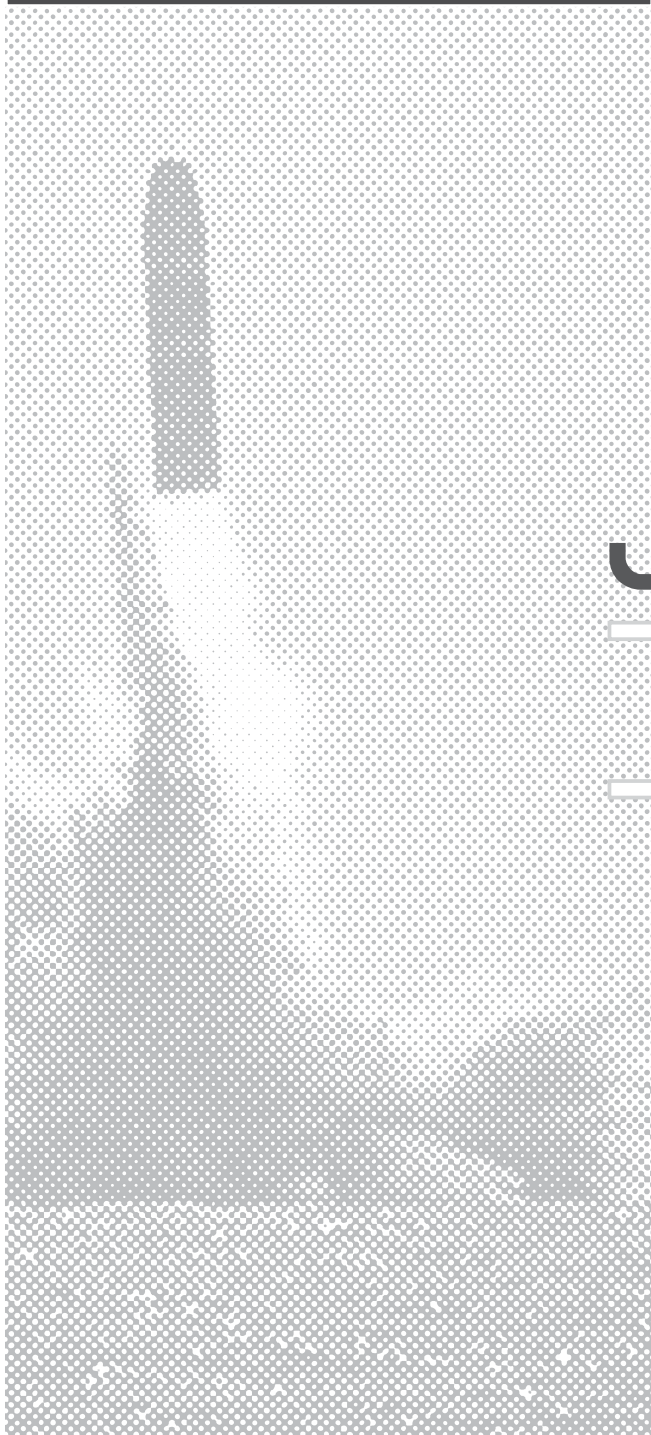




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## The Feasibility of Increased Restrictions on the Civilian Possession of Military Assault Weapons at the Global Level

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Prepared for the Small Arms Working Group of the Canadian Peacebuilding Coordinating Committee in support of the *Peace-building and Human Security: Development of Policy Capacity of the Voluntary Sector Project*

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## **About this Paper**

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The *Peacebuilding and Human Security: Development of Policy Capacity of the Voluntary Sector Project* is a two-year project funded by the Canadian International Development Agency (CIDA) through the Voluntary Sector Initiative ([www.vsi-isbc.ca](http://www.vsi-isbc.ca)), and is designed to strengthen the policy capacity and dialogue among civil society groups and federal government departments in three emerging and interrelated peacebuilding and human security policy areas - small arms, children and conflict, and gender and peacebuilding. Project Ploughshares is coordinating the small arms policy development section of this project through the Small Arms Working Group while the CPCC Secretariat coordinates the other two policy areas through its Children and Armed Conflict Working Group and Gender and Peacebuilding Working Group respectively.

## **The Canadian Peacebuilding Coordinating Committee (CPCC)**

The CPCC is a network of Canadian non-governmental organizations and institutions, academics and other individuals from a wide range of sectors engaged in facilitating dialogue between civil society and the Canadian government for the development of peacebuilding policy and programming.

## **The Small Arms Working Group (SAWG)**

The SAWG seeks to engage the Canadian peace, disarmament, human rights and development NGO communities in the development and promotion of national and international policies and measures to reverse the diffusion and misuse of small arms and light weapons.

Through meetings, workshops and roundtables on small arms, the Working Group provides a forum, which encourages members to exchange information, share lessons learned and explore specific areas of collaboration and serves as a link between the NGO community and the Canadian government by engaging in small arms policy dialogue with relevant departments.

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## **Project Ploughshares**

Project Ploughshares is an ecumenical agency of the Canadian Council of Churches with a mandate to carry out research, analysis, dialogue and public education on peace and security issues in Canada and the world. It is affiliated with the Institute of Peace and Conflict Studies at Conrad Grebel University College, University of Waterloo.

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## INTRODUCTION

The purpose of this paper is to explore the potential of the feasibility of increased restrictions on the civilian possession of military assault weapons at the global level. Many states and non-governmental organizations pushed for such measures at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects but were not successful in getting language included in the final Programme of Action. However, this remains a priority for many. The proliferation and misuse of small arms has been increasingly seen as an epidemic, affecting countries ostensibly “at peace” as well as in conflict zones. Although they do not account for the majority of small arms deaths worldwide, military assault weapons pose a particular threat because of their lethality.

These weapons are very efficient – they are designed to allow users with limited skill to kill as many people as possible. They are typically fully automatic or semi-automatic and accept large capacity magazines capable of firing 30-50 bullets without reloading. Victims often die of multiple gunshot wounds. Because they require little skill to use, military assault weapons also make it easy for children to become killers and in some cases, members of armed criminal gangs and informal “child soldiers.” The evidence is clear that the circulation of weapons following the cessation of conflict has a high cost. Interpersonal violence often substitutes for the violence between warring factions and leads to levels of violence comparable to those experienced during conflict.<sup>1</sup>

For the purposes of this paper, military assault weapon will be defined as fully automatic and selective-fire weapons along with selected semi-automatic rifles designed for military purposes and possessing military features such as use of a large capacity magazine. This definition is consistent with the definition used in the 1994 ban on military assault weapons in the US<sup>2</sup> and is consistent with the approach used in Canada and many other countries. Restricting the definition to only fully automatic firearms limits the potential impact of global action. At the same time it is critical that the definition be sufficiently precise to allay the concerns of those who believe that the discussion on civilian possession of military weapons is actually aimed at all firearms. The importance of effective firearms regulation in post-conflict situations has been well-established and a number of UN expert groups have called for a prohibition on the civilian possession of military assault weapons, but there has been limited discussion on the feasibility of proceeding with such a prohibition. This paper draws heavily on the experience of industrialized countries where there have been extensive and complex initiatives undertaken to define and restrict civilian access to military assault weapons in an effort to shed light on issues that affect the feasibility of global action.

This paper reviews

- 1) The impact of the misuse and proliferation of military assault weapons in civilian hands
- 2) Sources of these weapons in civilian hands, including both legal and illegal markets
- 3) Definitions of military assault weapons
- 4) Current approaches to regulating military assault weapons
- 5) Limitations of current approaches to prohibiting civilian possession of military assault weapons
- 6) Potential measures that might be taken at the global level
- 7) Potential roles for Canada
- 8) Conclusions.

## **THE IMPACT OF THE MISUSE AND PROLIFERATION OF MILITARY ASSAULT WEAPONS IN CIVILIAN POSSESSION**

While military assault weapons are legally sold to states and used for legal purposes, the illegal trade and misuse of these weapons pose a particular threat to civilian populations.<sup>3</sup> Because they are designed to be particularly efficient at killing humans, these weapons are more lethal than other small arms and are not designed for hunting, target shooting, or other lawful recreational activities.

The misuse of military assault weapons takes many forms. Among them are:

- 1) illegal sales of these weapons to unauthorized users (“criminals,” gangs, non-state actors)
- 2) theft and diversion of military stocks to unauthorized users including combatants as well as criminal organizations and gangs
- 3) weapons in the hands of former combatants after conflicts have ended, which may be misused or sold illegally to unauthorized users
- 4) misuse of these weapons legally in the hands of civilians in countries with inadequate regulation
- 5) misuse of these weapons diverted from any number of sources to criminals.

A number of studies have shown the impact of military weapons on post-conflict societies and their misuse.<sup>4</sup> While there are no good estimates of the number of small arms deaths and injuries in conflict zones, nor of the impact specifically of weapons in the hands of civilians in these areas, the research does reinforce the notion that post-conflict death and injury rates remain high if effective weapons collection programs are not instituted as part of the peace process.<sup>5</sup> The evidence suggests that while the unregulated proliferation and misuse of all small arms is a problem worldwide, military assault weapons are particularly lethal. The majority of bullet wounds seen in the conflict zone hospitals run by the International Committee of the Red Cross are from the Kalashnikov AK-47 or variants.<sup>6</sup>

Other studies have suggested that attacks with assault weapons and large capacity magazines are particularly lethal, resulting in more casualties and multiple gunshot wounds per victim. For example, one study of mass murders worldwide showed that the use of military assault firearms frequently resulted in more people dying than being wounded based on a review of 13 shooting incidents where mostly automatic military rifles were used.<sup>7</sup>

Most of the research from the United States compares the average rates of victimization and death for different types of firearms. A study in Milwaukee showed that those killed with assault weapons were shot an average of 3.14 times and those shot with guns using large capacity magazines were shot 3.23 times on average, compared to 2.1 gunshots for other victims.<sup>8</sup> Fatality rates for victims of multiple gunshots are higher. Other studies have shown that the number of victims per shooting is also likely to be more than twice as high when these weapons are used. In a study of mass shootings in the US 1984-1993, an average of 29 were shot when assault weapons or large capacity magazines were used, compared to 13 in other cases.<sup>9</sup>

Assault weapons have also been featured in a number of prominent mass murders of civilians in countries not at war. High profile tragedies have highlighted the risk of allowing these weapons to be owned in civilian contexts. While high-profile incidents in the US and Canada precipitated changes to

their laws (see Appendices 2 and 3), examples of mass murders, assassinations, and criminal acts involving these weapons can be found in every corner of the world.

- In South Africa, approximately 5% of homicides are committed with military assault weapons,<sup>10</sup> many of them left over from the conflict in Mozambique. Although civilian possession of these weapons has been banned, they still figure in crime. For example on May 23, 2004, near Ladysmith, Linda Mgaga (32 years old) and Thulani Twala (30 years old) were shot and killed by unknown gunmen while sitting in a BMW that was parked on the side of the road. An AK-47 was used and 29 spent cartridges were found on the scene.<sup>11</sup>
- Hebron Kach militant Jewish extremist Dr. Baruch Goldstein killed 29 worshippers in a mosque at the Tomb of the Patriarchs with an AK-47 in February 1994.
- In Luxor, Egypt, 62 tourists were killed and 26 injured with military assault weapons on November 17, 1997; while no group claimed responsibility, Al-Gama'a Al-Islamiyya is considered the possible perpetrator.
- In rural Kenya, fights over cattle often erupt into violence with AK-47s and M16s. The proliferation of weapons in the Northern Rift region is said to make the area virtually ungovernable. These weapons also feature in urban violence.<sup>12</sup>
- The murder of 35 people in Port Arthur, Australia on April 28, 1996 by a man armed with an AR-15 was one of the world's largest mass killings with a firearm.
- The TEC-AB-10 was one of the weapons used by the two high school students responsible for the 1999 Columbine massacre that ended in the deaths of 13 students, one teacher, and the gunmen themselves.
- In 2001, in Zug, Switzerland, a lone gunman wielding an assault rifle wounded 14 people and killed 15 (including himself) in a regional parliament.<sup>13</sup>
- Oscar Arturo Reyes, a 23-year-old environmental activist in Honduras, was shot six times with an AK-47 in the backyard of his house on July 18, 2003.
- Félix Fernández García, editor of the magazine *Nueva Opción* in Miguel Alemán City in Tamaulipas state, Mexico, was murdered on January 18, 2002 with an AK-47.
- Seven hundred AK-47s were distributed to farmers by the Nicaraguan army for protection against armed criminals. Many of these weapons were subsequently found to be unaccounted for and are beginning to appear on the black market.
- The Bushmaster XM15 M4 A3 assault rifle was used by the Washington, DC-area snipers to kill 10 and injure three in October 2002.
- On November, 23, 2003, Mozambique lost one of its anti-corruption campaigners when outspoken independent editor Carlos Cardoso died in a hail of bullets from gunmen armed with AK-47 assault rifles.
- Recently in Toronto, Canada, a mother was caught in crossfire and disabled. The shooters used an AR-15, which had been reported stolen from a gun collector in 1991.
- A recent hunting dispute in Wisconsin, USA, left six dead when a hunter armed with Vang, a Chinese-style SKS semi-automatic rifle, shot at other hunters.<sup>14</sup>

Although many countries do not report crime and death statistics based on the type of small arm used, these anecdotes paint a picture of the carnage that occurs when weapons designed for war fall into the wrong hands, whether of gang members, paramilitaries, criminals, angry citizens, or children.

## SOURCES OF MILITARY WEAPONS IN CIVILIAN HANDS

Although military weapons are, by definition, designed for military use and, in many cases, marketed primarily to states to equip armies and police, the evidence shows clearly that these weapons are often diverted to illegal markets and used in criminal activities, gang violence, and terrorist acts in which the victims are primarily civilians. The illicit trade in small arms is a major source of weapons fuelling conflicts. Weapons in the possession of armies often flow from one conflict zone to another, and theft from state stockpiles as well as illegal sales are a major concern. At the same time, military weapons that have been legally sold to civilians and are misused by their owners or diverted to illegal markets also present a problem. In some cases, weapons that may be legally purchased and possessed in one jurisdiction are trafficked to others where there are stricter regulations.<sup>15</sup>

The legal production of military weapons is significant worldwide and dominated by a number of players. About 100 million automatic rifles and machine guns of the Kalashnikov type – the AK-47, for example – have been manufactured in more than a dozen countries. Five countries have produced more than 12 million American automatic M-16 rifles.<sup>16</sup> Other common assault rifles include the M-16 and its derivatives, as well as the H&K G-3 series and the Austrian Steyr AUG.<sup>17</sup> In addition, a wide range of inexpensive variants have been produced – for example, the Norinco AK-47 that flooded into the US market prior to the assault weapons ban.<sup>18</sup> According to the Small Arms Survey, the most popular military specification small arms include both pistols and rifles (see table below).

Top Five Military Small Arms Producers in Various Weapon Categories<sup>19</sup>

Military Side Arms (handguns)	Military Rifles	Submachine Guns	Machine Guns
Beretta (Italy)	Norinco (China)	Norinco (China)	Norinco (China)
Heckler & Koch (Germany)	Heckler & Koch (Germany)	Heckler & Koch (Germany)	Heckler & Koch (Germany)
Smith and Wesson (USA)	Izhmash (Russia)	Izhmash (Russia)	Saco Defense (USA)
Colt (USA)	Colt (USA)	IMI (Israel)	IMI (Israel)
FN Herstal (Belgium)	FN Herstal (Belgium)	KBP (Russia)	FN Herstal (Belgium)

## DEFINITIONS OF MILITARY ASSAULT WEAPONS

There is no operative international definition of “military assault weapon.” Indeed, although the term is commonly used, few states use the term in their legislation. The types of small arms that should be classified as “military assault weapons” are also subject to debate as, in some respects, many small arms were originally designed to military specifications. Many firearms marketed to civilians are based on adaptations of military designs. The intent of a global prohibition on military assault weapons would be to focus on weapons that can be differentiated from those normally or reasonably used for hunting and sporting purposes. However this poses many challenges.

The UN Panel of Government Experts has defined small arms as “revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns” for ‘military’ specification.<sup>20</sup> However, the question of what constitutes “military” specifications is the subject of much debate. There is little, for example, to differentiate revolvers and self-loading pistols for military purposes

from those destined for civilian markets. Hogg and Weeks's *Military Small Arms of the 20<sup>th</sup> Century* includes a wide range of semi-automatic pistols sold to both military and civilian markets.<sup>21</sup>

Most countries prohibit civilian possession of military assault weapons but there is no common definition. Most firearms in circulation were at one time or another used by the military. A major concern to gun owners is the fact that in an effort to prohibit civilian possession of military weapons all firearms might be the agenda as many firearms in broad circulation were originally designed for military purposes. This is clearly not the intention.

A majority of "civilian" firearms are based upon military designs. This is especially true of hunting rifles, most of which are based on the German Army Mauser 1898 rifle design. Likewise, as a result of common design characteristics, there can be little differentiation of handguns into "military" or "civilian" categories.<sup>22</sup>

One of the key characteristics often used to differentiate military arms from others is the firing mechanism. Some experts have proposed a narrow definition of military assault weapons, restricting it to "fully automatic" rifles. Others have extended the definition to cover those weapons "capable" of fully automatic fire, which also includes selective-fire weapons. Still others have included semi-automatic variants of fully automatic weapons.

Fully automatic rifles continue firing until either the trigger is released or the ammunition has been expended. Semi-automatic rifles fire once for each pull of the trigger and reload automatically but require the trigger level to be released before the next shot. Selective-fire rifles may be adjusted to fire single shots or multi-shot bursts of fully automatic fire.<sup>23</sup>

While some argue that there is no rational basis for defining assault weapons or attempting to prohibit them,<sup>24</sup> there are well-established precedents worldwide. Most people are prepared to allow that fully automatic rifles are military assault weapons. Even bodies representing firearms owners and dealers have been prepared to accept that firearms which can be converted from semi-automatic to fully automatic fire be included in a definition of military weapons.<sup>25</sup> Although many experts include semi-automatic rifles in their lists of military weapons and although many countries prohibit civilian possession of some semi-automatic military rifles, there is no general agreement as to which semi-automatic rifles should be classified as military weapons.

