



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

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**Review of the implementation of the United Nations
Convention against Transnational Organized Crime and
the Protocols thereto: Protocol against the Illicit
Manufacturing of and Trafficking in Firearms, Their
Parts and Components and Ammunition**

Work of the United Nations Office on Drugs and Crime on conducting a study of the transnational nature of and routes used in trafficking in firearms

Note by the Secretariat

I. Introduction

1. In its resolution 5/4, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime expressed concern regarding the increased levels of harm and violence that transnational criminal organizations generated in some regions of the world as a result of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and recalled that the Organized Crime Convention and, in particular, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the Convention, were among the principal global instruments to combat those phenomena.

2. In that resolution, the Conference requested the United Nations Office on Drugs and Crime (UNODC) to conduct a study of the transnational nature of and routes used in trafficking in firearms, based on the analysis of information provided by States on confiscated weapons and ammunition, for consideration by the Conference at its sixth session.

3. In view of the limited resources available to UNODC for this purpose and in order to advance in the preparations for such a comprehensive study, a note verbale

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was circulated on 29 March 2012, requesting States parties to provide information and proposals on any of the following substantive and material aspects:

(a) Information on weapons and ammunition confiscated since 22 October 2010, including the date, place and conditions of seizure, mode of transport, weapon and ammunition type and any other relevant information;

(b) Existing studies, information, data or assessments carried out by the State party on the transnational nature of trafficking in firearms and the routes used in smuggling firearms into and out of its territory, and descriptions of the methodology used;

(c) Suggested topics, the scope and the extent of the study and proposed methodology for the possible development of a comprehensive study by UNODC;

(d) Expression of interest to participate in a comprehensive study and to make available relevant information and data, as well as expertise and/or financial resources for this purpose.

4. At the time of the preparation of the present note, the following States had provided information to UNODC: Algeria, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Colombia, Ecuador, El Salvador, France, Greece, Japan, Mexico, Portugal, Spain, Syrian Arab Republic, Turkmenistan and Zimbabwe. A summary of the responses received from States is provided below. This note also provides proposals and recommendations for the development of a comprehensive study.

II. The role of firearms-related information in determining the transnational nature of and routes used in firearms trafficking

5. The identification and tracing and the subsequent analysis of primary and secondary data on firearms that have been collected, lost, found, seized or confiscated provides an important source of information for understanding the circulation and availability of firearms and the incidence of firearm involvement in crime and the impact on security. It also provides essential information for confirming the existence of possible trafficking flows and their transnational dimension, routes, patterns and modalities.

6. Article 8 of the Firearms Protocol requires State parties to ensure that each firearm bears, at the time of manufacturing, a unique marking with, at the minimum, the information necessary to identify the manufacturer, country or place of manufacture and the serial number (art. 8, para. 1 (a)). Imported firearms shall bear a simple import marking permitting the identification of the country of import and, if possible, the year of import (art. 8, para. 1 (b)), and further markings are required when firearms are transferred from government stocks to civilian use (art. 8, para. 1 (c)) at the time of deactivation and final disposal. Such information, as well as any relevant information related to any international transfers of such firearms and, if possible, their parts and components and ammunition, must be kept in appropriate registries, which States parties must establish and maintain for a prudent period of time. Under the Protocol, a period of not less than 10 years is required; but ideally, States should consider establishing a longer period of time. This information

must be made available for the purpose of identifying and tracing these firearms, and, where appropriate, their parts and components and ammunition (art. 7 of the Protocol), with a view to preventing and detecting their illicit manufacture or trafficking. The more accurate and complete the data related to firearms, their parts and components and ammunitions are, the more reliable the research findings will be, and consequently, the more useful they will be for further policy design and planning.

7. The starting point for a comprehensive study of the transnational nature of and routes used in trafficking in firearms must therefore be the firearm itself, and the wealth of data it can provide. Knowing the country of origin enables one to determine whether there are illicit flows of firearms to, from or through a country or subregion or whether the internal domestic market is supplying the firearms in circulation. That analysis helps determine whether there is unregulated handcrafted production or other forms of illicit manufacturing, either within the country or in neighbouring countries, and the estimated scale of the problem. It is possible to establish whether firearms of foreign origin have entered the country legally or illegally and possibly identify the routes and modalities used for their transportation and the circumstances of their loss or diversion. Additional import markings allow Governments to determine, with a greater degree of accuracy, the moment of diversion of the arms into the illicit circuit, thereby shortening the tracing process considerably. The cross-referencing of detected firearms with data on country of origin and the last point of registration of those weapons can lead to a better understanding of the transnational nature and dimension of such flows. That, in turn, can assist in devising the most appropriate national, regional and global responses to those threats. Such an exchange of information is also very useful in establishing whether firearms collected, found, seized or confiscated in one country have been previously reported as stolen or lost in the country of origin.

