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English only

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**Working Group on Firearms**

Vienna, 4 and 5 May 2022

Item 4 of the provisional agenda\*

**Matters pertaining to the review of the implementation of the Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime****Status of the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocols thereto****Note by the Secretariat****I. Introduction**

1. In October 2018, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime established the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>1</sup> through Conference resolution 9/1, which included in its annex the procedures and rules for the functioning of the UNTOC review mechanism. Following a two-year preparatory phase, the review process of the Mechanism was launched on 16 October 2020, through Conference resolution 10/1.
2. In accordance with operative paragraph 12 of the procedures and rules for the functioning of the UNTOC review mechanism, which reads “the Conference and its working groups shall add the matter to their agendas as an item consistent with their areas of expertise and without prejudice to their respective existing mandates”,<sup>2</sup> the item on the UNTOC review mechanism, with a focus on matters pertaining to the review of the implementation of the Firearms Protocol, was added to the agenda of the ninth session of the Working Group on Firearms.
3. This conference room paper contains the updated information on the functioning of the UNTOC review mechanism.

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\* [CTOC/COP/WG.6/2022/1](#).

<sup>1</sup> Hereinafter: UNTOC review mechanism.

<sup>2</sup> [CTOC/COP/2018/13](#), resolution 9/1, annex.



## II. Status of the reviews

4. Pursuant to paragraph 12 of the procedures and rules for the functioning of the UNTOC review mechanism, the review process of the review mechanism “shall be composed of a general review that will be undertaken in the plenary of the Conference of the Parties, and of country reviews that will be conducted through desk reviews”.<sup>3</sup> The update provided by the Secretariat to the working group focuses on the progress of the country reviews.

### A. Drawing of lots

5. Pursuant to paragraphs 17 and 28 of the procedures and rules for the functioning of the UNTOC review mechanism, States parties are divided into three groups to start their reviews staggered in three consecutive years. The selection of States parties participating in the country reviews and their reviewing States shall be carried out by the drawing of lots at a joint intersessional meeting of the working groups without interpretation at the beginning of the review process. States parties may request a maximum of four times that the drawing of lots be repeated, and in exceptional circumstances, States parties may request a redraw.

6. Two initial joint intersessional meetings of the working groups were held, on 23 November and 14 December 2020. As a result of the drawing of lots which took place during those meetings: 130 countries were selected to participate as part of group one in 62 reviews, 131 countries were selected to participate as part of group two in 63 reviews and 134 countries were selected to participate as part of group three in 64 reviews.

7. In accordance with paragraph 28 (d) and (f) of the procedures and rules for the functioning of the UNTOC review mechanism, the Secretariat subsequently organized three joint intersessional meetings of the working groups for the purpose of the repetition of the drawing of lots, on 12 October 2021, 17 February 2022 and 4 May 2022, respectively, following the request of some States parties to repeat the drawing of lots.

8. The updated results of the drawing of lots have been circulated to States parties and can be found on the dedicated website of the UNTOC review mechanism.<sup>4</sup>

### B. Nomination of focal points and governmental experts

9. In accordance with paragraph 18 of the procedures and rules for the functioning of the UNTOC review mechanism and paragraph 5 of the guidelines for conducting the country reviews,<sup>5</sup> each State party shall appoint, within two weeks from the start of the review, a focal point to coordinate its participation in the review and make this information available on the online platform REVMOD which hosts the process of country reviews. In addition, in accordance with paragraph 6 of the guidelines for conducting the country reviews,<sup>6</sup> States parties should also designate, within four weeks after the start of their participation in the review process, governmental experts to carry out the country review.

10. From the above-mentioned 130 States parties that were selected to participate in the first group of reviews, 26 have not designated a focal point to date.

11. Moreover, with the commencement of the reviews of group two in November 2021, in which 131 States parties participate, the Secretariat circulated a

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<sup>3</sup> CTOC/COP/2020/10, resolution 10/1, annex I, operative paragraph 12.

<sup>4</sup> Accessible at: [https://www.unodc.org/documents/organized-crime/reviewmechanism/DOL\\_Results\\_Updated\\_.pdf](https://www.unodc.org/documents/organized-crime/reviewmechanism/DOL_Results_Updated_.pdf).

<sup>5</sup> CTOC/COP/2020/10, resolution 10/1, annex I.

