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Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition**Consolidated recommendations of the Working Group on Firearms****Note by the Secretariat****I. Introduction**

1. In its resolution 5/4, entitled “Illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided to establish an open-ended intergovernmental working group on firearms to advise and assist the Conference in the implementation of its mandate with regard to the Firearms Protocol.
2. In resolution 6/2, the Conference of the Parties to the Organized Crime Convention decided that the Working Group on Firearms shall hold at least one intersessional meeting.
3. In its resolution 7/1 on strengthening the implementation of the Organized Crime Convention and its Protocols, the Conference decided, inter alia, that the Working Group on Firearms would be a constant element of the Conference of the Parties, forwarding its reports and recommendations to the Conference.
4. The Working Group on Firearms, at its fourth meeting, held in Vienna on 18 and 19 May 2016, recommended that the Conference may wish to consider the recommendations adopted by the Working Group to date, to be collated by the Secretariat and grouped into clusters corresponding to the themes of the Protocol,

* CTOC/COP/2016/1.



and indicated that such work should be conducted within existing resources and be presented to the Conference as a conference room paper.¹

5. The present note was prepared by the Secretariat in fulfilment of the mandate of the Working Group, for consideration by the Conference.

II. General Recommendations

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

6. The Conference may wish to invite States parties to adopt an integrated approach to preventing and combating cross-border criminality and trafficking flows, in particular related to firearms, their parts and components and ammunition, and to share good practices and results.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

7. The Conference may wish to encourage States to continue to implement the recommendations adopted by the Working Group at its first meeting, which were reaffirmed by the Group at its second meeting.

8. The Conference may wish to encourage States to endorse the recommendations adopted by the Working Group and to take note of the fruitful exchange of information concerning good practices and experiences, including contributions from Member States and other relevant stakeholders facilitated in the Working Group.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

9. The Conference may wish to invite Member States to request that resources be provided for the activities described in the present report and to ensure the fulfilment of the UNODC mandate on the Firearms Protocol, including the implementation of relevant resolutions of the Conference of the Parties.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

10. The Conference may wish to acknowledge the fruitful exchanges of information, good practices and experiences that have taken place at meetings of the Working Group, and recall the relevant recommendations adopted by the Working Group at its first, second, third and fourth meetings.

¹ Report on the meeting of the Working Group on Firearms held in Vienna on 18 and 19 May 2016 (CTOC/COP/WG.6/2016/3).

11. The Conference may wish to consider the recommendations adopted by the Working Group to date, to be collated by the Secretariat and grouped into clusters corresponding to the themes of the Protocol. The work should be conducted within existing resources and be presented to the Conference as a conference room paper.
12. The Conference may wish to request the United Nations Office on Drugs and Crime (UNODC) to promote and facilitate the sharing and dissemination of the recommendations and support their follow-up by States parties and practitioners through technical and legislative assistance, upon request, information-sharing and the exchange of good practices at the regional and international levels.
13. The Conference may wish to consider urging Member States to adopt integrated and comprehensive approaches to address the root causes of illicit trafficking in and manufacturing of firearms.
14. The Conference may wish to emphasize the importance of Member States' political will and commitment to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Moreover, the Conference may wish to urge Member States to fully implement the measures required to counter those offences in line with international and regional instruments to which they are a party.
15. When considering measures to help governments achieve Sustainable Development Goal 16 and its targets 16.1 and 16.4, and to improve data collection and research in the area of firearms trafficking, the Conference may wish to invite States parties to ensure the effective implementation of articles 6, 7, 8 and 12 of the Firearms Protocol, given the importance of appropriate marking, tracing and record-keeping as a source of key data necessary to effectively trace firearms for the purpose of identifying and investigating illicit trafficking.

III. Recommendations in the area of Promoting Universal Adherence to and Implementation of the Firearms Protocol

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

16. The Conference may wish to welcome the increased rate of ratifications of and accessions to the Firearms Protocol and should call upon States that have not yet done so to consider becoming parties to the Firearms Protocol.
17. The Conference should urge States parties to adopt national and regional integrated approaches for the implementation of the Firearms Protocol, taking into account, where possible, economic and social factors having an impact upon firearms-related crime.
18. UNODC should consider promoting greater awareness and knowledge of the Firearms Protocol among national stakeholders, including Governments, the private sector and civil society, through its network of field offices and through its country, regional and thematic programmes.
19. UNODC should develop and disseminate, in all official languages of the United Nations, a ratification kit illustrating the features of the Firearms Protocol,

including information on the relationship between the Firearms Protocol and other regional instruments and global frameworks, to support and facilitate the ratification process.²

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

20. The Conference may wish to welcome the increased rate of ratifications of and accessions to the Firearms Protocol and should call upon States that have not yet done so to consider becoming parties to the Firearms Protocol.

21. The Conference may wish to acknowledge the work carried out by the UNODC Global Firearms Programme to raise knowledge and awareness of the Firearms Protocol, and to request UNODC to continue to make efforts to promote and facilitate ratification and implementation of the Protocol, especially in regions with low ratification rates.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

22. The Conference may wish to welcome the increased rate of ratifications of and accessions to the Firearms Protocol and call upon States that have not yet done so to consider becoming parties to the Firearms Protocol.

23. The Conference may wish to acknowledge the importance of the Firearms Protocol as one of the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

24. The Conference may wish to recall the Sustainable Development Goals, particularly target 16.4, which, inter alia, calls for a significant reduction by 2030 of illicit arms flows and for combating all forms of organized crime, and, when planning the work of the Working Group, may wish to consider taking into account the contribution made, through the application of the Firearms Protocol, towards meeting Goal 16.

