



# Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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## Working Group on Firearms

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Item 3 of the provisional agenda\*

**Contribution of the Firearms Protocol in  
supporting the achievement of target 16.4 of the  
Sustainable Development Goals and in measuring  
the progress in enforcing control systems to enable  
States to effectively counter illicit trafficking in  
firearms**

## **Contribution of the Firearms Protocol in supporting the achievement of target 16.4 of the Sustainable Development Goals and activities of the United Nations Office on Drugs and Crime to promote its ratification and implementation**

**Background paper prepared by the Secretariat**

### **I. Introduction**

1. In its resolution 8/3, entitled “Strengthening the implementation 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 requested the Working Group on Firearms to consider at its future meetings its contribution to the achievement of target 16.4 of the Sustainable Development Goals, as well as towards measuring the progress in enforcing the control system that will enable national authorities in the fight against illicit firearms trafficking. In the same resolution, the Conference also requested the Secretariat, inter alia, to inform the Working Group on Firearms about the activities of the United Nations Office on Drugs and Crime (UNODC) to assist the Conference in promoting and supporting the implementation of the Firearms Protocol, and coordination with other relevant international and regional organizations.

2. Furthermore, in its resolution 8/3, the Conference welcomed the commitment made by Member States in the 2030 Agenda for Sustainable Development and noted that reducing 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, and recalled that the United Nations Convention against Transnational Organized Crime and, in particular, the Protocol against the Illicit Manufacturing of

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\* CTOC/COP/WG.6/2017/1.



and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the Organized Crime Convention, are among the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

3. In addition, in the same resolution, the Conference requested UNODC to continue to collect and analyse, on a regular basis, quantitative and qualitative information and suitably disaggregated data on trafficking on firearms, their parts and components and ammunition, taking into consideration the usefulness of the *UNODC Study on Firearms 2015* as a starting point for further analysis and taking into account target 16.4 of the Sustainable Development Goals, as well as to continue to share and disseminate its findings on best practices, the dimensions and characteristics of such trafficking, and lessons learned. The Conference also requested UNODC to continue in its efforts to improve the methodology of the *UNODC Study on Firearms 2015*.

4. In this context, the Conference also called upon States parties to develop or strengthen their national capacity for the collection and analysis of data on illicit firearms trafficking, and 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.

5. In its resolution 8/3, the Conference also noted with appreciation the assistance provided by UNODC to States, upon request, through its Global Programme on Firearms, and requested that it continue to assist requesting States in their efforts to ratify, accept, approve of or accede to and implement the Firearms Protocol.

6. The present paper was prepared by the Secretariat for the consideration of the Working Group during its deliberation of item 3 of the provisional agenda and to inform of the activities of UNODC in promoting and supporting the ratification and implementation of the Firearms Protocol. The present report covers the intersessional period between the last Working Group meeting held on 18 and 19 May 2016, to April 2017.

## **II. Contribution of the Firearms Protocol and the Working Group on Firearms in supporting the achievement of target 16.4 of the Sustainable Development Goals**

7. Combating organized crime and reducing illicit arms flows constitute important cross-cutting steps for achieving the Sustainable Development Goals and are addressed in Goal 16 on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels. Target 16.4 of the Sustainable Development Goals specifically calls on States to “significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime”. This target is particularly relevant as it acknowledges the fact that organized crime is a major obstacle to sustainable development and focuses on two specific and significant illicit activities, which most organized criminal groups incur in — namely illicit financial flows and illicit arms flows — to measure the real progress made in the fight against organized crime.

8. The illicit flow of firearms and other conventional arms and their illicit trafficking, in particular, sustains conflict, exacerbates violence, contributes to the displacement of civilians, undermines respect for international humanitarian law and impedes the provision of humanitarian assistance to victims of armed conflict. Illicit trafficking in firearms is also intrinsically linked to various forms of organized crime as well as other crimes including terrorism, as firearms serve as a facilitator

of violent crimes, as a tool for criminal groups to exercise and maintain power, and as lucrative trafficking commodities that fuel armed conflicts, crime and insecurity. Illicit firearms trafficking has social, economic and humanitarian consequences and a direct and negative impact on development, safety and security. Thus, reducing illicit firearms trafficking will have a positive influence on Member States' potential to achieve all 17 Sustainable Development Goals.

### **A. Links to other goals and targets**

9. Target 16.4 of the Sustainable Development Goals is linked to target 16.1, which calls upon the international community to “significantly reduce all forms of violence and related death rates everywhere”. This includes, among others, all forms of armed violence, both conflict-related and associated to criminal activities. The achievement of target 16.4 is also closely linked to other goals, such as Goal 17 on the revitalization of the global partnership for sustainable development, including through south-south cooperation, in areas such as technology and capacity-building, as well as Goal 9 on building resilient infrastructure, promote sustainable industrialization and foster innovation. Target 9.8 calls for, among other things, the significant increase of access to information and communications technology. The enhancement of the technological development of States is crucial to enhancing the establishment of centralized registries and effective tracing mechanisms and constitutes an important vehicle that helps to foster international cooperation.

10. In addition, measures taken to achieve target 16.4 create unique opportunities to foster the attainment of other Goals, including Goal 4 on quality education for all learners, allowing them to acquire knowledge and skills needed to promote sustainable development, inter alia, through promotion of a culture of peace and non-violence (target 4.7), as well as several targets of Goal 5 on fostering gender equality.

### **B. Measures of the Firearms Protocol in support of target 16.4 of the Sustainable Development Goals**

11. “Illicit arms flows” as referred to in target 16.4 of the Sustainable Development Goals is not clearly defined at the international level. The terms “illicit flow” can refer to the illicit domestic and international circulation of arms, and can originate at different stages of the life cycle of an arm, including the illicit manufacture of arms and the diversion of legally produced arms.

