



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

Distr.: General
23 May 2023

Original: English

Working Group on Firearms

Vienna, 3 and 4 May 2023

Report on the meeting of the Working Group on Firearms held in Vienna on 3 and 4 May 2023

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. Lastly, in its resolution 11/6, entitled “Strengthening international cooperation to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”, the Conference underscored the importance of the Working Group on Firearms as a substantive and useful network of experts and competent authorities established to identify, address and propose



responses to new challenges and trends, improve international cooperation and exchange information and best practices related to preventing and combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and took note with appreciation of its work and of the recommendations resulting therefrom. The Conference further invited States parties to consider, as appropriate, applying the relevant and applicable recommendations and discussion points resulting from the Working Group meetings, in order to contribute to the strengthening of international cooperation against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

II. Recommendations

5. At its meeting held in Vienna on 3 and 4 May 2023, the Working Group on Firearms adopted the recommendations presented below for consideration by the Conference of the Parties. Bearing in mind the voluntary nature of the recommendations, States may implement them where appropriate, feasible and consistent with domestic law.

A. General recommendations

Recommendation 1

States parties to the Organized Crime Convention may wish to consider following up on previous firearms-related resolutions of the Conference of the Parties.

Recommendation 2

States parties may wish to consider engaging in discussions with the private sector to discuss further improvements in firearms marking techniques with the aim of addressing and preventing the obliteration, removal or alteration of original markings, and to discuss methods for identifying firearms on which the markings have been erased.

Recommendation 3

The Conference of the Parties may wish to request the United Nations Office on Drugs and Crime (UNODC) to continue enhancing its cooperation and coordination with the secretariats of pertinent regional and international organizations and United Nations mechanisms, in accordance with those entities' respective mandates.

Recommendation 4

States may wish to consider providing the Firearms Trafficking Section of UNODC with sufficient and sustainable extrabudgetary funding enabling it to implement all its mandates, including promotion of the ratification and implementation of the Firearms Protocol.

B. Recommendations on strengthening international and inter-agency cooperation and coordination mechanisms in accordance with the Firearms Protocol and the United Nations Convention against Transnational Organized Crime

Recommendation 5

With a view to strengthening efforts to prevent and combat the offences set forth in the Firearms Protocol, parties to the Protocol may wish to consider the possibility of establishing national coordination mechanisms comprising government officials and all other relevant stakeholders. Non-parties to the Protocol are also invited to consider this possibility.

Recommendation 6

States may wish to consider establishing national firearms focal points or other bodies to trace firearms, and, where possible, their parts and components and ammunition, that may have been illicitly manufactured or trafficked; develop expertise in using ballistic or crime-related data; improve situational analysis and strategic reporting with respect to the offences set forth in the Firearms Protocol and related crimes; and identify legal loopholes.

Recommendation 7

States may wish to consider entering into bilateral agreements or arrangements with a view to posting liaison officers in countries located along firearms trafficking routes in order to establish communication channels with the relevant authorities of those countries, foster information exchange and cooperation and support joint or parallel investigations.

Recommendation 8

For the purpose of effective tracing of recovered firearms, their parts and components and ammunition that may have been illicitly manufactured or trafficked, States may wish to consider concluding memorandums of understanding with other countries in order to be able, inter alia, to provide information on both national and international tracing mechanisms and systems.

Recommendation 9

Parties to the Protocol are encouraged to analyse and disseminate among relevant national authorities relevant court decisions and procedures related to the offences of illicit manufacturing of and trafficking in firearms.

Recommendation 10

States may wish to consider developing operating procedures and guidelines for the recovery of firearms that may have been illicitly manufactured or trafficked, those procedures and guidelines defining the roles of relevant agencies and the procedures and examinations to be carried out, including ballistic examinations, and providing for the use of relevant databases and communication channels.

Recommendation 11

States are encouraged to make use of the tools and assistance provided by regional and international organizations such as the International Criminal Police Organization (INTERPOL) and UNODC in order to strengthen bilateral and multilateral law enforcement and judicial cooperation in combating firearms trafficking, including by engaging in joint cross-border operations, joint training activities and the exchange of good practices.

