



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*

**Presentation and discussion of a multi-year
workplan for the Working Group on Firearms**

Proposal for a multi-year workplan for the Working Group on Firearms

Background paper prepared by the Secretariat

I. Introduction

1. At its eighth meeting, in 2021, the Working Group on Firearms recommended that the United Nations Office on Drugs and Crime (UNODC) prepare a proposal for a multi-year workplan for discussion and adoption at the ninth meeting of the Working Group. The Working Group also recommended that the workplan follow a two-pronged approach, combining:

(a) One agenda item on the scope and implementation of certain provisions 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, supporting a common understanding of those provisions;

(b) One agenda item dedicated to specific topics and thematic priorities related to the Firearms Protocol deemed of particular interest by the Working Group ([CTOC/COP/WG.6/2021/4](#), recommendation 46).

2. Regarding the specific topics, the Working Group, also at its eighth meeting, proposed 11 possible topics for consideration at its future meetings ([CTOC/COP/WG.6/2021/4](#), recommendation 47). Building on those recommendations, the present background paper contains a proposal for a multi-year workplan that could guide the work of the Working Group. The proposal is intended for review, consideration and adoption by the Working Group at its the ninth meeting and, ultimately, endorsement by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its eleventh session.

3. The workplan covers substantive elements of the work ahead and sequences and groups the provisions of the Firearms Protocol for discussion in a logical order. Furthermore, it includes explanatory comments that outline some of the relevant issues that could be discussed under each of the provisions recommended for inclusion in the multi-year workplan. The aim of the workplan is to ensure that the

* CTOC/COP/WG.6/2022/1.



Working Group is able to consider the full range of commitments under the Firearms Protocol and establish a common understanding of the interpretation and implementation of its provisions, while striving to promote effective exchanges of experiences and best practices among practitioners on issues of common interest.

4. The agreed workplan would be a guiding document for future meetings of the Working Group. It would, however, retain some flexibility to enable necessary adjustments, in view of the observations stemming from the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in accordance with paragraph 12 of the procedures and rules for the functioning of the Mechanism. For example, delays in the review process may require the shifting of the corresponding agenda items to later meetings of the Working Group in order to allow for a synchronized discussion of the findings of the review process and the scope and implementation of the provisions of the Firearms Protocol. In that way, the workstreams under the Mechanism and the Working Group would converge in a complementary manner.

II. Agenda items dedicated to specific topics and thematic priorities

5. As mentioned above, the Working Group on Firearms, at its eighth meeting, proposed 11 possible topics for consideration at its future meetings. Those topics are set out below.

1. Addressing and mainstreaming gender perspectives in preventing and countering the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

6. There is growing acknowledgement within the international community about the different impact that armed violence and trafficking in firearms have on vulnerable groups, including women and girls. Although the Working Group has addressed the gendered impact of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition in several recommendations, it has not, to date, dedicated a specific agenda item to the topic.

2. Promoting victim-centred approaches in the area of preventing and countering illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

7. Conference of the Parties resolution 10/2 was the first resolution in which the Conference recognized the importance of considering the needs of the victims of crimes related to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and the need to better address the human dimension of the harm caused by such crimes. To date, the Working Group has not dedicated a specific agenda item to the topic, nor has it adopted any recommendations on the issue.

3. Relevance of the implementation of the Firearms Protocol to the achievement of the 2030 Agenda for Sustainable Development

8. The Working Group has considered similar agenda items on the achievement of target 16.4 of the Sustainable Development Goals in past meetings and has adopted various recommendations in relation to the 2030 Agenda. At its fifth meeting, held in Vienna from 8 to 10 May 2017, it considered an agenda item entitled “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”. At its sixth meeting, held in Vienna on 2 and 3 May 2018, it considered an agenda item entitled “Practical measures under the Firearms Protocol that contribute to preventing

criminal organizations and terrorist groups from acquiring weapons through illicit trafficking, and to monitoring the achievement of target 16.4 of the Sustainable Development Goals”. The proposed topic could focus on ways in which countries could measure their achievement of target 16.4 through the implementation of the Firearms Protocol.

4. Regulation of brokers, brokering and brokering-related activities, in accordance with article 15 of the Firearms Protocol

9. In past meetings, the Working Group has adopted recommendations on strengthened relationships between competent national authorities and brokers, in accordance with article 13, paragraph 3, of the Firearms Protocol, and on strengthening preventive measures in order to increase the accountability. However, the Working Group has never dedicated a specific agenda item to the topic of brokers and intermediaries in arms transfers. As suggested in the proposed multi-year workplan contained in the annex to the present background paper, the topic could be discussed under the agenda item on the scope and implementation of article 15 of the Firearms Protocol, probably at the seventeenth meeting of the Working Group, or could be broadened and addressed as a standalone topic under that heading.