In many cases the differences between models of fully automatic and semi-automatic weapons are minimal. While a fully automatic AK-47 fires 20 rounds in 2.4 seconds, a semi-automatic Norinco AK-47 takes 4.6 seconds.<sup>26</sup> Some militaries standardize on selective-fire versions (which can be used in both fully and semi-automatic mode) as a way of conserving ammunition. In addition, manufacturers interested in exploiting civilian markets have produced semi-automatic variants to get around prohibitions on fully automatic models. Proponents of a broader definition maintain that some semi-automatic rifles are military assault weapons. Indeed, easily obtained videos and books show how to convert semi-automatic assault rifles to fully automatic machine guns.<sup>27</sup>

While opponents of stronger controls on small arms will oppose virtually any measure proposed, it is important to ensure that any proposal does not impede the use of sporting rifles for hunting and other lawful pursuits. The experience in the United States, where opposition to stricter controls on firearms is most vociferous, is instructive. There, experts have maintained that semi-automatic sporting rifles can be differentiated from military weapons. The Gun Control Act of 1968 generally

prohibited the importation of firearms into the US unless the firearm “is of a type that does not fall within the definition of a firearm as defined in section 5845 (a) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes.”<sup>28</sup> In 1984 the Bureau of Alcohol, Tobacco and Firearms (ATF) undertook an analysis of rifles and shotguns under the sporting purposes test and argued several cases, successfully, before the federal courts. The court found that “large capacity magazines and rapid reloading ability are military features...the overall appearance and design of the weapons (especially the detachable box magazine) is that of a combat weapon and not a sporting weapon.”<sup>29</sup> In 1989 the ATF took the position that any of these military configuration features, other than the ability to accept a detachable magazine, would make a semi-automatic rifle not importable.<sup>30</sup> “Assault-type rifles were those rifles that generally met the following criteria (1) military appearance (2) large magazine capacity (3) semi-automatic versions of a machine gun [fully automatic].” The working group explicitly found that semi-automatic assault rifles should not be authorized for importation. Eight features were identified as being associated with a “military configuration”:

- Ability to accept a detachable magazine, designed for holding many rounds of ammunition, enabling the shooter to continuously fire dozens of rounds without reloading. Standard hunting rifles are usually equipped with no more than 3- or 4-shot magazines and the ATF study showed many states have regulations that explicitly limit the size of the magazine that can be used for hunting.
- A folding/telescopic stock on a rifle or shotgun, which sacrifices accuracy for concealability and for mobility in close combat.
- A separate pistol grip also helps the shooter stabilize the firearm during rapid fire.
- Ability to accept a bayonet, which is designed for combat not sporting purposes.
- A flash suppressor, which serves no useful sporting purpose. The flash suppressor allows the shooter to remain concealed when shooting at night, an advantage in combat but unnecessary for hunting or sporting purposes.
- A bipod designed to providing stability during rapid fire, helping the shooter maintain control of the firearm.
- A grenade launcher.
- Night sights.<sup>31</sup>

One problem they reported was that manufacturers made modifications in order to circumvent the import ban. Subsequently, in the review conducted in 1998, the ATF found that “the ability to accept a detachable large capacity magazine originally designed and produced for military assault weapons” should be added to the list of prohibited characteristics.<sup>32</sup> The US prohibition on the importation of these weapons was supplemented in 1994 with a ban on the domestic production and sale of selected semi-automatic assault weapons. Although that ban was allowed to lapse in late 2004, it also reflected the view that many semi-automatic rifles were designed for military purposes and did not belong in civilian hands. The Violent Crime Control and Law Enforcement Act of 1994 imposed a 10-year ban on the “manufacture, transfer, and possession” of certain semi-automatic firearms with features that appear useful in military and criminal activities but are unnecessary in shooting sports or self-defence. The law banned 18 models and variations by name and also had a “features test” banning other semi-automatics with two or more military-style features that resulted in a ban on a total of 118 models. The law also prohibited most ammunition feeding devices holding more than 10 rounds of ammunition – large capacity magazines. It exempted assault weapons and large capacity magazines manufactured before September 13, 1994. At that time there were approximately 1.5 million assault



weapons and 25 million firearms equipped with large capacity magazines in the United States.<sup>33</sup> This is discussed further below.

The categorization of some semi-automatic rifles as military assault weapons is also supported by scholars of military rifles, who describe the range of firearms developed for military specifications. David Miller, for example, describes the evolution of military weapons:

From the beginning of the 20<sup>th</sup> century the rifle had progressed from being a muzzle-loader to a breech-loading, bolt-operated weapons, but as the century progressed it developed further first into a semi-automatic weapons and then into a lightweight “assault rifle” ... throughout these developments the main emphasis was on increasing the rate of fire, reducing the weight, and making the weapons more accurate, simpler to fire, more reliable and easier to maintain. ... As time progressed, range became less important and by the end of the century most semi-automatic rifles had an effective range of some 300 yd (274 m.), but made up for the loss of range and accuracy by a much greater range of fire.<sup>34</sup>

The NATO standard in 1953 became the 7.62 cartridge and the American response was the M-14. Though capable of both semi-automatic and fully automatic fire, the M-14 is generally used with the selector locked in the semi-automatic mode, as it is too light to be effective as a fully automatic weapon.<sup>35</sup>

The AR-15 was licensed to Colt to meet army specifications in 1959. The AR-15 was adopted by smaller nations of Southeast Asia in the early 1960s because its lighter design made it ideal for “smaller men to carry in the jungle.”<sup>36</sup> During the Viet Nam war, the AR-15 with 5.56 (.223) ammunition was classified as the US Air Force standard. More than 100,000 were purchased.<sup>37</sup>

A firearm often subject to debate – the Ruger Mini-14 (particularly its 5F and 5/RF models) – was introduced to the market in 1973. It is mechanically the same as the US M1 Garand. “One of the principal attractions of this rifle is that, due to the lower recoil force derived from the 5.56mm bullet, it becomes possible to develop light rifles, which can be fired at full automatic. While marketed as a hunting rifle its variants that include a range of military features such as folding stock, bayonet mount and flash suppressor.”<sup>38</sup> As one expert noted, the fact that it is marketed as a hunting rifle does not make it a hunting rifle.<sup>39</sup>

The 1994 US ban on selected semi-automatic assault weapons recently expired, but the determination of which weapons were prohibited was based on an analysis of their features. The sale of fully automatic weapons had been prohibited for many years, although many remained in circulation owing to generous “grandfather” clauses which allowed current owners to keep them.<sup>40</sup> The 1994 ban added to the prohibited list semi-automatic military assault weapons which had features designed primarily for combat rather than hunting purposes.

## **CURRENT APPROACHES TO REGULATING MILITARY ASSAULT WEAPONS**

Worldwide, most countries prohibit civilian possession of some military assault weapons although the definitions vary considerably, as does the rigour of enforcement.

A review of the laws in over 100 countries (see Appendix 1) shows that 83 countries in the world prohibit civilian possession of military assault weapons and regulate possession of most firearms; only one country surveyed allows civilians to possess them; and for 27, information was not obtained. Approaches to the prohibition of these weapons, however, vary considerably. Some countries, such as the United States, have minimalist prohibitions, now extending only to fully automatic weapons (42% of respondents). The US has a grandfather clause protecting existing owners of these weapons from the ban and as a result many weapons remained in circulation. (See Appendix 2 for details on the US laws.) Another example, Switzerland, prohibits civilian possession of fully automatic military assault weapons, but has an extensive standing army and, consequently, many homes in Switzerland contain fully automatic military weapons. Colombia, Austria, China, Guatemala, Hungary, India, Indonesia, Laos, Latvia, Malaysia, Peru, South Africa, and others prohibit civilian possession of fully automatic weapons. However, it is worth noting that most countries with narrow definitions of military assault weapons still have extensive regulatory regimes, for example, licensing firearm owners and registering firearms. The US is the notable exception where civilians in many states are allowed to possess a full range of firearms with minimal controls.

Other countries such as Canada have broader definitions including fully automatic, selective-fire, and a number of semi-automatic variants (48% of respondents). Canadian law uses grandfather clauses where current owners were exempt from the prohibition on military weapons. Consequently, many of these weapons remain in circulation. (See Appendix 3 for details on Canadian law.) Bangladesh and Argentina are other countries which prohibit fully automatic, selective-fire, and some semi-automatic military assault weapons. The Czech Republic prohibits fully automatic weapons but also self-loading (semi-automatic) weapons which have the appearance of fully automatic military weapons and which can be modified to become fully automatic. France is also in the mid-range – prohibiting automatics, and semi-automatics which can be converted to fully automatic fire. Possession of other semi-automatics requires special permits. Guyana prohibits fully automatic weapons as well as semi-automatics which can be converted. Lithuania prohibits both automatic and semi-automatic weapons. New Zealand prohibits the import of most semi-automatic military weapons, but there are special permits for those who owned them before the ban. Spain prohibits automatic weapons but also semi-automatics with magazines over 5 cartridges. Thailand prohibits both fully and semi-automatic variants, as does Ukraine.

Finally, some countries, such as Australia, have extended the prohibition to all semi-automatic rifles including semi-automatic hunting rifles. Australia also had a buy-back program to permanently remove the prohibited weapons from circulation. Tanzania prohibits automatic and semi-automatic weapons. Others such as Cambodia, Botswana, Japan, Great Britain, and Luxembourg virtually prohibit civilian possession of all firearms.

Our analysis of firearms legislation also indicates that the operational definitions vary considerably. Most countries prohibit civilian possession of fully automatic weapons. Many countries appear to prohibit both fully automatic and semi-automatic versions of military weapons, but the laws are subject to interpretation. Very few, for example, make specific reference to “military assault weapons” in their legislation. Some, such as American Samoa, refer to “machine guns.” Austria refers to “War Materiel,” especially fully automatic firearms (e.g., machine-pistols and automatic rifles).

Countries typically define prohibited weapons based on the type of firearm or specific characteristics, which are, presumably subject to interpretation by law enforcement and the courts. Some, in contrast, provide permission to possess the types of firearms specified on a list, which does not include military

assault weapons. In effect, they are prohibited because they are excluded from the lists of legal firearms. Some countries prohibit firearms based on naming specific makes and models. Finally, some combine a number of approaches as discussed below:

- **Prohibition based on type or characteristics of firearm:** Argentina prohibits “automatic portable weapons, semi-automatic arms fed with detachable magazines such as rifles, carbines or assault submachine guns derived from weapons for military use with calibres superior to .22 inches (5.6 mm.) except for those weapons expressly determined by the Ministry of Defence.”<sup>41</sup> Civilian arms must exclude the possibility of rapid gun fire, and in Armenia, cartridge capacity must not exceed 10 bullets. Austria prohibits civilian possession of “war material,” especially fully automatic firearms (e.g., machine-pistols and automatic rifles). In Colombia, civilians are only prohibited from owning fully automatic weapons.
- **Prohibitions of specific makes and models:** Some countries prohibit specific makes and models of weapons although most do this in combination with other kinds of prohibitions. For example, Canadian law and the recently lapsed US ban on military assault weapons base prohibitions on a combination of defined characteristics (e.g., fully automatic fire or selective-fire) as well as listing specific weapons. The US law also identified characteristics of prohibited weapons in an effort to prevent manufacturers from skirting the law with cosmetic modifications. Several studies were undertaken in an effort to clearly differentiate weapons, which could legitimately be used in hunting, from others.<sup>42</sup>
- **Permission based on type of firearm:** Some countries prohibit military weapons by specifying the firearms which are legal. For example, the only legal arms in Belarus are hunting rifles and gas arms. Similarly, Bolivia and Mexico prohibit possession of rifles except for .22 calibre hunting rifles. Chile prohibits rifles except for .22 calibre varieties and also prohibits fully automatic pistols. Brazil prohibits all weapons except hunting or sporting rifles. Ecuador takes a similar approach, as does Georgia. Poland permits only handguns and certain types of sporting and hunting rifles. Russia allows possession of “smooth bore long guns” but not military assault weapons. Turkey allows possession of handguns and shotguns. The advantage of prohibiting everything except weapons which are defined as legal is that it avoids some of the problems associated with manufacturers developing slight modifications to firearms which have been prohibited, or repackaging weapons in order to get around bans that are based on specific weapon characteristics or makes and models.

In most countries in the world, some firearms are deemed to serve legitimate and lawful purposes for hunting, predator control, sporting activities, collection, and even self-protection. Fundamental to most national firearm regulatory regimes worldwide is the principle that firearms should be prohibited where their potential risk outweighs their utility, and as a result, most countries prohibit civilian possession of military weapons, although the definitions vary, as we will discuss below. The basis of these prohibitions has to do with the particular lethality of these firearms and the lack of legitimate purposes.

The *Report of the Group of Governmental Experts on Small Arms* in 1999 recommended that states “should consider the prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes, such as automatic guns (e.g., assault rifles and machine-guns).”<sup>43</sup>

The importance of establishing effective restrictions on military weapons in post-conflict zones as part of demobilization, disarmament, and reintegration (DDR) has been reinforced by several Security Council resolutions. The report of the UN Disarmament Commission, reviewed at the UN General Assembly in December 1999, states:

36. States should work towards the introduction of appropriate national legislation, administrative regulations and licensing requirements that define the conditions under which firearms can be acquired, used and traded by private persons. In particular they should consider the prohibition of the unrestricted trade and private ownership of small arms specifically designed for military purposes, such as automatic guns (e.g. assault rifles and machine guns).<sup>44</sup>

This has been underscored in the recent experience in Afghanistan and Iraq.

Many countries engaged in the 2001 UN Conference on SALW pressed for a prohibition on the unrestricted trade and possession by civilians of military assault weapons. For example, the L4 version of the draft Programme of Action (PoA) made explicit reference to the need for nations to regulate civilian possession and use:

To put in place adequate laws, regulations and administrative procedures to exercise effective control over the legal manufacture, stockpiling, transfer **and possession** of small arms and light weapons within their areas of jurisdiction. To ensure that those engaged in illegal manufacture, stockpiling, transfer and possession can and will be prosecuted under appropriate penal codes. To seriously consider the **prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes** [emphasis added].<sup>45</sup>

This appeared in all of the drafts of the Programme from February 2001 to the very last day of the Conference (20 July 2001). However, this section was “red lined” by the US, which responded to lobbying by the National Rifle Association,<sup>46</sup> and eventually deleted in the final version, in spite of the objections of a number of countries such as South Africa.<sup>47</sup>

A fundamental challenge to establishing international norms surrounds the issue of definition. For example, many models of military weapons were initially designed to meet military specifications but then were also marketed to civilians. The same is true of military assault weapons. While fully automatic, convertible, and semi-automatic versions of these small arms were designed initially for military use, they have entered civilian possession through legal and illegal markets. The AK-47 is a case in point. Clearly designed for the Russian military, variants of the AK-47 such as the Norinco semi-automatic version, have been sold to civilians in many countries. While the M-16 was designed as a military firearm, Ruger adapted the design to the Ruger Mini-14, which it sells in some markets as a tactical weapon and in others as a hunting rifle. In some instances, manufacturers have capitalized on their success in military markets in promoting these weapons to civilians.

While further research is needed to analyse precisely the content of existing international laws related to civilian possession of military assault weapons, it does appear that there is widespread recognition of the potential threat these weapons present. Most countries, developing and industrialized, have laws that are intended to restrict civilian access to them and differentiate them from other firearms used for hunting, predator control, or sporting purposes. In addition, most countries have in place regimes to license firearm owners and track firearms.

## LIMITATIONS OF CURRENT APPROACHES TO PROHIBITING CIVILIAN POSSESSION OF MILITARY ASSAULT WEAPONS

Both opponents and proponents of assault weapon prohibitions have identified limitations to current approaches to national legislation which may have implications for discussions of a global prohibition on civilian possession of these weapons. These include definitional issues, implementation issues, gaps in legislation and enforcement, as well as evaluation and marketing issues.

### Definition Issues

Obtaining agreement on what does and does not constitute a military assault weapon is subject to considerable debate. Few countries actually use the term in their national laws. As noted above, there is little agreement regarding a standard definition of military assault weapons. Virtually all countries prohibit civilian possession of fully automatic weapons. Most also prohibit those weapons “capable” of fully automatic fire, i.e., selective-fire weapons. Some go further to prohibit importation or possession of semi-automatic military weapons, usually based on characteristics such as a large capacity magazine. Proceeding to a global standard will require a more detailed investigation of the options.

### Implementation Issues

Manufacturers are very innovative in their efforts to circumvent assault weapon prohibitions. For example, in the United States, they have tried to evade the law by making minor changes to their assault weapons and changing their name. The 1994 assault weapons ban outlawed 19 named firearms, including the Russian AK-47 assault rifle and Israeli Uzi and any semi-automatic firearm that had two or more “military-style” features such as a pistol grip, folding stock, grenade launcher, or muzzle shroud. It also banned high-capacity ammunition magazines that held more than 10 bullets.

In addition, in the months leading up to the passage of the law in the US, gun manufacturers boosted their production of assault weapons by more than 120% and raised prices by an average of 50%. The production of the AR-15 increased by 70% over previous years, from 38,511 to 66,042, and production of Intratec assault pistols tripled, from 33,578 to 102,682. At the same time, prices for the AR-15 and its duplicates more than doubled, while prices for non-banned pistols remained virtually constant. Once the ban took effect, prices fell back to 1992 levels.<sup>48</sup>

Immediately after the 1994 US law was enacted, the gun industry moved quickly to make slight, cosmetic design changes in their “post-ban” guns to evade the law, a tactic the industry dubbed “sporterization.” Of the nine assault weapon brand/types listed by manufacturer in the law, six of the brand/types have been re-marketed in new, “sporterized” configurations. In fact, gun-makers openly boast of their ability to circumvent the assault weapons ban. They also maintain that the ban actually drove up markets for models and accessories for “prohibited” weapons such as the AK-47 and its variants.<sup>49</sup> The Washington snipers’ Bushmaster is marketed as a “Post-Ban Carbine.”<sup>50</sup> Recently, the Washington State gun dealer who had “lost” the assault rifle used by the DC-area snipers and the manufacturer of the rifle agreed to pay a total of \$2.5 million in damages to settle a civil lawsuit brought by the victims of the DC-area snipers.<sup>51</sup>

While the TEC-DC9 assault pistol was banned, the manufacturer renamed it the TEC-AB-10 – the

AB standing for “after-ban.” This was one of the weapons used by the two high school students responsible for the 1999 Columbine massacre that ended in the deaths of 13 students, one teacher, and the gunmen themselves.<sup>52</sup>

One intriguing approach, which may reduce the chances of circumventing a prohibition, is to focus on defining firearms that may be legally possessed rather than defining those that are prohibited.

