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STANDARD

ISACS
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**Border controls and
law enforcement cooperation**

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Foreword

The United Nations (UN) Coordinating Action on Small Arms (CASA) mechanism strives to improve the UN's ability to work as one in delivering effective policy, programming and advice to Member States on curbing the illicit trade, uncontrolled proliferation and misuse of small arms and light weapons. Established by the Secretary-General in 1998 with the task of coordinating the small arms work of the United Nations, CASA today unites more than 20 UN bodies active in policy development and/or programming related to small arms and light weapons.¹

Building on previous UN initiatives to develop international standards in the areas of mine action (International Mine Action Standards)² and disarmament, demobilization and reintegration of ex-combatants (Integrated Disarmament, Demobilization and Reintegration Standards),³ the United Nations has developed a series of International Small Arms Control Standards (ISACS) with the aim of providing clear and comprehensive guidance to practitioners and policymakers on fundamental aspects of small arms and light weapons control. The present document constitutes one of more than 20 ISACS modules that provide practical guidance on instituting effective controls over the full life cycle of small arms and light weapons (all ISACS modules can be found at www.smallarmsstandards.org).

ISACS are framed by existing global agreements related to small arms and light weapons control, in particular the

- *UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons In All Its Aspects* (UN PoA);
- *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* (International Tracing Instrument); and
- *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime* (UN Firearms Protocol).

Within this global framework, ISACS build upon standards, best practice guidelines, model regulations, etc. that have been elaborated at the regional and sub-regional levels. ISACS seek to cover the fundamental areas of small arms and light weapons control on which the United Nations may be called upon to provide advice, guidance and support.

ISACS were developed, and continue to be improved and supplemented, by a broad coalition of small arms control specialists drawn from the United Nations, governments, international and regional organizations, civil society and the private sector (a full list of contributors to ISACS is available at www.smallarmsstandards.org).

ISACS modules were drafted in accordance with the rules set out in ISO/IEC Directives, Part 2, *Rules for the structure and drafting of International Standards*, under the oversight of the CASA Working Group on ISACS, co-chaired by the United Nations Office for Disarmament Affairs (UNODA) and the United Nations Development Programme (UNDP).

¹ For a full listing of CASA partners, see www.poa-iss.org/CASA/CASA.aspx.

² www.mineactionstandards.org

³ www.unddr.org

Introduction

A prerequisite for preventing, combating and eradicating the illicit trade in small arms and light weapons is ensuring that every State has effective controls in place to deter, detect and intercept illicit movements of small arms and light weapons across their borders. Central to achieving this goal is ensuring that law enforcement agencies – in particular customs, immigration and border police – coordinate and cooperate with one another, both within their own countries and with their counterparts on the opposite side of the border.

Putting in place border controls and law enforcement cooperation to prevent illicit cross-border movements of small arms and light weapons is a complex and multi-faceted task. The strengthening of control measures at the border is a significant challenge for the majority of States that are susceptible to illicit flows of small arms and light weapons. This is especially the case if a border is long, porous, remote or difficult to access or if government agencies responsible for border management lack the required capacity and resources.

Difficulty with controlling illicit cross-border flows of small arms and light weapons is usually an indicator of similar difficulty with preventing flows of other types of contraband (e.g. petrol, tobacco, drugs, etc.), as well as cross-border criminality and human trafficking. Inability to prevent such illicit flows deprives a government of revenue (in the form of customs duties), undermines State authority and increases susceptibility to criminality and insecurity.

Even States that do have effective border controls in place can see their efforts neutralized if traffickers are not prosecuted and if criminal networks are not disbanded. An effective justice system (or a justice system in the process of being strengthened) is, therefore, a prerequisite for effective border controls.

The control of long, remote or difficult to access borders cannot succeed without the active support of communities living in the vicinity of the border, for whom cross-border trade may constitute a vital economic activity. The challenge is to implement targeted, risk-based border controls while facilitating the flow of legitimate trade.

Different law enforcement agencies operating on the same side of the border (e.g. customs, immigration and border police) can have a tendency to focus their efforts on their core mandates and can often be reluctant to share information or to cooperate with one another. This can also be the case with border control agencies operating on opposite sides of the border. Key to putting in place effective and efficient border controls is to ensure both domestic and cross-border coordination and cooperation among law enforcement agencies.

Efforts to prevent illicit, cross-border movements of small arms and light weapons cannot be effective unless they are integrated into a broader strategy aimed at curtailing all cross-border criminality, since small arms and light weapons control represents only one part of a State's border security strategy.

Border controls and law enforcement cooperation

1 Scope

This document provides guidance on the implementation of effective border controls to prevent illicit cross-border movements of small arms and light weapons.

It also provides guidance on achieving cooperation between different law enforcement agencies with responsibility for border controls, both within a State and between neighbouring States, in particular related to the deterrence, detection, interception, investigation, and prosecution of illicit cross-border movements of small arms and light weapons.

This document outlines the steps required to achieve effective border controls and law enforcement cooperation, from reviewing the mandates of the agencies responsible for border control, through reviewing existing law enforcement cooperation mechanisms, to identifying additional control and cooperation mechanisms that can be put in place to improve performance.

The guidance in this document is relevant to all States, regardless of the level or quality of their ties with neighbouring States.

This document does not provide guidance on controls over legal international transfers of small arms and light weapons. For guidance on this, see ISACS 03.20, *National controls over the international transfer of small arms and light weapons*.

2 Normative references

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

SAFE Framework of Standards to Secure and Facilitate Global Trade, World Customs Organization

Recommendation concerning the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organized Crime, World Customs Organization

Recommendation on the Insertion in National Statistical Nomenclatures of Subheadings to Facilitate the Monitoring and Control of Products Specified in the Protocol Concerning Firearms covered by the UN Convention against Transnational Organized Crime, World Customs Organization

WCO Customs Risk Management Compendium, World Customs Organization

International Convention on the Simplification and Harmonization of Customs procedures (Revised Kyoto Convention)

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Recommendation and Guidelines on establishing a Single Window to enhance the efficient exchange of information between trade and government (Recommendation No. 33), United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT)

Convention for the Safety of Life at Sea (SOLAS), Chapter XI-2 on “Special measures to enhance maritime security”

International Ship and Port Facility Security Code (ISPS Code)

Guidance on Basic Elements of National Oversight Programmes for SOLAS Chapter XI-2 and the ISPS Code, International Maritime Organization

Code of Practice on Security in Ports, International Maritime Organization (IMO) and International Labour Organization (ILO)

Annex 17 to the Convention on International Civil Aviation (Chicago Convention) – International Standards and Recommended Practices: Security, International Civil Aviation Organization

ISACS 05.30, *Marking and recordkeeping*

ISACS 05.31, *Tracing illicit small arms and light weapons*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISACS 01.20, *Glossary of terms, definitions and abbreviated terms*, and the following apply.

In all ISACS modules, the words 'shall', 'should', 'may' and 'can' are used to express provisions in accordance with their usage in International Organization for Standardization (ISO) standards.

- a) **“shall” indicates a requirement:** It is used to indicate requirements strictly to be followed in order to conform to the document and from which no deviation is permitted.
- b) **“should” indicates a recommendation:** It is used to indicate that among several possibilities one is recommended as particularly suitable, without mentioning or excluding others, or that a certain course of action is preferred but not necessarily required, or that (in the negative form, 'should not') a certain possibility or course of action is deprecated but not prohibited.
- c) **“may” indicates permission:** It is used to indicate a course of action permissible within the limits of the document.
- d) **“can” indicates possibility and capability:** It is used for statements of possibility and capability, whether material, physical or casual.

4 United Nations framework

4.1 General

This document provides practical guidance on the implementation of commitments related to border controls and law enforcement cooperation that are contained in United Nations multilateral instruments related to small arms and light weapons control.