5. Preventing and combating the trade in, illicit manufacturing of and trafficking in ammunition

10. A similar topic (preventing and combating the illicit manufacturing of and trafficking in ammunition) will be discussed as agenda item 2 at the ninth meeting of the Working Group.

6. Addressing the issue of illicit manufacturing and assembly of firearms from parts and components, including the use of counterfeit markings and serial numbers, conversion and convertibility of alarm and signal weapons into firearms and the availability on the Internet of “ghost guns” and blueprints for the 3D-printing of firearms

11. At its seventh meeting, held on 16 and 17 July 2020, the Working Group considered a similar agenda item, entitled: “Responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”. Various conclusions arising from the discussions from that meeting were included in Conference of the Parties resolution 10/2. However, the Working Group could revisit the subject of technological developments, with the aim of keeping abreast of new and emerging challenges and threats and developing corresponding recommendations at the policy level.

7. Establishing effective tracing mechanisms and ensuring the full traceability of firearms through the application of markings on firearms and their essential parts and components, where feasible and appropriate

12. The Working Group has addressed the marking and tracing of firearms in several recommendations. In particular, at its first and second meetings, held in Vienna on 21 and 22 May 2012 and from 26 to 28 May 2014, respectively, the Working Group discussed the issue of tracing under agenda items on good practices, gaps and challenges in countering the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and on measures to facilitate the implementation of the Firearms Protocol. Effective tracing mechanisms were also at the core of the Working Group’s discussions at its seventh meeting, under an agenda item entitled “Investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions”. Marking and tracing have featured in multiple recommendations of the Working Group. However, the Working Group has never dedicated a specific agenda item to the topics of marking and tracing. As suggested in the proposed multi-year workplan contained in

the annex to the present background paper, the topic could be discussed under the agenda item on the scope and implementation of articles 8 and 12 of the Firearms Protocol, probably at the thirteenth and fifteenth meeting of the Working Group. The topic could be focused on national experiences with new marking techniques and common challenges, best practices and lessons learned with regard to the tracing of firearms, with a specific focus on international cooperation in tracing.

8. Establishing an international cooperation mechanism, especially between neighbouring countries, to effectively address illicit firearms trafficking, in accordance with article 13 of the Firearms Protocol

13. The Working Group has addressed, at several of its meetings, and adopted various recommendations on international cooperation. In particular, the Working Group addressed the issue during its fourth meeting, held in Vienna on 18 and 19 May 2016, under the agenda item entitled “Development or strengthening of experts and competent authorities in firearms control networks in order to improve regional and international cooperation, exchange of information and good practices, with the objective of preventing and fighting against illicit firearms trafficking”. However, given the importance of the issue, the topic could be revisited on a recurring basis in order to exchange information on common challenges, lessons learned and best practices, as well as practical experiences in the implementation of advanced forms of international cooperation mechanisms in firearms trafficking cases, such as joint investigation teams. As suggested in the proposed multi-year workplan contained in the annex to the present background paper, the topic could be discussed under the agenda item on the scope and implementation of article 13 of the Firearms Protocol, probably at the fourteenth meeting of the Working Group.

9. Addressing the role of commercial carriers in illicit firearms trafficking

14. The Working Group has adopted recommendations on strengthened relationships between competent national authorities and commercial carriers in accordance with article 13, paragraph 3, of the Firearms Protocol, as well as on strengthening preventive measures in order to increase their accountability. However, the Working Group has never dedicated a specific agenda item to the role of commercial carriers. The proposed topic could also cover the role of private companies in preventing and combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition more broadly.

10. Operationalizing article 10 of the Firearms Protocol in terms of national transfer control systems, considering the complementarity with other relevant international and regional arms control instruments

15. The Working Group has adopted various recommendations related to systems of export and import licensing or authorization, as well as measures on transit and on the transfer of firearms, their parts and components and ammunition. In particular, at its eighth meeting, held in Vienna from 10 to 12 May 2021, the Working Group considered an agenda item entitled “From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion”, under which the requirements of article 10 of the Firearms Protocol were also touched upon. However, the Working Group has never dedicated a specific agenda item to different national experiences and practices regarding the implementation and operationalization of national transfer control regimes. As suggested in the proposed multi-year workplan contained in the annex to the present background paper, the topic could be discussed under the agenda item on the scope and implementation of article 10 of the Firearms Protocol, probably at the sixteenth meeting of the Working Group. The topic could be focused on synergies in the implementation of different international and regional arms control instruments, in particular the application of export prohibitions and criteria, as well as on procedures to verify and validate transfer authorizations.

