

*Translated from Arabic*

**National report of the Syrian Arab Republic on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects**

Since the dawn of independence in the 1950s, the Syrian Arab Republic has established laws and regulations governing the possession, bearing and trade of small arms and light weapons and the situations in which they may be used by governmental authorities or by persons licensed to possess certain types of such weapons.

Promulgated in 1957, Act No. 403 regulated the licensing procedure for handguns and for hunting and military rifles in the case of citizens whose circumstances or work required them to possess such weapons for legitimate self-defence or for the defence of their property and possessions. It covered the conditions for the possession, use, sale and purchase of weapons, the validity period of the licence, the places in which the bearing of weapons was not permissible and the situations in which the use of weapons was permissible, specifically in legitimate self-defence and defence of possessions. The Act also covered the conditions to be satisfied by individuals in order to obtain a weapons licence, the validity period of the licence, means of renewal and offences that precluded the issuance of a licence or resulted in the revocation of a licence already issued.

Licences for military rifles, for example, were granted only to persons whose work or living conditions required them to possess these weapons, such as desert herdsmen who travelled with their livestock in search of forage or who lived in remote areas with few inhabited settlements. Such licences were not granted to city dwellers or persons residing in large inhabited settlements. While the said Act was in force, handguns and hunting weapons were traded through licensed private dealers operating in premises that adequately satisfy the conditions for control of the possession, import and trade of such weapons. The records and premises of the said dealers were subject to continual monitoring and inspection by the competent governmental authorities.

Promulgated on 8 September 1970, Legislative Decree No. 189 amended certain provisions of the above Act and abolished licences for weapons dealers. Trade in the weapons in question was thereafter confined to the public sector in the form of the General Organization for Trade and Distribution (GOTA). Attached to the Ministry of Economy, this Organization sells weapons to individuals only after they produce an official document issued to them by the Ministry of the Interior. It keeps a record of all information relating to the weapon sold and to the purchaser, namely, the source, type, calibre and number of the weapon, the name and identity details of the purchaser, the number and date of the document presented. It then communicates this information to the licensing authorities at the Ministry of the Interior. The records and weapons held by GOTA are subject to periodic impromptu inspections by the Ministry of the Interior and the weapons-import licences which it obtains are subject to the approval of the Ministry of the Interior. The above procedures regulate the import, possession and sale of these weapons and their storage under conditions that prevent them from causing harm or damage to the public. The Decree also included all of the other conditions covered in the aforementioned Act No. 403.

Promulgated on 23 September 2001, Legislative Decree No. 51 comprises the new law on small arms licences, pursuant to which licences for military rifles, both single-shot and automatic, were abolished. Such rifles and their ammunition were collected from licensees and surrendered to the Department of Ordnance at the Ministry of National Defence. The Decree prohibits the licensing of all automatic weapons (handguns and military rifles) and limits the number of weapons that a licensee may possess to one single-shot handgun per licensee and two hunting rifles, whereas under the previous laws an individual could be licensed for two handguns of any type (single-shot or automatic) and six hunting weapons. The Decree also raised the minimum licensing age from 18 to 25 years and increased the fees payable by the licensee, as well as the penalty for the illicit possession or trade of a weapon. The fee for the possession of a handgun for a period of five years, which is the validity period of the licence is now therefore 10,000 Syrian pounds (equivalent to US\$ 200), whereas under the previous laws the fee for the same period was 250 Syrian pounds (equivalent to only US\$ 5).

Legislative Decree No. 51 afforded citizens a period of six months in which to surrender to the State any kind of unlicensed weapons in their possession, as well as any ammunition and explosives, exempting liability if they did so and providing material compensation for weapons surrendered if licensable under the previous laws. This period was extended for a further six months by Legislative Decree No. 23 of 29 April 2002 and also applied to licensees who wished to surrender their licensed weapons to the State. A further respite of six months was granted with the promulgation of Legislative Decree No. 25 of 10 April 2005. Under the terms of the aforementioned Legislative Decrees, thousands of small arms, handguns and hunting rifles were surrendered to GOTA by their owners for material compensation, while military rifles and all other military weapons and ammunition were surrendered to the Department of Ordnance at the Ministry of Defence. The purpose of the State in taking the said measures was to reduce the proliferation of these weapons and limit their individual possession as much as possible. These measures were consistent with the United Nations approach to controlling the trade, possession, bearing and circulation of these weapons in view of the serious harm that their unlawful proliferation causes to civilian communities.