12. As highlighted in previous reports of the Secretariat,<sup>1</sup> in order to effectively prevent and combat the illicit manufacturing of and trafficking in firearms (their parts and components and ammunition), and thus achieve target 16.4, a wide-ranging control regime is needed. States must ensure: (a) adequate legislative and regulatory frameworks including the criminalization of illicit manufacturing of and trafficking in firearms as serious crimes, and measures to enable their seizure and confiscation; (b) establishment and maintenance of national registries of all firearms; (c) proper marking of all produced and imported firearms for their unique identification; (d) a system of recording and tracing firearms, suspected to have been illicitly trafficked, to identify the point of diversion from legal to illegal ownership and use; (e) effective international cooperation and sharing of information in firearms tracing, to support criminal investigation and prosecution of illicit trafficking and related crimes; and (f) regular collection and analysis of quantitative and qualitative data and information on firearms trafficking, and their sharing and analysis at the international level, to identify trafficking routes, patterns

<sup>1</sup> See the background paper prepared by the Secretariat on measures to prevent and reduce illicit trafficking in firearms, improve regional and international cooperation and related technical assistance activities (CTOC/COP/WG.6/2016/2).

and trends, and to monitor progress in international and national efforts to prevent and combat illicit trafficking and related forms of organized crime.

13. The Organized Crime Convention and the Firearms Protocol provide multiple measures to implement such a regime and to support the achievement of target 16.4. The relevant measures relate predominantly to (a) prevention measures and the firearms regulatory framework and (b) the effectiveness of a criminal justice response to cases of illicit firearms trafficking and related offences.

#### **1. Prevention measures and the firearms regulatory framework**

14. Among the first category of measures is the marking and record-keeping of firearms. For the purpose of identifying and tracing each firearm, the Firearms Protocol obliges States parties, in article 8, to mark each firearm individually at the time of manufacture and import as well as the time of transfer of a firearm from government stocks to permanent civilian use. Under article 6, paragraph 2 and article 9 (c), marking of firearms is further required or may be considered when disposing of the weapons other than destroying it and when a firearm is deactivated. For the same purpose, article 7 of the Protocol establishes that States parties shall ensure the maintenance of information on firearms, such as their markings and information relating to an international transaction relating to a firearm. This provision also applies to parts and components and firearms ammunition, where appropriate and feasible.

15. The importance of marking and record-keeping together with the establishment and operationalization of a tracing mechanism are essential for the effective tracing of firearms, which constitutes the very basis for identifying and addressing individual cases of illicit firearms trafficking as well as larger trafficking routes, trends and patterns. The establishment and maintenance of an effective arms transfer system constitutes another important measure to prevent illicit firearms trafficking and therefore contributes to achieving target 16.4 of the Sustainable Development Goals. Article 10 of the Firearms Protocol requires States parties to take measures to implement a comprehensive system to control the import, export and transit movement of firearms, their parts and components and ammunition.

16. The transfer control system under the Firearms Protocol underscores the central principle underlying the Protocol that firearms and related items cannot be imported or exported without the awareness and consent of all States involved, and that cases in which these requirements are not met attract criminal investigation, prosecution and punishment. The Protocol provides for an export and import license or authorization system and transit regulations on firearms, their parts and components and ammunition, that is focused on the requirement to obtain a license and/or authorization prior to the transfer from the competent authority and for the concerned States to ensure and communicate their approval of the transfer.<sup>2</sup>

17. Article 15 of the Firearms Protocol also relates to the control of transfers of firearms by encouraging States parties to consider adopting regulations on firearms brokering. Since brokers can often play a pivotal role in arranging shipments of firearms and related items, increasing the transparency associated with the involvement of brokers in such transactions can result in increased information to feed investigations and tracing efforts.<sup>3</sup>

18. Approaches that help to detect, prevent and eliminate the theft, loss or other types of diversion of firearms, their parts and components and ammunition are also important in preventing the diversion of weapons and thereby help to prevent more weapons entering the illicit sphere. Article 11 (a) of the Protocol specifically requires States parties to ensure the security of firearms, their parts and components

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<sup>2</sup> *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto* (United Nations publication, Sales No. E.05.V.2), part four.

<sup>3</sup> *Ibid.*, p. 462.

and ammunition at the time of manufacture, import, export and transit through its territory. Article 11 (b) of the Protocol further underlines the importance of effective import, export and transit controls, including, where appropriate, border controls, and of police and customs transborder cooperation.

19. As the Firearms Protocol is to be interpreted together with the Organized Crime Convention, whose provisions shall apply *mutatis mutandis* to the Protocol, it is important to note additional preventive and regulatory measures provided by the Convention. Article 31 of the Convention proposes preventive measures relating to the development of best practices, periodic analyses of national legal systems for vulnerabilities and loopholes, handling of proceeds of crime, raising public awareness and interacting and cooperating among States parties and relevant international and regional organizations.

20. There are several legally-binding and policy instruments at the international and regional levels that provide additional and sometimes stricter measures that complement the legal framework provided by the Organized Crime Convention and its supplementing Firearms Protocol. In this context, the Protocol provisions on transfer controls and brokering have recently been reinforced by the legally-binding provisions of the Arms Trade Treaty<sup>4</sup> that add important transfer assessment criteria and transfer prohibitions and require States parties to adopt measures for the control of brokering activities. Furthermore, the political framework of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects calls on States to undertake arms collection and destruction campaigns and other measures reducing the amount of weapons proliferation.

## **2. Criminal justice response to cases of illicit firearms trafficking and related offences**

21. Article 5 of the Protocol establishes a series of offences relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Generally, these are intended to ensure that States parties establish a legal framework within which legitimate manufacturing and transfer of firearms can be conducted and which will allow illicit transactions to be identified to facilitate the prosecution and punishment of offenders.<sup>5</sup>

22. The Firearms Protocol refers particularly to the criminalization of intentional illicit manufacturing of and trafficking in firearms, their parts and components and ammunition as well as the act of falsifying or illicitly obliterating, removing or altering the marking(s) on firearms required by article 8 of the Protocol. It is also required to extend the offence to the attempt to commit or participate as an accomplice in the above offences as well as to the act of organizing, directing, aiding, abetting, facilitating or counselling the commission of any of the above offences. It needs to be taken into account that the offences of illicit manufacturing of and trafficking in firearms are a group of related offences which can be derived from the definitions of the terms as per article 3 of the Protocol.