25. The Conference may wish to invite States parties to consider how the effective implementation of the Firearms Protocol can contribute to their efforts to implement the 2030 Agenda for Sustainable Development, in particular its Goal 16 and targets 16.1 and 16.4.

² A ratification kit was developed and published in October 2012: UNODC, 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 (New York, 31 May 2001) — Ratification Kit, https://www.unodc.org/documents/organized-crime/Firearms/12-56168_Firearm_booklet_ebook.pdf [Last consultation 21/09/2016].

26. The Conference may wish to welcome the number of accessions to the Firearms Protocol and acknowledge its importance in addressing the criminal justice response to the illicit manufacturing of and trafficking in firearms.

27. The Conference may wish to take note of other international legal instruments, such as the Arms Trade Treaty, which provides a framework for its States parties to regulate the licit trade in arms, as well as political commitments such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, which aim to prevent and combat the illicit manufacturing of and trafficking in firearms, and to reduce the risk of their theft and diversion.

28. The Conference may wish to reiterate its call upon States that have not yet done so, to consider becoming parties to the Firearms Protocol, and invite States parties to implement the Protocol in its entirety.

29. The Conference may wish to invite States parties to provide UNODC with updated information on the status of the implementation of the Firearms Protocol and on competent national authorities and focal points responsible for the application of the Firearms Protocol and for international cooperation in criminal matters.

IV. Recommendations in the area of Strengthening National Legislation on Firearms

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna from 21 to 22 May 2012

30. The Conference should call upon States parties that have not yet done so to adopt national legislation on firearms in a manner consistent with the Firearms Protocol and to consider making use of the United Nations Office on Drugs and Crime (UNODC) Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition in this respect.

31. The Conference may wish to invite States parties to revise and adapt their national legislation in a manner consistent with the Firearms Protocol and to exchange information at the bilateral, subregional, regional and international levels on national approaches to the use of definitions and nomenclature in the area of firearms.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

32. The Conference should call upon States parties that have not yet done so to review and strengthen their national legislation, consistent with the Firearms Protocol, inter alia through adequate criminalization provisions and appropriate sanctions, commensurate with the nature and gravity of the offence.

33. The Conference may wish to encourage States parties to review their national legislation to ensure its adequacy in the light of new and emerging trends and technologies for firearms manufacturing or trafficking.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

34. The Conference may wish to urge States parties that have not yet done so to review and strengthen their national legislation, consistent with the Firearms Protocol and other relevant instruments, and to fully implement the Protocol, with a view to effectively preventing and combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

D. Adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

35. Aware of the importance of adopting adequate legislative firearms control frameworks and recognizing that effective national controls over firearms, their parts and components and ammunition are essential to prevent and combat their illicit manufacturing and trafficking, the Conference may wish to urge States that have not yet done so to review, as appropriate, and strengthen their national legislation and adopt action plans to fully implement the Protocol, and to consider introducing adequate criminalization provisions and ensure the appropriate regulation of e-commerce and the international online sale and purchase of firearms, their parts and components and ammunition, with a view to reducing the risk of illicit trafficking.

36. The Conference may wish to invite States parties to consult with their national experts to identify gaps in the legislative framework in order to ensure that their national law satisfies the requirements of the Protocol on points such as import and export licensing, marking, tracing and record-keeping. In that regard, the Conference may wish to emphasize that the use of the *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto* can be a valuable resource.

V. Recommendations in the area of Preventive Measures

Manufacturing of Firearms

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

37. The Conference may wish to urge States parties to ensure that production of firearms, including handcrafted firearms, their parts and components and ammunition is in accordance with the proper licensing, authorization and marking requirements, including through the use of appropriate criminalization provisions.

Marking, Record-Keeping and Tracing of Firearms

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

38. The Conference should urge States parties that have not yet done so to implement the marking of firearms, in accordance with article 8 of the Firearms Protocol, including, where appropriate, their essential elements, for the purpose of identifying and tracing each firearm.

39. The Conference should urge States parties to implement the requirement in the Firearms Protocol of applying appropriate simple marking on each imported firearm so as to identify the country of import and, where possible, the year of import and, if required, to seek technical advice in that respect.

40. The Conference should urge States parties to consider ways to facilitate access to relevant equipment and knowledge on modern marking techniques and to share successful measures and experiences with regard to ensuring import markings and better control of firearms at their ports of entry.

41. The Conference should urge States parties to establish or strengthen their record-keeping measures, including the establishment of central registries where appropriate, for the purpose of preventing and detecting illicitly manufactured or trafficked firearms and, where appropriate and feasible, their parts and components and ammunition.

42. The Conference should invite States parties to ensure adequate maintenance of the necessary records, for the purpose of facilitating the traceability of firearms and international cooperation in the investigation and prosecution of criminal offences involving firearms, and to consider keeping their records for an adequate time, in the light of the long life cycle of firearms, of not less than 10 years.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

43. The Conference may wish to encourage States parties to comprehensively trace all firearms that may have been illicitly manufactured or trafficked.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

44. The Conference may wish to urge States parties to strengthen their domestic marking and record-keeping regimes, consistent with the requirements of the Firearms Protocol, for the purpose, inter alia, of identifying and tracing firearms, and where possible their parts and components and ammunition.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

45. The Conference may wish to urge Member States to consider harmonizing their marking criteria in line with international and regional instruments, especially at the regional level, to facilitate the exchange of information and improve tracing.