Examples of provisions from the current Arms Act of the Syrian Arab Republic are given below:

1. **Licensing**: Article 18 of Legislative Decree No. 51 provides as follows:

An applicant for any licence provided for in the present Decree must:

- (a) Be at least 25 years of age and fully competent;
- (b) Not have been sentenced to deprivation of civil rights, convicted of a felony, or a misdemeanour involving dishonour, prohibited from bearing arms, convicted of any offence against State security, sentenced to punishment for offences relating to weapons, explosive materials, narcotic substances or alcohol intoxication or imprisoned for any offence involving smuggling, insurrection or concealment of criminals;
- (c) Be an Arab or a legally resident alien;
- (d) Be in good health;

(e) Be professionally qualified if the licence relates to the repair of weapons or the manufacture of fireworks.

**Transfer:** Article 4 of Decision No. 372 LEG, issued by the Minister of the Interior and containing the implementing directives for Decree No. 51, provides as follows:

**Article 4 (a)**

1. When wishing to transfer arms or ammunition from one place to another, the competent public-sector entities must provide sufficient advance notification to the governorate police command of the transfer operation, the place from and date on which the transfer is to be made, the quantities of arms and ammunition to be transferred, the mode of transfer, the recipient and the route;
2. The governorate police command which was notified of the transfer shall be responsible for communicating the information to the Department of Criminal Security for the purpose of coordinating with the concerned governorate police commands located en route to the place of destination concerning provision of the necessary security monitoring for the transfer operation and, where necessary, the provision of an adequate police escort;
3. The nearest police unit must be immediately informed by any available means of changes made to the transfer route for any reason.

**Article 4 (b)**

1. It shall be forbidden to move arms, ammunition and fireworks in transit through the country without the approval of the Minister of the Interior.
2. Applications for transit approval shall be submitted with the supporting documents for the transit operation to the Department of Criminal Security, which shall be responsible for submitting such applications and its opinion of them to the Minister of the Interior.
3. The transit approval shall state the quantity and type of items to be moved in transit, the entity making the transfer, the name of the sender, the entity to which the transfer is being made, the addressee, the carrier, the route, the time of transit and any other conditions required in order to guarantee public security and safety.
4. The Department of Criminal Security shall transmit a copy of the transit approval to:
  - The point of entry;
  - The point of exit.
5. The Department of Criminal Security shall be responsible for coordinating with the concerned governorate police commands located between the point of entry and the point of exit for the purpose of providing the necessary security monitoring for the transit operation and, where necessary, an adequate escort by members of the police command in the governorate controlling the point of entry.
6. The nearest police unit must be immediately informed by any available means of changes made to the transit route for any reason.

**Licence periods and fees:** The licence period for licensable small arms is five years, renewable. At the start of each renewal, the licensee must provide evidence to show that he continues to meet the required licensing conditions. A fee of 10,000

Syrian pounds is imposed for a five-year handgun licence. Fees for hunting licences and licences for the possession of hunting weapons vary in accordance with the calibre of the weapon.

**Penalties:** Article 40 of the Decree, for example, provides as follows:

The penalty of detention for 5 to 15 years and a fine of not less than three times and not more than 10 times the value of the arms or ammunition seized shall be imposed on any person who:

1. Smuggles or attempts to smuggle arms or ammunition for the purpose of trafficking;
2. Knowingly possesses arms or ammunition that have been smuggled for the purpose of trafficking. Accomplices and accessories shall be sentenced to the same penalty as the main perpetrator.

Article 41 of Decree No. 51 provides as follows:

**Article 41:**

(a) Any person who possesses or carries either a military weapon that is not licensable under the provisions of this Legislative Decree or the ammunition for such weapon shall be punished with imprisonment of three to six years and a fine of 10,000 to 50,000 Syrian pounds;

(b) Any person who carries or possesses a military handgun or the ammunition for such handgun without a licence shall be punished with imprisonment of two to five years and a fine of 5,000 to 25,000 Syrian pounds.