C. Recommendations on the implementation of articles 3 (Use of terms) and 4 (Scope of application) of the Firearms Protocol

Recommendation 12

Parties to the Protocol are encouraged to use the definitions provided in the Firearms Protocol to develop technical specifications that define when a weapon or any other object may be readily converted to expel a shot, bullet or projectile by the action of an explosive and would hence be a firearm or a part or component of a firearm, subject to the party's domestic legal framework.

Recommendation 13

Parties to the Protocol are encouraged to consider developing voluntary technical guidelines for the implementation of the Protocol in the light of technological developments related to, inter alia, the illicit manufacturing of firearms from semi-finished parts and components.

Recommendation 14

States may wish to consider including in their national firearms control regimes certain devices intended to be mounted on firearms, such as telescopic sights and laser sights and devices that make it possible to switch the firing mode of firearms from semi-automatic to automatic.

Recommendation 15

Parties may wish to recall their obligation to seek the support and cooperation of manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition to prevent and detect the illicit manufacturing – including conversion – of and trafficking in such firearms, parts and components and ammunition.

Recommendation 16

In the context of the Working Group on Firearms, States parties may wish to consider the potential negative impact of technological advancements on the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

D. Recommendations on matters pertaining to the review of the implementation of the Firearms Protocol

Recommendation 17

Parties may wish to encourage UNODC to foster the participation of manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition in the constructive dialogues following the meetings of the Working Group, in accordance with the procedures and rules of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

Recommendation 18

In the light of the challenges identified in the course of the review process, States parties may wish to consider making voluntary contributions to the secretariat of the Implementation Review Mechanism in order to ensure sufficient and sustainable funding to support the review process.

III. Summary of deliberations

6. The following summary of deliberations was prepared by the secretariat in close coordination with the Chair. It was not subject to negotiation and adoption during the meeting and was instead prepared as a summary by the Chair.

A. Strengthening international and inter-agency cooperation and coordination mechanisms in accordance with the Firearms Protocol and the United Nations Convention against Transnational Organized Crime

7. At its 1st and 2nd meetings, on 3 May 2023, the Working Group considered agenda item 2, entitled, “Strengthening international and inter-agency cooperation and coordination mechanisms in accordance with the Firearms Protocol and the United Nations Convention against Transnational Organized Crime”.

8. The discussion was facilitated by Lafama Prosper Thiombiano, Prosecutor at the Court of Koudougou, Ministry of Justice and Human Rights in Charge of Relations with Institutions of Burkina Faso, on behalf of the African Group; Ma Shengkun, Deputy Director General, Department of Arms Control, Ministry of Foreign Affairs of China, on behalf of the Asia-Pacific Group; Marcus Vinícius da Silva Dantas, Commissioner of the Federal Police, Head of the Arms Trafficking Suppression Service and Coordinator of the National Firearms Tracing Centre and of the International Task Force for Combating Arms Trafficking, Directorate for the Investigation and Combating of Organized Crime and Corruption, Federal Police of Brazil, Ministry of Justice and Public Security, on behalf of the Group of Latin American and Caribbean States; Isabel Thoren, Chief Superintendent, National Operational Department, and Head of the National Firearms Focal Point, Division for Innovation in Policing and Law Enforcement, Swedish Police Authority; and Ian Head, Head of Intelligence, Governance and International Development, National Ballistics Intelligence Service of the United Kingdom, on behalf of the Group of Western European and Other States.