## Marketing Issues

The gun industry itself deliberately uses the military character of semi-automatic “assault weapons” and the lethality-enhancing utility of their distinctive characteristics as selling points to civilians, particularly in gun publications. The German company Heckler & Koch, for example, exploits the military lineage of its guns when advertising to civilians. The HK-94 Carbine is “a direct offspring of HK’s renowned family of MP5 submachine guns.”<sup>53</sup> An Intratec ad said the company’s TEC-9 “clearly stands out among high capacity assault-type pistols.” Magnum Research advertised that the Galil rifle system to which it had import rights outperformed every other assault rifle. *Guns & Ammo* expert Garry James noted in his review of Colt’s 9mm AR-15 rifle that “the intimidation factor of a black, martial-looking carbine pointing in one’s direction cannot be underestimated.” Howard French, of the same magazine, said of the HK-94 9mm Para Carbine that “you would not get much static from an intruder eyeballing its rather lethal appearance.” C.A. Inc. advertisements for the Mark 45 and Mark 9 “Tommy-Gun” style carbines explicitly made the point that a “show of force can be stopping power worth having.”

Restrictions on advertising have been introduced for other dangerous products – such as cigarettes and alcohol – and, for similar reasons, it may be worth considering the possibility of exploring options to restrict the marketing of military specification firearms to civilians.

## Gaps in Legislation

In many countries, there have been concerns about gaps in the legislation. For example, the Violence Policy Center in Washington, DC, expressed concerns about the limitations of the 1994 US “ban” on semi-automatic assault weapons: “The industry’s efforts have been aided by the fact that not all assault weapons are covered by the 1994 ban. For example, assault weapons with more conventional designs, such as the Ruger Mini-14 (particularly the 5F and 5/RF models), were not covered by the 1994 US law – although some experts define them as assault weapons.”<sup>54</sup> The Ruger Mini-14, used in the infamous Montreal massacre on December 6, 1989, is a compact, lightweight, semi-automatic rifle with detachable magazines chambered for the same cartridges as the M-16 and AK-47, respectively.<sup>55</sup> It is still sold as a hunting rifle although the large capacity magazine is prohibited. Canada’s 1995 legislation was designed to allow firearms “not reasonably used in hunting” to be prohibited through Order in Council. Similarly, in Canada, lobbying by the Dominion Rifle of Canada Association, a veterans’ group that target shoots with the AR-15, was successful in keeping that firearm off the prohibited list. It is still sold as a restricted weapon. On the eve of the tenth anniversary of the Montreal massacre (December 5, 1999) the Canadian Justice Minister (now Deputy Prime Minister) Anne McLellan, indicated that the Government would follow through with the prohibitions once registration of firearms was complete.<sup>56</sup> However, no action has been taken.

Often bans are accompanied by “grandfather clauses.” While grandfather clauses typically mean that weapons prohibitions meet with less resistance, they also mean that the weapons remain in circulation and therefore may still be misused or, more often, stolen and used in crime. Grandfather clauses and loopholes also make it very difficult to evaluate the impact of such prohibitions. In most countries, weapons prohibitions have been followed by voluntary amnesties or weapons collection programs.

Some countries, for example, England and Australia, have coupled prohibitions on weapons with buy-back clauses allowing owners to obtain compensation and removing the firearms from circulation.

## **Enforcement**

Enforcement of assault weapons bans can be complicated. For example, in the US there was a grandfather clause for weapons made or owned prior to 1994 but no requirement that grandfathered assault weapons be registered; nor were there any record-keeping requirements. Consequently, it is difficult to prove illegal possession of assault weapons manufactured prior to 1994. The importance of a comprehensive regime to control the possession of firearms is underscored here. Without licensing firearm owners and registering firearms, it is difficult to ascertain legal possession and ownership, particularly in countries that have allowed existing owners to be “grandfathered.” As well, the effectiveness of any legislative initiative is affected by the existing political, legal, and policing infrastructure. In developing countries without democratic institutions and well-developed law enforcement, prohibitions may serve an educative and norm-building function but are extremely difficult to enforce. Kenya is a case in point – civilian possession of firearms is very restricted but illegal military weapons are in wide circulation. The evidence is fairly clear that changes in regulatory frameworks must be coupled with strong enforcement and, ideally, structured weapons collection efforts in order to be effective.

## **Evaluation Issues**

There is considerable debate about the relative role of military assault weapons in violence. Gun traces are one of the best measures of gun usage in crime. In 1999, the National Institute of Justice reported that trace requests for assault weapons in the 1993-95 period declined 20% in the first calendar year after the ban took effect, dropping from 4,077 in 1994 to 3,268 in 1995. Over the same period, gun murders declined only 10% and trace requests for all types of guns declined 11%, clearly showing a greater decrease in the number of assault weapons traced in crime.<sup>57</sup> This same study also reported that the number of assault weapons traced in St. Louis and Boston declined 29% and 24% respectively, as a share of all guns recovered in crime, during late 1995 and into 1996.

At the same time, while the presence of these firearms appears to have declined, they are still used in crime. For example, the Violence Policy Center noted that the fact “that from 1998 through 2001 one in five law enforcement officers slain in the line of duty was killed with an assault weapon indicates that the ban in its current form is inadequate to protect police and the public from the hazards presented by assault weapon.”<sup>58</sup>

Others maintain that the federal assault weapons ban cannot be credited for a recent decline in gun-related violence. Opponents of renewing the ban maintained that assault weapons were “rarely used in gun crimes even before the ban.” Prior to the 1994 ban, assault weapons were used in 2% of gun

crimes reported nationwide. Consequently it was maintained that the impact of the ban and the renewal of the ban would be relatively small. At the same time, “reducing criminal use of [assault weapons] and [large capacity magazines] could have non-trivial effects on gunshot victimizations. The few available studies suggest that attaches with semi-automatics – including [assault weapons] and other semi-automatics equipped with [large capacity magazines] – result in more shots fired, more persons hit, and more wounds inflicted per victims than do attacks with other firearms.”<sup>59</sup> In other words, while difficult to measure, it was asserted that a prohibition on civilian possession of these weapons would reduce the level of death and injury.

However, the impact of a ban on assault weapons is clearly affected by its implementation. Even supporters of the US assault weapons ban maintained that its effectiveness was limited by a number of “loopholes” and further research is needed. The “educative” impact of legislative changes on reinforcing values and norms is also an important consideration, according to some criminologists. For example, Rosemary Gartner has suggested that stricter controls on small arms both reflect and shape values, particularly the “culture of violence,” in the same way legislation has been observed to have long-term effects on other behaviours.<sup>60</sup>

In developing countries, there has been limited evaluation of the impact of specific legislative changes prohibiting possession of military assault weapons. Evaluations of legislative changes, generally coupled with weapons collection programs, have been mixed and highly dependent on implementation factors. Further research is needed on the impact of weapon-specific prohibitions, versus general prohibitions and increased regulation.

## **POTENTIAL MEASURES THAT MIGHT BE TAKEN AT THE GLOBAL LEVEL**

### **Overview**

Our review of the current approaches to the regulation of military assault weapons suggests that, while there are differences in approach and focus, most states recognize the risks these weapons pose in the hands of civilians and have responded at the national level. In addition, a review of existing international agreements as well as discussions by states and NGOs suggests that there is growing interest in reinforcing global norms restricting access to these weapons. Efforts to include specific reference to a prohibition of the unregulated civilian possession of these weapons were thwarted in the Programme of Action of the United Nations 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. However, there seems to be considerable interest in finding a way to address the issue.

### **The Need for a Comprehensive Approach**

The first step towards international prohibitions and restrictions would require an agreed definition. As noted above, a focus only on fully automatic military assault weapons would serve little purpose as civilian possession of these is prohibited in most countries already. The definition should be extended to selective-fire military assault weapons which can be converted to fully automatic fire. Ideally, it would also extend to semi-automatic variants with the characteristics outlined, like, for example, the US Federal Violent Crime Control and Law Enforcement Act of 1994 which banned importation of certain semi-automatic assault weapons.



Given that there remains a healthy demand for military assault weapons among states (including police and the military), a complete ban on the manufacture of these weapons is not feasible. However, there are a number of points which might be the focus of international prohibitions and restrictions on civilian possession of military assault weapons.

One option would be to prohibit the manufacture of these weapons except for licensed production and authorized transfers to states. The import and export of these weapons to states is already the subject of the 2001 PoA and the commercial trade in these weapons is governed by the Firearms Protocol (under the UN Convention on Transnational Organized Crime) as well as a number of regional agreements such as Organization of American States (OAS) Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials.

A second option is the prohibition of the marketing and sale of these weapons to civilians.

A third option is to prohibit possession of these weapons by civilians. Where grandfather clauses were allowed, rigorous accountability mechanisms (for example licensing and registration) would be demanded.

The survey of national laws restricting and prohibiting these weapons demonstrates many other options. The key is to develop a global legal or policy instrument which enhances the potential for compliance and enforcement at the national level. Other points of intervention include controls over sales, marketing, and advertising. In some countries, notably the United States, litigation has also been used. At the national level, some countries have laws controlling the import and export of these weapons as well as laws over civilian possession. Further discussion is needed regarding the feasibility of different approaches. The experience in most countries suggests, however, that given the resourcefulness of manufacturers intent on circumventing a ban, a multi-layered strategy is required.

## Focus of an International Agreement

As discussed above, the focus and structure of an international agreement require further exploration. Ideally, any instrument would be wide-ranging and would define military assault weapons broadly enough to include:

- Fully automatic weapons
- Selective-fire weapons **capable** of fully automatic fire
- Semi-automatic military weapons and variants of fully automatic weapons distinguished by characteristics such as the ability to accept a large capacity magazine.

It should also address:

- The prohibition of the manufacture of these weapons for civilians
- The prohibition of the import/export of military weapons for civilians
- The prohibition of the marketing, sale, and transfer of these weapons
- The prohibition of the possession of these weapons by civilians.

However, given existing standards and the large number of these weapons in civilian hands, the last element would be the most difficult. A compromise would be to prohibit the unregulated possession by civilians, thereby strengthening controls over those weapons currently in circulation.

## Strategies

During the discussions of the 2001 Programme of Action, there was a high level of support among governments and NGOs for a ban on the civilian possession of military assault weapons. Non-governmental organizations such as the International Action Network on Small Arms (IANSA) have been explicit on this issue and many national NGOs including Amnesty USA have taken strong stands with respect to national legislation.<sup>61</sup>

### *Revisit the 2001 Conference Programme of Action*

One strategy would be to attempt to reintroduce the language into the L4 version of the draft Programme of Action by, for example, adding the words in bold below:

To put in place adequate laws, regulations and administrative procedures to exercise effective control over the legal manufacture, stockpiling, transfer **and possession** of small arms and light weapons within their areas of jurisdiction. To ensure that those engaged in illegal manufacture, stockpiling, transfer and possession can and will be prosecuted under appropriate penal codes. To seriously consider the **prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes** [emphasis added].<sup>62</sup>

Currently, discussions are underway about approaches to the review conferences and potential ways in which the POA could be strengthened.

### *Convention within UN*

In spite of the activity focused on the 2001 PoA, it is possible to pursue a separate convention calling for a ban on civilian possession of military assault weapons, relying on like-minded countries to join in. While this might gain some support, the absence of participation by the USA would be an impediment to its effectiveness.

### *Convention outside UN Process*

Recognizing the impossibility of achieving international consensus through the existing UN processes, we might follow the example of the Landmines Treaty and focus on marshalling like-minded states. It might be possible, for example, to include language in the proposed Framework Convention<sup>63</sup> being promoted by an alliance of international NGOs and governments to address some of the key points and to supplement that initiative with a Prohibition on the Civilian Trade and Possession of Military Assault Weapons.

## POTENTIAL ROLES FOR CANADA

### Overview

Canada could play a role in developing a network of like-minded countries and NGOs to develop an international campaign and instrument to prohibit the manufacture and sale of military assault weapons to civilians. Prohibiting possession would be more difficult in light of current legislation, but the instrument might prohibit unregulated possession.

## **Assessment of Canada's Position Overall**

There would be strong international support from like-minded governments and NGOs for an international ban on military assault weapons. Overall, support for an international ban on civilian possession of military assault weapons is consistent with Canada's domestic policies and would be supported by the majority of Canadians. It would also be consistent with Canada's domestic security interests as the illegal trafficking of military assault weapons affects the safety of Canadians. It is, however, not without its challenges. The problems of definition, outlined above, as well as the difficulties in obtaining the support of the country with the largest number of small arms in circulation (the US) present significant challenges to leading an international effort to ban civilian possession of military assault weapons.

### **Strengths**

Canada has considerable political capital and is well regarded among middle powers. It is a major player in the Human Security Network and has been considered a moderate in the development of the POA. Canada would have many international allies in pursuing a ban on civilian possession of military weapons. A number of countries, such as South Africa, lobbied to keep references to controls over civilian possession in the PoA.

Canada's record on domestic firearms regulation is credible – its laws are considered moderate, and the country has a well-established tradition of firearms possession and use. It also has a very minor military small arms production capacity and the major domestic manufacturer – Diemaco – does not supply commercial markets.

For almost 30 years, police in Canada have called for a ban on fully automatic and semi-automatic assault weapons. In 1988, the Canadian Association of Chiefs of Police (CACP) passed a resolution calling for a ban on semi-automatic weapons that could be converted to fully automatic fire. In 1994, the CACP called again for a ban on military assault weapons. That same year, their concerns were echoed by the Ontario Association of Chiefs of Police (OACP) who said:

The proposed ban on military assault weapons is essential to maintaining safe communities. These weapons are designed for the sole purpose of destruction. Games [sic] killed by such a weapon would be literally torn apart, destroying much of the meat which would otherwise be edible and destroying the pelt for any other use. Paper targets would be virtually destroyed, so it is hard to imaging [sic] any kind of competitive scoring system. The place of such weapons in collections of weapons designed for sports and competitive shooting or hunting is misplaced. Assault weapons are in a category of their own, designed for military purposes and have no place in a peaceful community.<sup>64</sup>

### **Public Opinion in Canada**

There are no recent polls in Canada concerning the question of prohibiting civilian possession of military weapons but there are good reasons to believe that most Canadians would be supportive. Ten years ago, the Canadian public, including many firearm owners, strongly supported a ban in Canada on military assault weapons. After a Ruger Mini 14 was used to kill 14 women at Montreal's École

Polytechnique in 1989, more than 560,000 Canadians signed a petition calling for a complete ban on military assault weapons. There was a high level of consensus in Canada, even among gun owners, that military-style weapons have no place in the hands of civilians. A 1993 Angus Reid poll showed that 83% of the Canadian population supported a ban on military assault weapons. The support was strong in all regions of the country and across all major socio-demographic descriptors included in the research. Among gun owners, 71% supported a ban on military weapons.<sup>65</sup> Today, three-quarters of Canadians continue to support licensing of gun owners and registration of firearms.<sup>66</sup> Indeed a recent survey indicated that more than half the population, outside of Quebec, believes that “only the military and police should be allowed to own guns.”<sup>67</sup> Within Quebec, support for gun control measures is much higher. It is reasonable, therefore, to believe that the majority of Canadians would support an international ban on civilian possession of military assault weapons.

Recent responses in Canada to the problem of the illicit trafficking of small arms, and to the relaxation of the US Assault Weapons Ban, also suggests that the proposal would be supported. Given that 50% of handguns recovered in crime in Canada originate in the United States, a number of politicians and policing officials have expressed concerns about US firearms laws in particular. An international convention to ban civilian possession of military assault weapons would be seen as a means of putting pressure on the United States.

Police support the ban on military assault weapons because of the use of these weapons in crime. Police officers face particular risks because the bullets from these firearms pierce body armour. In addition, limiting civilian access to such weapons lessens the need for law enforcement to carry assault weapons themselves in order to match the firepower capability that criminals with assault weapons would have. In many countries, law enforcement officers do not want to have to carry M-16s as their standard service weapon. In 1997, after a shootout in California involving assault weapons, Jim Pasco, executive director of the Fraternal Order of Police stated, “An AK-47 fires a military round. In a conventional home with dry-wall walls, I wouldn't be surprised if it went through six of them. ... Police are armed with weapons that are effective with criminals in line of sight. They don't want and don't need weapons that would harm innocent bystanders.”<sup>68</sup>

## **Weaknesses**

Canada has in place a ban on the sale of most types of military assault weapons, but the grandfather clauses in the 1977, 1991, and 1995 legislation mean that military assault weapons are still in the hands of civilians.

As discussed above, the definition of military assault weapons varies considerably from jurisdiction to jurisdiction. In 1995, Canada introduced legislative changes to allow the Government to ban, through Order in Council, firearms not reasonably used in hunting. At that time, the plan was to proceed with a ban on the Ruger Mini-14 and the AR-15. Currently the Ruger Mini-14 is sold as an unrestricted hunting rifle and the AR-15 is sold as a restricted weapon, meaning that it can be used in target shooting and as part of firearms collections. This makes Canada vulnerable to criticisms from advocates of small arms control. Even the US Assault Weapons Ban included the AR-15 in its list of prohibited weapons.