4.2 UN Programme of Action

In the United Nations *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (UN Programme of Action), all UN Member States commit themselves

- a) “To establish, where appropriate, subregional or regional mechanisms, in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders” (section II, paragraph 27).

4.3 Firearms Protocol

The *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*, supplementing the *United Nations Convention against Transnational Organized Crime* (UN Firearms Protocol), stipulates that each State Party

- a) “shall take appropriate measures: [...] To increase the effectiveness of import, export and transit controls, including, where appropriate, border controls, and of police and customs transborder cooperation” (Article 11).

5 INTERPOL resources

5.1 General

The International Criminal Police Organization (INTERPOL) provides resources to its 190 member countries that greatly increase their capacity to control their borders, including through cooperation with law enforcement agencies in other countries.

INTERPOL member countries should use these resources to the fullest extent possible in order to prevent the illicit cross-border movement of small arms and light weapons.

5.2 Secure, global police communications services

The ability of police to exchange crucial data quickly and securely is a cornerstone of effective international law enforcement. INTERPOL developed the I-24/7 global police communications system in order to provide this ability to its member countries. The system connects law enforcement officials in all INTERPOL member countries and provides them with the means to share information on criminals and criminal activities.

Using I-24/7, INTERPOL National Central Bureaus (NCBs) can search and cross-check data in a matter of seconds, with direct access to INTERPOL databases (see Clause 5.3), which provide police with instant access to potentially important information, thereby facilitating criminal investigations.

INTERPOL member countries should grant consultative access to I-24/7 to authorised law enforcement entities outside of National Central Bureaus, including border police, customs officials and immigration officials.

5.3 Crime databases

5.3.1 General

INTERPOL manages several databases – accessible to the INTERPOL National Central Bureaus in all member countries through its I-24/7 communications system – which contain critical information on criminals and criminality, including

- a) suspected terrorists,
- b) wanted persons,
- c) fingerprints,
- d) DNA profiles,
- e) stolen or lost travel documents,
- f) stolen motor vehicles,
- g) stolen works of art, and
- h) **illicit arms** (see clause 5.3.2).

These databases contain millions of records of criminal information on individuals and property submitted by member countries, constituting a unique and vast collection of data that does not exist at the regional or national levels.

5.3.2 Illicit Arms Records and Tracing Management System (iARMS)

Recognizing the need to share critical law enforcement information quickly and reliably, INTERPOL is developing a global repository of information that will be accessible to its Member States for reporting and querying lost, stolen, smuggled or trafficked firearms, to be known as the INTERPOL Illicit Arms Records and Tracing Management System (iARMS). Authorized users will be able to query iARMS and instantly determine whether a firearm they have seized has been reported to INTERPOL by another Member State.

NOTE INTERPOL expects iARMS to be operational at the beginning of 2013, at which point it will replace the INTERPOL Firearms Tracing System.

5.3.3 INTERPOL Network databases

5.3.3.1 General

To help countries connect easily, INTERPOL has developed two integrated solutions using either fixed or mobile integrated network databases, known as FIND and MIND. Both can integrate into the existing computer-assisted verification system in a country. In addition, MIND can be used in a country without an existing computer-assisted verification system. Which system is used depends on the infrastructure in a particular country. MIND should be used when a country cannot use FIND for whatever reason.

5.3.3.2 Fixed INTERPOL Network Database (FIND)

The Fixed INTERPOL Network Database (FIND) provides access to Interpol databases through online integration and allows communication between national computer servers and those at the Interpol General Secretariat via I-24/7.

5.3.3.3 Mobile INTERPOL Network Database (MIND)

The Mobile INTERPOL Network Database (MIND) provides offline access to Interpol databases. Using I-24/7, the INTERPOL General Secretariat can provide member countries with a copy of the data in its databases, which can be accessed locally through connection with existing national servers. MIND is controlled and updated by the INTERPOL General Secretariat. Updates are automatic whenever new records are added.

6 World Customs Organization resources

6.1 General

The World Customs Organization (WCO) provides resources to its 177 Member States that greatly increase their capacity to put in place effective customs controls, including through cooperation with customs services in other countries.

WCO Member States should use these resources to the fullest extent possible in order to help prevent the illicit cross-border movement of small arms and light weapons.

6.2 WCO recommendations on firearms

States should follow the WCO recommendations that relate specifically to firearms, i.e.

- a) Recommendation concerning the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organized Crime; and
- b) Recommendation on the Insertion in National Statistical Nomenclatures of Subheadings to Facilitate the Monitoring and Control of Products Specified in the Protocol Concerning Firearms covered by the UN Convention against Transnational Organized Crime.

6.3 Customs Enforcement Network (CEN)

6.3.1 General

Intelligence is a vital element of enforcement for customs services that have to perform control missions while at the same time facilitating trade. In order to prevent control and search operations from impeding the free movement of persons, goods and means of transport, customs services should implement intelligence-based selective and targeted controls. Information exchange on potential or real risks of offences is therefore vital if customs services are to implement their enforcement strategy.

To enable its Members to combat transnational organized crime more effectively, the WCO has developed a global system for gathering data and information for intelligence purposes – the Customs Enforcement Network (CEN).

6.3.2 Components

The CEN comprises a database, a website and an encrypted communication tool facilitating the exchange and use of information and intelligence. It offers the possibility of sharing and disseminating information on customs offences in a timely, reliable and secure manner with direct access 24 hours a day.

The CEN offers Customs officers access to

- a) a database of (non-nominal) customs seizures and offences, comprising data required for the analysis of illicit traffic in the various areas of customs competence;
- b) the CEN website containing alerts as well as information of use to customs services;
- c) a Concealment Picture Database to illustrate exceptional concealment methods and to exchange X-ray pictures; and
- d) a communication network facilitating cooperation and communication between customs services and CEN users at the international level.

6.3.3 Headings and products

The CEN contains 13 different headings and products covering the main fields of Customs enforcement activity, i.e.

- a) drugs
- b) tobacco
- c) alcoholic beverages
- d) CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora);
- e) intellectual property rights– Counterfeiting;
- f) precursors;
- g) tax and duty evasion;
- h) weapons and explosives;**
- i) currency;
- j) nuclear materials;
- k) hazardous material;
- l) pornography / paedophilia; and
- m) other prohibitions and restrictions (including works of art, stolen vehicles, anabolic steroids etc.).

6.4 Regional Intelligence Liaison Offices (RILOs)

The World Customs Organization operates a global network of Regional Intelligence Liaison Offices (RILOs), which collect, analyze and supplement data and disseminate information on trends, modus operandi, routes and significant cases of fraud, including related to trafficking in small arms and light weapons.

The RILO mechanism, which is supported by the Customs Enforcement Network (see Clause 6.3), aims to enhance the effectiveness of global information and intelligence exchange, as well as co-operation between all the customs services tasked with combating transnational crime.

Customs authorities should share data on seizures of illicit small arms and light weapons via the RILO mechanism in order to facilitate the detection, at a regional level, of patterns of small arms and light weapons trafficking.

7 Border management in different contexts

7.1 General

Border management is an activity carried out by all States, even though each State faces different internal, political and security issues and maintains different kinds and levels of relations with neighbouring States. Obviously, border management during an internal conflict, a cross-border conflict or a closed border situation is not carried in the same way as when a country is at peace.

States with limited resources and limited access to international assistance should – in the short term and as a first step only – implement the basic provisions outlined in Clause 7.3, while countries with

more resources or support at their disposal should strive towards higher levels of border services integration, and to the introduction of Integrated Border Management, in cooperation with other States, as outlined in Clause 11.

7.2 Security sector reform context

Following a peace process, a Disarmament Demobilization and Reintegration (DDR) process or a Security Sector Reform (SSR) process, the recruitment of personnel in the context of a reorganization of border management should integrate ex-forces from all sides, in line with the representation ratio negotiated as part of the DDR and/or SSR processes.