9. Mr. Thiombiano delivered a presentation on the complementary nature of international and inter-institutional cooperation and coordination mechanisms. He provided an overview of the multilevel international cooperation framework, which consisted of legal and political instruments at the international, regional, multilateral and bilateral levels and informal tools and platforms for cooperation, such as the West African Network of Central Authorities and Prosecutors. He outlined the inter-agency coordination mechanisms in Burkina Faso, in particular the National Commission for Combating the Proliferation of Small Arms, which had focal points in every ministry, cooperated with private actors and fostered collaboration within the Economic Community of West African States. He also highlighted the experience gained through the cross-border operation KAFO, which was aimed at disrupting firearms trafficking in the Sahel region and was organized by the Firearms Trafficking Section of UNODC. According to the panellist, the operation promoted both inter-agency and international cooperation. He explained the different phases of the operation, including the preparatory and operational phases, during which each country established focal points, trained the officers involved in the operation, identified operational areas and mapped the different phenomena and modalities of illicit firearms circulation in the region. During the operational phase, teams were deployed on the ground. Those teams had seized large quantities of firearms, ammunition and other contraband to date, and criminal investigations had been initiated on the basis of those seizures. In concluding, the panellist recommended institutionalizing cooperation both among domestic institutions and with relevant countries. Furthermore, he stressed the importance of ensuring that seizures were followed by criminal investigations and prosecution so that perpetrators could be brought to justice.

10. Mr. Ma Shengkun started his presentation by outlining three concerns in the context of firearms control. Firstly, the proliferation of firearms and armed violence would lead to high casualties among civilians. Secondly, firearms flows into conflict zones increased the risk of illicit transfers and diversion. Lastly, technological developments and the availability of new materials had facilitated access to illicit firearms, making tracing and regulation more difficult. The panellist stressed the importance of strengthening inter-agency and international cooperation in order to

tackle those problems. He highlighted the role of his country's national inter-agency coordination mechanism, which since 2018 had operated on the basis of regular interministerial meetings aimed at coordinating operations to combat firearms-related crimes. Furthermore, he described the efforts of China to support and engage in international cooperation processes and operations, including a law enforcement operation carried out jointly with the countries of South-East Asia with the objectives of countering firearms-related crime and strengthening border security in the Mekong basin. The panellist recommended, inter alia, strengthening international cooperation, information and intelligence exchange and joint training, including with the support of international organizations. In particular, he mentioned the importance of continuously improving regional mechanisms for police cooperation in combating firearms-related crimes so as to prevent criminals from taking advantage of inconsistencies between or gaps in the laws of different countries.

11. Mr. Da Silvia Dantas informed the Working Group about the various international and inter-agency cooperation and coordination mechanisms in Brazil. One of the cornerstones of the country's firearms control regime was the National Firearms Tracing Centre of the Federal Police of Brazil, which sought to identify the origin of illicit firearms by systematically registering, monitoring, analysing, tracing and investigating all seized firearms and engaging in various form of international cooperation, including the use of such tools as the INTERPOL Illicit Arms Records and Tracing Management System database or, at the bilateral level, the eTrace database of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives for tracing firearms originating in the United States of America. The panellist also explained that the National Arms Tracing Centre had been able to establish that the official number of firearms seizures recorded by the State law enforcement services was significantly lower than the actual number of seizures, thus providing the Government with a solid base of evidence on the real scope of the issue. He described the initial establishment of the focal point, a process that had required close coordination with the 27 State civil police forces and the Brazilian army in order to increase their understanding of the importance of such a body. He then described the work of the International Task Force for Combating Trafficking in Firearms and Ammunition, in which relevant national police and customs authorities closely cooperated with Homeland Security Investigations, the investigative arm of the United States Department of Homeland Security. The Task Force had been established to combat firearms trafficking through direct police-to-police cooperation, rapid information exchange, proactive investigations, including financial investigations, and parallel investigations in Brazil and in the United States of America. Lastly, he mentioned the recent establishment, with the support of UNODC, of an informal contact group consisting of police officers and prosecutors from Argentina, Brazil, Chile and Paraguay. The group collaborated on ongoing investigations in order to exchange investigative information, trace firearms and engage in informal international cooperation.