8. The ownership of the collected arms, whether by civilians, police or military, is the first important indicator of the patterns and dimension of the availability of firearms in a country and the main points and means of diversion. The analysis of the circumstances in which the firearms have been collected — whether through voluntary surrender, at a crime scene or as a result of criminal intelligence and interdiction operations — provides a more concrete picture of the impact of those arms on crime and security in a country. Such information is also a useful indicator in the detection of possible loopholes or weaknesses in internal control mechanisms and of common methods of diversion and trafficking routes, as well as of possible patterns of diversion from national police or military arsenals and stockpiles, civilian owners or local manufacturers. This information is crucial for taking informed decisions and devising adequate and diversified prevention and control measures in the country, including focused communication and awareness-raising strategies, voluntary collection or buy-back campaigns, more stringent security and control regulations for the protection and control of manufactured firearms. In that connection, such control regulations should include provisions for the safe and secure storage of firearms and stricter control and enforcement measures for State-owned firearms and domestic arsenals and stocks, in order, inter alia, to prevent and detect thefts, losses and corrupt practices by officials in charge of their supervision.

9. It is essential to conduct an analysis of the most common concealment methods and trafficking modalities for firearms and ammunition in order to improve understanding of the current trafficking situation, its dimensions and modalities and any links to other forms of illicit trafficking. For example, several responses received indicated that trafficking in firearms in the country followed the same trafficking patterns as did the illicit drug trade and that the two types of illicit trade were often combined. Once such an analysis has been conducted, more concrete risk assessments can then be prepared and more precise profiling indicators can be established in order to enhance the capacities of the control authorities to prevent and detect such movements and enforce more effective and focused controls of international transfers and at national borders. Through international tracing and cooperation efforts, it is then possible to add additional information from the country of origin on collected or illicitly trafficked firearms and further determine the subsequent movements of those firearms. That provides a broader picture and allows for the establishment of more solid and empirically based data on the transnational dimension of such trafficking, its routes, the most common mod operandi utilized by traffickers and possible links to other forms of transnational crime.

10. When the same or similar information is gathered and collected in a comparable manner by several countries and in several regions, available data can be placed in a larger context, further enhancing its usefulness. An analysis of the relationships that emerged from the combined data may lead to a better picture of the global trafficking situation, helping to establish links and connections between intraregional movements and the transregional connections and enabling the comparison of such data on trafficking in firearms with data on other types of trafficking flows, such as of drugs, precious metals and human beings, with a view to identifying commonalities and shared patterns.

11. Finally, the continuous and systematic collection and analysis of such data, including its integration with a geographical information system, would enable countries to identify trends and patterns and measure over time the achievements and results of national, regional and global policies and measures to counter illicit trafficking. It would also enable States to recognize possible links and relationships between incidents in one country or region and their possible impact on neighbouring countries or the rest of the world, which could provide some degree of ability to predict possible spillover effects or displacements of existing trafficking routes from one country or region to another. It may also shed light on the possible nexus between firearms trafficking and other serious crimes, including terrorism and violations of international arms embargoes, and assist in revealing the presence of transnational criminal organizations or networks operating in several countries and regions or the presence of loose alliances and joint ventures among individual criminal organizations and networks.

12. The present analysis has been based on this kind of information. Owing to the limited number of responses, it has not been possible to draw general conclusions regarding the transnational nature of firearms trafficking or determine patterns and routes of the illicit trafficking except in specific, circumscribed geographical areas. However, the level of information and the details provided by the responding States parties has enabled UNODC to draw some conclusions that might facilitate the conduct of a more comprehensive study.

III. Summary of responses

A. Information on collected, stolen or lost, seized and confiscated weapons and ammunition

13. All responding States have provided, with different degrees of detail, concrete information on firearms collected, seized or confiscated during the period under review. Several States have also provided additional information on their national legislation on arms and ammunition. One State provided details of its new law regarding seizures and confiscation of firearms and ammunition, the operational procedures to be used during the seizure process, the type of information that must be registered and maintained, and the various forms of final disposal admitted by law.

