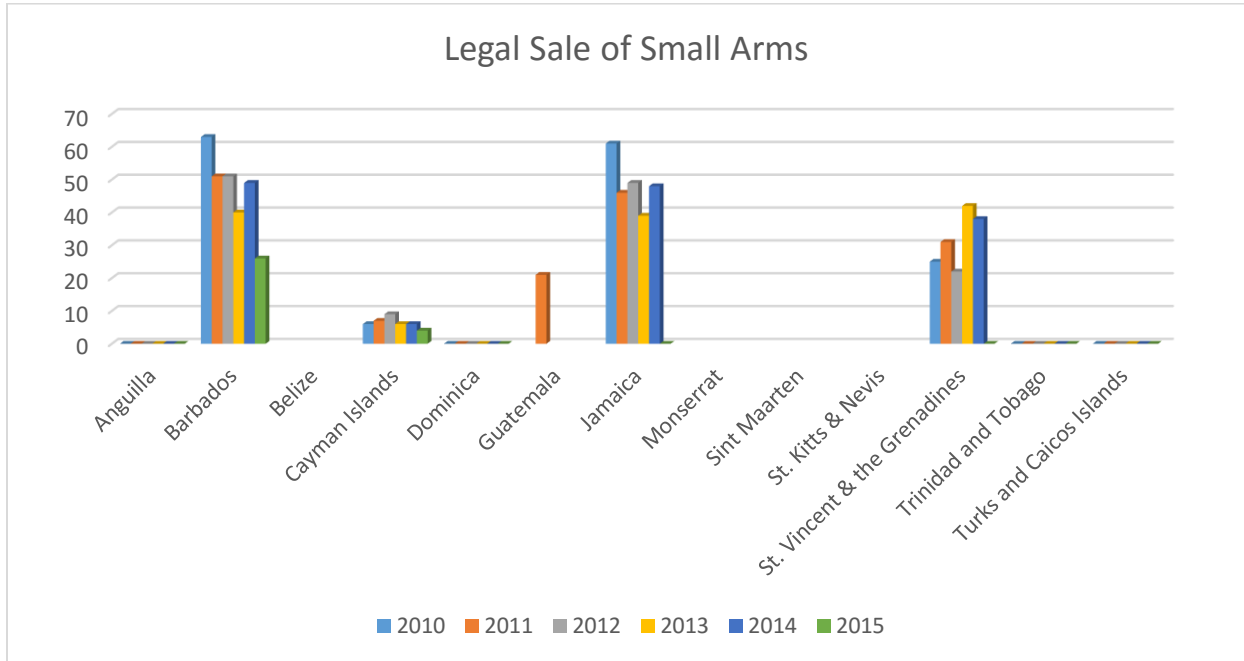
Small arms and ammunition are the main tools used in many of today's conflicts - and are the cause of the majority of deaths from armed violence in the region. The attention drawn to proliferation of small arms and ammunition will assist member countries in the development of anti-gun crime related policies and strategies.

The international communities have assisted by creating the various conventions and treaties and making it mandatory for states to do their best to alleviate the proliferation of small arms and ammunition.

