

## Resolution 7/2

### **Importance of 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**

*The Conference of the Parties to the United Nations Convention against Transnational Organized Crime,*

*Recalling* the functions assigned to it in article 32 of the United Nations Convention against Transnational Organized Crime,<sup>1</sup> and reaffirming its decision 4/6 of 17 October 2008,

*Expressing its concern* at the increased levels of harm and violence that transnational organized criminal groups generate in some regions of the world as a result of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

*Noting* that reducing the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition is one of the major components of the efforts to reduce the violence that accompanies the activities of transnational organized criminal groups,

*Expressing its conviction* that there is a need to strengthen international cooperation and the sharing of information to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

*Recalling* that the Convention and, in particular, 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,<sup>2</sup> are among the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

*Noting with appreciation* the increasing number of accessions to and ratifications of the Firearms Protocol,

*Noting* the common themes and nature of other instruments with respect to the Convention and its Firearms Protocol, such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects<sup>3</sup> and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,<sup>4</sup> as well as regional legal instruments,

*Noting also* that the Arms Trade Treaty will enter into force on 24 December 2014 as the first international legally binding instrument on the trade in conventional arms,

*Considering* the recent efforts undertaken at both the multilateral and regional levels to strengthen the prevention of and combat the illicit

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<sup>1</sup> Ibid., vol. 2225, No. 39574.

<sup>2</sup> Ibid., vol. 2326, No. 39574.

<sup>3</sup> *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001 (A/CONF.192/15)*, chap. IV, para. 24.

<sup>4</sup> A/60/88 and Corr.2, annex; see also General Assembly decision 60/519.

manufacturing of and trafficking in firearms, their parts and components and ammunition, for the benefit of citizens,

*Recognizing* the work carried out by the Open Working Group of the General Assembly on Sustainable Development Goals in promoting a significant reduction in illicit financial and illicit arms flows,

*Noting with appreciation* the assistance provided by the United Nations Office on Drugs and Crime to States, upon request, through its Global Programme on Firearms,

*Noting* the activities carried out by the United Nations Office on Drugs and Crime regarding awareness-raising on, dissemination of and support for national legislation, aimed at supporting the ratification of the Organized Crime Convention and its Firearms Protocol,

*Noting also* that the Firearms Protocol recognizes verifiable lawful purposes, such as hunting, sport shooting, evaluation, exhibitions or repairs, reaffirming the obligation of States parties to seek support and cooperate to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and acknowledging that this cooperation is facilitated through the recognition of such lawful purposes,

1. *Expresses its appreciation* for the work of the Working Group on Firearms at its second meeting, held in Vienna from 26 to 28 May 2014, and takes note of the recommendations contained in its report;<sup>5</sup>

2. *Invites* States that have not yet done so to consider becoming parties to 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,<sup>6</sup> and to fully implement its provisions;

3. *Urges* States parties to the Firearms Protocol to harmonize their national legislation in a manner consistent with the Protocol, develop action plans to implement the Protocol, provide to the Secretariat full and up-to-date information on their national body or single point of contact and make use of the online directory of competent national authorities designated by States under the Protocol;

4. *Encourages* States parties to use, where appropriate, the tools developed to assist in the implementation of the Firearms Protocol, especially the *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto*<sup>7</sup> and the *Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*,<sup>8</sup> developed in conjunction with the United Nations Office on Drugs and Crime;

5. *Stresses* the importance of States parties adopting adequate legislative frameworks, including appropriate provisions in the fields of criminalization, the broadening of technical capacities and the training of personnel responsible for criminal investigations related to illicit trafficking in firearms and related forms of transnational organized crime;

6. *Encourages* relevant international and regional organizations, the private sector and non-governmental organizations to strengthen their

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<sup>5</sup> CTOC/COP/WG.6/2014/4.

<sup>6</sup> United Nations, *Treaty Series*, vol. 2326, No. 39574.

<sup>7</sup> United Nations publication, Sales No. E.05.V.

<sup>8</sup> *Ibid.*, Sales No. E.11.V.9.

cooperation and work with States parties to the Firearms Protocol in order to achieve the full implementation of the Protocol;

7. *Urges* States parties to promote the exchange of good practices and experiences of practitioners who are involved in combating illicit trafficking in firearms and to consider the use of available tools, including marking and record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and components and ammunition, in order to enhance criminal investigations into illicit trafficking in firearms, in accordance with their capabilities;

8. *Encourages* States parties to comprehensively trace firearms that have been or are suspected of having been connected with illicit manufacturing or trafficking, including through international cooperation;

9. *Invites* States parties to promote the regular exchange of experiences with different methods and materials used in craft manufacturing, such as home-made firearms, and with tools to combat illicit trafficking in firearms, their parts and components and ammunition;

10. *Encourages* 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 trafficking in firearms;

11. *Invites* States parties to begin or to continue capacity-building and training activities for law enforcement, judicial and customs authorities on the identification and tracing of firearms;

12. *Takes note with appreciation* of the study of the transnational nature of and routes used in trafficking in firearms carried out by the United Nations Office on Drugs and Crime in accordance with the mandate given in Conference resolutions 5/4 of 22 October 2010 and 6/2 of 19 October 2012, and requests the Office to finalize and disseminate the study;

13. *Requests* the United Nations Office on Drugs and Crime, through its Global Programme on Firearms, to continue to assist requesting States in their efforts to ratify or accede to and implement the Firearms Protocol;

14. *Also requests* the United Nations Office on Drugs and Crime to continue gathering information from States parties on illicit trafficking in firearms on a regular basis, and directs the Working Group on Firearms to consider the outcomes of the study, with a view to making recommendations to the Conference, at its eighth session, on the future of the study, including, but not limited to, whether the study should be repeated and/or updated and improved upon;

15. *Encourages* States parties and other Member States, on a voluntary basis, including through the Working Group on Firearms, to present their views and comments on the implementation of the Firearms Protocol, including those relating to factors that may impede accession, ratification or implementation, as well as on good practices and the progress made in implementing the Protocol, with a view to achieving closer cooperation on preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

16. *Decides* that the Working Group should continue to perform the functions set forth in Conference resolution 5/4 and that it should hold at least one intersessional meeting prior to the eighth session of the Conference;

17. *Requests* the Working Group to continue advising and assisting the Conference in the fulfilment of its mandate with regard to the Firearms Protocol in accordance with that resolution, and invites the Working Group to consider practical proposals for implementing the recommendations formulated at its meeting held from 26 to 28 May 2014;

18. *Requests* the Secretariat to inform the Working Group about (a) the activities of the United Nations Office on Drugs and Crime to assist the Conference in promoting and supporting the implementation of the Firearms Protocol, (b) coordination with other relevant international and regional organizations, (c) best practices in the areas of training and capacity-building and (d) awareness-raising strategies to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

19. *Also requests* the Secretariat to support the Working Group in the performance of its functions;

20. *Invites* States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

21. *Decides* that the Secretariat shall provide to the Conference at its eighth session a report on the meeting of the Working Group to be held prior to the eighth session of the Conference.