11. Supporting the establishment of national firearms focal points to act as liaisons between States and to foster international cooperation (article 13 of the Firearms Protocol) and capacity-building

16. The Working Group has adopted various recommendations related to national coordination bodies such as firearms focal points. In particular, at its fourth and seventh meetings, held in Vienna on 18 and 19 May 2016 and on 16 and 17 July 2020, respectively, the Working Group considered agenda items on the development or strengthening of experts and competent authorities in firearms control networks in order to improve regional and international cooperation, exchange of information and good practices and on investigative and prosecutorial approaches to countering illicit firearms trafficking and related forms of crime within and across jurisdictions. Under those agenda items, the establishment of specialized units in law enforcement and prosecution services dealing with firearms trafficking and the important role of national coordination bodies or firearms focal points were also touched upon. However, the Working Group has never dedicated a specific agenda item to the topic of national firearms focal points. As suggested in the proposed multi-year workplan, the topic could be discussed under the agenda item on the scope and implementation of article 13 of the Firearms Protocol, probably at the fourteenth meeting of the Working Group. Under the topic, the Working Group could compare different institutional settings and the organization, structure and functions of different national firearms focal points and could discuss national best practices and lessons learned.

III. Agenda item on the scope and implementation of certain provisions of the Firearms Protocol

17. To a large extent, the proposed multi-year workplan follows the structure of the Firearms Protocol. In some cases, provisions of the Firearms Protocol are grouped under one topic if the provisions are interrelated and if a discussion on both provisions could unveil synergies and interdependencies in their implementation.

18. Furthermore, the workplan takes into account the clustering of articles and the corresponding review timelines in the context of the Implementation Review Mechanism. This means that the Working Group would aim to build upon the outcomes of the Mechanism by discussing the provisions of the Firearms Protocol and their implementation when, or shortly after, the provisions have been reviewed under the respective thematic cluster of the Mechanism, as follows:¹

(a) Provisions on criminalization, the use of terms, the scope of application and the relationship between the Firearms Protocol and the United Nations Convention against Transnational Organized Crime (articles 1, 3, 4 and 5 of the Protocol) are expected to be discussed in the third and fourth year of the review phase of the Implementation Review Mechanism. By the end of year four, which would be the end of 2024, all groups should have finalized or be in the process of finalizing the reviews of the first cluster, on criminalization and jurisdiction;

(b) From approximately 2023 onwards, States parties in the different groups would be starting the reviews under the cluster of international cooperation, mutual legal assistance and confiscation, with reviews being finalized by the end of 2026. Therefore, in the fifth and sixth year of the review phase, the Working Group would discuss provisions on seizure, confiscation and disposal, deactivation, information and cooperation (articles 6, 9, 12 and 13 of the Protocol);

(c) Taking into account that no provisions of the Firearms Protocol will be reviewed under the third cluster, the Working Group would discuss the provisions of the Protocol related to preventive measures, including record-keeping, marking,

¹ The first cluster 1 is scheduled to be reviewed from 2021 to the end of 2024, the fourth cluster from 2023 to the end of 2026, the third cluster from 2025 to the end of 2028 and the second cluster from 2027 to the end of 2030.

general requirements for export, import and transit licensing or authorization systems, security and preventive measures and brokers and brokering (articles 7, 8, 10, 11 and 15 of the Protocol) during the seventh to tenth year of the review phase. By the end of the tenth year, which would be the end of 2030, all groups should have finalized or be in the process of finalizing the reviews of the second cluster, on prevention;

(d) The topic of training and technical assistance (article 14 of the Protocol) would be addressed in depth as the last topic under the workplan, as it is a cross-cutting topic that relates to all previously discussed topics. This also reflects the structure of the Implementation Review Mechanism, under which technical assistance needs are assessed in each cluster.

19. It is hoped that the findings of the review process would further inform the discussions of the Working Group at its meetings. At the same time, the discussion on the scope and implementation of the provisions of the Firearms Protocol could support and deepen a common understanding and interpretation of the reviewed provisions. While some of the topics have been touched upon by the Working Group in previous meetings, as explained below, the discussions were not always in depth. Further deliberations would enable the sharing of updated and detailed information.

20. As with previous meetings, the secretariat of the Working Group will publish background papers prior to each meeting and will propose recommendations for adoption related to the implementation of the provisions under discussion.