The examples cited demonstrate that severe penalties are typically imposed on those who contravene the Arms Act now in force, thus creating an effective deterrent to prevent the possession, smuggling or trafficking of unlicensed arms. We should also point out that licences for weapons or their repair are granted to a person only after the competent security agencies have thoroughly reviewed his general conduct, health, social status, occupation and the required duration of the licence. This is in addition to the conditions already mentioned that must be fulfilled in accordance with the above legal provisions.

We note from the foregoing that Syria was one of the first States to incorporate into its laws provisions regulating the possession, transfer and trade of small arms.

The Syrian Arab Republic supports the United Nations approach to combating the illicit trade in small arms and light weapons and preventing their uncontrolled proliferation, which is detrimental to human societies, in particular to children and women, fuels regional and local conflicts, and hinders development.

The Syrian Arab Republic will continue, as always, to take part in international and regional conferences and symposiums on this subject. It actively joins in efforts to control the illicit trade in small arms, light weapons and other weapons, while also affirming its legitimate right to acquire, possess and use arms for legitimate self-defence and the liberation of its occupied territories in accordance with Article 51 of the Charter of the United Nations and other relevant Articles thereof. Syria continues to endure the occupation of part of its territory (the Golan) by Israel, which has led to the displacement of tens of thousands from their homes and the destruction of entire towns and villages (the town of Quneitra and many villages in

the Golan). In the territories from which it has withdrawn in accordance with international agreements, the occupation has also left behind thousands of landmines that continue to kill and injure peaceful citizens. The clearance of these mines and the reconstruction of devastated towns and villages cost a great deal of time, effort and money.

Uncontrolled trade in and proliferation of small arms and light weapons is not in the interest of any human society. The proliferation of such weapons causes thousands of daily casualties around the world, most of them civilians who should be safe and secure.

Syria is among the States which believe that it is in their interest to combat the illicit trade in these weapons. A number of its citizens are annually lost and various others injured as a result of the illicit use of such weapons or their uncontrolled possession by individuals. Incidents of this nature are, however, rare in comparison to those suffered by many other States.

Syria voluntarily implements United Nations directives on this subject; as we have stated, licensed weapons in the possession of citizens are thoroughly controlled, and the manufacture, trade, possession, transfer and use of weapons by the armed forces, security agencies and other governmental authorities are governed by strict laws and regulations.

Weapons may be carried, possessed or transferred only by the person licensed to do so, whether a civilian or a member of the armed forces.

Members of the armed forces are not permitted to take their weapons home with them and may only possess or transfer such weapons for the purpose for which they were issued, that is, defence of the homeland and training. An exception is made for personal weapons (handguns) carried by members of the security services and the police to protect the security of the homeland and citizens against subversives.

The customs authorities, border security agencies and others effectively tackle operations to smuggle or transfer arms across the borders or inside the territory of the homeland. We are not saying that such arms -smuggling operations have been completely eliminated, but they are rare. In the majority of cases, moreover, such arms are confiscated and the perpetrators arrested.

Syria has no problems with regard to surplus of small arms and light weapons, theft of military weapons, lack of safety at ammunition depots or the reintegration of combatants into society, insofar as the laws governing operations relating to the possession, transfer, use and trade of such weapons are both effective and strict.

Lastly, we would point out that Syria, in keeping with the United Nations approach to combating the illicit trade in small arms and light weapons, was among the first States to establish a national point of contact for this issue. Brigadier General Haydar Silmi, Assistant Director of the Department of Criminal Security of the Ministry of the Interior has been designated to follow up and take part in international and regional activities on the subject. This focal point acts in coordination with other relevant national agencies in order to achieve the best level of cooperation. It also acts in collaboration and coordination with the regional focal point of the League of Arab States and the national focal points of the member

States of the League of Arab States, and provides information in response to enquiries from relevant agencies.

Damascus, 14 April 2007

Prepared by:

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