NOTE For further guidance, see ISACS 02.20, *Small arms and light weapons control in the context of Disarmament, Demobilization and Reintegration*; and ISACS 02.30, *Small arms and light weapons control in the context of Security Sector Reform*.

Security Sector Reform, including the re-establishment of border management under the centralized control of the government, should begin as soon as possible following a conflict. The State in question should

- a) seek support from international partners for capacity development and training related to border management;
- b) immediately train armed forces deployed at the border on border surveillance and security management as an interim step;
- c) create a border guard force with the capacity to respond to armed threats and focused on the issues of migration, cross-border crime, contraband and trafficking in prohibited or restricted goods, including small arms and light weapons;
- d) ensure that the customs service receives adequate support from the SSR programme, in order to avoid the temptation of collusion with illicit, cross-border trade networks; and
- e) establish cooperation and information-sharing mechanisms among all agencies with responsibility for border control.

7.3 Short-to-medium-term limited institutional and operational approach

Illicit, cross-border movements of small arms and light weapons are a threat to national and regional security and should be reacted to quickly. Short-to-medium-term priority actions include

- a) ensuring that the National Authority on small arms and light weapons, through a national coordinating mechanism, sensitizes all border control agencies, as well as all forces and services operating at the border, to the need to prevent illicit cross-border movements of small arms and light weapons;

NOTE 1 Priority agencies include the customs service, border guards, coastguards, police, armed forces (land and sea), intelligence services and national park wardens. For further guidance, see ISACS 03.40, *National Coordinating mechanisms on small arms and light weapons control*.

- b) training armed forces deployed at the border on border surveillance and border security management;
- c) planning and creating a border guard force;
- d) enforcing existing bilateral cross-border agreements and intra-services cooperation agreements;
- e) further integrating national border services and processes by drafting, issuing and enforcing additional cooperation agreements and memoranda of understanding;

- f) where such activities will not put communities at risk, fostering cooperation between border agencies and border communities in order to establish or strengthen joint security-related borderland policing, including through the creation of a joint committee on border security made up of government agencies responsible for border control and representatives of border communities;
- g) reviewing the implementation of existing laws, regulations and administrative procedures related to border controls, and, where necessary, improving enforcement mechanisms; and
- h) prioritizing the purchase of equipment to detect illicit, cross-border movements of small arms and light weapons, while ensuring that such equipment, as well as related training, correspond to national needs and capacity and that they are integrated into wider, national border security requirements. Equipment purchases should increase the detection capacity and mobility of border surveillance agencies and should decrease their reaction time (see Clause 9.2.3 for additional guidance on equipment).

7.4 Integrated Border Management framework

7.4.1 General

Illicit cross-border movements of small arms and light weapons are a manifestation of broader shortcomings in national and/or regional border management policies and practices. In the longer term, national institutions and processes related to border controls should be reformed through the introduction of an Integrated Border Management (IBM) strategy that aims at wider and more sustained benefits (see Clause 11 for further guidance on IBM).

7.4.2 Timeline

Integrated Border Management can be introduced in the medium term if there is

- a) political support for its introduction at the highest levels of government (e.g. at the level of the Prime Minister or President);
- b) support from all government ministries involved; and
- c) cooperation from all border control agencies and other local authorities at district, municipality or village levels.

The benefits of Integrated Border Management will only become measurable in the medium-to-long-term.

8 Border assessment

8.1 General

Comprehensive information should be gathered on a State's capacity to manage its borders in order to prevent illicit, cross-border movements of small arms and light weapons.

To this end, the National Authority on small arms and light weapons, working through a national coordinating mechanism, may arrange for an independent assessment to be conducted of all aspects of national small arms controls related to border management. The assessment results should define the progress to be made in order to comply with the standards set out in Clause 9. A comprehensive border assessment should encompass the following areas, which are elaborated below:

- a) the situation at border crossing points;
- b) the situation between border crossing points;

- c) an inventory and evaluation border control agencies;
- d) the effectiveness of existing border controls; and
- e) a needs assessment.

8.2 Situation at border crossing points

8.2.1 General

Border crossing points are the official locations at which a State authorizes the crossing of its border and where it may carry out border checks. A border assessment should include a description and assessment of the situation at border crossing points, including:

8.2.2 Roles and mandates of law enforcement agencies

- a) The roles of agencies explicitly responsible for border controls (e.g. customs, immigration, border police, etc.);
- b) the roles of other agencies responsible for border control-related monitoring (e.g. child protection brigades assigned to border areas to prevent trafficking in children);
- c) gaps and overlaps in the official mandates of border control agencies;
- d) existing inter-agency cooperation agreements, including their implementation in practice; and
- e) de-facto, informal, inter-agency cooperation outside the scope of official inter-agency cooperation agreements.

8.2.3 Infrastructure

- a) Delineation (e.g. fencing) of the customs perimeter;
- b) parking facilities (for cars and trucks);
- c) lighting;
- d) secured separations between entry and exit lanes on both sides of the border;
- e) secure storage facilities for valuable or sensitive impounded goods, including seized small arms and light weapons;
- f) off-lane control areas for random vehicle checks;
- g) offloading facilities for trucks (platforms), including forklift elevators, hydraulic ramps, etc.;
- h) x-ray or gamma-ray scanners (fixed and mobile) for trucks and containers;
- i) metal detectors;
- j) communication and information technology and equipment; and
- k) personnel access to restricted areas (e.g. based on secured identification badges, security gates, revolving doors, etc.);

8.2.4 Processes for cargo and passengers

- a) The number of counter stops and documents required;

- b) the number of inspections carried out as a percentage of the number of cargo consignments and passengers crossing;
- c) the number and type of personnel required to implement the current processes; and
- d) the inspection strategy used (e.g. random, partial, targeted or total).

NOTE 1 Cargo inspection strategies may vary in terms of the means used to select the goods or persons to be inspected and in terms of the thoroughness of the inspection itself. In random checks, the inspection target is chosen by chance.

NOTE 2 Partial inspection strategies may involve the use of numeric patterns (e.g. every 10th person or vehicle is inspected, or a series of ten successive checks is carried out at specific time intervals).

NOTE 3 Targeted inspection is based on risk profiling. The risk profile for goods and persons is based on an established list of priority threats, information on offenses, analysis of the cargo/passenger route, the track record of the transport/shipping companies concerned, etc.

NOTE 4 For cargo and travellers, the scope of the inspection can be partial, where only luggage or a percentage of the packages in a cargo consignment are opened. It can also be total, where all packages are offloaded, opened, and vehicles thoroughly searched.

8.3 Situation between border crossing points

A border assessment should include a description and assessment of the situation on the border (green or blue) between border crossing points, including:

- a) the physical characteristics of the border;
- b) extent of physical demarcation of the border line on the ground;
- c) extent of agreement by bordering States on the exact location of their common border;
- d) list of (official) border crossing points;
- e) location and description of other routes (e.g. paved and unpaved roads, tracks, etc.) that cross the border between (official) border crossing points;
- f) occupations, economic situation and sources of income of border communities; and
- g) involvement of border communities in cross-border smuggling (petty and organized), including the commodities involved.

8.4 Inventory and evaluation of border control agencies

A border assessment should include an inventory and evaluation of government agencies with responsibilities related to border controls, including

- a) a list of government agencies, forces, etc. with responsibility for border controls and their respective mandate(s) (e.g. customs, immigration, border police, etc.);
- b) their respective, authorized staffing levels compared with their actual staffing levels;
- c) the competency and capacity of border control personnel (in terms of training received, understanding of their mission, access to equipment, etc.);
- d) standard operational procedures in place and the extent of their application;
- e) the nature and level of

- 1) domestic cooperation
 - among border control agencies, and
 - between border control agencies and other relevant agencies, if any (e.g. child protection brigades assigned to border areas to prevent trafficking in children), and
 - 2) cross-border cooperation with border control agencies in the neighbouring State; and
- f) the extent of command and control exerted by border command centres over remote border crossing points.