46. The Conference may wish to invite States to ensure the comprehensive marking of all firearms, including weapons that have been collected, recovered or confiscated and identified for destruction in accordance with articles 6 and 8 of the Firearms Protocol, for the purpose of preventing and reducing the risk of theft, diversion and trafficking. Considering the challenges posed by reactivated firearms, the Conference may also wish to recommend strengthening the marking requirements for those firearms.

47. The Conference may wish to urge States parties to fully implement the marking and record-keeping requirements under the Firearms Protocol, and to establish and maintain record-keeping systems of firearms and, where appropriate and feasible, their parts and components and ammunition, for the purpose of facilitating their traceability and facilitating international cooperation for the detection, investigation and prosecution of criminal offences involving firearms.

48. The Conference may wish to recommend States parties to consider also applying additional markings on firearms, as appropriate, with a view to facilitating the identification and tracing of firearms.

49. The Conference may wish to request the Working Group to consider the experience of Member States that require the marking of items other than firearms that are covered by the Protocol and the marking of firearms beyond the requirements of article 8 of the Firearms Protocol.

50. The Conference may wish to acknowledge the importance of comprehensive inventories and databases of stockpiles, of secure stock management and of effective marking practices to prevent and reduce the risks of theft, diversion and the illicit trafficking of weapons.

51. The Conference may wish to recommend that States parties ensure the effective implementation of articles 6, 7, 8 and 12 of the Firearms Protocol so as to improve the availability of data necessary for a successful firearms trace request, particularly using the unique markings on each weapon (the name of the manufacturer, the country or place of manufacture and the serial number, as required by article 8, paragraph 1 (a)) in order to identify illicit trafficking routes. Furthermore, the Conference may wish to recommend that States parties consider working with the International Criminal Police Organization (INTERPOL), to broaden awareness and use of the INTERPOL Firearms Reference Table, as well as related tools developed by INTERPOL, in our shared efforts to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

52. The Conference may wish to recommend States parties to develop domestic procedures to mark firearms at import, including to identify the country of import and, where possible, the year of import, and ensure a unique marking if the firearm does not bear such a marking, in accordance with article 8, paragraph 1 (b) of the

Protocol; the Conference may further wish to recommend that States parties recognize that the absence of domestic procedures to mark firearms at import, as required by article 8, paragraph 1 (b), can prevent competent authorities from effectively tracing a firearm to its country of origin in order to identify illicit trafficking.

53. The Conference may wish to recommend that States parties encourage the use of stamping when marking firearms, where technically feasible, as that method facilitates recovery of obliterated marks.

54. The Conference may wish to welcome Sustainable Development Goal 16 and invite Member States to consider the proposed indicator 16.4.2 of the Goals' indicator framework. The Conference may wish to stress that States parties should make effective use of the capability to trace firearms by following up on seizures through criminal investigations to effectively reduce illicit arms flows.

55. The Conference may wish to encourage States parties to use existing firearms tracing systems, including electronic tracing programmes such as the Internet-based firearms tracing and analysis system called eTrace, to expedite tracing submissions and results and generate more timely investigative leads for law enforcement officials who combat illicit trafficking.

56. The Conference should urge Member States to respond in a timely and effective manner to international cooperation requests relating to tracing and criminal investigations into illicit trafficking.

General Requirements for Export, Import, and Transit Licensing or Authorization Systems

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

57. The Conference may wish to urge States parties that have not yet done so to implement an effective system of export and import licensing or authorization, as well as measures on transit and on the transfer of firearms, their parts and components and ammunition.

58. The Conference may wish to urge States parties to ensure the securing of licensing and authorization of firearms by adopting biometric or magnetic licences in order to combat counterfeit documents.

59. The Conference may wish to invite States parties to conduct regular risk assessments of possible points on land, at sea and in the air from which firearms may be diverted during the import, export and transit process, including trans-shipment.

60. The Conference may wish to invite States parties, with a view to increasing the effectiveness of import, export and transfer controls, to consider possibilities for increased exchange of information on tracing diversions at the national, regional and international levels and to allow access to this information, in an appropriate format, to export licensing authorities in order to prevent diversion.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

61. The Conference may wish to encourage States parties to establish and strengthen their national system of export and import licensing or authorization over firearms, their parts and components and ammunition, in accordance with the Firearms Protocol, with a view to preventing the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

C. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

62. The Conference may wish to invite Member States that export parts and components of firearms to reinforce their control measures in line with the Firearms Protocol with a view to preventing and reducing the risks of their diversion, illicit manufacturing and trafficking.

VI. Recommendations in the area of Confiscation, Seizure, and Disposal of Firearms

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

63. The Conference may wish to urge States parties to adopt measures and standard procedures within their domestic legal systems for the identification, seizure, confiscation and destruction of illicitly manufactured and trafficked firearms, their parts and components and ammunition, including appropriate record-keeping of seized, confiscated, destroyed or deactivated firearms.

VII. Recommendations in the area of Criminalization, Criminal Investigation and Prosecution

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

64. The Conference should urge States parties that have not yet done so to review and strengthen their criminal legislation and to establish as criminal offences the acts covered by the Firearms Protocol, including by introducing sanctions commensurate with the nature and gravity of the offence.

65. The Conference should call upon States parties to strengthen the capacity of all relevant Government and state authorities, including law enforcement, customs, prosecution and judiciary authorities, to effectively detect, prevent and combat firearms-related offences.