12. Ms. Thoren described the work and structure of the National Weapon Centre of the Swedish Police Authority, of which the National Firearms Focal Point was also a part. The Centre was an operational hub that coordinated efforts to counter the supply of illegal firearms and weapons to criminals and supported regional police forces and other authorities in reducing the availability of illicit firearms. It was staffed with police and customs intelligence officers and investigators, had a national forensic centre and a legal and international affairs department and cooperated closely with regional police and customs offices, the customs authority and public prosecutor's offices. The panellist described the four work areas of the Centre as follows: (1) firearms tracing led by the national firearms focal point in cooperation with other countries and organizations, and the gathering and analysis of information, intelligence and forensic data to generate statistics and develop a situational overview of trends in and methods of firearms trafficking and illicit manufacturing; (2) the identification of supply chains in order to combat trafficking; (3) the sharing of knowledge with, inter alia, customs and regional police departments in order to support investigations, and the organization of training for prosecutors on firearms-

related crimes; and (4) the development of analytical reports on manufacturing and trafficking modalities, forensic methods and proposals for legislative amendments. She further described the challenges faced by the National Weapon Centre, particularly the fragmentation of firearms-related data across various databases, which was to be resolved by the development of a single centralized database for customs and police authorities. The panellist recommended the physical relocation of customs and police officers to the office of the national firearms focal point in order to facilitate the direct exchange of information. She also cited as an example of good practice the effective communication between the National Weapon Centre and other relevant authorities, which ensured that firearms-related information reached the Centre for analysis and the resulting findings were transmitted to frontline responders.

13. Mr. Head started his presentation by providing an overview of his country's inter-agency approach to addressing the criminal use and supply of firearms. As part of the United Kingdom firearms governance structure, various specialized meetings were held on a regular basis: (1) the National Criminal Use of Firearms Meeting, comprising representatives of law enforcement authorities, the Home Office, firearms licensing entities and prosecutorial bodies, identified key threats, planned operations, provided updates on firearms trends and shared knowledge and good practices; (2) the Criminal Use of Firearms Board carried out activities to prevent the criminal use of firearms; (3) the National Gun Crime Intelligence Managers Meeting brought together intelligence professionals with a view to developing intelligence and operational activities in support of local and national implementation of the Strategic Action Plan on the Criminal Use of Firearms; (4) the Firearms Licensing Meeting provided guidance with the aims of informing effective and consistent firearms licensing and collating evidence in relation to legislative changes; and (5) the National Ballistics Intelligence Service (NABIS) supported law enforcement agencies in gun crime investigations using ballistic intelligence. The panellist highlighted the work of NABIS, the role of which was to provide operational support, including rapid ballistic comparison, and reliable statistics on the numbers and types of weapons that were lost, stolen and seized, in order to enable the development of tactical and strategic intelligence products. NABIS and the National Targeting Centre of the National Crime Agency together formed the United Kingdom firearms focal point, which sought to improve information flow for intelligence purposes through a coordinated process of collection, analysis and sharing of information. To that end, the firearms focal point maintained a registry of all seized firearms and ammunition and had access to various national and international databases, including the National Intelligence Database, the National Firearms Licensing Database, the Forensic Ballistic Database, the INTERPOL Illicit Arms Records and Tracing Management System and the eTrace databases of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives. The panellist also highlighted the importance of tracing all seized firearms from the manufacturer to the last legal owner, analysing tracing data and providing information to national authorities and international actors such as the European Union Agency for Law Enforcement Cooperation (Europol) and UNODC, in the latter case through the Office's illicit arms flows questionnaire.

14. After the panel discussion, several speakers addressed questions to the panellists, including questions on the role of the private sector in inter-agency coordination mechanisms; coordination with the manufacturing industry to enhance the durability of firearms markings; and aspects of prevention in the context of firearms trafficking. National coordination mechanisms aimed at addressing the linkages between drug trafficking and firearms trafficking were also mentioned. One panellist responded that inter-institutional coordination bodies should be led by a government agency but should be open to civil society, academia and the private sector. Another panellist underlined that the nature and level of participation of civil society and other stakeholders in coordination mechanisms might differ from country to country and should take into account different national conditions. Several of the panellists addressed prevention. In that context, one panellist focused on the updating of firearms legislation to close legal loopholes related to the conversion of gas or alarm weapons into live-firing firearms or the reactivation of deactivated firearms.