<sup>6</sup> Ibid.

note verbale on 13 September 2021 inviting those States parties to nominate focal points and governmental experts in due course. As of June 2022, the Secretariat has received nominations of focal points from 95 States Parties, 67 of which already had been nominated as part of the review process of group one.

12. The overall number of designated governmental experts and focal points for group one and group two reviews is the following: 139 focal points and 823 governmental experts – 30 per cent are females. In addition, 9 States parties have additionally nominated observers. Officials who had been granted access to REVMOD as observers usually have a “read-only” access to the content of the reviews, i.e. they cannot perform any actions nor modify the content.

13. UNODC has worked closely with its Information Technology Service (ITS) to make the details of the designated focal points and governmental experts available in a dedicated database on REVMOD.

### **C. Status and progress of country reviews**

14. In accordance with paragraphs 17 and 28 of the procedures and rules for the functioning of the UNTOC review mechanism and paragraph 4 of the guidelines for conducting the country reviews, the staggered start of the reviews per group of States parties is as follows: 1 December 2020 for the first group, 1 November 2021 for the second group and 1 November 2022 for the third group.

15. As of June 2022, out of the 62 Reviews of group one, only 32 reviews are currently advancing. The details on their current status are listed below:

- (a) Seven reviews are at the stage of the preliminary consultation;
- (b) Eight reviews are at the stage of the self-assessment questionnaire, with the State party under review currently being in the process of preparing its answers to the questionnaire;
- (c) Sixteen reviews are at the stage of the written feedback, currently being prepared by the two reviewing States; while
- (d) One review is at the stage of drafting the lists of observations.

16. As of June 2022, out of the 63 reviews of group two, which commenced in November 2021, only 15 have substantively started, with the State party under review currently working on its responses to the self-assessment questionnaire.

### **D. Challenges and recent practices**

#### **Delays in nominations**

17. The COVID-19 pandemic and its impact worldwide has also affected the progress of the UNTOC review mechanism and the nomination of focal points and governmental experts for the review process.

18. The delay in appointing focal points often affected the timely start of country reviews, in particular when the missing nomination was of the State party under review. Nonetheless, where the focal point(s) of the reviewing States parties were missing, the Secretariat encouraged the State party under review to avail the time to start working on its responses to the self-assessment questionnaire, while waiting for the mentioned nominations.

19. As of June 2022, 31 out of the 62 reviews of group one that were supposed to start the process in December 2020 have not yet started because of the missing nominations of focal points. In 13 cases the pending nomination is from a State party under review. As regards group two, 38 out of the 63 reviews that were supposed to start in November 2021, have not yet commenced because of missing nominations of

the focal point by either the State party under review (16 reviews) or one/both reviewing State parties (22 reviews).

20. In response to the above-mentioned delays, the Secretariat has worked closely with Permanent Missions, as well as UNODC regional and country offices to follow-up on the missing nominations, having a positive impact on the process. The States parties which have not yet done so are strongly encouraged to nominate their focal points and governmental experts at their earliest convenience.

#### **Availability and responsiveness of focal points**

21. Another factor that impacted the timely start and progress of some reviews is the availability and responsiveness of designated focal points. In many cases focal points could not always ensure a timely and speedy communication with other relevant counterparts. This led to delays in the start of some reviews. To overcome this challenge, the Secretariat started facilitating the organization of all preliminary consultations in line with paragraph 11 of the guidelines for conducting the country reviews according to which the State party under review is to undertake consultations with the reviewing States parties within six weeks of the start of its review, through their focal points and with the assistance of the Secretariat, on the establishment of time frames and the requirements of the country review.<sup>7</sup> As of June 2022, the Secretariat facilitated the organization of 35 preliminary consultation meetings.

#### **Working language(s) of the reviews**

22. In accordance with paragraph 50 of the procedures and rules for the functioning of the UNTOC review mechanism, “the country review process may be conducted in any one or two of the six working languages of the Mechanism”<sup>8</sup> and in exceptional circumstances in three languages, as agreed upon by the State party under review and the reviewing States parties. In this regard it is noteworthy that the Secretariat is unable to support the translation of the written outputs of those reviews with more than one language, due to a lack of voluntary contributions as indicated in paragraph 54 of the procedures and rules for the functioning of the UNTOC review mechanism. This challenge has impacted the progress of some reviews and resulted in some requests for the repetition of the drawing of lots.