66. The Conference should encourage States parties to ensure the full implementation of firearms legislation by, inter alia, placing priority on the investigation, prosecution and adjudication of firearms-related criminal cases.

67. The Conference may wish to urge States parties to identify and share good practices with regard to the investigation and prosecution of firearms-related offences and links to organized crime.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

68. The Conference may wish to urge States parties to consider the use of available tools, including those for marking and record-keeping, to facilitate the tracing and investigation of firearms trafficking.

69. The Conference may wish to encourage the use of forensic and ballistic tools to promote cooperation among States in international firearms trafficking investigations.

70. The Conference may wish to urge States parties to develop and provide training programmes to build capacities for relevant government authorities, including law enforcement, customs, prosecution and judicial authorities, on firearms trafficking investigations and related matters.

C. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

71. The Conference may wish to encourage States that use ballistic imaging systems to use the information on ammunition obtained with such systems for the purpose of supporting criminal investigations relating to firearms.

72. The Conference may wish to urge States to strengthen their criminal investigation capacities and to consider conducting systematic concurrent investigations pursuant to the Convention and the Firearms Protocol into possible illicit firearms trafficking and related financial crimes, and to ensure the seizure and confiscation of all illicit assets and proceeds of crimes, including firearms and the instrumentalities of crimes, that are held by criminal groups and networks involved in illicit firearms trafficking and related crimes.

VIII. Recommendations in the area of Exchange of Information and Good Practices, including International Cooperation in Criminal Matters

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

73. The Conference may wish to urge States parties to exchange relevant information, including tracing information, that would enable them to prevent,

combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

74. The Conference may wish to urge States parties to create mechanisms for the exchange of information on the registration of firearms and databases on seizures of firearms, as well as the exchange of information on trends and emerging modalities of organized crime related to trafficking in firearms, their parts and components and ammunition.

75. The Conference may wish to encourage States to reinforce cooperation at the bilateral, subregional, regional and international levels to prevent and combat transregional trafficking in firearms, their parts and components and ammunition, and other forms of trafficking, including through mutual legal assistance and extradition.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

76. The Conference may wish to encourage States parties to promote the regular exchange of experiences on different methods and tools to combat the illicit trafficking in firearms, their parts and components and ammunition, including marking in accordance with the Firearms Protocol.

77. The Conference may wish to encourage Member States to share information on the terms and concepts they use in relation to firearms, their parts and components and ammunition, with a view to establishing equivalent terminology and facilitating the tracing of firearms.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

78. The Conference may wish to encourage Member States to make use of future meetings of the Working Group to share and exchange information on firearms trafficking trends acknowledging, inter alia, the findings of the UNODC study on firearms, and consider good practices, lessons learned, experiences, successes and challenges in the collection and analysis of such data and in preventing and combating these crimes, with a view to enhancing cooperation and coordination in the fight against illicit firearms trafficking and related crimes.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

79. The Conference may wish to recommend States to use compatible and secure communication systems for the purpose of international cooperation.

80. The Conference may wish to urge States to reinforce cooperation among each other at the bilateral, subregional, regional and international levels, including in the form of South-South cooperation, to facilitate the tracing of firearms and to prevent and combat the transregional trafficking in firearms and ammunition. The

Conference may also wish to request UNODC to continue to facilitate the exchange of good practices and international cooperation in that field. This can be done, inter alia, by facilitating, as appropriate, dialogue between national practitioners from different institutions in charge of preventing and combating the illicit manufacturing of and trafficking in firearms, and, where appropriate and useful, representatives from academia, private industry and civil society, and by facilitating meetings with a view to promoting and supporting direct contacts and cooperation, and identify and provide technical assistance needs.

81. The Conference may wish to request UNODC to continue to promote and encourage international cooperation in criminal matters, pursuant to the Convention, aimed at investigating and prosecuting the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including when related to terrorism and to other crimes, such as urban crime committed by gangs, through regional and cross-regional workshops, including for countries that are on relevant trafficking routes.

82. The Conference may wish to urge States parties to continue sharing information in line with article 12 of the Protocol.

83. The Conference may wish to urge States to reinforce international law enforcement and legal cooperation between competent authorities relating to illicit firearms trafficking, and may wish to request UNODC to facilitate and support such cooperation, including through regional and cross-regional meetings.

84. The Conference may wish to urge States to consider entering into effective international cooperation arrangements for investigations and prosecutions, including through joint investigative teams, following the positive examples that exist in some countries with regard to fighting against organized crime or terrorism.

IX. Recommendations in the area of Information Gathering, Data Collection and Analysis and Continuation of Firearms Study

A. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

85. The Conference may wish to encourage UNODC to continue its efforts towards completing the global study on firearms and to invite Member States to participate in and to contribute to the global study, as appropriate.³

86. The Conference may wish to invite Member States to continue providing information to UNODC on illicit trafficking in firearms, based on the questionnaires issued for the global study on firearms.

³ The UNODC global study on firearms was published in 2015: UNODC, *UNODC Study on Firearms 2015*, www.unodc.org/documents/firearms-protocol/UNODC_Study_on_Firearms_WEB.pdf [Last consultation 21/09/2016].

87. The Conference may wish to encourage UNODC and States parties to cooperate with all relevant stakeholders, as appropriate, in the gathering of statistical information and analysis related to illicit trafficking in firearms.

B. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

88. The Conference may wish to encourage Member States to use tracing results to conduct in-depth criminal investigations on firearms trafficking, including parallel financial or other investigations where appropriate, to combat this form of crime.

89. The Conference may wish to welcome the UNODC study on firearms, developed pursuant to resolutions 5/4 and 6/2 as an important starting point for further analysis on firearms trafficking, and express its appreciation to the UNODC Global Firearms Programme for the work carried out in developing and disseminating it, in fulfilment of its mandate.

90. The Conference may wish to take note of the positive impact and usefulness that the participation in the study has had in some countries that provided data to UNODC, contributing, inter alia, to enhanced internal coordination and cooperation, standardization of concepts, in-depth analysis of significant seizure incidents, and more effective domestic information on and mapping of firearms trafficking, and decision-making.

91. While noting the difficulties faced in the process of gathering data on illicit firearms trafficking and the reasons for those difficulties, the Conference may wish to request UNODC, in consultation with Member States, to propose ways to overcome them.

92. The Conference may wish to urge Member States to systematically record, trace and analyse periodically the data on seized, confiscated, collected and found firearms suspected of being involved in an illicit activity, with a view to identifying their origin and detecting possible forms of illicit trafficking.

93. The Conference may wish to reiterate the mandate given to UNODC to continue to collect and analyse quantitative and qualitative information and suitably disaggregated data on trafficking in firearms, their parts and components, and ammunition, and consider requesting the Secretariat to produce a biennial study on the dimension, patterns and flows of trafficking at the national and, if appropriate, regional and international levels, in a balanced, reliable and comprehensive manner, in close cooperation and collaboration with Member States, and to share and disseminate its findings, best practices and lessons learned on a regular basis.

94. The Conference may wish to urge Member States to continue to provide to UNODC, and to urge those that have not yet done so to start providing to UNODC, quantitative and qualitative data and information on illicit firearms trafficking, with a view to enhancing the exchange of information between Member States and the

availability of data, and to recommend the participation of States in the initiatives mentioned in recommendation 93 above.⁴

95. The Conference may wish to request UNODC, in close cooperation with Member States and relevant organizations that have a mandate to collect data on illicit firearms trafficking, and taking into account the need to adjust the methodology to reflect the challenges and experiences encountered in the preparation of the first UNODC study on firearms, in close consultation with Member States, to revise and update the seizures questionnaires, where appropriate and if necessary, and to include, where appropriate, additional complementary quantitative and qualitative information from or on different reporting agencies, national legal frameworks, successful cases, including an evaluation of the effectiveness of international cooperation for the purpose of tracing, and, where possible, relevant case law.

96. The Conference may wish to request UNODC to revise and where necessary identify, in close cooperation with Member States and relevant organizations, including the International Criminal Police Organization (INTERPOL), the types of categories of firearms used for the collection of data, including of artisanal types of firearms, in order to facilitate the collection of data on firearms at the international level.

97. In view of the recommendations above, the Conference may wish to invite Member States to continue or start collecting relevant data and information on illicit firearms trafficking and to submit those data on a regular basis to UNODC, as well as to reconfirm or designate a national focal point responsible for the collection and compilation of information on illicit firearms trafficking.

98. The Conference may wish to invite Member States to support more extensive research into the various forms and modi operandi of trafficking in firearms, their parts and components, and ammunition, including legislative analysis and case studies and research on the crime of firearms trafficking, typologies, methodologies, offenders and links to other crimes.

C. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

99. The Conference may wish to encourage Member States to consider the use of available tools, in particular marking and/or record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and components and ammunition. The Conference may also wish to urge States parties to comprehensively and systematically record and trace firearms, and where possible, their parts and components and ammunition, and to make use of existing channels such as the INTERPOL Illicit Arms Records and Tracing Management System (iARMS), among others. The Conference may wish to urge States to periodically analyse the data on seized, confiscated, collected and found firearms, illicitly manufactured or trafficked firearms or firearms suspected of being connected to

⁴ This paragraph refers to recommendation 93 above which originally refers to recommendation 18 as described in the Report on the meeting of the Working Group on Firearms held in Vienna on 9 June 2015 (CTOC/COP/WG.6/2015/3).

illicit activities, with a view to identifying illicit trafficking routes, identifying the origin of the firearms and detecting possible forms of illicit trafficking.

100. The Conference may wish to reiterate the mandate given to UNODC to continue to collect and analyse data on firearms and ammunition trafficking, its dimensions and its patterns, taking into account the *UNODC Study on Firearms 2015* and target 16.4 of the Sustainable Development Goals.

101. The Conference may wish to encourage efforts to improve the methodology of the *UNODC Study on Firearms 2015* through extrabudgetary voluntary contributions to improve national capacities in collecting, researching and analysing trafficking in firearms based on data derived from firearms markings, and to ensure the complementarity of methodologies for data collection to enhance Member States' capacities to exchange information on that form of crime.

102. The Conference may wish to urge Member States to continue to provide to UNODC, and to urge those that have not yet done so to start providing to UNODC, quantitative and qualitative data on illicit firearms trafficking, with a view to enhancing the exchange of information between Member States and the availability of data.

X. Recommendations in the area of Technical Assistance and Capacity-Building and the work of UNODC

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

103. UNODC should provide to States, on request, pre-ratification support and legislative assistance to enable them to ratify the Firearms Protocol. UNODC should provide such support and assistance through, inter alia, the organization of regional and national pre-ratification workshops, with the aims of addressing challenges to ratification that may be encountered and promoting universal adherence to the Firearms Protocol.