8.5 Effectiveness of existing border controls

A border assessment should include an evaluation of the effectiveness of existing border controls in deterring, detecting and intercepting illicit, cross-border movements of small arms and light weapons, including

- a) the number of interceptions of illicit cross-border shipments of small arms and light weapons (e.g. during the previous 12 month period), including
 - 1) the number of weapons intercepted on each occasion,
 - 2) the agencies making the interceptions,
 - 3) the border check and border surveillance strategies used, and
 - 4) the equipment used (e.g. for scanning/detection, communications and transport);
- b) the number of inland seizures of illicit small arms and light weapons that are traced to sources outside the country;
- c) the number of legal prosecution cases that are brought as a result of interceptions of illicit, cross-border movements of small arms and light weapons; and
- d) the number of convictions secured as result of such legal cases being brought.

8.6 Needs assessment

8.6.1 General

A border assessment conducted according to the guidance provided above should allow States to identify

- a) shortcomings in their capacity to intercept illicit cross-border movements of small arms and light weapons; and
- b) areas where capacity is in need of being strengthened (e.g. through training, cooperation, equipment, infrastructure, etc.).

8.6.2 Needs integration

Technical requirements related to intercepting illicit cross-border movements of small arms and light weapons that are identified in a needs assessment should be compatible with the operational requirements of a comprehensive border security strategy.

8.6.3 Priority areas

As a priority, needs should be identified that would ensure a basic border control capacity, with an initial focus on the development of

- a) human resources in the border control agencies;
- b) capacity to conduct risk assessments;
- c) inter-agency cooperation within the State; and
- d) cross-border cooperation with border agencies in neighbouring States.

9 Border controls

9.1 Risk Assessment and targeted controls

9.1.1 General

As the volume of global trade increases and as policies of trade facilitation and free movement of persons expand, it is usually no longer feasible for border control agencies to examine all cargo, vehicles and luggage crossing borders. For this reason, it is necessary to assess risk in order to carry out targeted border controls that have a high likelihood of intercepting illicit shipments of small arms and light weapons.

9.1.2 WCO SAFE Framework of Standards

9.1.2.1 General

Risk assessments related to illicit, cross-border movements of small arms and light weapons should be conducted according to the World Customs Organization's (WCO) Customs Risk Management Compendium.

"High Risk Indicators" in the Compendium include, for example

- a) details of the carrier manifests;
- b) identification of high risk country;
- c) commodity and transportation factors that may indicate high risk conditions;
- d) known high risk commodities used for concealment purposes;
- e) list of dangerous goods that may potentially be used in terrorist attack; and
- f) other factors that may reflect high risk (e.g. type of container and identity of importer/exporter and shipper).

9.1.2.2 The WCO SAFE Framework of Standards and small arms & light weapons

Based on the WCO SAFE Framework of Standards, States should

- a) establish an inter-agency joint risk analysis unit;
- b) require advance information (where possible in electronic form) on cargo and container shipments in time for adequate risk assessment to take place;

- c) ensure that illicit cross-border movements of small arms and light weapons are
 - 1) considered a high risk area, and
 - 2) subject to joint targeting and screening, in accordance with Standard 7 of the WCO SAFE Framework of Standards;
- d) ensure that countries of export, transit or transshipment that are determined to have weak small arms and light weapons export, transit or transshipment controls are identified as high risk indicators; and
- e) share information on commodities and means commonly used to conceal small arms and light weapons for the purpose of smuggling them across borders.

9.2 Customs

9.2.1 General

Within their broader mandate to facilitate the legitimate flow of trade and movement of people, customs authorities should

- a) have clear direction from the government to consider the interception of illicit small arms and light weapons as an essential component of their broader mandate to prevent cross-border movements of prohibited and restricted goods;
- b) be trained in
 - 1) conducting risk assessments with a view to instigating targeted inspections with a high probability of intercepting illicit cross-border movements of small arms and light weapons;
 - 2) detecting illicit cross-border movements of small arms and light weapons (see Clause 9.2.4);
 - 3) reporting on the seizure of illicit small arms and light weapons; and
 - 4) instigating the process for tracing seized small arms and light weapons, in accordance with ISACS 05.31, *Tracing illicit small arms and light weapons*.
- c) have the mandate and the capacity to cooperate and engage in joint planning with other domestic agencies operating at the border crossing point and with counterpart agencies in the neighbouring State;
- d) base their inspection strategy on risk assessments informed by inter-agency planning, cooperation and information-sharing;
- e) introduce single stop inspections or joint customs control in cross-border clearance, in accordance with Chapter 3 of the General Annex to the International Convention on the Simplification and Harmonization of Customs procedures (Revised Kyoto Convention).

9.2.2 Premises

The premises of border crossing points shall be organized so as to allow for effective oversight and control of all cross-border movements of people, vehicles and goods, including by

- a) separating the parking areas for departing and arriving transport vehicles;
- b) creating special lanes with offload facilities for vehicles selected for inspection;

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- c) covering vehicle inspection areas with a canopy or flat roof to facilitate inspection in bad weather; and
- d) installing sufficient lighting.

The premises of border crossing points should be organised so as to facilitate communication and cooperation with border agencies on the other side of the border, including by

- e) co-locating the border officials of both States in the same building, or
- f) locating the buildings housing the border officials of each State in close proximity to one another.

9.2.3 Equipment

Adequate technical equipment to detect illicit cross-border movements of small arms, light weapons and other goods should be available to customs authorities at border crossing points, e.g.

- a) hand held metal detectors;
- b) canine units trained to detect explosives and ammunition;
- c) screening equipment for travel and other documents, including end user certificates for small arms and light weapons); and
- d) fixed and/or mobile x-ray or gamma ray vehicle/container scanners (at large border crossing points).

Equipment purchased for and training provided to customs authorities for the purpose of intercepting illicit, cross-border movements of small arms and light weapons should be integrated into broader anti-trafficking efforts in order to avoid duplication and overlap and to make maximum use of the resources.

NOTE The purchase of such equipment, especially vehicle and container scanners, can be very expensive. It should be borne in mind, however, that the initial capital investment can be recouped, often quite quickly, through additional customs duties levied on discovered smuggled goods.

9.2.4 Small arms and light weapons controls

9.2.4.1 Verification of transfer authorizations

When a consignment of small arms or light weapons appears at a border crossing point, customs officials shall verify the existence and authenticity of the

- a) export authorization;
- b) import authorization; and
- c) transit or transshipment authorization (if applicable).

NOTE For further guidance, see ISACS 03.20, *National controls over the international transfer of small arms and light weapons*.

9.2.4.2 Verification of consignment contents

Customs officials shall verify that the content of a consignment of small arms or light weapons corresponds with the description of the goods contained in the transfer authorizations.

9.2.4.3 Grounds for denial

Customs officials shall not allow a consignment of small arms or light weapons to cross a border, and shall impound the consignment, if

- a) the authorizations listed in Clause 9.2.4.1
 - 1) do not accompany the consignment,
 - 2) have expired, or
 - 3) are forged or otherwise fraudulently assembled;
- b) the content of the consignment does not correspond to the description of the good contained in the transfer authorizations; or
- c) the weapons are unmarked.

NOTE For further guidance, see ISACS 03.20, *National controls over the international transfer of small arms and light weapons* and ISACS 05.30, *Marking and recordkeeping*.

9.2.4.4 Recordkeeping of impounded small arms and light weapons

If the reason for impounding a consignment of small arms or light weapons is due to non-correspondence between the content of the consignment and its description in the transfer authorizations, Customs officials shall make a detailed, independent inventory of the consignment based on markings on the packing containers and on a physical inspection of the weapons. This independent customs inventory should contain as much of the following information as possible:

- a) quantities;
- b) makes;
- c) models;
- d) calibres;
- e) serial numbers;
- f) countries of manufacture; and
- g) countries of most recent import (derived from import markings, if present).