Another panellist mentioned recent meetings held with a firearms manufacturer to discuss trends and modalities related to the modification of the manufacturer's models and to explore solutions for preventing such modification in the future. Furthermore, attention was drawn to the role of the national firearms focal point as a single point of contact enabling the private sector to report suspicious transactions or shipments. One panellist highlighted the role of the national firearms focal points in providing ad hoc information on trafficking and manufacturing modalities to law enforcement and customs authorities with the aim of enabling those authorities to keep abreast of changes in *modi operandi*, such as the use of falsified markings on firearms that were not produced by recognized manufacturers. He recalled that, on one occasion, his country had informed a firearms manufacturer that after the export of their products to a neighbouring country, large quantities of firearms had been diverted and trafficked to the country of the panellist. The information provided to the manufacturer had resulted in enhanced risk analysis and, eventually, the suspension of further exports. The panellist further stressed the importance of close cooperation between national authorities and the manufacturing industry to prevent tampering with and the falsification of markings, including through the development of marking standards. The panellists unanimously reiterated the importance of strengthening international cooperation and information-sharing in preventing and combating firearms trafficking. Responding to a question, one panellist noted that criminal justice responses should be based on domestic law while taking into account international law, such as the Firearms Protocol and human rights law.

15. Following the discussion with the panellists, the Chair, having taken note of the panellists' recommendations, invited the meeting participants to share further observations or provide ideas for additional recommendations. During the subsequent discussion, some speakers mentioned the importance of mutual trust and dialogue among relevant national institutions, which could be achieved through a combination of informal and flexible channels for rapid information exchange and formal inter-institutional mechanisms. Some speakers referred to commitments related to international cooperation in the Organized Crime Convention, the Firearms Protocol and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, as well as in the firearms-related resolutions of the Conference of the Parties, and how those commitments could be incorporated into national frameworks. Emphasis was also placed on regional cooperation mechanism and forums. Furthermore, reference was made to integrated firearms centres and firearms focal points and their role in combating the supply of firearms to organized crime groups and individuals, including through enhanced information and intelligence analysis, ballistic examinations, operational support and training of national officials. Some speakers stressed that such bodies should also have the capacity to trace firearms and have access to different national and international databases and secure communication channels, including INTERPOL tools, such as the I-24/7 global police secure communications system, the Firearms Reference Table, the Illicit Arms Records and Tracing Management System and the Ballistic Information Network.

16. Lastly, one speaker highlighted the potential role of the Working Group on Firearms in bringing together States that sought support in the implementation of the Firearms Protocol and States that could offer assistance, in order to establish a list of countries that would be willing to offer cooperation and assistance.

B. Implementation of articles 3 (Use of terms) and 4 (Scope of application) of the Firearms Protocol

17. At its 2nd meeting, on 3 May 2023, the Working Group on Firearms considered agenda item 3, entitled "Implementation of articles 3 (Use of terms) and 4 (Scope of application) of the Firearms Protocol".

18. The discussion was facilitated by Jose Romero Morgaz, Firearms Team Leader, Directorate-General for Migration and Home Affairs of the European Union, and

Paulo Sérgio Magalhães da Costa, Head of the Criminal Investigation and Inspection Unit, Weapons and Explosives Department, Public Security Police of Portugal, both on behalf of the Group of Western European and Other States.