104. UNODC should publish and disseminate the Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition in all the official languages of the United Nations, as a tool to facilitate the delivery of legislative assistance.⁵

105. Within the framework of its technical assistance programme, UNODC should support the process of identifying country-specific technical assistance needs and should play a central role in delivering such assistance and facilitating the provision of available resources.

106. UNODC should continue to assist requesting States in assessing and strengthening national legislation, including through gap analysis and regional comparative analysis, with a view to promoting legislative harmonization.

⁵ UNODC published a second edition of the Model Law in June 2014: UNODC, Model Law against the illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition — Second revised edition, https://www.unodc.org/documents/firearms-protocol/14-08330_Firearms_revised_ebook.pdf [Last consultation 21/09/2016].

107. UNODC should develop guidance on the proper application of the marking requirements under the Firearms Protocol, with a particular emphasis on import marking, with a view to identifying good practices and possibilities for accessing technical assistance in that regard.

108. UNODC should intensify its efforts to provide support in response to the growing number of requests for technical assistance in the development and maintenance of systems for keeping comprehensive records on firearms and their transfers, the marking of firearms and the strengthening of import, export and transit controls of firearms, their parts and components and ammunition.

109. UNODC should also provide technical assistance to requesting States to improve border control measures, including customs infrastructure, to prevent and combat cross-border criminality and trafficking flows, in particular in relation to firearms, their parts and components and ammunition.

110. The Conference may wish to welcome the technical assistance activities carried out by UNODC, including the global project on firearms and other initiatives and studies, and may consider requesting UNODC to explore ways and means of expanding such activities to different regions, through both legislative and operational measures regarding the functioning of the Firearms Protocol.

111. The Conference may wish to invite States to make available to UNODC extrabudgetary resources to support the delivery of legislative and technical assistance to States, at their request, as well as to develop relevant technical assistance tools to support the ratification and implementation of the Firearms Protocol.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

112. The Conference may wish to encourage States parties to conduct continuous capacity-building and training activities for law enforcement, judicial and customs authorities on the identification and tracing of firearms.

113. The Conference may wish to encourage States parties to develop or strengthen coordination among relevant and competent national authorities, with a view to enhancing capacities for statistics and data collection, analysis and information-sharing related to illicit firearms trafficking.

114. The Conference may wish to call upon Member States to strengthen the capacities of practitioners to make the best use of available tools to identify and trace firearms, in a manner consistent with the Firearms Protocol.

115. The Conference may wish to recommend that the Secretariat should continue to provide technical assistance and build capacity for the implementation of the Firearms Protocol.

116. The Conference may wish to encourage Member States and other donors to consider providing extrabudgetary resources to UNODC for the provision of technical and legislative assistance to Member States, upon request, to accede to and implement the Firearms Protocol.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

117. The Conference may wish to take note with appreciation of the work carried out by the Global Firearms Programme in supporting the ratification and implementation of the Firearms Protocol, and request UNODC to continue to assist requesting States through its programme, especially in the areas of legislative assistance; capacity building and technical support; international cooperation; and research and analysis.

118. The Conference may wish to invite Member States to develop or strengthen their internal capacity for the collection and analysis of data on illicit firearms trafficking, *inter alia* by promoting enhanced coordination among relevant competent authorities, and to provide training to law enforcement personnel on the identification, recording and reporting of seizures of firearms, their parts and components, and ammunition and on producing relevant statistics on seizures at the national level.

119. The Conference may wish to acknowledge the technical assistance provided to some Member States by UNODC and other technical assistance providers.

120. The Conference may wish to recommend UNODC to conduct awareness-raising and training activities, within the existing mandate and subject to the availability of resources, to enhance knowledge and encourage greater participation of Member States in the collection and sharing of data on the illicit trafficking of firearms, taking into account the challenges faced in the development of the study on firearms, with a view to better identifying technical assistance needs of Member States.

121. The Conference may wish to call upon UNODC, Member States and donors to continue to provide financial support and technical assistance to assist Member States, upon request, in the enhancement of their capacity to collect and report information on seizures related to illicit trafficking in firearms, including in related areas such as associated offences, identity of traffickers and relevant case law, as well as good practices in the prevention and combat of illicit trafficking, with a view to supporting national, regional and international gathering and analysis of data on illicit trafficking in firearms.

122. The Conference may wish to request UNODC to continue to assist Member States, upon request, through its Global Firearms Programme, in their efforts to strengthen their firearms control regime, consistent with the Firearms Protocol, in particular in the areas of legislative development; firearms identification, seizure, confiscation and disposal; technical support for marking, record-keeping, and tracing; and training and capacity-building in the investigation and prosecution of related crimes, with a view to preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components, and ammunition.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

123. The Conference may wish to stress the importance of reviewing the implementation of the Firearms Protocol as a means to identify technical assistance needs.

124. Taking into account the *UNODC Study on Firearms 2015*, the Conference may wish to recommend that strengthening the capacities for data collection and analysis, including by establishing databases on seized and/or confiscated weapons, be considered a priority and request UNODC to provide technical assistance to requesting States in order to achieve target 16.4 of the Sustainable Development Goals by helping them to identify, investigate and combat the illicit trafficking in firearms.

125. The Conference may wish to invite Member States to develop or strengthen their national capacity for the collection and analysis of data on illicit firearms trafficking, also as a contribution to the implementation of target 16.4 of the 2030 Agenda for Sustainable Development, and for measuring the progress in enforcing the control system that will enable national authorities in the fight against illicit firearms trafficking.

