

OAS CONVENTION ON ILLICIT TRAFFIC IN FIREARMS

Mexico took the lead, within the Rio Group of Latin American states, on a new *OAS Convention on Illicit Trafficking in Firearms, Ammunition, Explosives and Other Related Materials*. The initiative gained political momentum when U.S. President Clinton, in summit meetings with Mexican President Zedillo and CARICOM countries agreed to the creation of a hemispheric instrument on firearms trafficking. The OAS Convention was approved after five rounds of negotiations on October 17, 1997.

The new instrument contains effective, practicable and implementable provisions for tightening the net on arms traffickers. Many provisions are patterned on the 1998 *Vienna Convention on Illicit Trafficking in Narcotic Drugs and Psychotropic Substances* and on the recently negotiated *OAS Convention on Corruption*.

The OAS Convention includes provisions for:

- a reciprocal system of import, export and transit authorizations which would preclude states parties from releasing exports to other states parties without corresponding authorizations from receiving states parties;
- mandatory marking of firearms at manufacture and upon import, as well as record-keeping, to facilitate tracing;
- discretionary marking of other military-style weapons;
- information sharing, law enforcement training and various other forms of mutual assistance and cooperation;
- extradition for offences covered by the Convention; and
- preambular language establishes a link between illicit arms trafficking and post-conflict situations and makes clear that lawful cross-border movements by individuals, e.g. for tourism and sport hunting, are not intended to be affected by the Convention.

The OAS instrument is the first international convention to address firearms trafficking. Discussions are now underway at the UN Crime Commission to include a Protocol on Firearms in negotiations on a Draft Convention on Transnational Organized Crime, for which the OAS Convention will likely serve as a blueprint.