21. Under each topic, specific issues and aspects related to the respective provisions of the Firearms Protocol are set out in the proposed workplan that could be considered by the Working Group at its future meetings. The list of topics is non-exclusive and is aimed only at providing an overview of the issues that would be addressed in the course of the multi-year workplan.

Tenth meeting: use of terms and scope of application (articles 3 and 4)

22. The Working Group on Firearms has addressed the use of terms in several meetings and, in particular at its first meeting, recommended that States parties to the Firearms Protocol should exchange information on national approaches to the use of definitions and nomenclature in the area of firearms. At its seventh meeting, the Working Group addressed the use of certain terms under its agenda item on the responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Under the proposed topic, the Working Group could address the importance of sharing a common understanding and language on firearms, their parts and components and ammunition, with a view to facilitating information exchange and international cooperation among States. Moreover, the Working Group could discuss means to enhance the comparability of data and information on illicit firearms and explore the possibility of advancing the development of a common nomenclature, as raised at its first meeting. In this context, States could exchange information and best practices related to the use of national arms control lists and lists of prohibited items.

23. The scope of application of the Firearms Protocol (article 4) and its implications in terms of transposition into national legal frameworks have not yet been addressed by the Working Group. Under the proposed topic, the Working Group could discuss the application of the provisions of the Firearms Protocol to State-to-State transactions and State transfers in the interest of national security. The Working Group could further discuss States parties to the Firearms Protocol extending the scope of application of national firearms laws to explosives.

Eleventh meeting: criminalization and effective criminal justice responses under the Organized Crime Convention and the Firearms Protocol (articles 1 and 5)

24. The Working Group on Firearms has addressed criminal justice responses to firearms-related forms of crime at some of its meetings. In particular, at its first and

second meetings, the Working Group considered agenda items on good practices, gaps and challenges in countering the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and on measures to facilitate the implementation of the Firearms Protocol. At its seventh meeting, the Working Group considered an agenda item on investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions.

25. Under the proposed topic, the Working Group would revisit those discussions and address issues that have not yet been addressed in relation to the criminalization provisions of the Firearms Protocol in the light of the provisions of the Organized Crime Convention. This may include discussions on common obstacles, best practices and lessons learned with regard to criminalization under domestic law and to the investigation, prosecution and adjudication of offences established in accordance with the Protocol, as well as additional criminal offences related to firearms (e.g. illicit possession). The discussions may also cover different forms of conduct, such as negligent conduct, attempts to commit and the acts of organizing, directing, aiding, abetting, facilitating or counselling the commission of those offences, as well as links to other forms of transnational organized crime, including the offences established in accordance with the Organized Crime Convention.

26. Furthermore, the topic may entail the sharing of national experiences with regard to the application of the provisions of the Organized Crime Convention on effective criminalization and the application of other provisions that support effective investigation and prosecution, such as those on special investigative techniques (article 20 of the Convention), to offences established under the Firearms Protocol.

Twelfth meeting: confiscation, seizure and disposal, as well as deactivation of firearms (articles 6 and 9)

27. The Working Group on Firearms has adopted various recommendations related to the confiscation, seizure and disposal of firearms, their parts and components and ammunition, including on the establishment of databases on seized and/or confiscated weapons and the analysis of such data, but has not yet dedicated an agenda item to the topic. Under an agenda item entitled “Responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition” the Working Group, at its seventh meeting, focused on the reactivation of deactivated firearms.

28. Under the proposed topic, the Working Group could exchange views and experiences on the implementation by States of the seizure, confiscation and disposal requirements under the Firearms Protocol, and address possible legal and practical challenges. Furthermore, the Working Group could explore the relationship between the Protocol provision on confiscation and its equivalent provision under the Organized Crime Convention and explore the relevance of applying the latter to firearms-related cases.

29. With regard to seizures, the Working Group could also exchange information on good practices in place for searches for and the seizure of illicit firearms and to ensure adequate post-seizure procedures. Furthermore, States could exchange national experiences, best practices and lessons learned with regard to measures to decrease the risk of diversion of seized and confiscated firearms, their parts and components, methods of destruction and national examples of authorized disposal other than destruction. The Working Group could also address the differences between destruction and deactivation.

Thirteenth meeting: information (article 12)

30. The Working Group on Firearms has addressed information exchange and the tracing of firearms in several recommendations. In particular, at its first and second meetings, the Working Group discussed the issue of tracing during an agenda item on

good practices, gaps and challenges in countering the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and on measures to facilitate the implementation of the Firearms Protocol. Effective tracing mechanisms were also at the core of the Working Group's discussions at its seventh meeting, under an agenda item on investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions. However, the Working Group has never dedicated a specific agenda item to the topic of tracing.

