

ASEAN Regional Forum (ARF) Confidence Building Measures Seminar on
Conventional Weapons Transfers
- Presentation by Ms. Peggy Mason, Canada

I wish to briefly review the results of the UN Group of Governmental Experts study, established pursuant to General Assembly resolution 54/54V - which Expert Group I had the privilege to Chair. The mandate of the group was to carry out a study on the feasibility of restricting the manufacture and trade of SALW to the manufacturers and dealers authorized by states. The purpose was to assist in preventing illicit trafficking in, and illicit circulation of, small arms and light weapons. In this regard the Group saw its work as contributing to the broader international effort to address excessive and destabilizing accumulations and transfers of small arms and light weapons. A particular focus of the Group's work was the identification and evaluation of options for the effective legal regulation of arms brokers; that is, of those engaged in actions to facilitate the transfer of SALW - through arranging the financing or transportation for example - without necessarily taking ownership or possession of the arms or without acting as a direct agent of the exporter or importer of the arms.

In respect of arms brokering activities, the study outlines a system of national regulation with the following possible elements:

- a strong framework of effective national legislation, regulations and administrative procedures to control the export, import, transit, end user and retransfer of SALW as the foundation for brokering regulation;
- a requirement for arms brokers to register in the jurisdiction of legal residence and to apply for a license for individual brokering transactions;
- a disclosure requirement on applications for export or import permits in relation to any brokering activities involved;
- a system of information sharing among national regulatory authorities in relevant areas, particularly those administering export/import and brokering controls; and

- international cooperation and assistance to build capacity in relation to national enforcement and in relation to information sharing at all levels from national to bilateral, to regional and global levels.