126. The Conference may wish to invite Member States to provide extrabudgetary resources to support the provision of technical and legislative assistance, including the collection and analysis of data on firearms, in line with the Protocol.

127. The Conference may wish to encourage States parties to conduct continuous capacity-building and training activities for law enforcement, judicial and customs authorities on the identification and tracing of firearms, their parts and components and ammunition, where feasible, and to make use of existing tools for the identification and tracing of firearms.

128. The Conference may wish to recommend that States parties consider the important role of prosecutors and judges in combating illicit firearms trafficking, and in that context should provide specialized training for such professionals as well.

129. The Conference may wish to urge States parties to consider the important role of customs authorities in the context of sharing information, detecting suspicious cargo, and enforcing national laws related to illicit firearms trafficking, and to consider providing or requesting technical assistance to strengthen the capacity of national customs authorities in those areas, consistent with articles 11 and 14 of the Protocol.

130. The Conference may wish to emphasize the need for States to enhance the capacity-building and training of all criminal justice practitioners on international legal instruments and the incorporation of those instruments into the domestic legal regime of beneficiary countries with a view to raising the awareness of and knowledge about those instruments among those practitioners.

131. Emphasizing the importance of enhancing training and capacity-building in investigating and combating organized crime and firearms trafficking and the need to foster the exchange of good practices among practitioners, the Conference may

wish to invite UNODC and other assistance providers to consider involving relevant subject-matter experts from the region or other countries in such training activities with a view to fostering direct exchanges and cooperation among practitioners at the operational level as well.

132. The Conference may wish to request UNODC and other partners to enhance capacity-building and technical assistance to requesting States on border control, including through appropriate equipment, to detect and combat the illicit trafficking in firearms, their parts and components and ammunition.

133. The Conference may wish to invite Member States and UNODC to strengthen national capacity for the collection and analysis of data by promoting enhanced coordination among competent authorities.

134. The Conference may wish to recommend that States and assistance providers consider developing and delivering training courses using modern information technology, such as e-learning programmes, with a view to maximizing resources and reaching a broader audience that includes practitioners at the various operational levels.

135. The Conference may wish to reiterate its request to UNODC to continue to provide technical assistance through its Global Firearms Programme, in particular to support the implementation of the recommendations of the Working Group, and may wish to encourage those Member States in a position to do so to make available extrabudgetary resources to enable UNODC to implement its mandate to assist requesting countries.

136. The Conference may wish to recommend that States parties consider providing or requesting specialized training for national law enforcement and regulatory officials on marking, tracing, and record-keeping in line with articles 6, 7, 8 and 12 of the Protocol, emphasizing that such efforts are critical to the effective tracing and identification of illicitly trafficked firearms and providing training, including training on new technology, to law enforcement personnel on the identification of firearms and the recording and reporting of firearms seizures.

137. The Conference may wish to recommend that States parties consider providing each other with technical assistance, especially practical hands-on training, in line with article 14 of the Protocol, and that they also consider sharing information regarding their technical assistance efforts and needs.

138. The Conference may wish to recommend that Member States consider engaging with relevant international, regional and subregional organizations that provide technical assistance to counter trafficking in firearms and their parts and components, including the Organization of American States, the Regional Centre on Small Arms in Nairobi, the regional centres of the United Nations Office for Disarmament Affairs (United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean; United Nations Regional Centre for Peace, Disarmament and Development in Africa; and United Nations Regional Centre for Peace, Disarmament and Development in Asia and the Pacific), the Caribbean Community and the Organization for Security and Cooperation in Europe, and relevant networks such as the Network of West African Central Authorities and Prosecutors.

139. The Conference may wish to recommend that States parties providing and receiving technical assistance in accordance with article 14 of the Protocol consider the sustainability of their initiatives as a key factor in planning and delivering such assistance.

XI. Recommendations in the area of Cooperation and Coordination with Other Entities

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

140. The Conference may wish to request UNODC to continue coordination and cooperation with relevant international and regional organizations, including the International Criminal Police Organization (INTERPOL) and the World Customs Organization, so as to promote the ratification and implementation of the Firearms Protocol and to improve the delivery of technical assistance.

141. The Conference may wish to request UNODC to enhance coordination with relevant entities in the United Nations system, including the Office for Disarmament Affairs of the Secretariat, taking into account their mandates and comparative advantages, for the purposes of promoting a harmonized approach among complementary instruments and initiatives, including the Firearms Protocol and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

142. The Conference may wish to request UNODC to facilitate cooperation and coordination within the United Nations system on issues related to organized crime and trafficking in firearms, including, where appropriate, through the United Nations system task force on transnational organized crime and drug trafficking.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

143. The Conference may wish to request UNODC and to encourage States parties to cooperate with all relevant stakeholders in the field of awareness-raising related to the illicit manufacturing of and trafficking in firearms, in particular with the private sector, academia, civil society and the media.

144. The Conference may wish to call upon States parties to continue seeking the cooperation of licensed manufacturers in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including in view of the deliberations of the Working Group.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

145. The Conference may wish to encourage Member States to provide one another the broadest possible cooperation in tracing firearms and in investigating and

prosecuting their illicit manufacturing and trafficking, and to consider making use of existing tracing or cooperation mechanisms, including, as appropriate, the Organized Crime Convention and its Firearms Protocol.