Canada has a relatively strong gun lobby, which has intervened in a number of UN processes and will place pressure on the Federal Government not to support an international ban on military assault

weapons. While most firearms groups in Canada, such as the Ontario Federation of Anglers and Hunters, are not proponents of civilian possession of military assault weapons, they may see an international ban as the thin edge of the wedge. In addition, there are some groups, such as the National Firearms Association, who maintain that citizens should be able to own any type of firearm they wish, provided they are trained to use it.<sup>69</sup>

Political realities are also an important concern. Currently there is a minority government in Canada. Two-thirds of the Members of Parliament (including almost all Liberals and Bloc Quebecois, with a majority of NDP) recently voted to support funding for Canada's gun control program.<sup>70</sup> Parties such as the Bloc Quebecois and the New Democratic Party would likely support an international convention to ban military assault weapons. Although a Conservative government introduced a prohibition on selective-fire semi-automatics in 1991, the Conservatives recently voted against funding for Canada's firearms control and would likely oppose a ban. During the election the party implied that Canadians have a right to own guns and suggested a "practical" firearms control system<sup>71</sup> based on the National Firearms Association proposal that would allow people to have a full range of firearms, including military assault weapons. Under these circumstances it is unclear how the Liberal party would proceed.

Although the United States prohibits sale of fully automatic weapons and the importation of many semi-automatic military assault weapons, it did not renew its Assault Weapons Ban. Its opposition to the inclusion of a prohibition on civilian possession of military weapons in the Programme of Action suggests that it would not support an international convention to ban civilian possession of military assault weapons.

## CONCLUSIONS

It is clear that there are compelling reasons to try to reduce the flow of legal and illegal military weapons to civilians. Given that weak laws in one country create problems in other countries, there are strong arguments for strengthening controls over civilian possession of these weapons at the global level. To be effective, global prohibitions and restrictions on civilian possession of military assault weapons would need to have an acceptable definition which addresses fully automatics, selective-fire, and semi-automatic variants with military features (such as a large capacity magazine) without affecting the lawful use of semi-automatic hunting rifles. There is considerable debate about the characteristics that differentiate military assault weapons from hunting firearms. The experience with national legislation suggests creative solutions are needed to ensure that legitimate concerns are addressed while not allowing loopholes that render the measures ineffective. A more detailed analysis of legislative approaches in different countries might offer potential approaches. Another issue that must be considered is the need for a comprehensive approach through the value chain from manufacture, through import/export, marketing, sale, and possession. Clearly the way in which the ban is defined will have a significant impact on its effectiveness. Finally, while Canada is, in some respects, well-positioned to work with like-minded countries on such a ban, some anomalies in its domestic firearms control regime may pose problems if it attempts to set itself as a model. The fact, for example, that the AR-15 is still sold to civilians is an obvious gap.

## NOTES

<sup>1</sup> International Committee of the Red Cross (ICRC), *Arms Availability and Situation of Civilians in Armed Conflict*. Geneva: 1999.

<sup>2</sup> President Clinton signed the Violent Crime Control and Law Enforcement Act of 1994 into law on September 13, 1994. It was allowed to expire 10 years later.

<sup>3</sup> *Small Arms Survey 2003: Development Denied*. Oxford: Oxford University Press, 2003.

<sup>4</sup> ICRC.

<sup>5</sup> ICRC.

<sup>6</sup> Robin Coupland, *The Effect of Weapons: Defining Superfluous Injury and Unnecessary Suffering, Medicine and Global Survival*, 1996. [Online]. Available from: <http://www.ippnw.org/MGS/V3Coupland.html>.

<sup>7</sup> Robin Coupland and David Meddings, "Mortality associated with use of weapons in armed conflicts, wartime atrocities, and civilian mass shootings: literature review," *BMJ* (1999), 319:407-410 (14 August). [Online]. Available from: <http://bmj.bmjournals.com/cgi/content/abstract/319/7207/407>.

<sup>8</sup> DC Reedy and CS Koper, "Impact of handgun types on gun assault outcomes: a comparison of gun assaults involving semiautomatic pistols and revolvers," *Injury Prevention* (2003), 9:151-155. [Online]. Available from: <http://ip.bmjournals.com/cgi/reprint/9/2/151>.

<sup>9</sup> CS Koper and JA Roth, "The impact of the 1994 federal assault weapon ban on gun violence outcomes: an assessment of multiple outcome measures and some lessons for policy evaluation," *Journal of Quantitative Criminology* (2001), 17:33-74.

<sup>10</sup> Robert Chetty, ed. *Firearm Use and Distribution in South Africa*. Pretoria: National Crime Prevention Centre (NCP) Firearms Programme, 2000. p. 45.

<sup>11</sup> South African Government Information, "We must put an end to these senseless killings," 22 May 2004. [Online]. Available from: <http://www.info.gov.za/speeches/2004/04052410151001.htm>.

<sup>12</sup> Stephen Muiruri, "Gun-Running in Nairobi Shoots Up, Say Police," *Nation*, Kenya, 7 August 2002 and Joseph Ngunjiri, "North Rift Awash with Illicit Arms," *The East African Standard*, Nairobi, 30 March 2003.

<sup>13</sup> BBC News. "Swiss mourn gun rampage victims," 27 Sep. 2001 [last update].

<sup>14</sup> Charles Montaldo, "Six Killed in Wisconsin Hunting Incident," *About Crime/Punishment*, Nov. 24, 2004. [Online]. Available from: <http://crime.about.com/od/news/a/vang041122.htm>.

<sup>15</sup> See, for example, Lora Lumpe, ed., *Running Guns: The Global Black Market in Small Arms*. London, Zed Books, 2000; or *Small Arms Survey 2003*.

<sup>16</sup> "Kalashnikov: 85 and still 'firing' out gun designs," *Dadan Upadhyay*, Moscow, November 10, 2004.

<sup>17</sup> See, for example, David Miller, *The Illustrated Directory of 20th Century Guns*, St. Paul, MBI Publishing, 2003; Ian V. Hogg and John S. Weeks, *Military Small Arms of the 20th Century*. Iola, WI: Krause, 2000; and John Walter, *Modern Military Rifles* (Greenhill Military Manual).

<sup>18</sup> Tom Diaz, *Making a Killing: The Business of Guns in America*. New York: New Press, 1999.

<sup>19</sup> *Small Arms Survey 2003*, p. 15.

<sup>20</sup> United Nations, Report of the Panel of Governmental Experts on Small Arms, A/52/298, Aug. 27, 1997.

<sup>21</sup> Hogg and Weeks.

<sup>22</sup> Hogg & Weeks. p. 2.

<sup>23</sup> John Walter, *Modern Military Rifles*. London: Greenhill, 2001.

<sup>24</sup> David B. Kopel, "Rational Basis Analysis of 'Assault Weapon' Prohibition," *Journal of Contemporary Law* (1994), 20:381.

- <sup>25</sup> Defining “Small Arms” as they pertain to “Firearms” for the UN Conference on Small Arms, London: Imperial War Museum, April 27, 2001.
- <sup>26</sup> Handgun Control, Inc., *The Deadly Distinction*, Video, 1989.
- <sup>27</sup> Violence Policy Center, military assault weapons. [Online]. Available from: <http://www.vpc.org>.
- <sup>28</sup> Cited in US Department of Treasury, *Study on the Sporting Suitability of Modified Semi-automatic Assault Rifles*, April 1998. p. 4.
- <sup>29</sup> US Dept. of Treasury, p. 8.
- <sup>30</sup> US Dept. of Treasury, p. 8.
- <sup>31</sup> US Dept. of Treasury, p. 8.
- <sup>32</sup> US Dept. of Treasury, p. 2.
- <sup>33</sup> K Christopher, S Koper, Daniel J Woods and Jeffrey A Roth, *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*, Report to the National Institute of Justice, United States Department of Justice, Jerry Lee Center of Criminology, University of Pennsylvania: Philadelphia, PA, June 2004 , p.1.
- <sup>34</sup> Miller.
- <sup>35</sup> Hogg and Weeks.
- <sup>36</sup> Hogg and Weeks, p. 291.
- <sup>37</sup> Hogg and Weeks.
- <sup>38</sup> Hogg and Weeks.
- <sup>39</sup> Lorne Newson, Chief Provincial Firearms Officer, BC., Testimony from *Report on the Subject-Matter of Bill C-80 (Firearms)*, House of Commons, Canada, February 1991. [Online]. Available from: <http://www.cfc-ccaf.gc.ca/pol-leg/hist/pdfs/Newfirearmswhole.pdf>.
- <sup>40</sup> There are many ways in which civilians could still possess fully automatic weapons in the USA (and in Canada); this is why attention to the implementation of prohibitions is key.
- <sup>41</sup> Argentina, National Registry of Weapons (RENAR), “Acts and Decrees.” [Online]. Available from: [www.renar.gov.ar/english/acts/leydec.asp](http://www.renar.gov.ar/english/acts/leydec.asp).
- <sup>42</sup> US Department of the Treasury, *Study on the Sporting Suitability of Modified Semi-automatic Assault Rifles*, April 1998.
- <sup>43</sup> United Nations, *Report of the Group of Governmental Experts on Small Arms*, A/54/258, 19 August 1999. [Online]. Available from: [http://www.smallarmssurvey.org/resources/un\\_rep.htm](http://www.smallarmssurvey.org/resources/un_rep.htm).
- <sup>44</sup> UN General Assembly, A/54/565, December 1999.
- <sup>45</sup> UN Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Version L4 Rev 1, 2001.
- <sup>46</sup> UN Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Third session, Mar. 2001.
- <sup>47</sup> *Small Arms Survey 2002*, Oxford: Oxford University Press, 2002.
- <sup>48</sup> JA Roth, and CS Koper, *Impacts of the 1994 Assault Weapons Ban: 1994-96*, National Institute of Justice Research in Brief, U.S. Department of Justice, March 1999. [Online]. Available from: <http://www.ojp.usdoj.gov/nij>.
- <sup>49</sup> Violence Policy Center. *Bullet Hoses: Semiautomatic Assault Weapons—What Are They? What's So Bad About Them?* 2003. [Online]. Available from: <http://www.vpc.org/assaultweapons.htm>.
- <sup>50</sup> The Campaign to Ban Assault Weapons. [Online]. Available from: [http://www.banassaultweapons.org/the\\_problems\\_and\\_the\\_players/](http://www.banassaultweapons.org/the_problems_and_the_players/).
- <sup>51</sup> Brady Center to Prevent Gun Violence, “Gun Dealer, Manufacturer Pay \$2.5 Million to Sniper Victims to Settle Lawsuit,” Press Release: 09-09-2004. [Online]. Available from:

[http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/09-09-2004/0002247320&EDATE=.](http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/09-09-2004/0002247320&EDATE=)

<sup>52</sup> Violence Police Center, “Intratec (Navegar).” [Online]. Available from: <http://www.vpc.org/studies/deadint.htm>.

<sup>53</sup> All examples in this paragraph are taken from VPC, *Bullet Hoses*, “The Gun Industry’s Lies.”

<sup>54</sup> VPC, *Bullet Hoses*.

<sup>55</sup> KR Fafarman, “State Assault Rifle Bans and The Militia Clauses of the United States Constitution,” *Indiana Law Journal*, Winter, 1991. [Online]. Available from: <http://www.saf.org/AllLawReviews.html>. New Jersey banned the Ruger Mini-14 version with a folding stock but not the others (N.J. Stat. Ann. § 2C:39-1(w)(3)).

<sup>56</sup> Anne McLellan to Wendy Cukier, Personal Correspondence, December 5, 1999.

<sup>57</sup> The Federal Bureau of Investigation data does not identify the firearm used in some instances; in those cases the type of firearm is listed as “unknown.” Therefore, the number of law enforcement officers killed with assault weapons may actually be higher. (This figure does not include the 72 law enforcement deaths that resulted from the events of September 11, 2001. The foreword of the FBI’s “Law Enforcement Officers Killed and Assaulted,” 2001 states, “Because a catastrophe such as the September 11 attacks falls far outside the normal course of police experience, the FBI has not included those fatalities in the 2001 rate, trend, or disposition tables for to do so would skew the data and render analyses meaningless.”) The year 2001 is the most recent year for which complete information is available from the FBI.

<sup>58</sup> Violence Policy Center, “*Officer Down*”: *Assault Weapons and the War on Law Enforcement*, Section One: Assault Weapons, the Gun Industry, and Law Enforcement, 2003. [Online]. Available from: <http://www.vpc.org/studies/officeone.htm>.

<sup>59</sup> Koper et al.

<sup>60</sup> Gartner, Rosemary, “Affidavit of Rosemary Gartner,” Court of Appeal of Alberta, Vol. 39.

<sup>61</sup> Amnesty International USA, International Trade in Arms and Military Training. [Online]. Available from: [http://www.amnestyusa.org/arms\\_trade/index.do](http://www.amnestyusa.org/arms_trade/index.do).

<sup>62</sup> United Nations. Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Version L4 Rev 1, 2001.

<sup>63</sup> Amnesty International UK, Control Arms: Arms Trade Treaty. [Online]. Available from: <http://www.amnesty.org.uk/controlarms/armstradetreaty>.

<sup>64</sup> Coalition for Gun Control, Military Assault Weapons in Canada. [Online]. Available from: <http://www.guncontrol.ca/Content/MAW.htm>.

<sup>65</sup> Angus Reid, “Gun Control: Public Support for Regulating Firearm Ownership in Canada 1993,” *Angus Reid Report*, Volume 8, October 1993.

<sup>66</sup> Environics, “Majority Support for Gun Control; Majority Support Continuation of National Firearms Registry,” February 21, 2003.

<sup>67</sup> N Nevitte, A Blais, E Gidengil, P Fournier, J Everitt, “Victory to the Middle Man,” *Globe and Mail*, July 28, 2004. [Online]. Available from: <http://www.ces-ec.umontreal.ca/documents%5CVictory.pdf>.

<sup>68</sup> *USA Today*, “Police fear a future of armored enemies,” March 3, 1997.

<sup>69</sup> Canada’s National Firearm Association (NFA), The Practical Firearms Control System: Working to Make Canada Safer! 2004. [Online]. Available from: <http://www.nfa.ca/publications/pfcsenglish.pdf>.

<sup>70</sup> House of Commons, Vote on Estimates, December 9, 2004.

<sup>71</sup> S Harper, “Demand Safer Communities: The Conservative plan for Canada’s criminal justice system, Whitby, June 1, 2004.



## APPENDIX 1: MILITARY ASSAULT WEAPON PROHIBITIONS BY COUNTRY (A PRELIMINARY ANALYSIS)

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
Afghanistan	Not known	Not known	Not known	SAFER-Net, Country Profile: Afghanistan, July 20, 2003. <a href="http://www.research.ryerson.ca/SAFER-Net/">http://www.research.ryerson.ca/SAFER-Net/</a> .
American Samoa	Yes	Machine guns, explosive weapons, short-barreled rifles or shotguns and silencers.	American Samoa Territorial Law, 1962 & 1979 Amended in 1980	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Argentina	Yes	Automatic portable weapons, semi-automatic arms fed with detachable magazines such as rifles, carbines, or assault submachine guns derived from weapons for military use with calibres superior to .22 inches (5.6mm), except for those weapons expressly determined by the Ministry of Defence.	The Act on Weapons and Explosives, No. 20.429, 1973 Regulation of the Argentine Act on Weapons and Explosives, Decree No. 395/75, 1975. Amended by Weapons and Explosives, Decree No. 64/95, 1995	Argentina, National Registry of Weapons (RENAR), "Acts and Decrees": <a href="http://www.renar.gov.ar/english/acts/leydec.asp">www.renar.gov.ar/english/acts/leydec.asp</a> .
Armenia	Yes	Armenia distinguishes between civilian arms, service arms, and combat arms. Civilian arms must exclude the possibility of rapid gun fire, and cartridge capacity must not exceed 10 bullets.	Armenia has recently amended its Law of the Republic of Armenia on Arms (adopted on 03.07.1998, entered into force on 13.09.1998) with the following pieces of legislation: Decision of the Government of the Republic of Armenia on the "Rules and procedures of the Licensing of the Production of Arms in the Republic of Armenia" (adopted on 05.12.2002, entered into force on 23.07.2003) Decision of the Government of the Republic of Armenia on "Regulating the Circulation of Service and Civilian Weapons and Their Bullets on the Territory of the Republic of Armenia" (adopted on 26.10.1999, entered into force 26.10.1999) Order of the Minister of Interior of the Republic of Armenia on "Rules and Procedures of the Control Over Service and Civilian Arms by the Bodies of Internal Affairs" (adopted on 15.03.2002, entered into	SAFER-Net, Country Profile: Armenia, January 2004, <a href="http://www.research.ryerson.ca/SAFER-Net/">http://www.research.ryerson.ca/SAFER-Net/</a> .