19. Mr. Romero Morgaz delivered a presentation on the transposition of articles 3 and 4 of the Firearms Protocol into the legal framework of the European Union. He explained the various definitions used by the Union, which were binding for all of the Union's member States, and recommended the establishment of technical non-convertibility guidelines and deactivation standards. He also provided details of efforts to make the definitions set out in European Union directive 2021/555 more rigorous in order to prevent the illicit conversion of weapons into firearms. The directive now clarified that an object was considered capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant if: (a) it had the appearance of a firearm; and (b) as a result of its construction or the material from which it was made it could be thus converted. The panellist also mentioned European Commission implementing directive 2019/69, which laid down technical specifications for alarm and signal weapons, establishing that such weapons should not be capable of being modified through the use of ordinary tools to expel, or to become capable of being converted to expel, a shot, bullet or projectile by the action of a combustible propellant. The panellist also described the implementation of article 4 of the Firearms Protocol within the European Union legal framework. He provided information on the current project to reform the European Union regulation on import, export and transit measures for firearms, their essential components and ammunition, including proposed limitations on the import of gas and alarm weapons and semi-finished parts and components of firearms. The reform was aimed at improving security and facilitating trade by addressing existing loopholes and harmonizing rules and procedures to create a level playing field within the European Union single market. In addition, the panellist mentioned plans to publish a European Union-wide firearms reference table in order to enhance clarity with regard to the authorization and classification of different firearm types and models in all European Union member States.

20. Following the presentation on the implementation of articles 3 and 4 of the Firearms Protocol in the European Union, Mr. Costa described the implementation of those articles in Portuguese national legislation. Providing an analysis of the multilevel legal framework related to firearms, he stressed the need for harmonization in order to close legal loopholes. In addition, he highlighted the role of the national firearms focal point in preventing and combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

21. After the panel discussion, several speakers addressed questions to the panellists, including questions on the verbatim incorporation of the definitions set out in the Protocol into national law and on the regulation of firearms accessories, such as telescopic sights and laser sights, which are not included in the scope of application of the Firearms Protocol. The panellists provided information on the transposition of the Firearms Protocol into the legal framework of the European Union and the law of its member States, noting that those States could, in their national legislation, go beyond the minimum standards set forth in the Protocol and in the implementing directives and regulations of the European Union. The panellist of the European Union also explained that the European Union had considered the regulation of certain accessories, including night vision devices and silencers, but had eventually limited the scope of application of the firearms directive to essential components of firearms.

22. Following the discussion with the panellists, the Chair, taking note of the panellists' recommendations, invited the meeting participants to share further observations or provide ideas for additional recommendations. Several speakers highlighted differences and complementarities between national, regional and international instruments in terms of the implementation of articles 3 and 4 of the Firearms Protocol. Furthermore, some speakers stressed the need to harmonize definitions in order to resolve inconsistencies between and close gaps in the laws of different jurisdictions, although it was noted that full harmonization would be difficult

because there was no one-size-fits-all solution. It was further mentioned that each jurisdiction might have its own understanding and interpretation of the terms set forth in the Protocol. Some speakers provided an overview of the different parts, components and accessories of firearms that were regulated in their respective national legal systems, noting that in some firearms control regimes, firearms accessories were regulated in the same way as firearms themselves. The role and impact of technology with respect to the illicit manufacturing of and trafficking in illicit firearms was highlighted as an issue that the Working Group should continue to address. In the context of article 4 of the Protocol, which excludes State-to-State transactions from the Protocol's scope of application, several speakers expressed concern with regard to the application of the preventive measures provided for in the Firearms Protocol to such transactions on a voluntary basis.

23. Lastly, some speakers highlighted the importance of cooperation between States and other stakeholders, including civil society and the private sector, in particular the manufacturing industry. It was mentioned that in some jurisdictions, such cooperation included regular meetings with representatives of the private sector and associations of manufacturers, sport shooters and hunters. Several delegates proposed that representatives of the private sector be invited to participate either in Working Group meetings or in the constructive dialogues held following those meetings in order to exchange information and discuss technical specifications, including measures to prevent tampering with markings. It was also emphasized, however, that primary responsibility for firearms control rested with Governments.

C. Matters pertaining to the review of the implementation of the Firearms Protocol

24. At its 2nd and 3rd meetings, on 3 and 4 May 2023, respectively, the Working Group considered agenda item 4, entitled "Matters pertaining to the review of the implementation of the Firearms Protocol".

25. Given that no list of observations resulting from country reviews had yet been compiled, the Working Group was unable to consider substantive issues arising from the review of the implementation of the Firearms Protocol. Instead, a representative of the secretariat delivered a presentation on the status of the review process, providing up-to-date information and an overview of the main challenges and technical assistance needs identified during the first years of the review process.

