Views of the Government of the Republic of Indonesia pursuant to the UNGA Resolution 74/60 on the illicit trade in small arms and light weapons in all its aspects

1. As an archipelagic state, the smuggling and illicit trafficking of small arms and light weapons (SALW) have posed threats to Indonesia’s territorial integrity and sovereignty. In the last few years, there are some cases in which non-state actors took the advantage of those illegal activities to serve their political purposes by fostering separatist movements and promoting criminal activities. Hence, the illicit circulation of SALW is no longer tenable, and in fact, would be detrimental to our national security and stability.

2. Indonesia has taken actions to tackling the threats and challenges posed by illicit trade and smuggling of SALW by strengthening bilateral as well as regional-level coordination. By conducting joint investigation and cooperation with authorities from the neighboring countries, Indonesia continues to address this important issue.

3. In order to fully implement its commitment to the UN Programme of Action (UN PoA), potential areas of international cooperation that can be pursued, among others, are (i) training for law enforcement officers and security forces in border security; (ii) record-keeping and stockpile management; (iii) capacity-building in marking and tracing; (iv) raising the public awareness through workshops/seminars (v) disseminating information related to aspects of illicit trade of SALW in the media, (vi) joint-operation with neighboring countries, (vii) disposal of confiscated weapons and (viii) information sharing through the Interpol system.

4. In implementing the UN PoA to prevent, combat, and eradicate illicit trade of SALW and its all aspects, there are in place two categories of regulations, namely regulation on the use and possession of SALW by the military/police and regulation that cover the possession and use of firearms by civilians. In order to combat the illicit trade and trafficking of SALW, the Government of Indonesia acknowledges that a comprehensive legislation is required. There is also a need to promote and to strengthen cooperation among bordering countries, taking into account that one individual country cannot combat the illicit trade of SALW on its own.

5. In general, the legislation framework on SALW management in Indonesia, for military and/or non-military purposes, are:

   ➢ Law Number 8 year 1948 regarding registration and licensing of small arms;
   ➢ Emergency law No. 12 year 1951;
   ➢ Government Regulation In lieu for law No. 20 year 1960 regarding licensing authority in small arms;

6. The criminalization aspect on illegal acts on illicit SALW is clearly stipulated in Article 1 Emergency Law No. 12 year 1951 that those who are involved in any activities of facilitating, procuring, transferring, stockpiling/keeping illicit firearms and ammunition will face imprisonment or a maximum of death sentence.

7. The licensing authorities, in general, lies under 2 institutions depending on the purpose of the SALW according to Law No. 8 year 1948 article 5 and 9. For military purpose/grade, the licensing authority is the Ministry of Defense (MOD). While for non-military grade and civilian purpose, such as for sports and personal defense purposes, the licensing authority is the Indonesia National Police (INP). Both institutions are also responsible for the issuance of End User Certificate (EUC) accordingly.
8. With these arrangements, MOD as well as INP implement its own technical regulation with regard ammunition management. They are:
   - Minister for Defense Regulation No. 7 year 2010 mainly to guide the usage military standard arms outside MOD and Army;
   - Head of National Police Regulation No. 11 year 2017 Regarding Licensing, Supervision and Controlling Non-Military Firearms for Security/Policing Function;
   - Head of National Police Regulation No. 8 year 2012 regarding Supervision and Control of Small Arms for Sports;

9. Regarding the sub-regional cooperation on SALW management, Indonesia highlights the need for intensifying joint efforts to prevent, combating and eradicating illicit trade of ammunition by involving various cross-country and inter-agency stakeholders. The exploration of possible International cooperation in tackling such issues and ensuring the full and effective implementation of UNPoA should be designed under the common view of respecting national sovereignty as well as prioritizing the demand-driven challenges faced by each country.

10. Additionally, each state needs to take advantage of regional and sub-regional initiatives in developing and sharing best practices and standards forum as a sound basis to strengthen national capacity needed to accelerate the realization of full and effective implementation UNPoA against, among others, the Illicit traffic in SALW. We consider the importance of arranging adequate, effective and sustainable international capacity building assistance to developing countries as a compelling requirement in assuring the PoA remain workable.

11. Moreover, Indonesia is of the view that strengthening coordination and facilitation of End User Certificates (EUC) issuance procedure is of importance to mitigate the risk of diversion or stockpile leakage that can be used by ill-motivated actors. This has become a priority for export and import in ammunition trade activates as Indonesia is currently among the exporting countries in the region. A proper and transparent EUC process that involved the seller and buyer can significantly improves accountability of the SALW transfer, stockpile and usage. This particular aim can only be achieved if onsite verification process prior the issuance of EUC can be properly facilitated by the importing countries.