A copy of the independent customs inventory shall accompany the impounded weapons at all times and shall be used to verify that weapons have not been removed from the consignment.

9.2.4.5 Storage of impounded small arms and light weapons

A consignment of small arms or light weapons that is impounded at a border crossing point shall be stored in the most secure facility available at the border crossing point. Security personnel should be deployed to guard the consignment for the entire time that it is stored at the border crossing point.

The consignment shall be transported as soon as possible to secure storage at a military or police facility.

NOTE For further guidance, see ISACS 05.20, *Stockpile management: Weapons*.

9.2.4.6 Import marking

Customs officials shall check whether consignments of small arms or light weapons appearing at border crossing points have had an import marking applied to each individual weapon. If this is not the case, import markings shall be applied in accordance with ISACS 05.30, *Marking and recordkeeping*.

9.2.4.7 Sealed containers

When small arms and light weapons cross a border in sealed containers, they shall be handled in accordance with the provisions for “Seal Integrity for Secure Containers” contained in the World Customs Organization’s SAFE Framework of Standards.

9.3 Border guards

9.3.1 General

Border guards are responsible for border surveillance, i.e. for monitoring a border between border crossing points, and for monitoring border crossing points outside of their official opening hours, in order to prevent the circumvention of border checks.

Border guards can be part of the customs service or part of another government agency or force within a ministry other than the Ministry of Finance. In countries seriously affected by illicit, cross-border movements of small arms and light weapons, border guards (for green and blue borders) can be part of the armed forces (land or naval) within the Ministry of Defence, or can be a paramilitary police force (e.g. gendarmerie) under the Ministry of Interior or the Presidency.

9.3.2 Requirements

Border guards should

- a) be trained to interact both with civilians and with armed criminals and should maintain an armed force discipline and capacity to return fire when confronting illicit cross-border activities, including smuggling of small arms and light weapons;
- b) follow a detection and intervention strategy based on mobile patrols operating out of a limited number of strategically located static observation posts;
- c) collect, share and have to access to information related to illicit cross-border activities;
- d) have adequate training and equipment (e.g. communications, radar, transport, etc.) to enable them to detect, intercept and inspect, in a timely manner, suspicious cargoes, whether travelling by land, sea or air;
- e) have the capacity to operate alongside military units and police forces when needed, and to reinforce the activities of the Customs Service at border crossing points; and
- f) sensitize border communities, especially in remote areas, to border control issues and practices and encourage border communities to play an active role in the maintenance of border security.

9.4 Civil aviation authorities

9.4.1 General

Aircraft transporting illicit small arms or light weapons often breach air safety regulations. The proper regulation and control of civil aviation is therefore an essential component of effective border controls as they relate to preventing illicit transfers of small arms and light weapons.

At airports, the civil aviation authority is responsible for regulating air transportation, while the airport customs service is responsible for the customs clearance of cargo transported by air.

9.4.2 Cooperation

The civil aviation authority and the airport customs service should cooperate closely at airports in order to detect and intercept illicit cross-border movements, by air, of small arms and light weapons.

The civil aviation authority should share with the customs service information it receives on air cargo carriers and flight plans. Based on this information, the customs service shall undertake risk-based inspections of the inventories and content of air cargo with a view to intercepting illicit movements of small arms and light weapons.

9.4.3 Risk assessment

The civil aviation authority and the airport customs service should form a cargo joint risk assessment team in order to identify high-risk carriers, routes, flight patterns and destinations, paying special attention to

- a) countries of origin, transit/transshipment or destination that would be considered high-risk in connection with transfers of small arms or light weapons;
- b) any connection by air carriers or shipping companies to past illicit activities;
- c) unscheduled landings; and
- d) changes in flight plans.

9.4.4 Customs controls

The customs controls set out in Clause 9.2.4 also apply to consignments of small arms or light weapons transiting at airports.

9.5 Maritime authorities

9.5.1 General

States party to the International Convention for the Safety of Life at Sea (SOLAS) shall comply – and other States with blue borders and port facilities should comply – with the provisions related to the security of the ship and of the immediate ship-port interface contained in

- a) Chapter XI-2 on “Special measures to enhance maritime security;” as supplemented by the
- b) International Ship and Port Facility Security Code (ISPS Code).

States should comply with the provisions related to the overall security of port areas contained in the

- c) Code of Practice on Security in Ports (International Maritime Organization (IMO) and International Labour Organization (ILO)).

9.5.2 SOLAS and the ISPS Code

9.5.2.1 General

The International Ship and Port Facility Security Code (ISPS Code) is a comprehensive set of measures to enhance the security of ships and port facilities. The ISPS Code is implemented through Chapter XI-2 (special measures to enhance maritime security) of the International Convention for the Safety of Life at Sea (SOLAS).

The ISPS Code takes the approach that ensuring the security of ships and port facilities is a risk management activity and that, in order to determine what security measures are appropriate, an assessment of the risks shall be made in each particular case.

The purpose of the ISPS Code is to provide a standardised, consistent framework for evaluating risk, enabling Governments to offset changes in threat with changes in vulnerability for ships and port facilities by determining appropriate security levels and corresponding security measures.

9.5.2.2 Specific provisions related to weapons

Under the ISPS Code,

- a) the Port Facility Security Plan and the Ship Security Plan shall include measures designed to prevent weapons, dangerous substances and devices intended for use against persons, ships or ports – and the carriage of which is not authorized – from being introduced in the port facility or taken on board the ship (Articles 9.4 and 16.3);
- b) Recognised Security Organisations should be able to demonstrate their knowledge on recognition and detection of weapons, dangerous substances and devices (Article 4.5.9);
- c) training on the recognition and detection of weapons, dangerous substances and devices should be provided to appropriate ship- and shore-based personnel (Articles 13.1.13, 18.1.13, 18.2.2 and 18.3.2);
- d) those involved in conducting a Ship Security Assessment or a Port Facility Security Assessment should be able to draw upon expert assistance in relation to recognition and detection of weapons, dangerous substances and devices (Articles 8.4.2 and 15.4.2); and
- e) the Ship Security Assessment and Port Facility Security Assessment should consider all possible threats, which may include the
 - 1) smuggling of weapons or equipment... (Articles 8.9.5 and 15.11.5), and
 - 2) use of the ship to carry those intending to cause a security incident and/or their equipment (Articles 8.9.6 and 15.11.6);

NOTE The term "Equipment" used in this context may be understood to include small arms and light weapons.

9.5.2.3 Additional guidance

Additional guidance on the effective implementation of SOLAS Chapter XI-2 and the ISPS Code is available from the International Maritime Organisation – *Guidance on Basic Elements of National Oversight Programmes for SOLAS Chapter XI-2 and the ISPS Code* (MSC.1/Circ.1194, Annex).

9.5.3 Code of Practice on Security in Ports

9.5.3.1 General

The Code of Practice on Security in Ports (CPSP), jointly developed by the International Maritime Organization and the International Labour Organization, is designed to provide guidance on a broad range of issues related to security in port areas. The CPSP

- a) provides a proactive approach to security in ports;
- b) assists in the identification of the roles and responsibilities of governments, employers and workers; and
- c) follows, where practicable, the practice and principles identified in SOLAS Chapter XI-2 and the ISPS Code.

9.5.3.2 Specific provisions related to weapons

The Code of Practice on Security in Ports stipulates that

- a) one of the aims of security measures in port areas is to prevent the introduction of unauthorized weapons, dangerous or hazardous substances and devices, into the port or vessels using the port (Article 3.3.2); and
- b) the port security plan should include measures designed to prevent unauthorized weapons or any dangerous substances and devices intended for use against persons, port assets or infrastructure and facilities from being introduced into the port (Annex B, Article 3.2).