26. The representative of the secretariat presented the current progress of the Implementation Review Mechanism, highlighting that only 28 per cent of the reviews (53 out of 189 country reviews) had been initiated. Additional details were shared with the Working Group in a background paper. The delays in the review process were linked to the limited availability of secretariat resources; difficulties encountered with regard to the nomination of focal points; multilingualism requirements; and the fact that the peer review process was conducted largely online. Moreover, the representative of the secretariat reminded States parties of the need to meet the 70 per cent completion threshold before the next thematic cluster could be initiated, as per paragraph 10 of the procedures and rules for the functioning of the Mechanism, recalling also the modalities for facilitating the participation of new parties to the Convention and the Protocols in the Mechanism.

27. Following the presentation by the secretariat, speakers acknowledged the secretariat's support and underscored the impact of the difficulties hindering the planned progress of the review process. Challenges identified by the speakers included, among others, the following: reviews involving multiple languages; limited exchange between experts owing to overreliance on online interactions; and complex questions in the self-assessment questionnaire. A recommendation was made to address the limited availability of secretariat resources with a view to overcoming the main challenges identified so far.

28. Some speakers also highlighted the added value of the review process in the effective implementation of the Organized Crime Convention and the Firearms Protocol and in promoting international cooperation. Speakers further noted that the differences between legal systems and the varying levels of knowledge of country situations had an impact on the ways in which the Protocol was implemented at the national level and on the review of such implementation. Reference was also made to the importance of upholding the principles of the Implementation Review Mechanism as set out in the procedures and rules for the functioning of the Mechanism.

29. In relation to recent ratifications of the Firearms Protocol, a number of participants underscored the need to discuss modalities for the participation of new parties, including through the Conference of the Parties and bilateral channels.

30. The Chair announced that in accordance with paragraph 53 of the procedures and rules for the functioning of the Implementation Review Mechanism, following the conclusion of the tenth meeting of the Working Group on Firearms, the second constructive dialogue with relevant stakeholders on the review process related to the Firearms Protocol would take place on 5 May 2023. The Chair also informed the Working Group that, with the support of the secretariat, he would prepare a written summary of that discussion, to be made available to the Working Group at its next meeting.

D. Other matters

31. At its 3rd meeting, on 4 May 2023, the Working Group considered agenda item 5, entitled “Other matters”.

32. Pursuant to paragraph 35 (a) of resolution 9/2 of the Conference of the Parties, a representative of the secretariat delivered a presentation on the activities carried out by UNODC since the preceding session of the Working Group to promote the ratification and implementation of the Firearms Protocol.

33. During the discussion that followed, several speakers expressed gratitude for the support provided by the UNODC Firearms Trafficking Section in implementing the Firearms Protocol. One speaker drew attention to the importance of ensuring sufficient funding and staffing to enable the Section to carry out its work, and proposed the allocation of additional funds to the Section.

IV. Organization of the meeting

A. Opening of the meeting

34. The tenth meeting of the Working Group on Firearms was held in Vienna on 3 and 4 May 2023 and comprised a total of four meetings. As agreed by the extended Bureau of the Conference of the Parties by means of a silence procedure (no-objection procedure) on 21 April 2023, the meeting was held in hybrid format.

35. The meeting was opened by Miguel Ángel Reyes Moncayo (Mexico), Chair of the Working Group.

36. General statements at the opening of the meeting were made by the representative of the European Union and by the observer for the United States of America.

37. In accordance with rule 46 of the rules of procedure for the Conference of the Parties, the Chair accorded the right of reply to the representatives of the European Union and Ukraine and the observers for the Russian Federation and the United States of America.

B. Statements

38. Representatives of the secretariat made introductory remarks under agenda items 2, 3, 4 and 5.

39. With the Chair presiding, the discussion under item 2 was led by the following panellists: Lafama Prosper Thiombiano (Burkina Faso), Ma Shengkun (China), Marcus Vinícius da Silva Dantas (Brazil), Isabel Thoren (Sweden) and Ian Head (United Kingdom).