23. Criminalizing the participation in an organized crime group, in line with article 5 of the Convention, represents another essential building block in the achievement of target 16.4, especially with regard to the illicit arms flows committed with the participation or contribution of organized crime groups.<sup>6</sup>

24. Confiscation, seizure and disposal of firearms, their parts and components and ammunition constitute important steps in the criminal justice process as regards the

<sup>4</sup> See General Assembly resolution 67/234 B.

<sup>5</sup> *Legislative Guides*, p. 465.

<sup>6</sup> As per article 34, paragraph 2 of the Organized Crime Convention, the elements of transnationality and of involvement of an “organized criminal group” must not be an element of the offence as established at the national level and must, therefore, not be required as a proof in a domestic prosecution, with the exception that any of the offences expressly requires transnationality as an element of the offence.

availability of evidence and to ensure that the seized items do not fall again in the wrong hands; article 6 of the Firearms Protocol addresses these measures. Although the issues of confiscation and seizure are addressed in the Organized Crime Convention, the dangerousness of firearms, parts, components or ammunition constitutes a fundamental reason for supplementing the process described in the Convention. Seizing or confiscating firearms and related items may require additional security precautions to ensure that they do not fall into the wrong hands before, during or after the seizure and confiscation process. Furthermore, their dangerousness leads to favouring a policy of destroying the items, with other forms of disposal only permissible where additional precautions are taken.<sup>7</sup>

25. The Firearms Protocol and the Organized Crime Convention also request State parties to cooperate on different levels and to share information to ensure effectiveness of the criminal justice process. This relates particularly to cooperation in tracing firearms and sharing information on actors authorized to engage in the manufacture of and trade in firearms, their parts and components and ammunition. It also relates to sharing information on actors and methods used to engage in illicit related activities as well as on legislative experiences and practices and measures to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition (art. 12 of the Firearms Protocol). Article 28 of the Convention further encourages States to analyse and share information on trends in organized crime and organized criminal activities.

26. Furthermore, the Convention and its Firearms Protocol contain specific measures fostering international cooperation at the levels of the police and the judiciary. Those measures include, among others, cooperation in tracing of firearms (art. 12, para. 4 of the Protocol), designation of a focal and liaison point (art. 13, para. 2 of the Protocol and art. 18, para. 13 of the Convention), extradition and mutual legal assistance (arts. 16 and 18 of the Convention) and joint investigations (art. 19 of the Convention).

### **3. Working Group on Firearms and target 16.4**

27. The Working Group on Firearms can contribute to the achievement of the control measures that in turn contribute to achieving target 16.4, particularly by promoting and exchanging information, best practices and lessons learned in implementing the individual measures. The Conference of the Parties, at its eighth session, acknowledged the fruitful discussions held in the Working Group on Firearms and, in its resolution 8/3, underlined its growing role 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.

## **III. Measuring the progress in enforcing control systems to enable States to effectively counter illicit arms trafficking**

28. Monitoring and measuring progress in enforcing control systems that enable States to effectively counter illicit arms trafficking is undertaken at several levels in different forms and with different focus areas. While the generation of data on illicit firearms trafficking generally takes place at the national level, its analysis may take place at the national, regional or international levels.

29. At the national level, States undertake self-assessments for internal purposes to determine the effectiveness of their control measures and to facilitate the identification of weaknesses, gaps and potential technical assistance needs. Such exercises may require enhanced inter-institutional coordination and can, in the long run, contribute to fostering concerted institutional efforts to counter illicit arms flows and combat organized crime. Related information may be shared and communicated to other States on a bilateral basis or through regional and global

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<sup>7</sup> *Legislative Guides*, pp. 453-454.

coordination mechanisms, including, among others, the Working Group on Firearms.

30. A mechanism for the review of the implementation of the Organized Crime Convention and the Protocols thereto would constitute a global review tool in this context. In its resolution 8/2, the Conference decided to continue the process of establishing such a mechanism and further decided to elaborate specific procedures and rules for the functioning of the review mechanism. The mechanism will progressively address all articles of the Convention and the Protocols thereto, including, among others, the provisions of the Firearms Protocol on prevention measures and on strengthening the criminal justice response to firearms trafficking and related offences. The procedures and rules for the functioning of the review mechanism shall have the characteristic of identifying, at the earliest possible stage, difficulties encountered by States parties in the fulfilment of their obligations under the Organized Crime Convention and the Protocols thereto, which will also help States analyse the effectiveness of their implementation efforts.

31. The framework to monitor efforts towards achieving target 16.4 will help to evaluate the effectiveness of measures taken to reduce illicit firearms trafficking and other forms of illicit arms flows. The exact focus of the framework will be determined as negotiations on the refinement of the relevant indicator for target 16.4 proceed. At the time of writing, the refined indicator for target 16.4 refers to the “proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments”. The Statistical Commission has designated UNODC as the custodian agency for such monitoring work, and other agencies to support this effort. As illicit firearms trafficking constitutes a clandestine act, it is hard to detect and to measure it. There is also no baseline on the current amount of illicit arms flows. The proposed indicator does not measure the actual reduction of these illicit flows, but focuses, rather, on the content and effectiveness of Member States’ responses to detected cases of illicit arms trafficking and other types of illicit arms flows. This focus is set under the assumption that increased effective responses to detected cases of illicit arms flows will help to reduce illicit arms flows as such.

32. The Working Group on Firearms can play different roles in advancing the measurement of target 16.4. This may include encouraging and supporting data collection efforts undertaken at the national and global levels as well as continuing to use its political leverage to appeal to Member States, through the decisions taken by the Conference, to participate in those data collection efforts.

