

# ILLCIT TRAFFICKING AND ILLEGAL GUNS

*“We had a really good system beforehand, a means of checking that unlicensed persons or criminals weren’t legally acquiring firearms. Now we have something close to what they have in the States.”*

— Ontario Chief Firearms Officer Supt. Chris Wyatt

## *Ignoring our International Obligations*

Once viewed as a driving force behind international efforts to combat the illegal gun trade, in recent years, Canada has backtracked on the commitments it made in important global treaties and agreements.

With the passage of Bill C-19 in 2012, Canada introduced significant gaps in its ability to meet its international obligations under four international treaties it has signed, this despite internal memos warning the Bill would violate international commitments.

Meanwhile, noting that the illegal trade in small arms is closely connected to terrorism, transnational organized crime, drug trafficking and many other

illegal activities across the globe, as well as its role in fueling conflicts, the UN Security Council passed

*Resolution 2117 on September 26, 2013.*

Since 2006, a member of the gun lobby has been the sole representative of civil society on Canadian delegations to international conferences on arms control, including last year’s UN Arms Trade Treaty’s negotiations and at the UN Transnational Organized Crime Conference.

Canada’s influence in multilateral small arms forums will continue to weaken, as state partners conclude that our support for international action on firearms trafficking has been discarded.

**Canada is one of the only countries in the world that is moving backwards;** the government is weakening its controls on firearms while other countries are introducing stronger laws to improve safety and combat criminal trafficking of firearms.

The recent changes to gun control have also put the country in breach of its commitments under several international agreements

## **Creating Loopholes** ...

Despite warnings from police that many of the changes to our guns laws over the past year would make illegal trafficking easier to do and harder to prosecute, the government pressed ahead with many significant changes.

Taken together, these changes have created significant loopholes that risk facilitating illegal gun sales and trafficking. Organized crime, terrorists and criminals take the easiest route to obtain their guns, and it’s only a matter of time before these weaknesses in Canadian law are exploited.

regarding crime gun trafficking, and Canada has as of yet refused to take a position on the Arms Trade Treaty scheduled to come into force on December 24, 2014 with 121 countries as signatories and 53 ratifications

**Legal changes in Bill C-42:** The delay on the implementation of regulations to comply with Canada’s international commitment to regulate and require marking

Illegal guns begin as legal guns. Without strong controls on legal firearms, we cannot prevent diversion to illegal markets. Without information about who owns firearms legally, and the firearms they own, we cannot charge individuals with illegal possession. We need strong laws controlling firearms."

- RCMP Assistant Commissioner Ian Atkins

## Gun Trafficking Facts

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- Most of the handguns used in crime in Canada **were purchased in American states with loose gun laws and trafficked north**. Toronto and Calgary police estimate that these **guns account for 70% of handguns recovered from crime scenes** in their jurisdictions.
- Though crimes with handguns and handgun homicides remain steady, **border services seized just 460 firearms in 2009 — less than half of the 1099 seized in 2004**.
- **Most guns seized at the border were not intended for crime** but rather belonged to American visitors wanting to bring their personal guns with them when crossing the border.
- The Toronto Star reported that in 2009, **border services in Ontario seized just 9 guns they believed were headed for the criminal market**. That year, Toronto police seized 861 crime guns in the city, at least 70% of which were smuggled in from the U.S.

## Weakened Controls

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An internal federal government memo warned that **ending the long-gun registry** could fuel illegal firearms trafficking across the Canadian border and that the move would weaken import controls by eliminating a requirement for border officials to verify firearms coming into the country. The government further **removed the obligation for sellers of rifles and shotguns to verify a buyer's licence before a sale**.

While the Canadian government has **forbidden provinces from requiring dealers to keep records of sales**, even the US government requires this of their licensed gun dealers. A key tool to detect trafficking, it is analysis of these records that allowed the US Bureau of Alcohol, Tobacco, Firearms and Explosives to estimate that 1.2% of US dealers were the source for 57% of crime guns.

**The government destroyed the data on 5.6 million rifles and shotguns** (outside Quebec) in spite of pleas by police, making it next to impossible for stolen guns or guns recovered in crime to be traced back to their owners. It also **eliminated gun show regulations and postponed UN marking regulations** that are required by international treaties to stop illicit trafficking.

Founded in the wake of the Montreal massacre, the Coalition for Gun Control is the only national non-profit organization working to reduce gun injury, death and crime in Canada. We are endorsed by more than 300 crime and injury prevention, policing, health, child safety, victims' rights, grassroots and community organizations. These include: the Canadian Association of Chiefs of Police, Canadian Public Health Association, the Canadian Association of Emergency Physicians, the YWCA of Canada, just to name a few.

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