23. As of June 2022, out of the 36 reviews that have started, 58 per cent agreed during the preliminary consultation on the use of only one working language (21 reviews): 18 reviews agreed on English, two on Spanish and one on French. Eleven of the currently active reviews have opted for two languages: four reviews chose English and Arabic, three reviews chose English and Spanish, three reviews chose English and French, and one reviews chose English and Chinese. Additionally, in a few cases, no agreement could be found during the preliminary consultation on the working language of the reviews in view of the lack of resources for translation.

### **III. Technical Assistance and support provided by the Secretariat**

24. In accordance with paragraph 54 of the procedures and rules for the functioning of the UNTOC review mechanism, the review mechanism is funded from different sources (mixed model) combining the use of existing resources of the regular budget with voluntary contributions. UNODC, as requested by the Conference of the Parties via the procedures and rules established the Global Programme to Support the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (GLOW97) to manage the voluntary contributions to the review mechanism and ensure its effective

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<sup>7</sup> Ibid.

<sup>8</sup> CTOC/COP/2018/13, resolution 9/1, annex.

operation, including providing Secretariat services and support which are funded by contributions.

25. Since 2020, UNODC has, in particular through GLOW97, briefed and trained over 1,500 government officials from 120 States parties on the aspects of the UNTOC review mechanism. UNODC delivered 64 trainings to familiarize focal points and governmental experts of States parties under review and reviewing States parties with the methodology of the review process and the use of REVMOD.

26. UNODC also developed several resources to further support the familiarization of focal points and governmental experts with the UNTOC review mechanism. In particular:

(a) An e-learning module on the UNTOC review mechanism and the use of REVMOD, currently available in English, French and Arabic;

(b) Manuals on the use of REVMOD for focal points and governmental experts; and

(c) A Guide for focal points on the preparation for the preliminary consultation meeting.

27. Focal points and governmental experts were assisted in setting-up their accounts to access REVMOD and advised on numerous occasions on more substantive and procedural aspects of the review process.

28. There is a growing number of technical assistance needs. Surveys on States parties' assistance needs and preferences on their participation in the review mechanism were shared through notes verbales in January and February 2021. Moreover, an updated survey was recently made available to Focal Points and Governmental Experts on REVMOD.

## **IV. Constructive dialogues and engagement with relevant stakeholders**

### **A. Constructive dialogues**

29. To promote fruitful engagement with relevant stakeholders, including non-governmental organizations, in accordance with paragraph 53 of the procedures and rules for the functioning of the UNTOC review mechanism, the constructive dialogues with relevant stakeholder on the review process by the working groups of the Conference of Parties started in 2022. The first constructive dialogue on the review process was convened on Friday, 6 May 2022, following the conclusion of the ninth session of the Working Group on Firearms and the adoption of the report. The information on the organization of the constructive dialogues is available on the website of the UNTOC review mechanism.

### **B. Engagement with non-governmental stakeholders**

30. UNODC also provides, through the Civil Society Unit and its initiative "Stakeholder Engagement for the United Nations Convention against Transnational Organized Crime (UNTOC), its Review Mechanism and Related Activities Project (SE4U)", capacity-building of non-governmental stakeholders (NGOs, academia, and the private sector), with the support of GLOW97 to support the constructive engagement of these stakeholders in the review process, in line with resolution 9/1. To date, over 900 non-governmental stakeholders from over 100 countries have been trained on the review process and avenues for cooperation with Member States, through workshops, self-paced online courses (available in Arabic, English, French

and Spanish) and additional materials.<sup>9</sup> To facilitate cooperation and networking of relevant non-governmental stakeholders working on organized crime and corruption, the Multistakeholder Knowledge hub “WhatsOn” has been developed as part of the SE4U project and hosts 400 members from 127 countries.

31. In March 2022, the first SE4U Regional network for the Americas was launched with the aim of coordinating non-governmental stakeholder engagement in the review process and sharing experiences on national processes. In April 2022, the first “Pilot initiative”, a government-led multi-stakeholder engagement process, took place in Mexico with the support of UNODC.

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<sup>9</sup> Among others a “Toolkit on Stakeholder Engagement for the implementation of UNTOC” and a “Guide for civil society community engagement in the UNTOC review”.