#### **IV. Activities of the Global Programme on Firearms to promote and support the ratification and implementation of the Firearms Protocol**

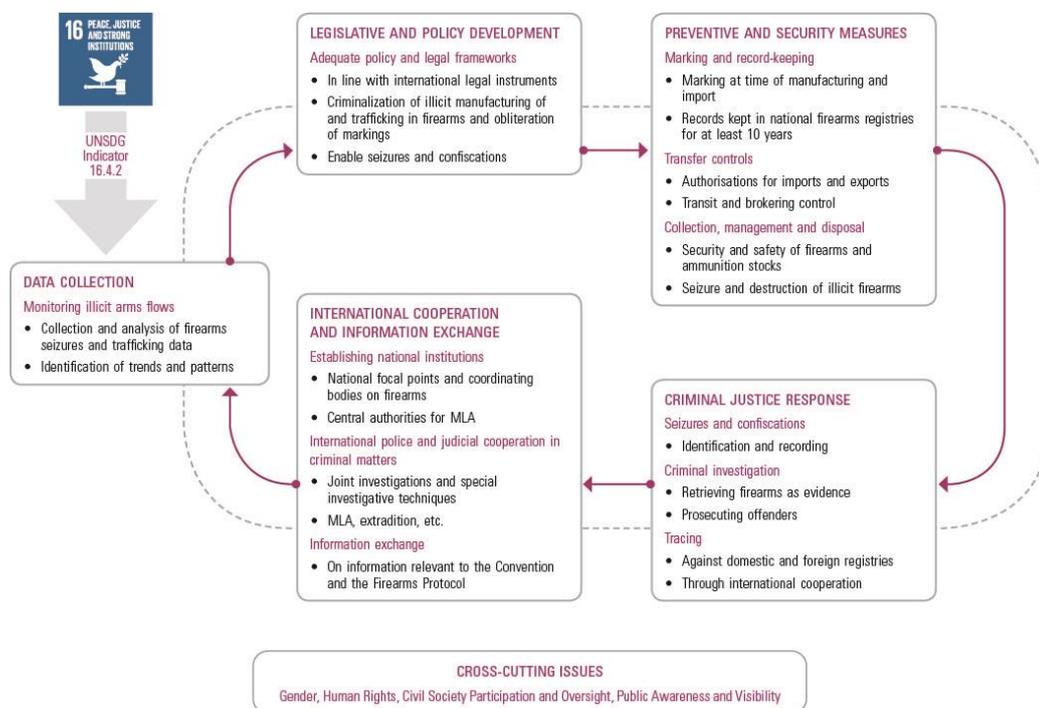
33. During the period under review, UNODC, through the Global Programme on Firearms, has promoted and supported the ratification and implementation of the Firearms Protocol, delivered technical assistance, promoted international cooperation and the exchange of good practices among practitioners, and enhanced national and international data collection, research and analysis on firearms and its illicit trafficking, pursuant to its mandates.

34. The work of the Global Programme on Firearms follows an integrated approach that is based on five pillars: (a) support to intergovernmental processes related to firearms; (b) awareness-raising, legislative assistance and tools development to support ratification and implementation of the Protocol; (c) technical support for implementation of preventive control measures under the Protocol; (d) criminal justice responses and international cooperation for enhanced investigations and prosecutions of firearms related criminality; (e) data collection and analysis on illicit firearms flows. Together, these pillars directly contribute to and support the achievement and monitoring of target 16.4.

35. During the reporting period, UNODC provided assistance to 13 countries from Latin America, West Africa and the Sahel region, as well as from Europe and the Western Balkans, and the Middle East and North Africa, through knowledge and awareness-raising activities and targeted legislative and technical assistance, and reached over 38 countries through specific regional activities.

Figure 1

### Integrated five-pillar approach of the Global Programme on Firearms



## A. Servicing intergovernmental bodies and processes related to firearms

36. In addition to servicing the eighth session of the Conference of the Parties to the Organized Crime Convention, the Global Programme on Firearms participated in the activities described below.

### 1. Participation in and support to the work of other inter-governmental bodies

37. UNODC contributed to and participated in various meetings of international governmental bodies addressing issues linked to firearms trafficking, namely the Second Conference of States Parties of the Arms Trade Treaty, held in Geneva from 22 to 26 August 2016 and the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 6 to 10 June 2016.

38. During the period under review, UNODC also provided input to the upcoming report of the Secretary-General on small arms and light weapons to the Security Council.

## B. Technical assistance

### 1. Status of ratification of the Firearms Protocol

39. Since 2015, the number of parties to the Firearms Protocol has remained stagnant, with the last accession occurring in 2015, as the two figures below illustrate:

Figure 2  
**Ratification rate of the Firearms Protocol, by year**

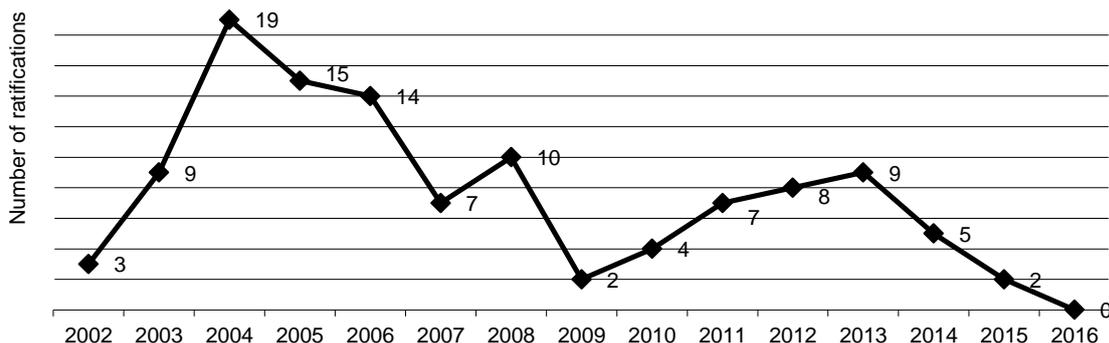
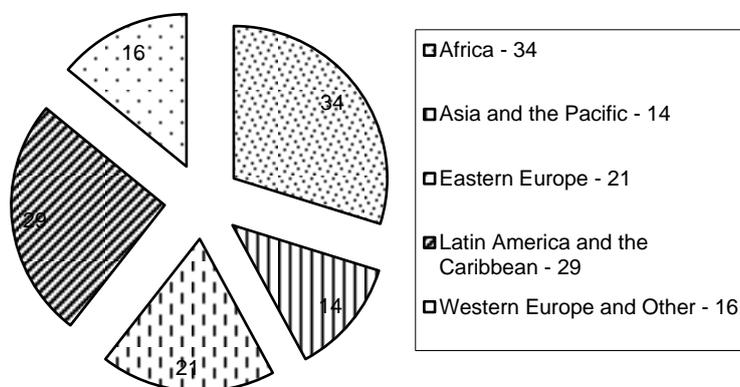


Figure 3  
**Status of ratification of the Firearms Protocol, by region**



40. During the reporting period, UNODC continued to support accession to the Protocol through knowledge and awareness-raising activities and tailored pre-ratification assistance, which was provided to the Plurinational State of Bolivia, Chad and Niger, among others.

#### Priority areas for further action

41. In order to continue promoting knowledge on and ratification of the Firearms Protocol, UNODC intends to raise greater awareness of the Protocol among non-parties and regions with low ratification rates through regional pre-ratification support workshops, and is seeking funds to support this initiative.

### 2. Knowledge and awareness-raising activities

42. On the margins of the eighth session of the Conference, the Global Programme on Firearms held a side event on 19 October 2016, co-organized by the Global Programme on Cybercrime and RAND Europe, and co-sponsored by the

Government of the United Kingdom of Great Britain and Northern Ireland. The event focused on understanding the diversity and impact of illicit trafficking in firearms and its links to transnational organized crime. A second side event was held on 20 October 2016 and was co-organized by the Global Programme on Firearms and the Research and Trend Analysis Branch of UNODC and the Small Arms Survey, and was co-sponsored by the Governments of Germany and Switzerland and the European Union. The event focused on the issue of monitoring firearms trafficking and illicit financial flows in the context of target 16.4 of the Sustainable Development Goals.

43. Furthermore, on the margins of the Sixth Biennial Meeting of States on Small Arms, on 6 June 2016, UNODC participated in a side event organized by the co-chairs of the Group of Interested States in Practical Disarmament Measures, Germany and the Office for Disarmament Affairs, entitled “Small arms as a core development goal: the implications of target 16.4 of the Sustainable Development Goals”.

44. UNODC has contributed to several seminars and meetings organized by Member States or regional organizations, including the African Union, the European Union Agency for Law Enforcement Training, the European Police Office (Europol), the International Criminal Police Organization (INTERPOL), the Organization for Security and Cooperation in Europe (OSCE) and the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, among others.

45. In the context of UNODC education for justice initiative, in January 2017, the Global Programme on Firearms took active part in The Hague International Model United Nations organized by the Qatar Foundation in Doha, introducing the topic “The question of arms sales for commercial benefit” to the students. The event convened almost 2,000 participants from 87 different countries. The activity was also aimed at discussing the development of tools to address the UNODC mandate in classroom settings at different educational levels.

46. The Global Programme on Firearms also took part in the European Union on “Fighting illicit firearms trafficking routes and actors at European level”, organized by the Joint Research Centre on Transnational Crime of the Università Cattolica del Sacro Cuore, in which the main findings of mapping project of firearms trafficking were presented.

#### **Priority areas for further action**

47. UNODC will continue to organize and/or participate in relevant activities and events aimed at increasing the knowledge and awareness of stakeholders on firearms issues and on UNODC work in this field, and to promote synergies between the Firearms Protocol and other international instruments.

### **3. Legislative assistance**

48. UNODC continued to provide Member States with tailor-made, specialized legislative assistance to help develop effective national legislation in line with the Firearms Protocol. During the reporting period, the Global Programme on Firearms continued to assist and advise Burkina Faso, Chad, Mali and Niger in revising and amending national firearms legislation by convening legal drafting workshops and facilitating the preparation of draft bills on firearms. The workshops were held in Mali and Niger in August 2016; in Burkina Faso in September 2016 and in Chad in November 2016. Prior to these workshops, UNODC drafted reports on existing gaps in legislation, with the participation of more than 50 legal experts from the four countries. In order to take advantage of synergies, UNODC has worked in the subregion with the United Nations Regional Centre for Peace and Disarmament in Africa, particularly in Burkina Faso and Mali. Follow-up activities in these countries are foreseen for the second semester of 2017.

49. UNODC also organized a training workshop for countries of the Gulf Cooperation Council on the international legal framework on the illicit trafficking in firearms and the Firearms Protocol. The event was held in Abu Dhabi in August 2016, and was aimed at providing practitioners with an introduction to the Firearms Protocol and related international instruments.

#### **Priority areas for further action**

50. Supporting legislative review and reform processes will continue to be a core activity of the Global Programme on Firearms.

#### **4. Development of tools**

51. UNODC has continued to update and develop several tools and publications aimed at providing practical guidance and support to States and for the delivery of quality technical assistance.

52. UNODC comprehensive firearms training curriculum is currently being revised and tailored to include adult learning methodologies and is being adapted to UNODC e-learning platform in order to expand its reach. During 2017, the following modules are expected to be finalized in English and in French: identification, marking and record-keeping of firearms; criminal offences involving firearms, and firearms as evidence; investigation and prosecution of firearms-related crimes; use of special investigative techniques; international cooperation in criminal matters; and transfer controls, brokering and links to border control. During the period under review, relevant modules of the curriculum were translated into French for its use in training activities.