31. Under the proposed topic, States could discuss different forms, channels and procedures of information exchange and national experiences, best practices and lessons learned regarding the tracing of firearms.

Fourteenth meeting: cooperation (article 13)

32. The Working Group on Firearms has adopted various recommendations related to international cooperation. In particular, at its fourth and seventh meetings, the Working Group considered agenda items on the development or strengthening of experts and competent authorities in firearms control networks in order to improve regional and international cooperation, exchange of information and good practices and on investigative and prosecutorial approaches to countering illicit firearms trafficking and related forms of crime within and across jurisdictions. In addition, the Working group has adopted various recommendations related to cooperation with the private sector and civil society and academia.

33. Under the proposed topic, the Working Group could further discuss national experiences with cooperation at the bilateral, regional and international levels and share experiences on the establishment, use and role of national firearms focal points and on the use and application of the wide array of international cooperation measures established under the Convention, for the purpose of dealing with firearms-related criminality.

34. Under the same topic, the Working Group could also decide to address different forms of cooperation between States and manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition.

35. Finally, States could revisit their recommendations on possible forms of cooperation with academia and civil society. This may include exchanges on ways to involve civil society and local communities in preventing and countering firearms trafficking and firearms misuse in communities, in order to build resilience.

Fifteenth meeting: record-keeping and marking (articles 7 and 8)

36. The Working Group on Firearms has addressed the maintenance of firearms records and firearms markings at various meetings and has adopted a variety of recommendations on those topics. However, different national approaches to marking and record-keeping, as well as evolving technologies in this field, have not yet been discussed in detail.

37. Under the proposed topic, the Working Group could discuss the benefits of comprehensive record-keeping systems and registries and exchange views and national experiences on their scope, use and nature, as well as on current challenges and difficulties. Discussions could be focused on the role of national registries in strengthening national firearms control regimes and supporting effective criminal justice responses to countering firearms-related criminality. Furthermore, the Working Group could discuss the benefits of regional registries and exchange views and best practices with regard to record-keeping in relation to parts and components and ammunition.

38. With regard to marking, the Working Group could discuss the use of different marking techniques, including hidden firearms markings, and techniques for the recovery of tampered markings, and exchange good practices and lessons learned

from national experiences. With a view to advancing common practices, the Working Group may also wish to consider possible common marking criteria and standards, including on where to best place the markings on firearms. Finally, a specific focus of the discussion could be placed on challenges and opportunities related to technological developments and the issue of marking of parts and components and ammunition (as requested at previous meetings).

Sixteenth meeting: general requirements for export, import and transit licensing or authorization systems (article 10)

39. The Working Group on Firearms has adopted various recommendations related to systems of export and import licensing or authorization, as well as measures on transit and on the transfer of firearms, their parts and components and ammunition. In particular, at its eighth meeting, the Working Group considered an agenda item entitled “From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion”, under which the requirements of article 10 of the Firearms Protocol were also touched upon. However, the Working Group has never dedicated a specific agenda item to different national experiences and practices regarding the implementation and operationalization of national transfer control regimes.

40. Under the proposed topic, the Working Group could focus on synergies in the implementation of different international and regional arms control instruments, in particular the application of export prohibitions and criteria, as well as on procedures to verify and validate transfer authorizations. Moreover, the Working Group could address general requirements related to the import, export, transit and trans-shipment of firearms, their parts and components and ammunition, the content of export and import licences or authorizations and accompanying documentation, procedures related to information exchange after the receipt of the dispatched shipment, measures to ensure that licensing or authorization procedures are secure, procedures, channels and systems used for the verification and validation of the authenticity of licensing or authorization documents, and exemptions and simplified procedures for the temporary import, export and transit of firearms, their parts and components and ammunition for verifiable lawful purposes.

Seventeenth meeting: brokers and brokering (article 15)

41. The Working Group on Firearms has adopted recommendations on strengthened relationships between competent national authorities and brokers in accordance with article 13, paragraph 3, of the Firearms Protocol, as well as on strengthening preventive measures to increase their accountability. However, the Working Group has never dedicated a specific agenda item to the topic of brokers and brokering.

42. Under the proposed topic, the Working Group could exchange information on national experiences with systems for regulating the activities of brokers, the criminalization, investigation, prosecution and adjudication of illicit brokering and the maintenance of records regarding brokers and brokering activities, as well as good practices and experiences in international cooperation for that purpose.