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
			force on 10.14.2002) Decree of the President of the Republic of Armenia on Surrender of Arms and Other Military Inventory Illegally Held by Citizens or by Organizations	
Australia	Yes	Semi-automatic rifles and shotguns and pump-action shotguns are prohibited unless a “genuine need” can be demonstrated by restricted categories of applicants (e.g., certain farmers, collectors, and target-shooters.) (1) Exemptions are allowed for military, police, government, and occupational categories of shooters who have been licensed for a specified purpose. (2) Certain restricted categories of civilians may own assault weapons and machine guns. (1)	FEDERAL Customs Act, 1901 Customs (Prohibited Imports) Regulations, 1956 Customs (Prohibited Exports) Regulations, 1958 National Firearms Program Implementation Act 1998, No. 81 REGIONAL Firearms Act, 1996 (Australian Capital Territory) Firearms Act, 1996 (New South Wales) Firearms Act, 1977 (Northern Territory) Weapons Act, 1990 (Queensland) Firearms Act, 1977 (South Australia) Firearms Act, 1996 (Tasmania) Firearms Act, 1996 (Victoria) Firearms Act, 1973 (Western Australia)	(1) Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No. 8, March 2003. (2) United Nations (UN), International Study on Firearm Regulation, August 1999 updated database, Part 8, Question 71: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Austria	Yes	“War material,” especially fully automatic firearms (e.g., machine-pistols and automatic rifles). (1) Under certain conditions exemption permits may be issued. (1)	Waffengesetz, BGB1 No. 443, 1986 (1) Amended in 1994 and 1996. Strafgesetzbuch (Penal Code), 1974 Federal Law on Imports, Exports and Transit of War Material, 1977 War Material Act, 1977 (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database, Part 2, Question 19: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) Verification, Research, Training and Information Centre (VERTIC), “Biological Weapons Convention: Collection of national implementation legislation”: <a href="http://www.vertic.org/datasets/bwlegislation_data.html">www.vertic.org/datasets/bwlegislation_data.html</a> .
Azerbaijan	Not known	Not known	Act on Official and Civilian Weapons, 1997	International Human Rights Law Institute (IHRLI), “Azerbaijan,” <i>National Laws and Measures for Counter-terrorism and Regulation of Biology</i> , 2003: <a href="http://webmedia2.depaul.edu/ihrli/downloads/publications/Azerbaijan.pdf">webmedia2.depaul.edu/ihrli/downloads/publications/Azerbaijan.pdf</a> .
Bahrain	Not known	Not known	Not known	N/A
Bangladesh	Yes	Fully automatic military assault weapons; semi-automatics which can be converted to automatics, along with a few other selected models not suitable for hunting or target-shooting; short-barreled handguns; sawed-off shotguns and large capacity magazines.	<i>Arms Act XI</i> , Chapter 18: “Firearms issue, revoke, deposit and examination,” 1878	SAFER-Net correspondence (15 September 2001) with the Bangladesh Development Partnership Centre (BDPC), 19 ka, Pisciculture, Ring road, Shyamoli, Dhaka, Bangladesh.

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
Belarus	Yes	The only legal arms in Belarus are hunting rifles and gas arms. Civilians are permitted to possess, but neither to own nor use “rewarding” firearms (usually pistols or revolvers) which they have been awarded for military service. One month after resignation from military service, the new civilian must register any firearms with the District Organ of Internal Affairs (police), and obtain a permit to keep and store the firearms. It is prohibited to carry such firearms or use them for any purpose. After the death of the owner, his/her relatives must hand over the firearm to District Organ of Internal Affairs as soon as possible. Rewarding firearms may not be sold or given as presents, as the possessor does not own the weapon.	Law of the Republic of Belarus on Arms, No. 61-3, 13 December 2001	Norwegian Initiative on Small Arms Transfers (NISAT), “Official government reports in investigation into weapons trafficking, weapon seizures,” 2002, Belarus Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Belgium	Not known	Not known	There are five categories of firearms in Belgium: 1) Prohibited Firearms 2) Military Weapons Ownership: a firearm certificate issued by the governor of the province is required. Possession: with a certificate, exempt for governmental services (army, police, etc.). 3) Defence Weapons (pistols, revolvers) Ownership: a firearm certificate issued by the chief officer of police is required. Possession: with a certificate, exempt for governmental services. 4) Weapons for Collection Ownership: free. Possession: free. 5) Hunting and Sports Firearms Ownership: free. Possession: free.	UN, <i>International Study on Firearm Regulation</i> , August 1999 updated database, Part 1, Question 6a and 34: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a>
Bhutan	Not known	Not known	Not known	SAFER-Net. Country Profile: Bhutan. Unpublished, 5 August 2003.
Bolivia	Yes	Civilians are prohibited from possessing shotguns with barrels smaller than .18 inches; rifles of calibres other than .22; and pistols and revolvers of all calibres other than those which are permitted (.22 and .25) or restricted (.38, .32, .40, .41 and .45) Automatic 7.65mm revolvers are restricted but not prohibited.	Regulations for the Imports of Explosives, Firearms and Ammunition, Ministerial Resolution No. 665, 24 May 2000 Proposed Law of Firearms, Ammunition, Explosives, and Double use Chemical Agents, 2002	Carolina Iootty de Paiva Dias, <i>Harmonizing Laws for the Prevention of Illicit Firearms Transfers: Analysis of the Firearms Control Laws of Greater MERCOSUR Countries and Their Compatibility with OAS-CICAD’s Model Regulations</i> , Viva Rio, Rio de Janeiro, November 2002.

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
Bosnia/Herzegovina	Not known	Not known	Not known	N/A
Botswana	Not known	Not known	Not known	N/A
Brazil	Yes	Under the current legislation it is illegal for any citizen to possess any weapon, with the exception of those who have licences for hunting and sport weapons. (2)	Decree No. 3.665, 20 November 2000 Ministerial Act No. 22, 15 September 2000 (1) The new legislation was ratified on 23 December 2003. (2)	(1) National Report of Brazil on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> . (2) "Brazil's Lula signs gun law," <i>Washington Times</i> , 23 December 2003: <a href="http://washingtontimes.com/upi-breaking/20031222-035915-9475r.htm">washingtontimes.com/upi-breaking/20031222-035915-9475r.htm</a> .
Brunei Darussalam	Not known	Not known	Not known	N/A
Bulgaria	Not known	Not known	Not known	SAFER-Net. Country Profiles: Bulgaria. January 2004. <a href="http://www.research.ryerson.ca/SAFER-Net/">http://www.research.ryerson.ca/SAFER-Net/</a>
Burkina Faso	Not known	Not known	Not known	N/A
Cambodia	Yes	The only legal weaponry is held by authorized members of the military and civil service. No civilians are allowed to possess any type of firearm.	Sub-decree No. 38 on Administering and Inspecting the Import, Production, Selling, Distribution and Handling All Types of Weapons, 1999	Norwegian Initiative on Small Arms Transfers (NISAT), "Export Laws and Policies," part of the Cambodia Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Canada	Yes	An automatic firearm or a converted automatic firearm; a rifle or shotgun that has been altered to make it less than 660mm in overall length; a rifle or shotgun that has been changed to make it 660mm or more in overall length, with a barrel less than 457mm in length.	Criminal Code, 1998 Firearms Act, 1995 Some assault weapons are restricted rather than prohibited. These include: semi-automatic, centre-fire firearms with a barrel length less than 470mm that is not a prohibited firearm and firearms that can fire after being reduced, by folding, telescoping, or otherwise, to an overall length of less than 660mm.	Canadian Firearms Centre (CFC), "List of Restricted and Prohibited Firearms," 2000: <a href="http://www.cfc-ccaf.gc.ca/info_for_renseignement/factsheets/r&amp;p_e.asp">http://www.cfc-ccaf.gc.ca/info_for_renseignement/factsheets/r&amp;p_e.asp</a> .
Chile	Yes	The following weapons are prohibited for possession: 1) Long barrel rifle bore barrel firearms of a calibre superior to .22 inches; 2) long barrel firearms (shoulder guns) of any calibre, whose barrels have been cut; 3) handguns of a calibre equal or superior to 0.45 inches or 11.43mm; 4) totally automatic handguns of any calibre; and 5) decoy weapons (so called when the firearm is hidden under a deceptively harmless exterior).	Firearms, explosives and related products control law, No. 17.798/72, 1972 Text systematized in Decree No. 400/73, 1973 and Regulatory Decree No. 77/82, 1982	Carolina Iootty de Paiva Dias, Harmonizing Laws for the Prevention of Illicit Firearms Transfers: Analysis of the Firearms Control Laws of Greater MERCOSUR Countries and Their Compatibility with OAS-CICAD's Model Regulations, Viva Rio, Rio de Janeiro, November 2002.

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
China	Yes	All submachine guns and machine guns for military use are prohibited to civilians. (1) There are two distinct categories of weapons, one for military use and the other for non-military use. These two categories are administered and regulated differently. (2)	Measures of the People's Republic of China on the Control of Firearms, 25 April 1981 Regulations of the People's Republic of China on the Administration of Militia Equipment, 3 June 1995 Law of the People's Republic of China on the Control of Firearms, 5 July 1996 Regulations of the People's Liberation Army on the Administration of Military Equipment	(1) Norwegian Initiative on Small Arms Transfers (NISAT), "Export Laws and Policies," part of the China Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> . (2) National report of China on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Colombia	Yes	Firearms are divided into weapons of war, weapons for use only by law enforcement personnel, and weapons for civilian use. Automatic weapons are prohibited to civilians.	Decree No. 2535, 1993	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a>
Cook Islands	Yes	The issuing of new civilian licences has been completely prohibited. Pre-existing licence-holders, police and defence personnel may still own weapons.	Arms Ordinance, 1954, No 3. Amended in 1955, 1973-74 and 1977 Crimes Act, 1969 Customs Act, 1913	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Costa Rica	Yes	Civilians are prohibited from carrying automatic weapons. (2) Costa Rica permits the use of semi-automatic pistols and rifles up to .45 calibre. (1)	Law of Arms and Explosives, No. 7530, 1995	(1) Max Loria, Costa Rica: Diagnostico Armas de Fuego, the Arias Foundation for Peace and Human Progress, (translated by Greg Puley), 2000. (2) UN, International Study on Firearm Regulation, August 1999 updated database, Part 2, Question 20: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Croatia	Yes	Automatic rifles, light machine-guns, submachine guns (2)	Law on Arms, 1997 Amended in 1999, 2001 and 2002	(1) National report of Croatia on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> . (2) "Croatia Sets 1 June Deadline for Arms Surrender," Government Press Agency, 25 May 1999, part of the NISAT Croatia Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Cuba	Not known	Not known	Not known	N/A
Czech Republic	Yes	Prohibited weapons and their accessories are: 1) weapons firing more than one shot (a burst) when the trigger is pulled (i.e., fully automatic weapons); 2) military weapons with the exception of rifles, pistols, and revolvers up to the calibre of	Firearms Act, No. 288, 1995 Amended by Act No. 13, 1998, and Act No. 156, 2000 Exemptions are available for security forces and other trained personnel to use prohibited weapons for a limited time. (1)	(1) NISAT, "Export Laws and Policies," part of the Czech Republic Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> . (2) UN, International Study on Firearm Regulation, August 1999 updated database, Part 2, Question 20: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
		12mm and signal weapons marked with a civilian certification mark; 3) weapons originally produced as fully automatic weapons; 4) self-loading firearms which have the appearance of fully automatic military weapons and which can be modified to become fully automatic; and 5) shotguns of total length shorter than 900mm or shotguns with a barrel shorter than 450mm. (2)		
Denmark	Yes	Such weapons are classified as “war materiel”	Law on Weapons and Explosives, Justice Ministry Consolidated Act No. 67, 26 January 2000 Order No. 66 on Weapons and Ammunition etc., 26 January 2000 Circular No. 8 on Weapons and Ammunition etc., 26 January 2000	NISAT, “Export Laws and Policies,” part of Denmark Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Ecuador	Yes	Civilians are only allowed to carry weapons up to a certain calibre.	Act on Manufacturing, Import, Export, Marketing and Possession of Arms, Munitions, Explosives and Accessories	UN, International Study on Firearm Regulation, August 1999 updated database, Part 2, Question 20: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a>
Egypt	Yes	All automatic weapons classified as “long guns” are prohibited.	Arms & Ammunitions Act, No. 493, 1954. Amended by Law No. 97, 1992, and Ministerial Decision No. 13354, 1995.	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
El Salvador	Yes	All weapons with rapid burst capabilities. Weapons of calibres up to 11.6mm are permitted as long as they do not have rapid burst fire capabilities. This means that AK-47s and Dragonovs, among others, may be carried by civilians.	Law Concerning the Control and Regulation of Firearms, Ammunition, Explosives and Other Similar Articles, 1980 Amended in 1993 and 1999. The regulations were not approved until May 2000.	M.A. Beltrán, M. Paganini y N.A. Portillo, Actitudes hacia la violencia interpersonal y tenencia de armas de fuego. Tesis para optar al grado de licenciatura en Psicología , San Salvador: Departamento de Psicología, UCA, 1998.
Estonia	Yes	“Strategic goods” are classified as any device that could endanger national security. (2) Special machine pistols (Model TT) are also prohibited. (1)	Law on Arms, January 1996 (1) Strategic Goods Import, Export and Transit Act, 16 June 1999 Procedure for Import, Export and Transit of Strategic Goods, 28 September 1999 Establishment of Exceptions to Requirement of Import, Export or Transit Licences for Strategic Goods, 22 September 1999 (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) Stockholm International Peace Research Institute (SIPRI), Documents Section, Estonia: <a href="http://projects.sipri.se/expcon/natexpcon/Estonia/estonia.htm">projects.sipri.se/expcon/natexpcon/Estonia/estonia.htm</a> .
Ethiopia	Not known	Not known	Security and Refugee Affairs Authorities, Proclamation No. 6, 1995	UN, International Study on Firearm Regulation, August 1999 updated database, Part 1, Question 6a: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a>
Federated States of Micronesia	Yes	Automatic weapons, handguns, silencers, rifles larger than .22 calibre and shotguns larger than	Trust Territory Weapons Control Act, 1971 Weapons Prohibition Act,	Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No.

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
		.410 gauge	1981 Weapons Control Act	8, March 2003.
Fiji	Yes	Any arms, which are designed or adapted so that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty, is prohibited from being imported into or manufactured in the Fiji Islands. (1) All civilian firearm licences have been suspended since May 2000. (2)	Arms and Ammunition Bill, No. 6, 2003 (This bill is intended to repeal and replace the earlier Arms and Ammunition Act and has not yet been enacted.) (1) Arms and Ammunition Act, 1962 Penal Code, 1978 Firearms, Explosives and Ammunition (Amnesty) Act, 1998 Arms, Explosives and Ammunition (Amnesty) Decree, 2000 (2)	(1) Parliament of Fiji Islands, Arms and Ammunition Bill, 2003 and “Legislation Brief: Arms and Ammunition Act 2003,” Vol. 7, No. 6, April 2003: <a href="http://www.parliament.gov.fj/legislative/index.aspx">www.parliament.gov.fj/legislative/index.aspx</a> . (2) Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No. 8, March 2003.
Finland	Yes	Assault and automatic weapons are classified as “especially dangerous” and are prohibited. (2) Certain articles of military equipment are available to the civilian population through a special application. (2)	Firearms Act, 1988 Act on the Export and Transit of Defense Material, 1990 General Guidelines for the Export and Transit of Defense Material, 1995 Decree on the Export and Transit of Defense Material, 1997 (1)	(1) NISAT, “Export Laws and Policies”, part of the Denmark Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> . (2) UN, International Study on Firearm Regulation, August 1999 updated database, Part 1, Question 6a: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
France	Yes	Machine guns, automatic firearms, and all other firearms that may be converted into automatic firearms – for example, semi-automatics – are prohibited unless one has a special authorization. (1)	Decree Law, 1939 Amended in 1973, 1995, 2000 and 2003 (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) National report of France on the Implementation of the United Nations’ Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Georgia	Yes	A state weapons registry has been established: The State Weapons Register where the aim is to make a systematized list of the varieties of weapons. The two sections: one incorporating classified military-combat weapons, and the other incorporating unclassified weapons. (1) Authorized weapons are specified in a “state cadastre” of weapons types (consisting mainly of hunting, sporting and collection firearms) (2)	The Law of the Republic of Georgia on Fire Arms, March 1994. Subsequently 7 amendments to the Law on Firearms have been made. (2)	(1) Malkhaz Mikeladz, speaker, Statement by Georgia during the Seminar on “National and international norms, principles and measures for controlling small arms proliferation: the view from Russia,” Mosco, 6 December 2001: <a href="http://129.194.160.20:8080/examples/servlet/FMProXMLDetail">http://129.194.160.20:8080/examples/servlet/FMProXMLDetail</a> . (2) Spyros Demetriou, “Politics from the Barrel of a Gun: Small Arms Proliferation and Conflict in the Republic of Georgia (1998-2001),” Small Arms Survey Occasional Paper No. 6, November 2002.
Germany	Yes	War weapons described as “barrel weapons,” including all automatic weapons of any calibre, are prohibited. (1) (2)	War Weapons Control Act, implementing Article 26(2) of the Basic Law, 1961 War Weapons Reporting Ordinance, 24 January 1995 (as amended) (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) SIPRI, Documents Section, Germany: <a href="http://projects.sipri.se/expcon/db1">http://projects.sipri.se/expcon/db1</a> .