9.5.4 Customs controls

The customs controls set out in Clause 9.2.4 also apply to consignments of small arms or light weapons being imported through seaports.

9.6 Immigration authorities

9.6.1 Access to databases

Immigration authorities based at green and blue borders, and especially those located in remote border areas, should have access to international crime databases, e.g. those accessible through INTERPOL's global police communications system, I-24/7 (see Clause 5.2), and especially the INTERPOL Stolen and Lost Firearms System (SLARM) (see Clause 5.3.2).

Based on risk profiling and information at their disposal, immigration officials at the border crossing point should intercept and investigate any person suspected of involvement in smuggling small arms or light weapons across borders.

9.6.2 Machine-readable travel documents

States should comply with the Standards and Recommended Practices related to international aviation security set out in Annex 17 of the Convention on International Civil Aviation (Chicago Convention), in particular as they relate to machine-readable travel documents, which can assist immigration authorities to intercept individuals suspected of or under investigation for, inter alia, smuggling small arms or light weapons across borders.

9.6.3 Seafarers' Identity Documents

States party to the revised Seafarers' Identity Documents Convention (International Labour Organization Convention No. 185) shall – and other States should – comply with its provisions related to the issuance of Seafarer's Identity Documents (SID). A SID contains secure, biometric data that allow immigration authorities to quickly access information on seafarers in order to verify that they do not represent a security risk.

9.6.4 Borderland communities

Residents of borderland communities; who regularly cross the border for legitimate work, family or other reasons; should be encouraged to use official border crossing points in order to facilitate the task of detecting illicit crossings of green and blue borders. This can be achieved by issuing residents of borderland communities with special identification papers that facilitate their processing at border crossing points.

9.7 Intelligence services

9.7.1 General

Government intelligence services should

- a) prioritize the gathering of information on illicit cross-border movements of small arms and light weapons;
- b) prioritize the collection, compilation and sharing of information on the location, movements and activities of illicit small arms and light weapons brokers operating domestically and in neighbouring States; and
- c) cultivate good relations with border communities, and especially with civil society organizations operating in borderlands.

9.7.2 Intelligence from border communities

Border communities should be sensitized to the detrimental effects of illicit cross-border movements of small arms and light weapons, and of cross-border crime in general. They should be aware of the need to inform border control officials of any illicit cross-border activities of which they are aware and should understand how to do so. The means of providing information to border control officials should be safe, confidential, simple and direct. The identity of individuals providing information shall be protected.

9.7.3 Intelligence from other trafficking activities

There can be a close relationship between cross-border trafficking in small arms and light weapons, on the one hand, and trafficking in people, drugs, gems, highly taxed commodities, etc., on the other. Intelligence services should investigate possible linkages between all cross-border trafficking activities in order to generate possible leads related to the illicit cross-border movements of small arms and light weapons.

10 Law enforcement cooperation

10.1 Review and assessment

A review and assessment should be undertaken of existing cooperation agreements, memoranda of understanding, procedures for cooperation, etc. in the following areas

- a) intra-agency cooperation (i.e. procedures in place to promote cooperation and exchange of information and resources within a single ministry or agency);
- b) inter-agency cooperation (i.e. procedures in place to promote cooperation and exchange of information and resources between different ministries or agencies of the same government); and
- c) cross-border cooperation (i.e. procedures in place to promote cooperation and exchange of information and resources with border agencies of a neighbouring State, including bilateral, sub-regional, regional and international cooperation agreements).

Any shortcomings uncovered by the review should be addressed in accordance with the remainder of this clause.

10.2 Working-level cooperation

Communication and trust are essential to effective law enforcement cooperation in the field of border controls. A “know your counterpart” strategy should be followed. Border officials should know and have direct, regular contact with their counterparts of equivalent rank in

- a) other domestic agencies with responsibility for border controls;

- b) other domestic agencies with responsibility for border control-related matters (e.g. the Ministry responsible for preventing human trafficking); and
- c) equivalent agencies on the other side of the border.

This can be achieved by a number of means, including by organizing regular meetings (e.g. formal coordination meetings, informal lunch meetings, social events, etc.).

10.3 National and international databases

10.3.1 General

All State agencies operating at the border should have access to a common, centralized and regularly updated database containing information on persons, natural and legal, involved in cross-border trafficking, including in small arms and light weapons.

10.3.2 INTERPOL

INTERPOL's Global Police Communication System (I-24/7) and the databases to which it provides access, including the Stolen and Lost Firearms System (SLARM), shall be used wherever possible (i.e. if a State is a member of INTERPOL).

The INTERPOL National Central Bureau should extend access to I-24/7 to agencies operating at the border, e.g. border police, customs and immigration (see Clause 5).

10.3.3 World Customs Organization

Customs authorities should use and contribute to the World Customs Organization (WCO) Customs Enforcement Network (CEN) (see Clause 6.3).

10.4 Inter-agency cooperation within countries

10.4.1 Legal basis

Agencies within a government that are responsible for border controls (e.g. customs, immigration, border guards, etc.) or for matters that have a border control dimension (e.g. human trafficking), shall be empowered by law to cooperate with one another (e.g. through exchange of information, joint operations, etc.). Such cooperation shall be included within the mandates of the relevant agencies.

10.4.2 Memoranda of understanding

Such agencies, whether they are in the same ministry or in different ministries, should have memoranda of understanding among them that allow for full cooperation and exchange of information and resources.

The provisions of such memoranda of understanding should be integrated into the standard operating procedures used by individual border control agencies.

10.4.3 Operation manual

A common operation manual setting out government-wide procedures to be used in the collection and sharing of information should be used by all government agencies responsible for border controls. The manual should include standard operating procedures on the deterrence, detection, seizure and storage of illicit small arms and light weapons, as well as on recording, reporting and tracing such seizures, in accordance with ISACS 05.30, *Marking and recordkeeping*, ISACS 05.31, *Tracing illicit small arms and light weapons*, and ISACS 05.20, *Stockpile management: Weapons*.

10.4.4 Levels of cooperation

Inter-agency cooperation on border controls should take place at capital level, at regional headquarter level and at field-office level. At all of these levels, and including the specific goal of preventing illicit cross-border movements of small arms and light weapons, agencies within a government that are responsible for border controls should

- a) employ a common risk assessment methodology;
- b) exchange information on a regular basis; and
- c) undertake joint training and operations.

10.5 Cross-border cooperation

10.5.1 General

Neighbouring States should provide each other with mutual assistance on issues related to border controls and should cooperate with one another through their customs, immigration and border police administrations with a view to

- a) detecting and preventing illicit cross-border movements of small arms and light weapons; and
- b) apprehending and prosecuting those involved in the planning and execution of cross-border trafficking in small arms and light weapons.

10.5.2 Legal basis

In order to provide a legal basis for cross-border cooperation, neighbouring States should sign and ratify formal, bilateral or regional agreements on the prevention of cross-border crime in order to overcome differences in their respective legal, institutional and administrative systems.

10.5.3 Coordination

States should appoint in their customs, immigration and border police authorities a central unit for operational cooperation with counterpart agencies in other countries, composed of staff with a variety of skills and experience. Such units should

- a) act as central points of contact for receiving requests for assistance and cooperation from customs, immigration and police authorities in neighbouring and other countries; and
- b) coordinate the provision of such assistance and cooperation.

Such units may also combine cross-border cooperation with inter-agency cooperation by including, under one roof, police, customs and immigration officials.

10.5.4 Liaison

Neighbouring States may make agreements between themselves for the exchange of customs, immigration and police liaison officers, for limited or unlimited periods, to be based at the central unit for operational coordination.