53. Pursuant to its mandate, to continue in its efforts to improve the methodology of the *UNODC Study on Firearms 2015*, UNODC has reviewed its methodology and updated its data collection questionnaire on illicit trafficking in firearms,<sup>8</sup> and prepared, in the context of the mechanism for the review of the implementation of the Organized Crime Convention and the Protocols thereto, a self-assessment questionnaire covering all provisions of the Protocol, for consideration by the Working Group (see CTOC/COP/WG.6/2017/2).

54. In addition, UNODC is currently finalizing an updated version of the *Legislative Guide for the Implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the Organized Crime Convention*, which is expected to be published in 2017.

#### **Priority areas for further action**

55. UNODC is seeking funds to translate and disseminate relevant tools into all six official United Nations languages, in particular the training curriculum, the two Issue Papers and the eLearning modules.

#### **5. Technical support and capacity-building for implementation of preventive control measures under the Firearms Protocol**

56. During the reporting period, UNODC has continued to provide technical support for marking and record-keeping and for the collection and disposal of illicit firearms for countries in West Africa.

<sup>8</sup> The revised questionnaire to collect and analyse quantitative and qualitative information and data on the illicit trafficking in firearms, their parts and components and ammunition, in accordance with Conference resolution 8/3, is currently being finalized and will be made available to Member States.

**(a) Marking and record-keeping of firearms**

57. In relation to marking and record-keeping, UNODC has supported eight countries in West Africa<sup>9</sup> through the provision of marking machines and training for more than one hundred practitioners and technicians on their use and maintenance.

58. As a result of this assistance, several countries have started to mark and record firearms in line with international best practices. Between 2015 and 2016, more than 13,000 firearms were marked and registered in Mali (8,500 firearms from Police, Customs and Park rangers) and Burkina Faso (5,000 firearms from Police in Ouagadougou and in border zones with Mali).

**Priority areas for further action**

59. Support for marking and record-keeping will remain a priority for most countries in the African region, who require additional technical and financial support, equipment and training for the marking and recording of firearms, including seized, collected and recovered ones.

**(b) National arms registries**

60. UNODC supports the provision of a solid and comprehensive record-keeping mechanism that can serve for recording seized firearms and — where needed — as a national arms registration system, and which can be the backbone of a tracing regime. Effective records are required to locate firearms and monitor their movements. Without such records, States cannot adequately trace firearms that have been seized, found or collected. Lack of adequate records on seized firearms poses additional challenges in the fight against the illicit trafficking in firearms.

61. During 2016, the Global Programme on Firearms has been working with the UNODC Information Technology Service in order to develop such a registry. Development is expected to continue during 2017. The development of a software under UNODC license will allow for tailored customization to national needs and structures.

62. During the period under review, the Global Programme on Firearms conducted an assessment mission to Panama and provided technical advice on ways to strengthen its firearms control regime. As a result, a new project was jointly developed with Panama and the UNODC Regional Office in Panama in order to assist the country in the area of record-keeping and strengthening its investigative capacities. As part of the assistance, UNODC will support Panama in the development and deployment of an integrated record-keeping system for firearms, parts and components and ammunition, and in the upgrading of its ballistic forensic analysis capacity.

**Priority areas for further action**

63. Sustained support by the Global Programme on Firearms to enhance national arms registries and strengthen the overall capacity of Member States will remain a priority for which additional funding is required.

**(c) Physical security of storage facilities for seized and collected firearms**

64. The proper storage and management of seized and confiscated firearms remains a challenge for some countries that face thefts and leakages from their storages, and in relation to securing the chain of continuity that is required to produce valid evidence in court. Effective and secure management and storage of seized firearms is a major priority for many countries, and goes hand-in-hand with effective and comprehensive record-keeping systems.

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<sup>9</sup> Benin, Burkina Faso, Ghana, Mali, Mauritania, Niger, Senegal and Togo.

65. UNODC has continued to support selected countries in enhancing the security of storage for seized firearms so that they respect good practices on physical security and stockpile management. Work on the refurbishment of a transitional firearms storage site in Senegal began in January 2017 and is expected to be finished by April 2017. In February 2017, UNODC and authorities from Burkina Faso agreed on a plan of action for the refurbishment of a stockpile site for seized and confiscated firearms under the supervision of the judicial police. Similar activities are planned for the Niger. UNODC is seeking to cooperate and coordinate its work with relevant actors in this field.

**Priority areas for further action**

66. The Global Programme on Firearms support in relation to the physical security of stocks will continue to focus primarily on seized firearms, with due consideration for supporting record-keeping structures.

**(d) Collection, management and disposal of firearms**

67. UNODC has continued to provide policy advice and technical support to several countries in the field of collection and disposal of firearms. On 12 August 2016, UNODC took part and provided technical advice in the destruction of 25,000 illicit firearms linked to crimes in Argentina. The destruction, organized by the Government of Argentina, targeted illicit firearms stored in court deposits in the provinces of Buenos Aires, Santa Fe and Mendoza. Firearms were destroyed following best practices through crushing and smelting, recognized as one of the most effective and less polluting methods and which guarantees the total destruction of firearms, preventing the reuse of its parts and components.

68. The UNODC firearms team provided technical advice to Burkina Faso, the Niger and Senegal on existing firearms destruction methods and in identifying proper techniques according to their existing needs. UNODC continues to work with engaged countries in order to support the destruction of illicit firearms, including the provision of relevant material and training.

**Priority areas for further action**

69. UNODC, through the Global Programme on Firearms, will continue to support requesting countries and is seeking funding to provide the required hardware and material support for the implementation of such campaigns.

**6. Strengthening criminal justice responses to firearms-related criminality**

70. Strengthening criminal justice responses to firearms trafficking and their links to organized and other crimes, including terrorist activities, is a major pillar of UNODC work.