146. The Conference may wish to invite UNODC and other organizations with similar firearms data-collection mandates to explore ways to cooperate and coordinate with each other, with a view to developing synergies between the distinct reporting obligations of Member States and facilitating the production of standardized and comparable data.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

147. The Conference may wish to urge States to strengthen the coordination and cooperation among all their internal institutions involved in the prevention of and the fight against illicit trafficking, applying the good practices adopted by some countries in their fight against terrorism and organized crime.

148. The Conference may wish to recommend that States parties, in line with article 8, paragraph 2, and article 13, paragraph 3 of the Protocol, work to develop and strengthen relationships between competent authorities and manufacturers, dealers, importers, exporters, brokers, and commercial carriers of firearms, their parts and components and ammunition to prevent and detect illicit manufacturing and trafficking.

149. The Conference may wish to consider encouraging greater cooperation between UNODC and other relevant international, regional and subregional organizations, including in the context of meetings of the Working Group on Firearms, and to avoid duplication of efforts.

XII. Other recommendations concerning the Work of the Conference and the Working Group

A. Recommendations adopted by the Working Group at its first meeting, held in Vienna on 21 and 22 May 2012

150. The Working Group encourages States to continue to use the Group to exchange views and comments on the Firearms Protocol, including on challenges to the ratification and implementation of the Protocol, as well as its strengths and good practices and successes in its implementation, with a view to reinforcing cooperation to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

151. The Conference may wish to urge States that are not parties to the Firearms Protocol to present their views and comments on the Firearms Protocol, addressing both its strengths and challenges, with a view to reinforcing cooperation to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and to present such views to any future meeting of the Working Group.

B. Recommendations adopted by the Working Group at its second meeting, held in Vienna from 26 to 28 May 2014

152. The Conference may wish to acknowledge the work of the Working Group and to encourage States to continue using the Group to exchange views and comments with regard to the Firearms Protocol, including on challenges faced in the ratification and implementation of the Protocol, as well as on good practices and successes in its implementation, with a view to reinforcing cooperation to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

153. The Conference may wish to consider options regarding adequate resources and cost-efficiencies to support the work of the Working Group.

154. Recalling Conference resolution 5/4 and taking into consideration articles 32 and 37 of the Convention, the Conference may wish to request States parties and UNODC to continue to promote the full implementation of the Convention and of the Firearms Protocol, with a view to identifying successful practices, weaknesses, gaps and challenges, as well as priority issues and topics of relevance in the fight against trafficking in firearms.

155. The Conference may wish to consider initiating discussions regarding a possible workplan for the future meetings of the Working Group on Firearms.

C. Recommendations adopted by the Working Group at its third meeting, held in Vienna on 9 June 2015

156. The Conference may wish to consider including as a standing item on the agenda of the Working Group the exchange of information on illicit manufacturing of and trafficking in firearms, its trends, routes and patterns, and good practices to prevent and combat those crimes, as well as periodic updates from the Secretariat on the status of the data collected and submitted by Member States on these issues.

157. The Conference may wish to reaffirm the decision made in its resolution 7/1 to make the Working Group on Firearms a constant element of the Conference and, noting the difficulties faced by delegations in bringing experts to attend meetings that last only one day, request that future meetings be held over a period longer than one day.

D. Recommendations adopted by the Working Group at its fourth meeting, held in Vienna on 18 and 19 May 2016

158. The Conference may wish to urge States parties to acknowledge that the Working Group serves as a useful network of experts and competent authorities in order to improve international cooperation, exchange of information and good practices related to illicit firearms trafficking. In that regard, the Conference may further wish to encourage Member States to facilitate, whenever possible, the participation in future meetings of the Working Group on Firearms of national experts and competent authorities, subregional and regional organizations and

relevant non-governmental organizations in line with the rules of procedure of the Conference.

159. The Conference may wish to invite the Working Group to include, at its next meeting, an agenda item for States parties under which to share specific examples of national experiences, best practices and challenges in sending or responding to requests for the tracing of firearms for the purpose of identifying illicit trafficking.

160. The Conference may wish to encourage the Working Group to develop, at its next meeting, a comprehensive multi-year workplan in order to facilitate greater participation of experts and competent authorities by focusing primarily on the exchange of experiences, good practices and lessons learned related to the implementation of specific provisions of the Firearms Protocol. For each relevant agenda item the Conference may wish to urge States to consider available technical materials.

161. The Conference may wish to invite the Working Group on Firearms to exchange experiences on current practices, lessons learned and effective methods for cooperation among competent authorities to prevent and detect illicit firearms trafficking, in accordance with article 13, paragraph 3 of the Protocol, and also to invite the Working Group to facilitate the participation of experts from representatives of the industries identified in article 13, paragraph 3 for enhancing the discussion.

162. The Conference may wish to invite the Working Group to encourage the participation and input of existing regional and subregional networks of experts in and authorities responsible for firearms trafficking in future meetings of the Working Group in order to help to ensure that recommendations established by the Working Group may be informed by and carried forward at the regional and subregional levels.

163. The Conference may wish to invite States parties to provide voluntary contributions to facilitate the participation of experts from developing countries in the meetings of the Working Group.

164. The Conference may wish to invite States parties to set the dates of future Working Group meetings, in consultation with the Secretariat, as far in advance as possible so that States may have sufficient time to plan the participation of their experts in those meetings.

165. The Conference may wish to recommend that the Working Group discuss, at a future meeting, the follow-up to previously adopted recommendations and take those into account before making future recommendations.

166. The Conference may wish to recommend that the Working Group consider, at a future meeting, the gender dimension of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.