10.5.5 Requests for assistance and cooperation

10.5.5.1 General

The requested authority (or the competent authority to whom the latter has forwarded the request) should

- a) proceed as though it were acting on its own account or at the request of another authority within its own government; and
- b) extend assistance to all circumstances of the infringement, which have any recognisable bearing upon the subject of the request for assistance without this requiring any additional request.

10.5.5.2 Content of requests

Requests for mutual assistance in the context of preventing illicit cross-border movements of small arms or light weapons should be made in writing and should include

- a) the identity of the authority making the request;
- b) the measure requested;
- c) the object of, and the reason for, the request;
- d) the laws, rules and other legal provisions involved;
- e) indications (as exact and comprehensive as possible) on the natural or legal persons being the target of the investigations; and
- f) a summary of the relevant facts.

10.5.5.3 Responses to requests

At the request of the applicant authority, the requested authority should communicate to it all information that may enable it to deter, detect, intercept and prosecute illicit cross-border movements of small arms and light weapons.

The requested authority should, at the request of the applicant authority, carry out, or arrange to have carried out, appropriate enquiries concerning operations that constitute, or appear to the applicant authority to constitute, infringements related to the illicit cross-border movement of small arms or light weapons.

10.5.6 Hot pursuit

Customs officials or border police officers of one of State pursuing in their country an individual observed in the act of committing an extraditable offence should be authorised, according to mutual agreement, to continue pursuit across the border and into the territory of the neighbouring State without specific prior authorisation where, given the particular urgency of the situation,

- a) it is not possible to notify the competent authorities of the neighbouring State prior to entry into that territory; or
- b) the authorities of the neighbouring State are unable to reach the scene in time to take over the pursuit.

The pursuing officers shall, no later than when they cross the border, contact the competent authorities of the State in whose territory the pursuit is to take place. The pursuit shall cease as soon as the State on whose territory it is taking place so requests.

Neighbouring States should establish a formal legal basis for hot pursuit through mutual agreement, e.g. in the form of a treaty, memorandum of understanding, etc.

10.5.7 Cross-border observation

Customs officials or border police officers of one State who are keeping under observation in their country persons whom they suspect of being involved in illicit cross-border activity (including trafficking

in small arms or light weapons), should be authorised to continue their observation on the territory of the neighbouring State, where the latter has authorised cross-border observation in response to a request for assistance that has previously been submitted (see Clause 10.5.5). Conditions may be attached to the authorisation.

10.5.8 Controlled deliveries

At the request of a neighbouring or other State, States should permit controlled deliveries to be made on its territory within the framework of criminal investigations into extraditable offences.

10.5.9 Joint investigations

By mutual agreement, the authorities of several States may set up joint investigation teams, comprising officers with relevant specializations, in order to conduct difficult and demanding investigations and/or coordinate joint activities.

The modalities and procedures of such joint investigation teams shall be defined in a memorandum of understanding (or other formal, written agreement) between the States concerned and shall ensure that evidence collected during the course of an investigation is admissible in the courts all States concerned.

10.5.10 Data protection

When information is exchanged, border control agencies shall, in each specific instance, respect requirements for the

- a) protection of personal data; and
- b) secrecy of investigations.

11 Integrated border management

11.1 General

Integrated Border Management (IBM) is the organization and supervision of border agency activities to meet the common challenge of facilitating the movement of legitimate people and goods while maintaining secure borders and meeting national legal requirements. IBM can be divided into two categories:

- a) domestic integration between government agencies within one State or customs union; and
- b) international integration between States (bilaterally, regionally and internationally).

11.2 Political support

Before embarking on the organizational change necessary to develop IBM, there should be political support for its introduction at the highest levels of government (i.e. at the level of President, Prime Minister or equivalent senior government official).

11.3 Delineation of responsibilities

Both the domestic and international integration components of IBM should include a clear delineation of responsibilities, with

- a) goods falling under the responsibility of customs; and
- b) people falling under the responsibility of immigration.

In situations of advanced IBM, the above responsibilities may be integrated into a single government agency responsible for all aspects of border control.

11.4 Domestic integration

11.4.1 General

The domestic integration component of IBM involves horizontal, inter-agency cooperation within a State.

Domestic integration is the first step towards IBM. It should take place before international integration.

11.4.2 Procedure

The mandate for domestic integration, which involves significant re-organization of government bureaucracies, should come from the highest level of government (see Clause 11.2). Once a mandate has been secured, the following is an example of a procedure that may be followed in order to achieve domestic integration:

- a) establishment of a working group, comprising senior officials of affected agencies, to conduct the work;
- b) review by the working group of domestic laws, regulations and administrative procedures in order to determine if any additional authority is needed in order to implement IBM;
- c) nomination of a lead agency to direct the process;
- d) cooperation between agencies in order to
 - 1) compare their mission requirements,
 - 2) locate redundancies, and
 - 3) identify components that contribute little added value in terms of security;
- e) identification of the mission requirements of all border control agencies and their integration into a single set of procedures, processes and data elements that minimize duplication and maximize use of available resources (human, financial and technological);
- f) depending on the political mandate, agencies can either
 - 1) be re-organized into a single, integrated border agency, or
 - 2) reach agreement with one another (e.g. through memoranda of understanding) that reduces overlapping and redundant mandates and more clearly delineates responsibilities.

11.4.3 Single window processing

Submitting information to all agencies separately at border crossing points slows border crossing and increases port of entry traffic congestion. Greater efficiency can be achieved by collecting information at a single location by a single agency, which then shares it with all other relevant bodies.

In its most efficient form, the domestic integration component of IBM may lead to “single window” processing of cross-border shipments of goods (see Figure 1), but effective domestic integration can also begin solely on the basis of improved procedures.

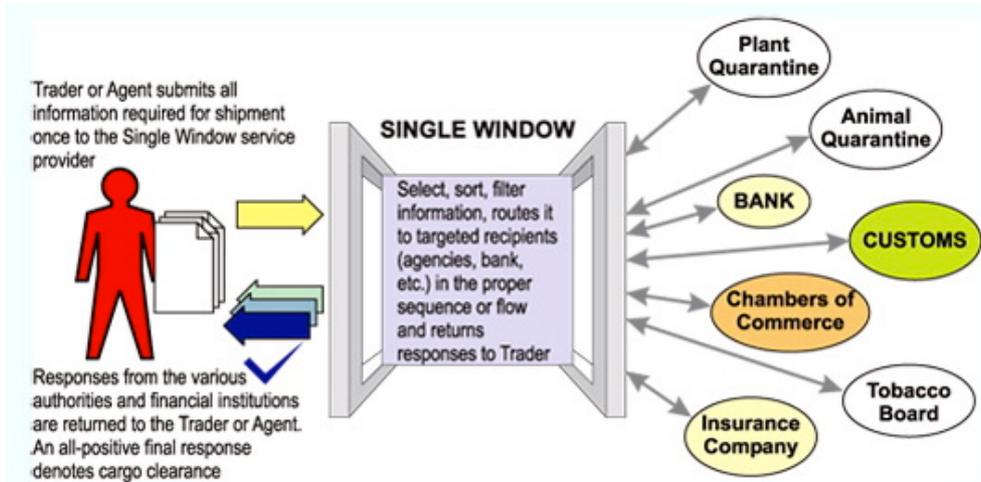
Single window processing allows an importer or exporter to provide all necessary information and documentation one time to a designated host government agency. The host then distributes this

information to all relevant agencies, which apply risk-assessment techniques to determine if the goods should be stopped for inspection or allowed entry on the basis of the certification and other documentation.

Legislation establishing integrated systems such as a single window should specify the maximum and minimum lists of information that can be required by the government agencies.

A similar approach to the domestic integration of goods clearance may also be applied to the cross-border movement of persons.

Figure 1 – Automated Information Transaction System



Source: United Nations Economic Commission for Europe (UNECE)

NOTE 1 Single window processing does not necessarily imply the implementation and use of advanced information and communication technology.