71. During the reporting period, UNODC continued offering its specialized training course on “Investigation and prosecution of firearms trafficking and its links to organized crime”.

72. In May 2016, UNODC organized a training-of-trainers workshop in Vienna on the training course. The intensive capacity-building activity was aimed at trainers from the Global Programme on Firearms team and future trainers from the Sahel region, with 14 participants from Burkina Faso, Cote d’Ivoire, Ghana and the Niger. The aim of the course was to revise and streamline UNODC training courses on investigation and prosecution of firearms-related criminal matters and align the trainers in their future delivery of training activities to specific adult learning needs.

73. In June 2016, UNODC contributed to the advanced training on tracing illicit small arms and light weapons, jointly organized by the OSCE secretariat and INTERPOL, for law enforcement officials from six OSCE countries (Afghanistan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan).

74. Between October and December 2016, UNODC continued its series of training activities strengthening the criminal justice response law enforcement and criminal justice officers to firearms trafficking and other firearms related crimes in Chad (3-7 October), Mali (28 November-2 December), Mauritania (7-11 November) and the Niger (12-16 December). Participants received training on the identification and classification of firearms, measures to prevent their trafficking, crime scene management, intelligence management, investigation techniques and firearms tracing, international cooperation and exchange of information. These national specialized trainings were attended by 96 law enforcement practitioners from Police, gendarmerie, custom officers, rangers, judges and prosecutors as well as civil society members and anti-terrorism units, among others, and representatives from the national offices of INTERPOL also took part in these activities. The training in Mali was organized at the École de Maintien de la Paix Alioune Blondin Beye and was supported by trainers from the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

#### **Priority areas for further action**

75. Training and capacity-building remain priorities for many requesting countries. UNODC intends to reinforce this component of the Global Programme on Firearms to better respond to these requests.

### **7. Promoting international cooperation and information exchange**

76. International cooperation in criminal matters is a fundamental part of the fight against illicit trafficking in firearms, including the regular sharing of information and of good practices among practitioners, which is explicitly encouraged in article 12 of the Protocol. In resolution 8/3, the Conference requested UNODC to continue to promote and encourage international cooperation in criminal matters, pursuant to the Convention, with the aim of 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, through regional and cross-regional workshops, including for countries that are on relevant trafficking routes.

#### **Priority areas for further action**

77. UNODC is promoting the establishment of a community of firearms and criminal justice practitioners to support international cooperation efforts and encourage regular exchanges of good practices and lessons learned.

### **8. Data collection and analysis of illicit firearms flows**

78. In 2015, UNODC concluded its study on the transnational nature routes and modus operandi used in firearms trafficking, mandated by Conference resolutions 5/4 and 6/2. The *UNODC Study on Firearms 2015* was developed in close cooperation with Member States, based on information on seized firearms.

79. Following its mandate from the Conference to continue to collect and analyse quantitative and qualitative information and suitably disaggregated data on trafficking in firearms, their parts and components and ammunition, taking into account the 2015 Firearms Study and the target 16.4 of the Sustainable Development Goals, to disseminate its findings on a regular basis, and to this end, to revise and enhance its methodology in cooperation with relevant organizations (resolution 8/3), starting in 2016, UNODC continued to work on updating the methodology used for the study, with the aim of launching the new data collection cycle in 2017.

80. On 15 and 16 September 2016, the Global Programme on Firearms organized an “Informal expert group meeting on data collection and analysis on illicit trafficking in firearms, taking into account the UNODC Study on Firearms 2015 and target 16.4 of the Sustainable Development Goals” in Vienna, in cooperation with

the Research and Trend Analysis Branch (Division for Policy Analysis and Public Affairs), and the participation of a wide range of governmental representatives, national and international experts, from 15 Member States, five international organizations and five non-governmental organizations. The meeting was aimed at discussing lessons learned from past and existing data collection efforts at the national, regional and international level, and revise the UNODC data collection questionnaire.<sup>10</sup> The revised questionnaire will be pilot tested and launched in the course of 2017.

81. Target 16.4 of the Sustainable Development Goals has increased the relevance of *UNODC Firearms Study 2015* and contributed to shaping the Office's mandate to continue to collect and analyse firearms data. The proposed indicator for this target, the proportion of seized, found or surrendered arms, whose illicit origin/context has been traced or established by a competent authority in line with international instruments, is complementary to the *Study*, and further supports UNODC work.

## C. Coordination with other international and regional organizations

### 1. Cooperation within the United Nations

82. UNODC has continued to contribute to the work of the United Nations Coordinating Action on Small Arms (CASA),<sup>11</sup> the system-wide coordination platform established by the Secretary-General to promote the exchange of information and coordination on ongoing initiatives, and to support the Organization to "delivering as one" on the issue of small arms.

83. At the field level, UNODC continues to coordinate and cooperate its activities with relevant United Nations agencies and offices, such as the United Nations Development Programme, the Office for Disarmament Affairs/the United Nations Regional Centre for Peace and Disarmament in Africa and the Department of Peacekeeping Operations.

### 2. Cooperation with other international and regional organizations

84. In 2016, INTERPOL and UNODC signed a comprehensive cooperation agreement, including for capacity-building on tracing, investigation and prosecution of illicit trafficking and related crimes, enhancement of national and international registries, support for enhanced interaction between firearms control and criminal justice communities and to foster exchange of information and cooperation. The INTERPOL Illicit Arms Records and Tracing Management System contributed to the development of two training modules and has participated in several training courses organized by UNODC.