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
				<a href="#">htm.</a>
Greece	Yes	All automatic weapons of any calibre. (1)	Law 2168, 1993 (1) Amended by Law 2334, 6 September 1995 and Law 2452, 31 December 1996. (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) SIPRI, Documents Section, Greece: <a href="http://first.sipri.org/db/dbf/export_reg_display">first.sipri.org/db/dbf/export_reg_display</a> .
Guatemala	Yes	All “offensive weapons,” including automatic rifles, are prohibited except by special permit. (1) (2) Semi-automatic rifles and automatic pistols may be legally owned by civilians with the appropriate permits. (2)	Law of Arms and Ammunition, 1998 (1)	(1) “Comparative Analysis: Arms and Violence in Central American Society,” Dialogo Centroamericano, No. 44, July 2001. (2) VERTIC, translation of the Law of Arms and Ammunition Act (Ley de Armas y Municiones): <a href="http://www.vertic.org">www.vertic.org</a> .
Guinea	Not known	Not known	Not known	N/A
Guyana	Yes	Any automatic weapon or any weapon that can be adapted to become automatic.	Firearms Act, Chapter 16:05, 1968 Amended in 1993.	The Firearms Act: is available online at: <a href="http://www.gina.gov.gy">www.gina.gov.gy</a> ,
Honduras	Yes	Semi-automatic revolvers and pistols (gauge 45 and 11.5), mechanic and semi-automatic fusils and carbines (up to .308 inches of gauge), mechanic action shotguns (gauge 10, 12, 16, 20 and 410) when the cannon is not less than 18 inches or 45cm.	Weapons, Explosives, and Ammunitions Control Law, March 2000	Julietta Castellanos, Honduras: Violence in Numbers (Honduras: La Violencia en Cifras), Arias Foundation, 2001.
Hungary	Yes	Automatic firearms are prohibited to civilians.	Governmental Decree No. 115, 1991 Decree of the Minister of Interior No. 14, 1991	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
India	Yes	Arms of Category 1, including automatic assault weapons, are prohibited. (1) Submachine guns are classified as Category 2. (1)	Arms Act, 1959 Amended by Arms Rules, 1962	(1) The Arms Rules document is available online at: <a href="http://www.gunaccessory.com">www.gunaccessory.com</a> .
Indonesia	Yes	Civilians are prohibited from owning or carrying and ABRI (military) type weapons, including assault weapons.	Policy Guidelines for Enhancing Monitor and Control of Firearms, 1977 Emergency Act on Weapons, 1951	NISAT, “Export Laws and Policies,” part of the Indonesia Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Iran, Islamic Republic of	Not known	Not known	The Act of Intensified Punishment against Arms and Ammunitions Trafficking, 15 February 1972	National report of the Islamic Republic of Iran on the Implementation of the United Nations’ Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Jamaica	Not known	Not known	Firearms Act, No. 1, 1967 Gun Court Act, No. 8, 1974	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Japan	Yes	There is a complete ban on all automatic and semi-automatic weapons. (1) (2)	Firearms and Swords Control Law, 1958 Revised in 1991 and amended in 1994, 1995 and	(1) National report of Japan on the Implementation of the United Nations’ Small Arms and Light Weapons Programme of Action,



COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
			1996. (2)	2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> . (2) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Kazakhstan	Yes	The only types of legal firearms are: firearms, smooth-bore and rifled; cold steel, including projectile and pneumatic weapons; gas-propelled pistols and revolvers; mechanical sprayers; aerosol devices and tear-gas substances. (1)	The Law of the Republic of Kazakhstan On the Export Control of Weapons, Military Technology and Dual-Use Goods, 1996. (2)	(1) "Weapons Possession Among Citizens on Rise," Karavan , 25 April 1997. Available at: <a href="http://www.nisat.org">www.nisat.org</a> . (2) Statement by H.E. Mr. Yerzhan Kh. Kazykhanov, Ambassador, Permanent Representative of the Republic of Kazakhstan to the UN. 8 July 2003, New York, <a href="http://www.un.int/kazakhstan/pages/statements/ss_SALW_080703.htm">http://www.un.int/kazakhstan/pages/statements/ss_SALW_080703.htm</a> .
Kenya	No	Kenyan law virtually prohibits civilian possession of firearms but did not report a specific prohibition on military weapons	Firearms Act, CAP 114 Amended in 1991	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Kiribati	Yes	The sale, possession, conversion and use of automatic firearms are prohibited.	Arms and Ammunition Ordinance, 1977 Penal Code, 1977 Customs Act, 1977 & 1993	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Kyrgyzstan	Yes	Most of the elements in the legal framework mirror Soviet legislation. The Law on Arms divides weapon types into three categories: battle arms, civil arms, and service arms. Civil arms are only given to citizens over 20 years old and are subdivided into four groups: Arms of self defence; gas pistols; sport arms; and hunting arms.	Kyrgyzstan. 1994. Law of the Kyrgyz Republic N 1360-XII: On law-enforcement bodies of the Kyrgyz Republic. Bishkek. 11 January. Kyrgyzstan. 1997. Criminal Code of the Kyrgyz Republic. No. 68. 1 October. Kyrgyzstan. 1999. Law on Arms of the Kyrgyz Republic. No. 49. Bishkek. 9 June.	Kyrgyzstan: A Small Arms Anomaly in Central Asia? by S. Neil MacFarlane and Stina Torjesen, February 2004
Laos	Yes	Laos prohibits all ownership and use of "war weapons." This includes assault rifles.	Criminal Law on Weapons, 1990	NISAT, "Export Laws and Policies", part of the Laos Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Latvia	Yes	Automatic Weapons as with all internationally banned SALW are prohibited.	"Regulation on the Control of Strategic Goods" Regulation No. 421 and 429 December 1997. (2)	(1) National report of Latvia on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> . (2) SIPRI, Documents Section, Latvia: <a href="http://projects.sipri.se/expcon/db1.htm">http://projects.sipri.se/expcon/db1.htm</a> .
Liechtenstein	Not known	Not known	Not known	N/A
Lithuania	Yes	Automatic and semi-automatic weapons with rifled and smooth-	Law on the Control of Arms and Ammunition, 2002	(1) National report of Lithuania on the Implementation of the United

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
		bored barrels are prohibited. (1) (2)		Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> . 2) VERTIC, translation of the Law on the Control of Arms and Ammunition: <a href="http://www.vertic.org">www.vertic.org</a> .
Luxembourg	Yes	All ownership of "long guns" is prohibited.	Arms and Munitions Act, 1983	UN, <i>International Study on Firearm Regulation</i> , August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a>
Madagascar	Not known	Not known	Not known	N/A
Malawi	Not known	Not known	Firearms Act, 1967 Amended in 1968, 1971 and 1974.	Katharine McKenzie, "Domestic Gun Control Policy in Ten SADC Countries," Gun Free South Africa, Johannesburg, September 1999.
Malaysia	Yes	All automatic rifles (repeating discharge with one trigger depression) or repeating shotguns are prohibited.	Arms Act, 1962 Amended in 1971	NISAT, "Export Laws and Policies," part of the Malaysia Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Malta	Not known	Not known	Arms Ordinance, Chapter 66	UN, <i>International Study on Firearm Regulation</i> , August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a>
Mexico	Yes	Civilian ownership limited to weapons of less than .22 calibre. (1)	Federal Firearms and Explosives Act, 1972 (2)	(1) Lora Lumpe, ed., <i>Running Guns: The Global Black Market in Small Arms</i> , London: Zed Books, 2000, p. 187. (2) UN, <i>International Study on Firearm Regulation</i> , August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Monaco	Yes	Monaco takes their classification of "war material" from France, so all automatic and adaptable technologies are prohibited.	Sovereign Ordinance, No. 3039, 19 August 1963 Law on Arms and Munitions, No. 913, 18 June 1971	National report of Monaco on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Myanmar (Burma)	Yes	Civilian ownership of any weapon more powerful than a hunting rifle is prohibited.	Arms Act, 1878 Temporary amendment in 1951. Regulation on Holding of Firearms, 1977	NISAT, "Export Laws and Policies," part of the Myanmar (Burma) Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Nauru	Yes	Civilian firearm ownership has been completely banned.	Arms and Opium Prohibition Ordinance, 1936-1967 Ordinances Revision Ordinance, 1967, No. 11	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Nepal	Yes	Prohibited Weapons include automatic weapons, machineguns and cannons. (1) Total ban on weapons during elections. (2)	N/A	(1)South Asia Partnership (SAP) Canada, <i>South Asia and Small Arms: Synthesis report on National Consultation and Regional Strategy Meeting</i> , Ottawa: SAP Canada, 2002, pp. 18-22.

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
				(2) Smith, C. Small Arms Proliferation – A Short Summary, Kings College, London, UK.. <a href="http://www.army.lk/defence/articles/18june2003-SMALL%20ARMS%20PROLIFERATION%20-%20A%20SHORT%20SUMMARY.htm">http://www.army.lk/defence/articles/18june2003-SMALL%20ARMS%20PROLIFERATION%20-%20A%20SHORT%20SUMMARY.htm</a>
New Caledonia	Yes	“Materials of war” are prohibited, including automatic pistols, handguns designed to fire military ammunition, and long guns designed for war purposes.	Law Decree establishing the regime of materials of war, arms and ammunition, 18 April 1939 Law Decree No. 95-589, 6 May 1995 Law Decree No. 98-1148 of 16 December 1998 New Caledonia Order No. 268, 28 January 1982 Modified by Order no. 1135, 4 May 1982 and Order No. 1422, 5 June 1984	Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No. 8, March 2003.
New Zealand	Yes	It is illegal to import most kinds of military-style semi-automatic long guns. (1) Certain categories of applicants may obtain special permits for handguns, rocket-launchers, mortars, submachine guns, machine guns and pre-ban military-style semi-automatic weapons. (1) (2)	Arms Act, 1983 Amended in 1985, 1987, 1989, 1992, 1999 and 2000. Arms Regulations, 1992 Customs Export Prohibition Order, 2002 Customs and Excise Act, 1996 (1)	(1) Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No. 8, March 2003. (2) The Arms Act is available at: <a href="http://www.legislation.govt.nz/">www.legislation.govt.nz/</a> .
Nicaragua	Not known	The President issued a decree in 1999 calling for the return of all military weapons. The drive was largely unsuccessful.	Not known	William Godnick, Robert Muggah and Camilla Waszink, “Stray Bullets: The Impact of Small Arms Misuse in Central America,” Small Arms Survey Occasional Paper No. 5, October 2002.
Norway	Yes	Assault weapons are prohibited.	Arms Law, 1961	SIPRI, Documents Section, Norway: <a href="http://projects.sipri.se/expcon/db1.htm">http://projects.sipri.se/expcon/db1.htm</a> .
Oman	Not known	Not known	Regulations on Firearms and Ammunitions Executive Regulations	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Pakistan	Not known	National legislation provides for the confiscation of illegal arms; however, it is up to a magistrate to determine if possession is unlawful.		Ashtakala, Tara, Huns and Guns: Small arms in South Asia one year after the UN conference, SikhSpectrum.com Monthly, Issue No.13, August 2003 <a href="http://www.sikhspectrum.com/082003/guns_and_huns.htm">http://www.sikhspectrum.com/082003/guns_and_huns.htm</a> .
Palau	Yes	Civilian firearm ownership has been completely banned.	Constitution of Palau, 1979, sec. 12 National Firearms Control Act Trust Territory Weapons Control Act	Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No. 8, March 2003.
Panama	Not	Not known	Not known	N/A

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
	known			
Papua New Guinea	Yes	Machine guns and firearms capable of discharging an irritant liquid, gas, or powder. There has been a moratorium on new licences in effect since August 2000; however, pre-existing licences may be kept and renewed.	Firearms Act, 1978 No. 46 Amended in 1983, 1986, 1993, 1996 and 1998 Criminal Code, 1974 & 1993 Customs (Prohibited Imports) Regulation	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Paraguay	Yes	Rifles, carbines and shotguns with barrels smaller than 300mm, whether they were originally manufactured in this way or not. This classification comprises firearms with a silencer or firearms which simulate other objects (like ballpoint pens, pencils, cigarette boxes, clubs, canes, etc.) Shotguns are not allowed to contain special devices or mechanisms to hold pistols or other firearms. Repeating, semi-automatic single or double barreled smooth-bore barrel shotguns are permitted for civilian use.	Presidential Decree No. 23.459/76, 1976 Amended by Decree No. 11.919/01, 2001 and Regulatory Resolution No. 397/77, 1977 Law No. 1.057/96, 1996	Carolina Iooty de Paiva Dias, Harmonizing Laws for the Prevention of Illicit Firearms Transfers: Analysis of the Firearms Control Laws of Greater MERCOSUR Countries and Their Compatibility with OAS-CICAD's Model Regulations, Viva Rio, Rio de Janeiro, November 2002.
Peru	Yes	All automatic weapons from pistols to full rifles are prohibited for civilian use.	Firearms Act, Chapter 310 Law 25054 Supreme Decree 007-98-IN	National report of Peru on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Philippines	Yes	Regular licences do not allow civilians to carry any weapon more powerful than a .12 gauge shotgun. In 1992 there was a strict ban on all firearms, civilian and military, in the Philippines.	Firearm & Explosive Laws, Rules and Regulations Constabulary Article IV - Keeping of Firearms Republic Act No. 4, 19 July 1946 Presidential Decree No. 9, September 1972 Presidential Decree No. 1826, 29 June 1983 Republic Act No. 8294, 6 June 1997	NISAT, "Export Laws and Policies," part of the Philippines Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Poland	Yes	Only handguns and certain types of sporting and hunting rifles are permitted.	Law on firearms, ammunition and explosives, 31 January 1961 Amended in 1983, 1988, 1989, 1990 and 1993.	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Republic of Korea	Not known	Not known	Act on Control of Firearms, Swords, Explosives	National report of the Republic of Korea on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Republic of Moldova	Yes	Civilians are only allowed firearms of "low" calibre.	Law of Arms, May 1994	National report of the Republic of Moldova on the Implementation of the United Nations' Small Arms

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
				and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Republic of Tajikistan	Yes	The Republic of Tajikistan has acceded to the Convention on the ban or restriction of use of specific types of conventional weapons which are believed to inflict excessive damages or to have an indiscriminative effect.	Regulation of weapons handling is provided for in the Law of the Republic of Tajikistan "On Weapons" adopted on 1.02.1996, №232. The Convention has been ratified by the Republic of Tajikistan on 23 September 1999.	Report of the Government of the Republic of Tajikistan 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. 2001. <a href="http://disarmament.un.org:8080/cab/nationalreports/2002/Tajikistan-c.pdf">http://disarmament.un.org:8080/cab/nationalreports/2002/Tajikistan-c.pdf</a> .
Romania	Yes	All military firearms are prohibited, including all models of automatic rifles. (1)	Law on the firearms and ammunition regime, No. 17, 1996 Law for the ratification of the European Convention on the control of firearms purchasing and possession by civilians, No. 116, 1997 (2)	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) National report of Romania on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Russian Federation	Yes	Civilians are permitted to own "smooth bore long guns" for self-defence, sports, or hunting. This does not include military- style assault rifles. (1)	Federal Act on Weapons, 13 December 1996 Amended in December 2000 (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) National report of the Russian Federation on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Samoa	No	No specific prohibitions are listed in Samoa's legislation.	Arms Ordinance, 1960, No. 11 Amended in 1969, 1975, 1978 and 1980. Crimes Ordinance, 1961, No. 13 Customs Act, 1977	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Singapore	Yes	Automatic arms are prohibited. All arms strictly banned and some arms offences punished with death.	Arms and Explosives Act, 1913 Amended in 1990 and 1994	NISAT, "Export Laws and Policies," part of the Singapore Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Slovakia	Yes	"Military material," including automatic weapons, is prohibited to civilians.	Law on Weapons and Ammunition, January 2004	National report of Slovakia on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Slovenia	Not	Not known	Firearms Act, No. 61, 2000	National report of Slovenia on the

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
	known		Rules on Implementation of the Firearms Act, No. 66, 2001	Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Solomon Islands	Yes	Automatic and semi-automatic firearms; all pistols and revolvers; firearms and ammunition of .300, .303, .38 and .45 inch calibres as well as 7.62 and 9mm calibres; and shortened or converted firearms.	Firearms and Ammunition Act, No. 4, 1968 Amended in 2001. Penal Code Amended in 1987 and 1996. Firearms and Ammunition (Amendment) Act, No. 17, 1989 Amnesty Act, No. 8, 2000 Amnesty Act, No. 3, 2001	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
South Africa	Yes	All automatic weapons are prohibited, including pistols.	Arms and Ammunition Act, 1969 Amended in 2000.	Robert Chetty, ed. Firearm Use and Distribution in South Africa, National Crime Prevention Centre (NCPC), Firearm Programme, 2000.
Spain	Yes	Automatic weapons; semi-automatic weapons whose capacity of charge is in excess of five cartridges; sawn-off barrel long guns; firearms which have been modified to obscure their characteristics of manufacturing or origin. (1) (2)	Royal Decree No. 491, 1998	(1) SIPRI, Documents Section, Spain: <a href="http://projects.sipri.se/expcon/db1.htm">http://projects.sipri.se/expcon/db1.htm</a> . (2) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Sudan	Not known	Not known	Not known	N/A
Sweden	Yes	The only firearms which may be legally licensed to civilians are handguns and hunting or sport rifles. (1) Sweden divides military equipment into two categories: 1) military equipment for combat purposes, which includes automatic rifles and submachine guns; and 2) other military equipment, which includes hunting and sporting guns. (3)	Weapons Act, 1996 Military Equipment Act, 1992 Amended in 1995, 1996 and 1999. Military Equipment Ordinance, 1992 Amended in 1997 and 2000. (2) (3)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) SIPRI, Documents Section, Sweden: <a href="http://projects.sipri.se/expcon/db1.htm">http://projects.sipri.se/expcon/db1.htm</a> . (3) NISAT, "Export Laws and Policies", part of the Sweden Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Switzerland	Yes	Switzerland bans all automatic and long guns. (1)	Federal Law on Arms, Accessories and Munitions, 1997 Amended by Ordinance on Arms, Accessories and Munitions, 1998 (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) National report of Switzerland on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a> .
Syrian Arab Republic	Yes	Licenses are only granted to the public for handguns and hunting rifles.	Legislative Decree No. 51, September 2001	National report of the Syrian Arab Republic on the Implementation of the United Nations' Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
				Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a>
Thailand	Yes	Thailand prohibits firearms on the basis of their use for “war”; this includes automatic and semi-automatic rifles.	Firearms, Ammunition and Explosives, Fire-works and Imitation Firearms Act, No. 6, 1975	NISAT, “Export Laws and Policies,” part of the Thailand Country Profile: <a href="http://www.nisat.org">www.nisat.org</a> .
Tonga	Yes	Automatic firearms are prohibited without the authority of the prime minister.	Arms and Ammunition Act, No. 10, 1968 Amended in 1981 and 1988. Criminal Offences Act, 1988 Customs & Excise Act	Philip Alpers and Conway Twyford, “Small Arms in the Pacific,” Small Arms Survey Occasional Paper No. 8, March 2003.
Trinidad and Tobago	Yes	Automatic weapons are prohibited.	Firearms Act Amended in 1995.	National report of Trinidad and Tobago on the Implementation of the United Nations’ Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a>
Tunisia	Not known	Not known	Not known	N/A
Turkey	Yes	Civilian ownership is limited to handguns and shotguns. (1)	Law Concerning Firearms, Knives and Other Equipment, No. 6136 (2)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) National report of Turkey on the Implementation of the United Nations’ Small Arms and Light Weapons Programme of Action, 2002, submitted to the UN Department of Disarmament Affairs: <a href="http://disarmament.un.org/cab/salw-nationalreports.html">disarmament.un.org/cab/salw-nationalreports.html</a>
Turkmenistan	Not known	Not known	Not known	SAFER-Net. Country Profile: Turkmenistan, Unpublished. 27 September 2004.
Uganda	Yes	Civilian possession of firearms is prohibited.	Firearms Act, No. 23, 1970 (replaced British Firearms Ordinance, 1955)	Dave Kopel, “Disarming Uganda,” <i>National Review Online</i> , 11 December 2002: <a href="http://www.nationalreview.com/kopel/kopel121102.asp">www.nationalreview.com/kopel/kopel121102.asp</a> .
Ukraine	Yes	“Military goods” are prohibited, including automatic and semi-automatic firearms.	Law on Weapons, 1997 Regulations on the order of manufacturing, purchasing, keeping, register, transportation and use of firearms and their ammunition Amended by Presidential Order 61/93, 1993	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
United Kingdom	Yes	All machine guns and automatic weapons are prohibited, as are all large-calibre handguns. (1) (2)	Firearms Act, 1968 Amended in 1982, 1988, 1992, 1994, 1997 (c. 5) and 1997 (c. 64). (2) (3)	(1) UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> . (2) United Kingdom, Home Office Circular No. 32, on the Firearms (Amendment) Act 1997, 10 June 1997:

COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
				<a href="http://www.homeoffice.gov.uk/docs/hoc9732.pdf">http://www.homeoffice.gov.uk/docs/hoc9732.pdf</a> . (3) Information Technology and Computing (ITC) Services, "Laws of the United Kingdom": <a href="http://www.itc.gov.fj/lawnet/lawnetuk/alpha_uk_list.html">http://www.itc.gov.fj/lawnet/lawnetuk/alpha_uk_list.html</a> .
United Republic of Tanzania	Not known	Legal ownership of handguns, rifles, and shot guns	The Arms and Ammunition Act of 1991 regulates the acquisition of firearms in Tanzania.	SAFER-Net, Country Profile: Tanzania. 2 September 2003 <a href="http://www.research.rverson.ca/SAFER-Net/">http://www.research.rverson.ca/SAFER-Net/</a> .
United States	Yes	<p>The United States regulates firearms at the national and state levels. Ownership of machine guns has been tightly controlled since passage of the National Firearms Act of 1934, and their manufacture for the civilian market was halted in 1986. Prior to passage of the federal assault weapons ban, the importation of certain types of assault weapons from overseas had been banned under the 1968 Gun Control Act, which grants the ATF the power to prevent the importation of guns which are not "particularly suitable for or readily adaptable to sporting purposes." In 1989, during the George H.W. Bush Administration, the ATF expanded this list to permanently ban the importation of 43 types of semi-automatic assault rifles that were also determined not to have a sporting purpose. Later, in 1998, President Clinton banned the importation of 58 additional foreign-made "copycat" assault weapons in order to close a loophole.</p> <p>In 1994 the US passed the Federal Violent Crime Control and Law Enforcement Act, which banned certain types of military assault weapons. The law expired on the 13th of September 2004. It banned certain semi-automatic assault weapons with multiple assault weapon features (including firearms that could accept a detachable ammunition magazine and had two additional assault weapon design characteristics) as well as high-capacity ammunition magazines that hold more than 10 rounds. At the state level, seven states – California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York – have state assault weapons bans. (2)</p>		(1) Violence Policy Center (VPC), "The Problem," The Campaign to Ban Assault Weapons: <a href="http://www.banassaultweapons.org/the_problems_and_the_players/">www.banassaultweapons.org/the_problems_and_the_players/</a> . (2) The Brady Centre. Frequently Asked Questions on the military assault weapons Ban, <a href="http://www.bradiycampaign.org/facts/faqs/?page=awb">http://www.bradiycampaign.org/facts/faqs/?page=awb</a> . (3) Small Arms Firearms Education Research Network (SAFER-Net) United States Profile. Available online at <a href="http://www.research.rverson.ca/SAFER-Net/">http://www.research.rverson.ca/SAFER-Net/</a> .
Uruguay	Yes	Long barrel firearms which discharge central fire ammunition,	Decree No. 231/002, 2002 Decree No. 652/970, 1970	Carolina Iootty de Paiva Dias, Harmonizing Laws for the



COUNTRY	PROHIBITS	TYPES	LEGISLATION	SOURCE
		and ammunition superior to a calibre of 6.5mm; firearms that expel aggressive gas; and automatic and semi-automatic pistols of all brands and types, of calibres superior to 7.65mm.	Decree No. 2.605/943, 1943	Prevention of Illicit Firearms Transfers: Analysis of the Firearms Control Laws of Greater MERCOSUR Countries and Their Compatibility with OAS-CICAD's Model Regulations, Viva Rio, Rio de Janeiro, November 2002.
Uzbekistan	Not known	Not known	Not known	SAFER-Net. Country Profile: Uzbekistan. Unpublished. 7 August 2003.
Vanuatu	Yes	In 1988 the government banned the import of automatic and semi-automatic firearms; pistols, and revolvers of all types; firearms of .300, .303, .38, and .45 inch calibres as well as 7.62 and 9mm calibres; firearms designed to discharge noxious liquid or gas and related ammunition. Shortened or converted weapons are also prohibited.	Firearms Act, No. 7, 1987 Restriction of Offensive Weapons Act, 1988 Firearm Regulations, Extraordinary Gazette, Order No. 27, 27 June 1988 Criminal Procedure Code, No. 21, 1981 Import Duties (Consolidation Amendment), No.8, 1998	Philip Alpers and Conway Twyford, "Small Arms in the Pacific," Small Arms Survey Occasional Paper No. 8, March 2003.
Viet Nam	Yes	Only shotguns are permitted (for hunting purposes).	Decree on Firearm Regulation, No. 47	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .
Yemen	No	State control over possession and use is extremely limited where majority of weapons in circulation are assault rifles.		Small Arms Survey 2003, Oxford University Press, 2003: 172.
Zambia	Not known	Not known	Firearms Act, Chapter 111 of the Laws of Zambia	UN, International Study on Firearm Regulation, August 1999 updated database: <a href="http://www.uncjin.org/Statistics/firearms">www.uncjin.org/Statistics/firearms</a> .

## APPENDIX 2: US LAW

In the United States, ownership of fully automatic “machine guns” has been tightly controlled since the passage of the National Firearms Act of 1934, and the manufacture of fully automatic weapons for the civilian market was halted in 1986.

In addition, the 1968 Gun Control Act empowered the Bureau of Alcohol, Tobacco and Firearms (ATF) to prevent the importation of guns which are not “particularly suitable for or readily adaptable to sporting purposes.” Until recently, the US also prohibited the manufacture of semi-automatic military assault weapons. Today seven US states – California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York – have state-level assault weapons bans.

A series of high-profile shootings added impetus to further restrictions on military weapons in the 80s and 90s. Among them:

- The McDonald’s shootings — On July 18, 1984, James Huberty, armed with three guns, shot customers at a San Diego McDonald’s. He killed 21 people and injured 19. The shooting rampage, which lasted more than an hour, ended after police sharpshooter Chuck Foster fired a shot that killed Huberty.
- The San Francisco Pettit & Martin shootings — On July 1, 1993, Gian Luigi Ferri killed eight people and wounded six others in the San Francisco law offices of Pettit & Martin and other offices at 101 California Street. Ferri used two TEC-DC9 assault pistols with 50-round magazines. These weapons had been purchased from a pawnshop and a gun show in Nevada.<sup>1</sup>
- The Stockton schoolyard massacre — On January 17, 1989, Patrick Purdy killed five small children, and wounded 29 others and one teacher at the Cleveland Elementary School in Stockton, California, using a semi-automatic version of the AK-47 assault rifle imported from China. That weapon had been purchased from a gun dealer in Oregon and was equipped with a 75-round “drum” magazine. Purdy shot 106 rounds in less than two minutes.<sup>2</sup>
- The CIA headquarters shootings — On January 25, 1993 Aimal Kasi killed two CIA employees and wounded three others outside the entrance to CIA headquarters in Langley, Virginia. Kasi used a Chinese-made semi-automatic AK-47 assault rifle equipped with a 30-round magazine, purchased from a Northern Virginia gun store.<sup>3</sup>
- The Branch-Davidian standoff in Waco, Texas — On February 28, 1993, while attempting to serve federal search and arrest warrants at the Branch-Davidian compound in Waco, Texas, four ATF special agents were killed and 16 others were wounded with an arsenal of assault weapons. According to court documents, the cult had accumulated, among other weapons, the following assault weapons: 19 SGW CAR-AR assault submachine guns, three IMI Galil assault rifles, 10 Ruger Mini-14 assault rifles, nine FAL assault rifles, and at least 54 AK-47 or AKS assault rifles, including some converted to fully automatic submachine guns. The weapons were bought legally from gun dealers and at gun shows.<sup>4</sup>

Semi-automatic versions of those same guns were still being produced until the federal assault weapons ban was enacted in 1994. The 1994 American Assault Weapons Ban, which has

recently expired, targeted domestic manufacture of semi-automatic assault weapons and large-capacity magazines. President Clinton signed the Violent Crime Control and Law Enforcement Act of 1994 into law on September 13, 1994. Domestic gun manufacturers were required to stop production of semi-automatic assault weapons and ammunition clips holding more than 10 rounds, except for military or police use. Imports of assault weapons not already banned by administrative action under Presidents Reagan and George H.W. Bush were also halted. Assault weapons and ammunition clips holding more than 10 rounds produced prior to September 13, 1994, were “grandfathered” under the law and can still be possessed and sold. Specifically, the bill bans, by name, the manufacture of 19 different weapons:

- Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models)
- Action Arms Israeli Military Industries UZI and Galil
- Beretta Ar70 (SC-70)
- Colt AR-15
- Fabrique National FN/FAL, FN/LAR, and FNC
- SWD M-10; M-11; M-11/9, and M-12
- Steyr AUG
- INTRATEC TEC-9, TEC-DC9, AND TEC-22
- Revolving cylinder shotguns such as (or similar to) the Street Sweeper and Striker 12.

The bill bans “copies” or “duplicates” of any of those weapons. In addition, the US law prohibited manufacturers from producing firearms with more than one of the following assault weapon features:

#### **Rifles**

- Folding/telescoping stock
- Protruding pistol grip
- Bayonet mount
- Threaded muzzle or flash suppressor
- Grenade launcher

#### **Pistols**

- Magazine outside grip
- Threaded muzzle
- Barrel shroud
- Unloaded weight of 50 ounces or more
- Semi-automatic version of a fully automatic weapon

#### **Shotguns**

- Folding/telescoping stock
- Protruding pistol grip
- Detachable magazine capacity
- Fixed magazine capacity greater than 5 rounds.

## Differences by US state

**2000/New York** — The law established criminal sanctions for the possession and sale of assault weapons and large-capacity ammunition-feeding devices, mirroring the federal law. It made it a felony to possess or sell an assault weapon or large-capacity ammunition magazine that was manufactured after the federal ban.

**1998/Massachusetts** — The law restricted sale and possession of semi-automatic assault weapons and required a special license for anyone seeking to acquire an assault weapon, a large-capacity weapon, or a large-capacity ammunition magazine.

**1994/Maryland** — The law bans 16 types of assault pistols and also restricts ammunition magazines that hold over 20 rounds. The bill prohibits possession, sale, transfer, purchase, or receipt of assault pistols within the state.

**1993/Connecticut** — This was the fourth law to ban semi-automatic assault weapons. The bill bans the future sale of 63 types of military-style weapons, including the Connecticut-made Colt “Sporter” assault rifle. Challenged in State Court by the NRA, the ban was upheld as constitutional on June 30, 1994.

**1991/Hawaii** — Capping a two-year effort, the legislature passed a landmark bill banning assault pistols and pistol ammunition magazines which hold more than ten rounds. This was the first state law to use a generic definition of assault weapons and its magazine ban was the most restrictive in the nation.

**1990/New Jersey** — This law not only banned a more comprehensive list of assault weapons than the California law, it also banned large-capacity ammunition magazines (over 15). The law included a list and prohibited firearms that were substantially identical to those on the list. Any “assault firearm” had to be registered, licensed, or rendered inoperable by May 30, 1991 or it would be considered contraband. (Note: The NRA has tried desperately to overturn the New Jersey law. In 1993, it looked like the NRA might win when the Assembly overrode the Governor’s veto of the NRA’s repealer bill. When the vote was finally taken, not one Senator voted for the NRA bill.)

**1989/California** — The first assault weapon ban passed in the nation was the Roberti-Roos Assault Weapon Act, which banned the future sale of a specific list of assault weapons in California. This law was upheld as constitutional in federal court against an NRA challenge and the NRA did not appeal to the US Supreme Court. The law also was upheld against several other state and federal legal challenges. California strengthened its 1989 ban on semi-automatic assault weapons by expanding the list of prohibited weapons to include weapons with specific military characteristics like pistol grips and folding stocks. California also restricted the sale of ammunition magazines that hold more than 10 rounds.

## APPENDIX 3: CANADIAN LAW

As in the US, a number of high-profile shootings in Canada propelled the government to strengthen controls over military weapons.

- In 1976, two police officers were shot and killed by a “collector” of military assault weapons – the country subsequently banned civilian possession of fully automatic weapons.
- On May 8, 1984, Denis Lortie, armed with two submachine guns, shot his way into the National Assembly building in Quebec City, killing three people and wounding 13 others. René Jalbert was sergeant-at-arms of the Assembly and persuaded Lortie to surrender to police.
- On December 6, 1989, Marc Lepine used a Ruger Mini-14 with a 30-bullet magazine to shoot 27 people at l’Ecole Polytechnique in Montreal, killing 14 young women.<sup>5</sup>

### Fully Automatic Firearms

In 1978, fully automatic firearms were banned, although anyone who legally possessed them at the time was deemed a “genuine gun collector” and was permitted to retain them as “grandfathered” weapons. As a result, approximately 10,000 of these machine guns were grandfathered, and currently, 5,000 to 6,000 remain in circulation.

### Selective Fire Weapons and Semi-Automatics

The passage of *Bill C-17* in 1991 prohibited semi-automatic military weapons which could be converted to fully automatic fire. It also added converted automatic firearms to the prohibited category in the Criminal Code. The Orders-in-Council, effective as of October 1, 1992, dealt with three classes of weapons (except as otherwise noted):

**Prohibited weapons (with “grandfather” clause):** This prohibition came into force July 27, 1992 (registration deadline October 1, 1992). Three assault pistols and one carbine became prohibited. Existing owners were allowed to retain firearms they owned on the date of the coming into force. These were to be registered as “restricted weapons.” Once existing owners die or dispose of the weapons, they revert to prohibited weapons status and must be deactivated or disposed of.

**Prohibited weapons (without “grandfather” clause):** Effective October 1, 1992, a list of “assault pistols,” “combat shotguns,” .50 calibre sniper rifles, and other military-type firearms were classified as prohibited weapons. There was no retention allowed of these weapons after October 1, 1992; they had to be disposed of, surrendered, or deactivated by that date.

**Restricted weapons:** Effective October 1, 1992, several semi-automatic assault rifles and similar firearms were declared to be restricted weapons. These weapons had to be registered and could not be used for hunting. However, they were allowed to be used in sporting applications (i.e., target shooting) and for gun collections.

**Additional Semi-Automatic Military Weapons:** In 1995, the power of the Government to prohibit firearms “not reasonably” used in hunting was broadened. However, a generous grandfather clause was added to allow current owners not only to keep their firearms, but also to trade them with other owners in that class.

Examples of this ban include AK-47 variants, Commando Arms Carbine, FN variant, Heckler & Koch HK-91, Colt AR-15. (See full list below.)

A ban on short-barrelled .25 and .32 calibre handguns was also introduced with a grandfathered clause. Provincial authority to exempt competitions from large-capacity magazine prohibition was eliminated.

## **Former Prohibited Weapons Order No. 11**

**(Without a “grandfather” clause, in effect since October 1, 1992)**

3. The firearm of the design commonly known as the Franchi SPAS-12 shotgun, and any variant or modified version of it, including the Franchi LAW 12 shotgun.
4. The firearm of the design commonly known as the Striker shotgun, and any variant or modified version of it, including the Striker 12 shotgun and the Streetsweeper shotgun.
5. The firearm of the design commonly known as the USAS-12 Auto Shotgun, and any variant or modified version of it.
6. The firearm of the design commonly known as the Franchi SPAS-15 shotgun, and any variant or modified version of it.
7. The firearms of the designs commonly known as the Benelli M1 Super 90 shotgun and the Benelli M3 Super 90 shotgun, and any variants or modified versions of them, with the exception of the:
  - (a) M1 Super 90 Field;
  - (b) M1 Super 90 Sporting Special;
  - (c) Montefeltro Super 90;
  - (d) Montefeltro Super 90 Standard Hunter;
  - (e) Montefeltro Super 90 Left Hand;
  - (f) Montefeltro Super 90 Turkey;
  - (g) Montefeltro Super 90 Uplander;
  - (h) Montefeltro Super 90 Slug;
  - (i) Montefeltro Super 90 20 Gauge;
  - (j) Black Eagle;
  - (k) Black Eagle Limited Edition;
  - (l) Black Eagle Competition;
  - (m) Black Eagle Slug Gun;
  - (n) Super Black Eagle; and
  - (o) Super Black Eagle Custom Slug.
8. The firearms of the designs commonly known as the Bernardelli B4 shotgun and the Bernardelli B4/B shotgun, and any variants or modified versions of them.
9. The firearm of the design commonly known as the American 180 Auto Carbine, and any variant or modified version of it, including the AM-180 Auto Carbine and the Illinois Arms Company Model 180 Auto Carbine.
10. The firearms of the designs commonly known as the Barrett "Light Fifty" Model 82A1 rifle and the Barrett Model 90 rifle, and any variants or modified versions of them.
11. The firearm of the design commonly known as the Calico M-900 rifle, and any variant or modified version of it, including the M-951 carbine, M-100 carbine and M-105 carbine.
12. The firearm of the design commonly known as the Iver Johnson AMAC long-range rifle, and any variant or modified version of it.