Eighteenth meeting: security and preventive measures (article 11)

43. To date, the Working Group on Firearms has adopted only one recommendation, at its fourth meeting, on secure stock management to prevent and reduce the risks of theft, diversion and trafficking in weapons. It has never dedicated a specific agenda item to the topic of security and preventive measures.

44. Under the proposed topic, the Working Group could address national measures to require the security of firearms, their parts and components and ammunition in general and, in particular, at the time of manufacture and import, export and transit through national territory. Furthermore, States could exchange information on common obstacles, best practices and lessons learned with regard to import, export and transit controls, border controls and transborder police and customs cooperation.

Nineteenth meeting: training and technical assistance (article 14)

45. At its fourth meeting, the Working Group on Firearms dedicated one agenda item to the development or strengthening of experts and competent authorities in firearms control networks in order to improve regional and international cooperation, exchange of information and good practices, with the objective of preventing and fighting against illicit firearms trafficking.

46. Under the proposed topic, States could identify both technical assistance needs and areas of specific expertise with a view to providing each other with training and technical assistance, including in the form of South-South cooperation. Furthermore, States could identify areas in which UNODC could provide support.

IV. Structure of the proposed workplan

47. In the light of the above explanations, the workplan would therefore be a combination of one flexible agenda item, dedicated to specific topics and thematic priorities related to the Firearms Protocol, and one fixed agenda item, on the scope and implementation of certain provisions of the Firearms Protocol.

48. With regard to the flexible agenda item, the secretariat would propose, in preparation for future meetings of the Working Group on Firearms, one of the topics from the above list (as described in section II above) to the extended Bureau of the Conference of the Parties to the Organized Crime Convention for consideration. The non-exclusive character of the list would allow for the flexibility to propose revised or additional topics to the extended Bureau that may be deemed of particular priority at the time.

49. In contrast, the agenda item on the scope and implementation of the provisions of the Firearms Protocol (as described in section III above) would be fixed. The timeline contained in the annex to the present paper would become a guiding instrument for the work ahead. In case of delays in the review process or other unforeseen circumstances, the secretariat of the Working Group may propose to the extended Bureau for consideration an amendment of the timeline of the workplan, by rescheduling the topics in the workplan.

Recommendation

50. The Working Group on Firearms may wish to recommend to the Conference of the Parties to the Organized Crime Convention that it **request the secretariat, when proposing topics for future meetings of the Working Group for consideration by the extended Bureau:**

(a) **To draw, for the first substantive agenda item, a topic from the list of topics related to the Firearms Protocol adopted by the Working Group on Firearms at its eighth meeting, while keeping abreast of upcoming priorities that may require new topics to be added to the non-exclusive list;**

(b) **To follow, for the second substantive agenda item, the order of topics and the timeline of the multi-year workplan adopted by the Working Group at its ninth meeting, while monitoring the progress of the review process in order to propose amendments, if necessary.**

V. Procedure of discussion and adoption

51. The proposal for the multi-year workplan contained in the present background paper will be presented by the secretariat to the Working Group at its ninth meeting. The presentation will be followed by an open discussion, which may include the following questions: (a) is the proposed workplan deemed useful for the fulfilment of the mandate of the Working Group?; (b) are the proposed topics and allocation of

provisions of the Firearms Protocol sufficiently balanced?; and (c) have any relevant topics been omitted that should be included?

52. During the discussion, delegates will be invited to make comments and propose changes, modifications and amendments to the draft workplan for discussion and agreement by the Working Group. The workplan could then be formally adopted under agenda item 6 and annexed to the report of the ninth meeting of the Working Group, on the understanding that the Working Group could propose and adopt changes and amendments to the workplan at future meetings, if required.