85. On 2 and 3 November 2016, UNODC participated in the third Illicit Arms Records and Tracing Management System working group meeting organized by INTERPOL in Lyon, France. UNODC has, through its various project activities, supported and encouraged the use of the Illicit Arms Records and Tracing Management System by Member States. UNODC continues to work so that its ongoing activities, particularly those related to the data collection on the illicit trafficking of firearms and on the record-keeping, are harmonized with the

<sup>10</sup> Participants included representatives from Brazil, Côte d'Ivoire, Germany, Ghana, Guatemala, Iraq, Mexico, the Niger, Nigeria, Philippines, Romania, Spain, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as representatives of the Office for Disarmament Affairs, the European Union, Europol, OSCE and the South Eastern and Eastern Europe Clearinghouse for the Control on Small Arms and Light Weapons. Represented non-governmental institutions and research institutes included Conflict Armament Research, the Flemish Peace Institute, the Peace Research Institute Oslo, the Research Centre on Transnational Crime and Small Arms Survey. The report of the meeting is available at [www.unodc.org/](http://www.unodc.org/).

<sup>11</sup> CASA is comprised of twenty-three United Nations entities that coordinate and cooperate within the framework of their respective mandates.

INTERPOL efforts and are compatible with the Illicit Arms Records and Tracing Management System. During the reporting period, representatives from the National Central Bureaus of INTERPOL have taken part in training activities in West Africa and have facilitated some of the sessions.

86. UNODC has had regular contact with the European Union, in particular with its Firearms Task Force, to address the need to strengthen the legislative frameworks on firearms, enhance national and international data collection and analysis of the illicit trafficking flows, and reinforce the criminal justice response to detect and prosecute illicit firearms trafficking and its links to organized crime and terrorism.

87. From 26 to 28 October 2016, UNODC participated in a seminar on multi-disciplinary approaches in the fight against firearms trafficking in the European Union, organized by the Firearms Driver of the European multidisciplinary platform against criminal threats in Alicante, Spain. UNODC is also cooperating with Europol in order to improve the exchange of information and the methodologies for data collection on illicit firearms trafficking.

88. The UNODC Global Programme on Firearms team also supported the “Firearms-Western Balkans” training course organized by the European Union Agency for Law Enforcement Training in Zagreb, which focused on the enhancement of police and judicial cooperation with Western Balkans and firearms expert networks in order to prevent firearms trafficking.

89. In addition, UNODC participated in the sixth meeting of national commissions on small arms and light weapons of Albania, Bosnia and Herzegovina, Moldova, Montenegro, Kosovo,<sup>12</sup> Serbia, the former Yugoslav Republic of Macedonia. The meeting was organized by the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons on 5 and 6 December in Buda, Montenegro. The main purpose of the meeting was to facilitate the regional information exchange process on small arms and light weapons. During the meeting, UNODC discussed its ongoing review of the data collection methodology for information regarding the illicit trafficking in firearms.

90. UNODC continued to cooperate with various regional and subregional organizations, in particular the African Union and the Economic Community of West African States. In March 2017, in Berlin, UNODC participated in a second meeting jointly organized by the African Union and Germany to promote cooperation and coordination in the area of small arms physical security and stockpile management in the Sahel region. The African Union and UNODC agreed to enhance their cooperation in several areas, including legislative assistance and to promote operational cooperation and capacity-building to strengthen criminal justice responses to illicit trafficking and related crimes.

91. The Gulf Cooperation Council supported the organization of UNODC training workshop for Member States on the international legal framework related to illicit trafficking in firearms and the Firearms Protocol in Abu Dhabi, from 29 to 31 August 2016. UNODC is currently exploring ways of enhancing collaboration with the Gulf Cooperation Council and the Gulf Cooperation Council Police, the law enforcement arm of that Council.

92. UNODC is also currently seeking ways to increase cooperation with the Organization of American States and with the Union of South American Nations.

### **3. Cooperation with civil society and the private sector**

93. Participation and cooperation with civil society is a cross-cutting element of the Global Programme on Firearms. UNODC has actively engaged civil society organizations at various levels, from legislative development to training activities, through the development of a training course on civil society participation and

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<sup>12</sup> All references to Kosovo in the present document should be understood to be in the context of Security Council resolution 1244 (1999).

oversight, to the collaboration in the implementation of advocacy materials. During the period under review, civil society participated in training workshops organized in Chad, Mali, Mauritania and the Niger.

94. UNODC remains engaged with key organizations working on the issue of illicit trafficking in firearms such as the Mines Advisory Group, Small Arms Survey, and the Joint Research Centre on Transnational Crime of Università Cattolica del Sacro Cuore.

95. UNODC also held a series of meetings with representatives of the private sector to explore joint initiatives in support of article 13 of the Protocol, which calls for cooperation between the States and the private sector to prevent and combat illicit manufacturing and trafficking in firearms.

#### **Priority areas for further action**

96. The Global Programme on Firearms will continue to cooperate with and involve civil society organizations and the private sector in its activities.

## **V. Conclusions and recommendations**

97. The illicit manufacturing of and trafficking in firearms, and their links to organized crime, terrorism and other serious crimes, remains a pressing problem in many countries and regions.

98. The UNODC Global Programme on Firearms has continued to promote the ratification of the Firearms Protocol and to assist Member States in its implementation, building on five major pillars. The implementation of effective firearms control regimes in line with the Firearms Protocol requires not only an appropriate legislative and normative framework, but also the coordinated action of specialized entities, as well as human, technical and financial resources. Although there has been progress in the implementation of various initiatives, much remains to be done, including in the area of improved international cooperation.

99. Sustainable and predictable funds are required to ensure the continuation of the activities of the Global Programme on Firearms, and to allow it to respond to technical assistance requests from different countries and regions.

100. The Organized Crime Convention and its Firearms Protocol establish a robust legal framework at the international level to combat and address the illicit trafficking in firearms, their parts and components and ammunition. This framework is further reinforced through other legal instruments and policy frameworks adopted at the global and regional levels.

101. The Working Group may wish to address the effectiveness and sustainability of implemented control measures that contribute to the fight against illicit firearms trafficking and related offences. The Working Group may further wish to discuss the linkages between the different kinds of measures that contribute to achieving target 16.4 of the Sustainable Development Goals as well as the set up and effectiveness of existing national mechanisms and authorities that monitor progress towards reduction of the illicit firearms trafficking.