

MONITORING THE IMPLEMENTATION  
OF SMALL ARMS CONTROLS (MISAC)

Small Arms Control in  
**Uruguay**

## Uruguay

### Introduction

Until recently, laws regulating the procurement and legalization of firearms were very lax in Uruguay and did not require more than showing a personal identity card. In the 1990s, due to growing activity of the Brazilian landless movement, landowners in southern Brazil began to amass personal arsenals with weapons purchased in Uruguay, evading stricter controls in their home country. Currently, it is estimated that there are 522,000 legally registered firearms in the country of a population of three million.

During the past decade, armed violence has increased in Uruguay, mainly in the capital city of Montevideo, but on a much smaller scale than in Brazil and Argentina. However, the increase in firearms related violence sparked a response from public officials and the media, which led to a significant reform with the passage of a new, more stringent law (in reality an executive decree) in August 2002. Although Uruguayan civil society has been slow to respond to the SALW problem, the implementation of a national campaign for national disarmament shows there is growing awareness. Recent studies have shown that only 22 percent of firearms deaths in Uruguay are homicides while 49 percent are suicides.<sup>1</sup>

### Participation in International SALW Control Mechanisms

Uruguay ratified CIFTA in July 2001 and is in the process of adopting the CICAD Model Regulations. The government has not established an official point of contact for the implementation of the UN PoA nor has it signed the UN Firearms Protocol. Uruguay participates in the MERCOSUR working group on firearms issues.

### SALW Control

The responsibility for SALW control in Uruguay is divided between the ministries of Interior and Defence. The former is responsible for control over users while the latter is in charge of controlling the weapons. The National Arms Register (RNA) falls under the responsibility of the Arms and Related Material Service (SMA) of the MoD. The RNA is the sole register for firearms in the country, including weapons for private and personal use as well as weapons used by the military and police.

Conversely, the Ministry of Interior is in charge of registration and authorisation of arms holders. In order to register a new firearm, or legalise a previously unregistered weapon, the individual must obtain an 'Authorisation for the Acquisition and Possession of Firearms (THATA), which is essentially a possession license.

### SALW Import/Export Legislation

Uruguay does not produce SALW or ammunition. While it is theoretically possible for an armoury or collector to re-export used SALW this is not a recorded practice.

The SMA regulates all SALW imports. Importers must register with the SMA and apply for an import permit for each shipment. The majority of firearms imports are handled through distributors that in turn supply local dealers and private security companies. Some the

larger armouries and security firms import their own weapons. Collectors may also import weapons, but must register each one individually.

Imports by government entities are also controlled by SMA, particularly imports by the ministries of Interior and of Livestock and Fisheries. An exception, is the MoD, which has its own logistics department to control its SALW imports. In theory, the SMA registers all armaments that enter the country, but there may be several loopholes. Apparently, the interior ministry has imported firearms for the police on several occasions without notifying the SMA.

### Domestic SALW Control Legislation

The regulation set forth in the 2002 executive decree for obtaining a THATA had the intention of enacting stricter control over individual firearms possession. In order to obtain a THATA one needs to present the following documentation:

- Proof of employment or regular income;
- Certificate of lack of criminal record;
- Psychophysical fitness certificate issued by a professional authorised by the Ministry of Health; and
- Certificate of aptitude in handling firearms.

The aptitude certificate is obtained after taking a course in a military or police training centre, although there are several private training centres authorised by the MoD. The total cost of obtaining a THATA, including the course and medical exam, is approximately USD 25 and can take up to one month to complete.

Once the THATA is obtained, an individual must register any weapons purchased with the SMA. It is compulsory to physically present the weapon for inspection and registration. Once it is properly registered the permit is valid for ten years.

The THATA only authorises civilian possession. Licenses for carrying and collection are separate procedures. Generally, carrying licenses are given to employees of private security companies. Both licenses are most costly and difficult to obtain than the simple THATA. Collectors are allowed to possess a variety of arms prohibited from the general public. Collectors are also authorised to sell SALW in small quantities and import weapons with SMA approval. There are approximately 1,100 collectors registered in Uruguay.<sup>2</sup>

### Civil Society

Uruguayan civil society has been less active on SALW issues than in neighbouring countries though several have carried out related activities. The NGO Mujer Ahora has researched the role that firearms play in domestic violence and found that 38 percent of homicides in Uruguay are committed within the family.<sup>3</sup> In another study, the Federation of Evangelical Churches found a relationship between arms possession and high suicide rates, 44 per cent of the suicides committed in the country involved firearms.<sup>4</sup>

The most robust civil society activity in Uruguay has been the development of a national public information campaign entitled 'You have a gun, you have a problem' led by a private sector group called the Association Pro Civilian Disarmament (ALUDEC). The main focus of the campaign is to raise awareness of the population of the risks of keeping weapons in the home. In response to this campaign the association of arms dealers has announced it will launch its own counter campaign.

## Recommendations

The SALW problem in Uruguay is one of the least severe in all of Latin America, but represents a growing problem. At the same time, the Government of Uruguay can take several actions to help support multilateral action:

- Form a national SALW commission that interfaces with efforts at the UN, OAS and MERCOSUR levels;
- Sign and ratify the UN Firearms Protocol; and
- Reform legislation to further clarify the types of weapons civilians and collectors may possess.

## Endnotes

1. Figures for 2000 and 2001 from Uruguayan Ministry of Health.
2. Interview with Uruguayan congresswoman, Daisy Tourné, member of the public security commission, Buenos Aires, June 2003.
3. Figures based on information provided by the Uruguayan Ministry of Interior for the year 2001.
4. Research generated using raw data from the Ministry of Health for the year 1999.