13. The firearm of the design commonly known as the McMillan M87 rifle, and any variant or modified version of it, including the McMillan M87R rifle and the McMillan M88 carbine.
14. The firearms of the designs commonly known as the Pauza Specialties P50 rifle and P50 carbine, and any variants or modified versions of them.
15. The firearm of the design commonly known as the Encom MK-IV carbine, and any variant or modified version of it.
16. The firearms of the designs commonly known as the Encom MP-9 and MP-45 carbines, and any variants or modified versions of them.
17. The firearm of the design commonly known as the FAMAS rifle, and any variant or modified version of it, including the MAS 223, FAMAS Export, FAMAS Civil and Mitchell MAS/22.
18. The firearm of the design commonly known as the Feather AT-9 Semi-Auto Carbine, and any variant or modified version of it, including the Feather AT-22 Auto Carbine.
19. The firearm of the design commonly known as the Federal XC-450 Auto Rifle, and any variant or modified version of it, including the Federal XC-900 rifle and Federal XC-220 rifle.
20. The firearm of the design commonly known as the Gepard long-range sniper rifle, and any variant or modified version of it.
21. The firearm of the design commonly known as the Heckler and Koch (HK) Model G11 rifle, and any variant or modified version of it.
22. The firearm of the design commonly known as the Research Armament Industries (RAI) Model 500 rifle, and any variant or modified version of it.
23. The firearm of the design commonly known as the Spectre Auto Carbine, and any variant or modified version of it.
24. The firearm of the design commonly known as the US Arms PMAI "Assault" 22 rifle, and any variant or modified version of it.
25. The firearm of the design commonly known as the Weaver Arms Nighthawk Carbine, and any variant or modified version of it.
26. The firearm of the design commonly known as the A.A. Arms AR9 Semi automatic Rifle, and any variant or modified version of it.
27. The firearms of the designs commonly known as the Claridge HI-TEC C, LEC-9 and ZLEC-9 carbines, and any variants or modified versions of them.
28. The firearm of the design commonly known as the Kimel Industries AR-9 rifle or carbine, and any variant or modified version of it.
29. The firearm of the design commonly known as the Grendel R-31 Auto Carbine, and any variant or modified version of it.
30. The firearms of the designs commonly known as the Maadi Griffin Rifle and the Maadi Griffin Carbine, and any variants or modified versions of them.
31. The firearm of the design commonly known as the AA Arms Model AR-9 carbine, and any variant or modified version of it.
32. The firearm of the design commonly known as the Bushmaster Auto Pistol, and any variant or modified version of it.
33. The firearm of the design commonly known as the Calico M-950 Auto Pistol, and any variant or modified version of it, including the M-110 pistol.
34. The firearm of the design commonly known as the Encom MK-IV assault pistol, and any variant or modified version of it.
35. The firearms of the designs commonly known as the Encom MP-9 and MP-45 assault pistols, and any variants or modified versions of them, including the Encom MP-9 and MP-45 mini pistols.

36. The firearm of the design commonly known as the Federal XP-450 Auto Pistol, and any variant or modified version of it, including the XP-900 Auto Pistol.
37. The firearm of the design commonly known as the Heckler and Koch (HK) SP89 Auto Pistol, and any variant or modified version of it.
38. The firearm of the design commonly known as the Intratec Tec-9 Auto Pistol, and any variant or modified version of it, including the Tec-9S, Tec-9M, Tec-9MS, and any semi automatic variants of them, including the Tec-DC9, Tec-DC9M, Tec-9A, Tec-Scorpion, Tec-22T and Tec-22TN.
39. The firearms of the designs commonly known as the Iver Johnson Enforcer Model 3000 Auto Pistol and the Iver Johnson Plainfield Super Enforcer Carbine, and any variants or modified versions of them.
40. The firearm of the design commonly known as the Skorpion Auto Pistol, and any variant or modified version of it.
41. The firearm of the design commonly known as the Spectre Auto Pistol, and any variant or modified version of it.
42. The firearm of the design commonly known as the Sterling Mk 7 pistol, and any variant or modified version of it, including the Sterling Mk 7 C4 and Sterling Mk 7 C8.
43. The firearm of the design commonly known as the Universal Enforcer Model 3000 Auto Carbine, and any variant or modified version of it, including the Universal Enforcer Model 3010N, Model 3015G, Model 3020TRB and Model 3025TCO Carbines.
44. The firearm of the design commonly known as the US Arms PMAIP "Assault" 22 pistol, and any variant or modified version of it.
45. The firearm of the design commonly known as the Goncz High-Tech Long Pistol, and any variant or modified version of it, including the Claridge Hi-Tec models S, L, T, ZL-9 and ZT-9 pistols.
46. The firearm of the design commonly known as the Leader Mark 5 Auto Pistol, and any variant or modified version of it.
47. The firearm of the design commonly known as the OA-93 assault pistol, and any variant or modified version of it.
48. The firearm of the design commonly known as the A.A. Arms AP9 Auto Pistol, and any variant or modified version of it.
49. The firearm of the design commonly known as the Patriot pistol, and any variant or modified version of it.
50. The firearm of the design commonly known as the XM 231S pistol, and any variant or modified version of it, including the A1, A2 and A3 Flattop pistols.
51. The firearm of the design commonly known as the AA Arms Model AP-9 pistol, and any variant or modified version of it, including the Target AP-9 and the Mini AP-9 pistols.
52. The firearm of the design commonly known as the Kimel Industries AP-9 pistol, and any variant or modified version of it.
53. The firearms of the designs commonly known as the Grendel P-30, P-30 M, P-30 L and P-31 pistols, and any variants or modified versions of them.
54. The firearms of the designs commonly known as the Claridge HI-TEC ZL-9, HI-TEC S, HI-TEC L, HI-TEC T, HI-TEC ZT-9 and HI-TEC ZL-9 pistols, and any variants or modified versions of them.
55. The firearm of the design commonly known as the Steyr SPP Assault Pistol, and any variant or modified version of it.
56. The firearm of the design commonly known as the Maadi Griffin Pistol, and any variant or modified version of it.



57. The firearm of the design commonly known as the Interdynamics KG-99 Assault Pistol, and any variant or modified version of it.

## **Former Prohibited Weapons Order No. 12**

**(With “grandfather” clause, came into force July 27, 1992. Registration deadline October 1, 1992. Has been in effect since October 1, 1992)**

58. The firearm of the design commonly known as the Sterling Mk 6 Carbine, and any variant or modified version of it.

59. The firearm of the design commonly known as the Steyr AUG rifle, and any variant or modified version of it.

60. The firearm of the design commonly known as the UZI carbine, and any variant or modified version of it, including the UZI Model A carbine and the Mini-UZI carbine.

61. The firearms of the designs commonly known as the Ingram M10 and M11 pistols, and any variants or modified versions of them, including the Cobray M10 and M11 pistols, the RPB M10, M11, SM10 and SM11 pistols and the SWD M10, M11, SM10 and SM11 pistols.

62. The firearm of the design commonly known as the Partisan Avenger Auto Pistol, and any variant or modified version of it.

63. The firearm of the design commonly known as the UZI pistol, and any variant or modified version of it, including the Micro-UZI pistol.

## **Former Prohibited Weapons Order No. 13**

**(In effect since January 1, 1995. These firearms were Restricted in 1992 and therefore should have been registered since that time)**

64. The firearm of the design commonly known as the AK-47 rifle, and any variant or modified version of it except for the Valmet Hunter, the Valmet Hunter Auto and the Valmet M78 rifles, but including the:

- |                    |                   |
|--------------------|-------------------|
| (a) AK-74;         | (t) M77B1;        |
| (b) AK Hunter;     | (u) M78;          |
| (c) AKM;           | (v) M80;          |
| (d) AKM-63;        | (w) M80A;         |
| (e) AKS-56S;       | (x) MAK90;        |
| (f) AKS-56S-1;     | (y) MPiK;         |
| (g) AKS-56S-2;     | (z) MPiKM;        |
| (h) AKS-74;        | (z.1) MPiKMS-72;  |
| (i) AKS-84S-1;     | (z.2) MPiKS;      |
| (j) AMD-65;        | (z.3) PKM;        |
| (k) AR Model .223; | (z.4) PKM-DGN-60; |
| (l) Dragunov;      | (z.5) PMKM;       |
| (m) Galil;         | (z.6) RPK;        |
| (n) KKMPi69;       | (z.7) RPK-74;     |
| (o) M60;           | (z.8) RPK-87S;    |
| (p) M62;           | (z.9) Type 56;    |
| (q) M70B1;         | (z.10) Type 56-1; |
| (r) M70AB2;        | (z.11) Type 56-2; |
| (s) M76;           | (z.12) Type 56-3; |

- (z.13) Type 56-4;
- (z.14) Type 68;
- (z.15) Type 79;
- (z.16) American Arms AKY39;
- (z.17) American Arms AKF39;
- (z.18) American Arms AKC47;
- (z.19) American Arms AKF47;
- (z.20) MAM70WS762;
- (z.21) MAM70FS762;
- (z.22) Mitchell AK-22;
- (z.23) Mitchell AK-47;
- (z.24) Mitchell Heavy Barrel AK-47;
- (z.25) Norinco 84S;
- (z.26) Norinco 84S AK;
- (z.27) Norinco 56;
- (z.28) Norinco 56-1;
- (z.29) Norinco 56-2;
- (z.30) Norinco 56-3;
- (z.31) Norinco 56-4;
- (z.32) Poly Technologies Inc. AK-47/S;
- (z.33) Poly Technologies Inc. AKS-47/S;
- (z.34) Poly Technologies Inc. AKS-762;
- (z.35) Valmet M76;
- (z.36) Valmet M76 carbine;
- (z.37) Valmet M78/A2;
- (z.38) Valmet M78 (NATO) LMG;
- (z.39) Valmet M82; and
- (z.40) Valmet M82 Bullpup.

65. The firearm of the design commonly known as the Armalite AR-180 Sporter carbine, and any variant or modified version of it.

66. The firearm of the design commonly known as the Beretta AR70 assault rifle, and any variant or modified version of it.

67. The firearm of the design commonly known as the BM 59 rifle, and any variant or modified version of it, including:

- (a) the Beretta
  - (i) BM 59,
  - (ii) BM 59R,
  - (iii) BM 59GL,
  - (iv) BM 59D,
  - (v) BM 59 Mk E,
  - (vi) BM 59 Mk I,
  - (vii) BM 59 Mk Ital,
  - (viii) BM 59 Mk II,
  - (ix) BM 59 Mk III,
  - (x) BM 59 Mk Ital TA,
  - (xi) BM 59 Mk Ital Para,
  - (xii) BM 59 Mk Ital TP, and
  - (xiii) BM 60CB; and
- (b) the Springfield Armory
  - (i) BM 59 Alpine,
  - (ii) BM 59 Alpine Paratrooper, and
  - (iii) BM 59 Nigerian Mk IV.

68. The firearm of the design commonly known as the Bushmaster Auto Rifle, and any variant or modified version of it.

69. The firearm of the design commonly known as the Cetme Sport Auto Rifle, and any variant or modified version of it.

70. The firearm of the design commonly known as the Daewoo K1 rifle, and any variant or modified version of it, including the Daewoo K1A1, K2, Max 1, Max 2, AR-100, AR 110C, MAXI-II and KC-20.

71. The firearm of the design commonly known as the Demro TAC-1M carbine and any variant or modified version of it, including the Demro XF-7 Wasp Carbine.

72. The firearm of the design commonly known as the Eagle Apache Carbine, and any variant or modified version of it.

73. The firearm of the design commonly known as the FN-FNC rifle, and any variant or modified version of it, including the FNC Auto Rifle, FNC Auto Paratrooper, FNC-11, FNC-22 and FNC-33.

74. The firearm of the design commonly known as the FN-FAL (FN-LAR) rifle, and any variant or modified version of it, including the FN 308 Model 44, FN-FAL (FN-LAR) Competition Auto, FN-FAL (FN-LAR) Heavy Barrel 308 Match, FN-FAL (FN-LAR) Paratrooper 308 Match 50-64 and FN 308 Model 50-63.

75. The firearm of the design commonly known as the G3 rifle, and any variant or modified version of it, including the Heckler and Koch:

- (a) HK 91;
- (b) HK 91A2;
- (c) HK 91A3;
- (d) HK G3 A3;
- (e) HK G3 A3 ZF;
- (f) HK G3 A4;
- (g) HK G3 SG/1; and
- (h) HK PSG1.

76. The firearm of the design commonly known as the Galil assault rifle, and any variant or modified version of it, including the AP-84, Galil ARM, Galil AR, Galil SAR, Galil 332 and Mitchell Galil/22 Auto Rifle.

77. The firearm of the design commonly known as the Goncz High-Tech Carbine, and any variant or modified version of it.

78. The firearm of the design commonly known as the Heckler and Koch HK 33 rifle, and any variant or modified version of it, including the:

- (a) HK 33A2;
- (b) HK 33A3;
- (c) HK 33KA1;
- (d) HK 93;
- (e) HK 93A2; and
- (f) HK 93A3.

79. The firearm of the design commonly known as the J & R Eng M-68 carbine, and any variant or modified version of it, including the PJK M-68 and the Wilkinson Terry carbine.

80. The firearm of the design commonly known as the Leader Mark Series Auto Rifle, and any variant or modified version of it.

81. The firearms of the designs commonly known as the MP5 submachine gun and MP5 carbine, and any variants or modified versions of them, including the Heckler and Koch:

- (a) HK MP5;
- (b) HK MP5A2;
- (c) HK MP5A3;
- (d) HK MP5K;
- (e) HK MP5SD;
- (f) HK MP5SD1;
- (g) HK MP5SD2;
- (h) HK MP5SD3;
- (i) HK 94;
- (j) HK 94A2; and,
- (k) HK 94A3.

82. The firearm of the design commonly known as the PE57 rifle, and any variant or modified version of it.
83. The firearms of the designs commonly known as the SG-550 rifle and SG-551 carbine, and any variants or modified versions of them.
84. The firearm of the design commonly known as the SIG AMT rifle, and any variant or modified version of it.
85. The firearm of the design commonly known as the Springfield Armory SAR-48 rifle, and any variant or modified version of it, including the SAR-48 Bush, SAR-48 Heavy Barrel, SAR-48 Para and SAR-48 Model 22.
86. The firearm of the design commonly known as the Thompson submachine gun, and any variant or modified version of it, including the:
- (a) Thompson Model 1921;
  - (b) Thompson Model 1927;
  - (c) Thompson Model 1928;
  - (d) Thompson Model M1;
  - (e) Auto-Ordnance M27A-1;
  - (f) Auto-Ordnance M27A-1 Deluxe;
  - (g) Auto-Ordnance M1927A-3;
  - (h) Auto-Ordnance M1927A-5;
  - (i) Auto-Ordnance Thompson M1;
  - (j) Commando Arms Mk I;
  - (k) Commando Arms Mk II;
  - (l) Commando Arms Mk III;
  - (m) Commando Arms Mk 9; and,
  - (n) Commando Arms Mk 45.

## **Firearms Prescribed as Restricted**

This list of restricted firearms specified in the December 1, 1998 *Criminal Code* regulations includes all firearms that have been restricted by a former Order-in-Council.

1. The firearms of the designs commonly known as the High Standard Model 10, Series A shotgun and the High Standard Model 10, Series B shotgun, and any variants or modified versions of them.
2. The firearm of the design commonly known as the M-16 rifle, and any variant or modified version of it, including the
  - (a) Colt AR-15;
  - (b) Colt AR-15 SPI;
  - (c) Colt AR-15 Sporter;
  - (d) Colt AR-15 Collapsible Stock Model;
  - (e) Colt AR-15 A2;
  - (f) Colt AR-15 A2 Carbine;
  - (g) Colt AR-15 A2 Government Model Rifle;
  - (h) Colt AR-15 A2 Government Model Target Rifle;
  - (i) Colt AR-15 A2 Government Model Carbine;
  - (j) Colt AR-15 A2 Sporter II;
  - (k) Colt AR-15 A2 H-BAR;

- (l) Colt AR-15 A2 Delta H-BAR;
- (m) Colt AR-15 A2 Delta H-BAR Match;
- (n) Colt AR-15 9mm Carbine;
- (o) Armalite AR-15;
- (p) AAI M15;
- (q) AP74;
- (r) EAC J-15;
- (s) PWA Commando;
- (t) SGW XM15A;
- (u) SGW CAR-AR;
- (v) SWD AR-15; and,
- (w) Any 22 calibre rimfire variant, including the:
  - (i) Mitchell M-16A-1/22
  - (ii) Mitchell M-16/22,
  - (iii) Mitchell CAR-15/22, and
  - (iv) AP74 Auto Rifle.

## NOTES

<sup>1</sup> *San Francisco Examiner*, “Ferri used guns that California ban does not forbid,” July 4, 1993.

<sup>2</sup> *San Francisco Chronicle*, “School Killer's Last Days” and “The Kinds of Guns School Killer Used,” January 19, 1989.

<sup>3</sup> *Washington Post*, “CIA Killings Prompt Scrutiny on 2 Fronts; Fairfax Loophole Expedited Gun Purchase,” February 11, 1993.

<sup>4</sup> L Hancock, “Files detail evidence of huge cult arsenal,” *The Dallas Morning News*, May 26, 1993..

<sup>5</sup> Lynda Hurst, “10 years later, how a massacre changed us all,” *Toronto Star*, 27 November 1999.

# Project Ploughshares Workshop



Project Ploughshares was established in 1976 as an agency of the Canadian Council of Churches to implement the churches' imperative to seek and pursue peace. Our mandate is to work with churches and related organizations, as well as governments and non-governmental organizations, in Canada and internationally, to identify, develop, and advance approaches that build peace and prevent war, and promote the peaceful resolution of political conflict. Project Ploughshares is affiliated with the Institute of Peace and Conflict Studies, Conrad Grebel University College, University of Waterloo.

*.... and they shall beat their swords into ploughshares and spears  
into pruning hooks; nation shall not lift up sword against nation;  
neither shall they learn war any more. (Isaiah 2:4)*

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