40. The discussion under item 3 was led by the following panellists: Jose Romero Morgaz (European Union) and Paulo Sérgio Magalhães da Costa (Portugal).

41. Under agenda item 2, statements were made by representatives of the following parties to the Firearms Protocol: Algeria, European Union, Guatemala, Mexico, Morocco, Paraguay and the Bolivarian Republic of Venezuela. Statements were also made by the representative of China as signatory State and the observers for Colombia, the United States of America and INTERPOL.

42. Under agenda item 3, statements were made by representatives of the following parties to the Firearms Protocol: Brazil, European Union, Guatemala and Mexico. Statements were also made by the representative of China as signatory State and by the observers for Colombia, the United Arab Emirates and the United States of America.

43. Under agenda item 4, statements were made by the representative of Mexico, a State party to the Firearms Protocol, by the representative of China as signatory State and by the observer for Colombia.

44. Under agenda item 5, statements were made by the representative of Argentina, a State party to the Firearms Protocol, and by the representative of China as signatory State.

C. Adoption of the agenda and organization of work

45. At its 1st meeting, on 3 May 2023, 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. Strengthening international and inter-agency cooperation and coordination mechanisms in accordance with the Firearms Protocol and the United Nations Convention against Transnational Organized Crime.
3. Implementation of articles 3 (Use of terms) and 4 (Scope of application) of the Firearms Protocol.
4. Matters pertaining to the review of the implementation of the Firearms Protocol.
5. Other matters.
6. Adoption of the report.

D. Attendance

46. The following States parties to the Firearms Protocol were represented at the meeting: Algeria, Argentina, Armenia, Austria, Azerbaijan, Belarus, Belgium, Benin, Brazil, Burkina Faso, Chile, Costa Rica, Cuba, Cyprus, Czechia, Dominican Republic, Estonia, European Union, Finland, France, Germany, Greece, Guatemala,

Guyana, Honduras, Hungary, India, Italy, Jamaica, Kuwait, Lebanon, Libya, Lithuania, Mexico, Morocco, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Tanzania, Tunisia, Türkiye, Ukraine and Venezuela (Bolivarian Republic of).

47. The following States signatories to the Firearms Protocol were represented by observers: Australia, Canada, China and United Kingdom.

48. The following States that are not parties or signatories to the Firearms Protocol were represented by observers: Afghanistan, Colombia, Indonesia, Iran, Jordan, Kyrgyzstan, Maldives, Malta, Micronesia (Federated States of), Myanmar, Namibia, Pakistan, Philippines, Russian Federation, Sri Lanka, Thailand, United Arab Emirates, United States of America and Yemen.

49. The following intergovernmental organizations and United Nations entities were represented by observers: African Union Mechanism for Police Cooperation, Commonwealth of Independent States, European Border and Coast Guard Agency, Europol, INTERPOL, Office of the United Nations High Commissioner for Human Rights, Pacific Islands Chiefs of Police, South-East European Law Enforcement Centre, United Nations Office for Disarmament Affairs and Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

50. A list of participants is contained in document [CTOC/COP/WG.6/2023/INF/1/Rev.1](#).

E. Documentation

51. The Working Group had before it the following:

- (a) Annotated provisional agenda ([CTOC/COP/WG.6/2023/1](#));
- (b) Background paper prepared by the Secretariat on strengthening international and inter-agency cooperation and coordination mechanisms in accordance with the Firearms Protocol and the United Nations Convention against Transnational Organized Crime ([CTOC/COP/WG.6/2023/2](#));
- (c) Background paper prepared by the Secretariat regarding the implementation of articles 3 (Use of terms) and 4 (Scope of application) of the Firearms Protocol ([CTOC/COP/WG.6/2023/3](#));
- (d) Background paper prepared by the Secretariat on the status of the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto ([CTOC/COP/WG.6/2023/4](#)).

V. Adoption of the report

52. At its 4th meeting, on 4 May 2023, the Working Group adopted chapters I, II, IV and V of the present report.