NOTE 2 For further guidance, see, "Recommendation and Guidelines on establishing a Single Window to enhance the efficient exchange of information between trade and government" (Recommendation No. 33). United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT).

11.5 International integration

11.5.1 General

The international integration component of IBM involves cooperation with border control agencies in neighbouring countries in order to align border-crossing facilities and procedures and enable mutual cooperation and assistance in the prevention, detection, investigation and prosecution of illicit cross-border activities.

International integration is the second step towards IBM. It should take place only after domestic integration has been achieved.

11.5.2 Multilateral instruments

International integration is greatly facilitated by the adoption of and adherence to international instruments such as the

- a) International Convention on the Simplification and Harmonization of Customs procedures (Revised Kyoto Convention);
- b) International Convention on the Harmonized Commodity Description and Coding System; and

- c) International Convention on the Harmonization of Frontier Control of Goods.

11.5.3 Procedure

To implement the international integration component of IBM, regional strategies should be negotiated based on specific border management problems and goals.

Action plans should then be developed by individual States that are consistent with neighbouring States' plans.

Twinning projects, in which agencies of a developing/transition State work directly with corresponding agencies of a developed State, can provide valuable support and guidance to the developing/transition State and facilitate greater cooperation between them.

11.5.4 Main elements

To control illicit, cross-border movements of small arms and light weapons between States implementing IBM, standard IBM elements should be employed, e.g.

- a) designated, official contact points or liaison officers for cross-border security issues;
- b) direct radio communication between domestic border agencies at the regional level;
- c) direct lines of communication between border agencies on opposite sides of the border;
- d) early warning procedures that allow for the sharing across borders of new developments requiring immediate counter-measures;
- e) joint contingency exercises, joint planning, regular meetings, and associated training/exercises;
- f) coordination of border patrols in order to exercise surveillance over as much of the border as possible, making maximum use of resources available on both sides of the border;
- g) rapid intervention border guard units authorized to support the neighbouring State on its territory; and
- h) authorization for cross-border hot pursuit (see Clause 10.5.6).

11.5.5 Contiguous and non-contiguous States

While international integration is more likely to occur between contiguous, neighbouring States, it can also occur between more distant, bilateral trading partners. For this occur, domestic integration should first be achieved in each State before other critical elements are harmonized between them, such as the adoption of common testing methods, hours of operation, data element requirements and operating procedures.

11.6 Monitoring and evaluation

The performance and efficiency of an IBM programme may be measured in terms of

- a) cost;
- b) time spent at border crossing points;
- c) volume of legitimate traffic through border crossing points; and
- d) volume of unauthorized traffic through and between border crossing points.

States should establish metrics and collect data on these factors before beginning to implement an IBM programme, in order to establish baseline measurements. Data collected should provide the information necessary to evaluate the efficiency of border management from different perspectives (e.g. from the points of view of traders, transport agents, cross-border workers, border agencies themselves, etc.). An effective way of doing this is to engage various stakeholders in a dialogue, since customer satisfaction is a good measure of the performance and efficiency of border management.

Using these diagnostic tools, a State can estimate the costs and time spent on clearance of goods and persons, as well as the volume of legitimate and unauthorized traffic, before an IBM programme is implemented. As IBM is being implemented, the same tools can be used to evaluate performance in reducing time, costs and unauthorized traffic and in increasing the volume of legitimate traffic.

NOTE The World Customs Organisation provides tools for conducting such measurements that are available to all WCO Member States.

12 Training and technical assistance

States in a position to do so should provide assistance, upon request, to other States in deterring, detecting, intercepting and prosecuting illicit cross-border movements of small arms and light weapons, e.g. by

- a) building the capacity of border agencies to
 - 1) effectively equip and manage border crossing points,
 - 2) conduct border surveillance, and
 - 3) conduct small arms and light weapons-related risk assessments;
- b) supporting cross-border cooperation initiatives aimed at preventing illicit movements of small arms and light weapons and strengthening border security;
- c) supporting the operational and technical requirements of States in the area of border management, including in the acquisition of communications equipment, vehicles, detection and scanning equipment, etc.

NOTE The World Customs Organization has established Regional Offices for Capacity Building that aim to build customs capacity.

Bibliography

United Nations

1. UN. *Small Arms: Report of the Secretary-General*. UN Document S/2011/255. New York: United Nations, 2011.
2. UN. *Report of the Lebanon Independent Border Assessment Team (LIBAT)*. S/2007/382. New York: United Nations, 2007.

International Organizations

3. OECD. *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*. Paris: Organization for Economic Cooperation and Development, Development Assistance Committee, 2007.
4. WCO. *International Convention on Mutual Administrative Assistance in Customs Matters*. Brussels: World Customs Organization, 2003.
5. WORLD BANK. *Integrated Border Management*. Global Facilitation Partnership for Transportation and Trade Explanatory Note. Washington D.C.: The World Bank Group, 2005.

Regional Organizations

6. COUNCIL OF EUROPE. *Cross Border Cooperation in the Combating of Organized Crime*. Best Practice Survey No. 5, PC-S-CO (2003) 2 E (provisional). Strasbourg: Council of Europe, 2003.
7. EU. *Guideline for Integrated Border Management in EC External Cooperation*. Brussels: European Commission, EuropeAid Cooperation Office, 2009.
8. EU/IOM, *Establishment of Integrated Border Management Model at the Southern Borders of Azerbaijan*. TACIS/2005/109-609. Brussels and Geneva: European Union and the International Organization for Migration, 2008.
9. OSCE. *OSCE Border Security and Management Concept*. Vienna: Organisation for Security and Co-operation in Europe, Ministerial Council, 6 December 2005.
10. SEESAC. RMDS/G 05.70 (Guideline), *Cross Border Control*. Fourth edition. Belgrade: South Eastern and Eastern Europe Clearinghouse for the control of Small Arms and Light Weapons, 2006.

Other Sources

11. BROMLEY, M. et al. *The Control of Air Transportation of Small Arms and Light Weapons and Munitions: A Comparative Study of National Systems Utilised in the European Union*. Study no EPMES 2008/012. International Security Information Service (ISIS) Europe, Stockholm International Peace Research Institute (SIPRI) and the University of Bradford – Centre for International Cooperation and Security (CICS), 2009.
12. GOVERNMENT OF CANADA et al. *Report on the OAS Symposium on Border Management, a dialogue on cross-border cooperation and border integrity*. Vancouver, BC: September 2004

13. GAVRILIS, G. *Beyond the Border Management Programme for Central Asia (BOMCA)*. EU Central Asia Monitoring (EUCAM) Policy Brief No. 11, November 2009.
14. GRIFFITHS, H. and BROMLEY, M. *Air Transportation and Destabilizing Commodity Flows*. SIPRI Policy Paper 24. Stockholm: Stockholm International Peace Research Institute, May 2009.
15. HILLS, A. *Border Control Services and Security Sector Reform*. Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF), July 2002.
16. MARKS, J. *Border in Name Only: Arms Trafficking and Armed Groups at the DRC-Sudan Border*. Geneva: Small Arms Survey, 2007.
17. NELSON, R. et al. *Border Security in a time of transformation*. Washington D.C.: Centre for Strategic and International Studies, 2010.
18. NIEMENKARI, A. *EU Schengen Requirements for National Border Security Systems*. Geneva: Geneva Centre for the Democratic Control of Armed Forces, March 2002.
19. SAVOLAINEN, J. et al. *Benchmarking Border Management in the Western Balkans Region*. Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2004.
20. SENIORA, J. and POITEVIN, C. *Managing Land Borders and the Trafficking of Small Arms and Light Weapons*. Brussels: Groupe de Recherche et d'Information sur la Paix et la Sécurité (GRIP), 2010.
21. WALSH, K. et al. *Post-Conflict Borders and UN Peace Operations*. Stimson Center Report No. 62. Washington D.C.: Henry L. Stimson Center, 2007.



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