Annex

Proposal for a multi-year workplan for the Working Group on Firearms

Tenth meeting of the Working Group on Firearms
<p>Topic 1: articles 3 (Use of terms) and 4 (Scope of application)</p> <p>Under the topic, the Working Group will explore the scope, interpretation and national implementation of the use of terms related to the items² covered by 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. Participants will exchange views on the following issues:</p> <p>General</p> <ul style="list-style-type: none"> • General use of definitions in national legal frameworks on firearms • Use and scope of national firearms control lists and harmonized nomenclature • Use and scope of lists of prohibited items <p>Article 3, paragraphs (a), (b) and (c)</p> <ul style="list-style-type: none"> • Specifications and scope of national definitions of “firearm”, “parts and components” and “ammunition”³ <p>Article 4, paragraph 1</p> <ul style="list-style-type: none"> • Scope of application of national legal frameworks on firearms, in particular the inclusion of parts and components, ammunition and explosives • Investigation and prosecution of offences established in accordance with article 5 of the Firearms Protocol where those offences are not transnational in nature and do not involve an organized criminal group <p>Article 4, paragraph 2</p> <ul style="list-style-type: none"> • Application of measures enshrined in the Firearms Protocol to State-to-State transactions • Application of measures enshrined in the Firearms Protocol to State transfers in cases where the application of the Protocol would prejudice the right of a State party to take action in the interest of national security
Eleventh meeting of the Working Group on Firearms
<p>Topic 2: criminalization and effective criminal justice responses under the United Nations Convention against Transnational Organized Crime and the Firearms Protocol</p> <p>Articles 1 (Relation with the United Nations Convention against Transnational Organized Crime) and 5 (Criminalization)</p> <p>Under the topic, the Working Group will explore the scope, interpretation and national implementation of articles 1 and 5 and participants will exchange views on the following issues:</p> <p>Article 1, paragraphs 2 and 3</p> <ul style="list-style-type: none"> • Application of offences covered by the Organized Crime Convention⁴ (in particular participation in an organized criminal group and obstruction of justice) in the context of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and tampering with markings on firearms • Linkages to other forms of transnational organized crime

² The definitions of “illicit manufacturing” and “trafficking” will be addressed under the topic of criminalization and the definition of “tracing” will be covered under information exchange.

³ The topic of “ammunition” will be considered by the Working Group on Firearms at its ninth meeting, under the agenda item on preventing and countering the illicit manufacturing of and trafficking in ammunition (see CTOC/COP/WG.6/2022/2).

⁴ The application of the offences of laundering of the proceeds of crime (article 6 of the Convention) and corruption (article 8 of the Convention) were considered by the Working Group at its eighth meeting, under its agenda item on reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals (see CTOC/COP/WG.6/2021/2).

- Application of the provisions of the Convention on effective criminalization, investigation and prosecution, including the use of special investigative techniques (articles 10–28 of the Convention) to the offences established under the Firearms Protocol

Article 5, paragraph 1

National experiences in criminalizing, investigating, prosecuting and adjudicating:

- Illicit manufacturing
- Trafficking in firearms, their parts and components and ammunition
- Tampering with markings on firearms
- Additional related criminal offences
- Negligent conduct

Article 5, paragraph 2

National experiences in criminalizing, investigating, prosecuting and adjudicating:

- Attempts to commit
- The acts of organizing, directing, aiding, abetting, facilitating or counselling the commission of an offence established in accordance with article 5, paragraph 1, of the Firearms Protocol

Twelfth meeting of the Working Group on Firearms

Topic 3: articles 6 (Confiscation, seizure and disposal) and 9 (Deactivation of firearms)

Under the topic, the Working Group will explore the scope, interpretation and national implementation of articles 6 and 9 and participants will exchange views on the following issues:

Article 6

- Preventive measures to decrease the risk of diversion of seized and confiscated firearms, their parts and components
- Methods of destruction
- Authorized disposal other than destruction

Article 9

- Differences between destruction and deactivation
- Inclusion and exclusion of deactivated firearms into and from national legal framework on firearms
- General principles of deactivation
- National experiences in criminalizing, investigating, prosecuting and adjudicating the reactivation of deactivated firearms

Thirteenth meeting of the Working Group on Firearms

Topic 4: article 12 (Information)

Under the topic, the Working Group will explore the scope, interpretation and national implementation of article 12 and participants will exchange views on the following issues:

Article 12, paragraphs 1, 2 and 3

- Nature and scope of information exchanged
- Channels of and procedures for information exchange

Article 12, paragraph 4

- National experiences related to the tracing of firearms

Article 12, paragraph 5

- Exchange of sensitive information and confidentiality of exchanged information

Fourteenth meeting of the Working Group on Firearms

Topic 5: article 13 (Cooperation)

Under the topic, the Working Group will explore the scope, interpretation and national implementation of article 13 and participants will exchange views on the following issues:

Article 13, paragraph 1

- National experiences with cooperation at the bilateral, regional and international levels

Article 13, paragraph 2

- Establishment, use and role of national bodies or single points of contact on matters relating to the Firearms Protocol

Article 13, paragraph 3

- Forms of cooperation between States and manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition
- Forms of cooperation with academia and civil society

Fifteenth meeting of the Working Group on Firearms**Topic 6: articles 7 (Record-keeping) and 8 (Marking)**

Under the topic, the Working Group will explore the scope, interpretation and national implementation of articles 7 and 8 and participants will exchange views on the following issues, with a specific focus on challenges and opportunities related to technological developments:

Article 7

- Scope, use and nature of different records and registries at the national level
- Record-keeping of information in relation to parts and components and ammunition

Article 8, paragraph (1)

- Application of manufacture, import, disposal, proof house and additional markings
- National experiences with different marking techniques
- National experiences with the recovery of tampered markings
- Use of hidden firearms markings

Article 8, paragraph 2

- Measures developed by the manufacturing industry against the removal or alteration of markings

Sixteenth meeting of the Working Group on Firearms**Topic 7: article 10 (General requirements for export, import and transit licensing or authorization systems)**

Under the topic, the Working Group will explore the scope, interpretation and national implementation of article 10 and participants will exchange views on the following issues:

Article 10, paragraph 1

National experiences related to the transfer of firearms, their parts and components and ammunition with:

- Export and import licensing and authorization systems
- Measures on international transit
- Application of export criteria and prohibitions

Article 10, paragraph 2

General requirements related to shipments of firearms, their parts and components and ammunition:

- For issuing import and export licences or authorizations
- For transits and trans-shipments

Article 10, paragraph 3

- Content of export and import licences or authorizations and accompanying documentation
- Information exchange with transit States prior to the transfer

Article 10, paragraph 4

- Information on the receipt of the dispatched shipment of firearms, their parts and components or ammunition

Article 10, paragraph 5

- Measures to ensure that licensing or authorization procedures are secure

<ul style="list-style-type: none"> • Procedures, channels and systems used for the verification and validation of the authenticity of licensing or authorization documents <p>Article 10, paragraph 6</p> <ul style="list-style-type: none"> • The use of simplified procedures for the temporary import, export and the transit of firearms, their parts and components and ammunition for verifiable lawful purposes
Seventeenth meeting of the Working Group on Firearms
<p>Topic 8: article 15 (Brokers and brokering) Under the topic, the Working Group will explore the scope, interpretation and national implementation of article 15 and participants will exchange views on the following issues:</p> <p>Article 15, paragraph 1</p> <ul style="list-style-type: none"> • National experiences with systems for regulating the activities of those who engage in brokering • Criminalization, investigation, prosecution and adjudication of illicit brokering <p>Article 15, paragraph 2</p> <ul style="list-style-type: none"> • Maintenance of records regarding brokers and brokering activities • Exchange of information regarding brokers and brokering
Eighteenth meeting of the Working Group on Firearms
<p>Topic 9: article 11 (Security and preventive measures) Under the topic, the Working Group will explore the scope, interpretation and national implementation of article 11 and participants will exchange views on the following issues:</p> <p>Article 11, paragraph (a) National measures to require the security of firearms, their parts and components and ammunition:</p> <ul style="list-style-type: none"> • At the time of manufacture • At the time of import, export and transit through national territory <p>Article 11, paragraph (b) National measures to increase the effectiveness of:</p> <ul style="list-style-type: none"> • Import, export and transit controls • Border controls • Police and customs transborder cooperation
Nineteenth meeting of the Working Group on Firearms
<p>Topic 10: article 14 (Training and technical assistance) Under the topic, the Working Group will assess technical assistance priorities of Member States related to the implementation of the Firearms Protocol.</p>

As such, the substantive agenda items of the combined workplan could be as follows:

<i>Year and meeting</i>	<i>Agenda item 2 (flexible)</i>	<i>Agenda item 3 (fixed)</i>
2023 10th meeting	<ul style="list-style-type: none"> • One topic from the non-exclusive list of priority topics adopted by the Working Group on Firearms at its eighth meeting of the or <ul style="list-style-type: none"> • Additional topic deemed of priority upon proposal to and approval by the extended Bureau 	Topic 1: articles 3 (Use of terms) and 4 (Scope of application)
2024 11th meeting		Topic 2: criminalization and effective criminal justice responses under the United Nations Convention against Transnational Organized Crime and the Firearms Protocol
2025 12th meeting		Topic 3: articles 6 (Confiscation, seizure and disposal) and 9 (Deactivation of firearms)

2026 13th meeting		Topic 4: article 12 (Information)
2027 14th meeting		Topic 5: article 13 (Cooperation)
2028 15th meeting		Topic 6: articles 7 (Record-keeping) and 8 (Marking)
2029 16th meeting		Topic 7: article 10 (General requirements for export, import and transit licensing or authorization systems)
2030 17th meeting		Topic 8: article 15 (Brokers and brokering)
2031 18th meeting		Topic 9: article 11 (Security and preventive measures)
2032 19th meeting		Topic 10: article 14 (Training and technical assistance)