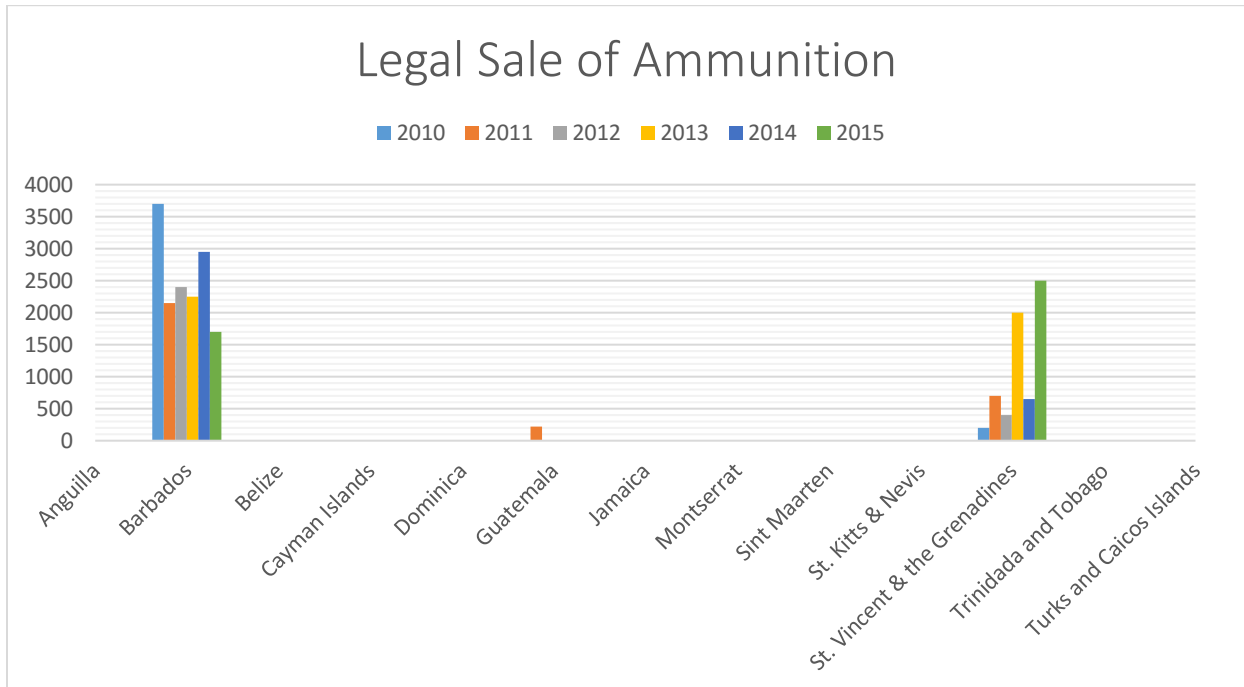
It would appear that the existing legislative framework and current counter-measures, for the most part, to combat the proliferation of small arms and ammunition, have proven to be insufficient. Therefore, it is incumbent upon CFATF member states to seriously consider the recommendations highlighted in this report.

# Annexes

**Figure 12 - Legal Sale of Small Arms**



**Figure 13 - Legal Sale of Ammunition**





*Small arms related crimes statistics (Per member state)*

	2010	2011	2012	2013	2014	2015
Anguilla	8	10	9	11	12	10
Barbados	287	300	292	279	269	346
Cayman Islands	27	36	27	7	5	7
Dominica	27	18	9	16	23	37
Jamaica	4617	4430	4022	4223	3459	3468
St. Vincent and the Grenadines	159	217	147	170	126	170
Sint Maarten	-	-	-	-	-	-
Trinidad and Tobago	2327	1620	2100	1482	1399	1059
Turks and Caicos Islands	123	139	85	125	122	130
Belize	-	-	-	-	-	-
Guatemala	65	143	437	700	585	529
Montserrat	1	-	3	-	-	-
St. Kitts & Nevis	42	51	48	29	32	32

*Ammunition recovered statistics (Per member states)*

	2010	2011	2012	2013	2014	2015
Anguilla	45	18	114	120	137	21
Barbados	1523	266	5624	1608	281	3337
Cayman Islands	2	6	7	8	6	8
Dominica	-	-	-	-	-	-
Jamaica	691	266	5626	1608	2331	10421
St. Vincent & the Grenadines	227	223	32	72	208	157
Sint Maarten	-	-	-	-	-	28
Trinidad and Tobago	382	425	420	465	585	691
Turks and Caicos Islands	1	2	9	7	1	9
Belize	-	-	-	1429	754	2228
Guatemala	-	-	-	-	-	-
Montserrat	1	-	1	-	-	1
St. Kitts & Nevis	30	32	20	30	30	21

*Small arms recovered statistics (Per member states)*

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Barbados</b>	40	59	75	75	35	65
<b>Belize</b>	-	-	-	73	53	117
<b>Cayman Islands</b>	2	6	7	8	6	8
<b>Jamaica</b>	691	494	595	728	590	576
<b>Montserrat</b>	1	-	1	-	-	1
<b>St. Kitts and Nevis</b>	30	32	20	30	30	21
<b>Sint Maarten</b>	-	-	-	-	-	28
<b>St. Vincent &amp; the Grenadines</b>	10	12	6	10	13	14
<b>Anguilla</b>	4	4	7	8	7	4
<b>Guatemala</b>	-	-	-	-	-	-
<b>Turks and Caicos Islands</b>	1	2	9	7	1	9
<b>Dominica</b>	-	-	-	-	-	-
<b>Trinidad &amp; Tobago</b>	382	425	420	465	585	691

*Small arms related crimes statistics (All member states)*

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Crimes Committed</b>	7641	6913	7131	7013	6000	5756
<b>Arms (Recovery)</b>	1131	1002	1120	1374	3031	1513
<b>Ammunition (Recovery)</b>	1813	514	5776	3242	3731	16206
<b>Persons Charged</b>	628	631	635	626	1345	1208
<b>Persons Convicted</b>	29	305	312	183	344	201