



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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Report on the meeting of the Working Group on Firearms held in Vienna on 9 June 2015

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, in accordance with article 32, paragraph 3, of the United Nations Convention against Transnational Organized Crime, and rule 2, paragraph 2, of the rules of procedure for the Conference, to be chaired by a member of the Bureau of the Conference, to advise and assist the Conference in the implementation of its mandate with regard 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.

2. In that resolution, the Conference also decided that the working group should perform the following functions: (a) facilitate implementation of the Firearms Protocol through the exchange of experience and practices among experts and practitioners; (b) make recommendations to the Conference on how States parties could better implement the provisions of the Firearms Protocol; (c) assist the Conference in providing guidance to its secretariat on the activities of the secretariat and on the development of technical assistance tools relating to the implementation of the Firearms Protocol; and (d) make recommendations to the Conference on how the working group could better coordinate with the various international bodies combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, in the area of supporting and promoting implementation of the Firearms Protocol.

3. In its resolution 7/1, entitled “Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, the Conference decided 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, and encouraged the Working Group to consider meeting on an annual basis, as needed.

4. In its resolution 5/4, the Conference requested the United Nations Office on Drugs and Crime (UNODC) to conduct a study of the transnational nature of and routes used in trafficking in firearms, based on the analysis of information provided by States on confiscated weapons and ammunition. At the sixth session of the Conference, the Secretariat provided a summary of the information collected from States on the illicit firearms trafficking situation in their respective countries, and suggestions regarding the global scope of such a study (CTOC/COP/2012/12).

5. In its resolution 6/2, entitled “Promoting accession to and 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 took note of the information gathered so far by UNODC in carrying out the study and requested the Office to improve the methodology and complete the study in accordance with its mandate, for consideration by the Conference at its seventh session. The Conference called upon States to participate in and contribute to the study, as appropriate.

6. Pursuant to that mandate, UNODC developed a methodology for the study, in cooperation with Member States, and made available two online questionnaires, with a view to standardizing and facilitating the data-gathering process of States; the questionnaires were also made available to the Working Group at its meeting held from 26 to 28 May 2014 (CTOC/COP/WG.6/2014/CRP.1 and CTOC/COP/WG.6/2014/CRP.2).

7. In its resolution 7/2, entitled “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 took note with appreciation of the study of the transnational nature of and routes used in trafficking in firearms carried out by UNODC in accordance with the mandate given in Conference resolutions 5/4 and 6/2, and requested the Office to finalize and disseminate the study.

8. Also in its resolution 7/2, the Conference requested UNODC to continue gathering information from States parties on illicit trafficking in firearms on a regular basis, and directed the Working Group 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, the question of whether the study should be repeated and/or updated and improved upon.

II. Recommendations

9. At its meeting held in Vienna on 9 June 2015, the Working Group on Firearms adopted the recommendations presented below.

A. General recommendations

10. Taking note with appreciation of the discussions held during the Working Group on Firearms at its meeting held in Vienna on 9 June 2015, and

acknowledging the activities carried out by the Global Firearms Programme in support of the Firearms Protocol, the Working Group adopted the recommendations presented below.

Recommendation 1

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.

Recommendation 2

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.

Recommendation 3

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.

Recommendation 4

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.

B. Consideration of the outcomes and future of the study on firearms

11. The Working Group recognized the importance of collecting and analysing reliable data and information from States on illicit firearms trafficking, not only for the purpose of enhancing global knowledge and identifying possible trends, patterns and modi operandi in illicit firearms trafficking, but also as a strategic element to support criminal investigation, intelligence analysis and prosecution of illicit trafficking in firearms and related crimes, and to facilitate the exchange of information and cooperation among States.

1. Recommendations on the outcome of the study

Recommendation 5

The Conference may wish to welcome the UNODC study on firearms, developed by UNODC pursuant to Conference 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.

Recommendation 6

The Conference may wish to take note with appreciation 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.

Recommendation 7

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.

2. Recommendations to Member States to strengthen national data-collection capacity*Recommendation 8*

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.

Recommendation 9

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.

Recommendation 10

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.

Recommendation 11

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.

Recommendation 12

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.

3. Recommendations on the provision of technical assistance to strengthen data collection and analysis

Recommendation 13

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

Recommendation 14

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.

Recommendation 15

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.

Recommendation 16

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.

4. Recommendations on the exchange of information and experiences on firearms trafficking routes, and modi operandi, and good practices to prevent and combat trafficking based on the findings of the study and any appropriate future data-collection activities

Recommendation 17

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, routes and patterns, 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.

5. Recommendations on the future of the study

Recommendation 18

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.

Recommendation 19

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 18 above.

Recommendation 20

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.

Recommendation 21

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.

Recommendation 22

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.

Recommendation 23

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.

6. Recommendations on cooperation and coordination with other organizations*Recommendation 24*

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.

7. Recommendations on resource mobilization to support the activities of the Global Firearms Programme and the continuation of the study on firearms*Recommendation 25*

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.

C. Future work of the Working Group

12. Welcoming the fruitful discussions of the Working Group and recognizing its important role in facilitating the exchange of expertise and knowledge among practitioners on ways to enhance the implementation of the Firearms Protocol, the Group made the following recommendations:

Recommendation 26

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.

Recommendation 27

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.

III. Organization of the meeting

A. Opening of the meeting

13. The third meeting of the Working Group on Firearms was held in Vienna on 9 June 2015.

14. The meeting was opened by María Isabel Vicandi Plaza (Spain), Chair of the Working Group. She addressed the meeting and presented an overview of the mandate of the Group, its objectives and the subjects under its consideration.

15. At the opening of the meeting, statements were made by representatives of the following States parties to the Firearms Protocol: Chile, Cuba, Ecuador, Mexico, Armenia and Iraq. The European Union, a regional economic integration organization that is a party to the Firearms Protocol, also made a statement; Norway, Turkey and Ukraine aligned themselves with that statement. A statement was made by the observer for Canada, a signatory State. A statement was made by the representative of Panama on behalf of the Group of Latin American and Caribbean States.

16. An opening statement was also delivered by the Chief of the Implementation Support Section, Organized Crime and Illicit Trafficking Branch, UNODC.

B. Statements

17. Introductory statements and audiovisual presentations were made by a representative of the Secretariat under agenda item 2.

18. With the Chair presiding, the discussion under item 2 was led by the following panellists: Fabio Marini (European Union), Marcus Vinicius da Silva Dantas (Brazil) and Christophe Raoul Tapsoba (Burkina Faso).

19. Under agenda item 2, statements were made by representatives of the following States parties to the Firearms Protocol: Burkina Faso, Brazil, Iraq, Mexico, Italy, Switzerland, Argentina and Guatemala. The European Union, a regional economic integration organization that is a party to the Firearms Protocol, also made a statement.

20. The observers for the signatory States Canada and China made statements.

21. Statements were also made by the observers for the United States of America and France.

22. A statement was also made by the Chief of the Implementation Support Section, Organized Crime and Illicit Trafficking Branch, UNODC.

C. Adoption of the agenda and organization of work

23. At its first meeting, on 9 June 2015, the Working Group adopted by consensus the following agenda:

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Consideration of the outcomes of the study of the transnational nature of and routes used in trafficking in firearms.
3. Other matters.
4. Adoption of the report.

D. Attendance

24. The following States parties to the Firearms Protocol were represented at the meeting: Algeria, Angola, Argentina, Armenia, Austria, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Chile, Costa Rica, Cuba, Czech Republic, Dominican Republic, Ecuador, El Salvador, Guatemala, Hungary, Iraq, Italy, Kenya, Lebanon, Mexico, Morocco, Nigeria, Norway, Oman, Panama, Peru, Poland, Portugal, Romania, Saudi Arabia, Slovakia, Slovenia, Spain, Switzerland, Tunisia, Turkey, Ukraine, Uruguay and Venezuela (Bolivarian Republic of).

25. The European Union, a regional economic integration organization that is a party to the Firearms Protocol, was represented at the meeting.

26. The following States signatories to the Firearms Protocol were represented by observers: Canada, China, Germany, Luxembourg, Republic of Korea and United Kingdom of Great Britain and Northern Ireland.

27. The following States that are not parties or signatories to the Firearms Protocol were represented by observers: Afghanistan, Bolivia (Plurinational State of), Colombia, Egypt, France, Guinea, Iran (Islamic Republic of), Jordan, Niger, Russian Federation, Sri Lanka, United Arab Emirates and United States.

28. The State of Palestine, a non-Member State maintaining a permanent observer mission to the United Nations, was represented at the meeting.

29. The following programmes of the United Nations system were represented by observers: International Small Arms Control Standards, United Nations Development Programme and South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons.

30. The following intergovernmental organizations were represented by observers: European Police Office, INTERPOL, League of Arab States, Organization for Security and Cooperation in Europe and Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

31. A list of participants is contained in document CTOC/COP/WG.6/2015/INF/1.

E. Documentation

32. The Working Group had before it the following:

- (a) Provisional agenda and annotations (CTOC/COP/WG.6/2015/1);
- (b) Background paper by the Secretariat on the activities of UNODC to promote and support the ratification and implementation of the Firearms Protocol (CTOC/COP/WG.6/2015/2);
- (c) Note by the Secretariat transmitting the outcomes of the study of the transnational nature of and routes used in trafficking in firearms (CTOC/COP/WG.6/2015/CRP.1).

IV. Adoption of the report

33. On 9 June 2015, the Working Group adopted the present report on its meeting.