14. Several States have provided information about their capabilities to gather and analyse statistics on seized and confiscated weapons. They noted that the relevant data were collected in a central location and computerized, thus allowing for timely searches and extractions of details for a specified time frame and for sharing with counterparts upon request. One State provided information on a case management database maintained by the judicial police within its prosecution service, which gathers data on all investigative proceedings, including the seizure of arms. However, the database does not contain details on seizure operations or modalities and methods of transportation utilized by the traffickers.

15. Most responding States provided information on the number of confiscated and seized firearms and ammunition. The type of information and the level of detail provided in the responses varied considerably. Several States provided complete information on the identification of the seized firearms, including the type, model, calibre, registration and/or serial number. One State provided, in addition, details on seized explosives and ammunition, whereas four other States indicated the amount of seized explosives and ammunition. Two States provided only disaggregated data on firearms and on ammunition and/or explosives. One State provided information on the most relevant cases, and thus the statistics provided do not correspond to the totals for the period under review. Several States parties provided information about the date and location of the seizure of firearms and ammunition, while other States identified only the date of the seizure. Two States parties provided maps identifying the border-crossings where the seizures took place. Three States parties specified the country of origin of the trafficked firearms.

16. On the basis of the information available, there appears to be a significant degree of variance in the amounts of firearms reported by individual States as seized or confiscated, ranging from a few dozen to more than 56,000 firearms, in a comparable period of time. Similarly, the information provided on seized ammunition varies considerably. In some cases, the information provided does not allow for the disaggregation of data on ammunition from data on explosives or firearms. In countries for which information was available, seized or confiscated ammunition ranged from a few hundred rounds to more than 6,215,000 rounds in the same period.

17. In some cases, the information on recovered firearms included firearms collected through voluntary surrender processes. One country provided

disaggregated data and informed UNODC that, during the same period, in addition to seized and confiscated firearms, more than 840,000 firearms had been deposited or collected by the authorities.

18. Several States provided information about the offences that led to the seizure or confiscation of firearms and ammunition: armed robbery, theft, kidnapping, carrying a firearm without a licence, poaching, expired licence for possession of a firearm and possession of a firearm without a licence, among other offences. Although one State indicated that it did not have information on seized firearms related to international trafficking, it did not rule out the possibility that smuggling in firearms to or through the country was taking place, given the country's porous borders. In fact, most of the seized firearms reported by that State appeared to originate in a variety of third countries (the countries of manufacture identified were in, inter alia, North and South America and West and Eastern Europe, including the Balkans). Further tracing of the seized and collected firearms would be required to establish whether those firearms had been legally imported into the countries from which they had then entered the reporting country. In that regard, only one country provided additional information on the number of firearms for which a formal tracing request was issued under a bilateral cooperation agreement with a neighbouring State.

19. Several States provided information on the offences most commonly associated with trafficking in firearms in their jurisdiction, such as drug trafficking, trafficking in persons, money-laundering and thefts committed with the use of threat. One State's response stated that while the cases of illicit possession of firearms were normally not linked to organized crime, intelligence information revealed that most cases of illicit trade in weapons was linked to organized crime. A few countries provided information on the nationality of the perpetrators of firearms-related offences, most of whom were nationals of the reporting country, and in some cases nationals of neighbouring countries.

B. Information on studies or assessments on the transnational nature of and routes used in trafficking in firearms

20. States had also been requested to provide information on existing studies and data or assessments on the transnational nature of and the routes used in trafficking in firearms into and from their territory, and provide, where available, a description of the methodology used for that research.

21. Three States provided information on studies or assessments on the transnational nature of and the routes used in trafficking in firearms, which had been conducted by national authorities or in which their domestic institutions had taken part. The information provided by those States focused on specific routes and specific regions affected by trafficking in firearms and provided details on the origin, type and make of trafficked firearms; in some cases, the purpose for which such firearms had been trafficked was provided.

22. Most responding States provided information on the mode of transportation and routes used for trafficking firearms and ammunition. Most States indicated that the quantities trafficked were predominantly small, possibly indicative of the

so-called “ant trade”.¹ Several States considered the porousness of their borders to be a major factor in illicit trafficking. One State’s response included a map detailing more than 55 points of entry into the country, several of which were so-called “blind” entry ports, mostly used by criminal organizations for illicit trade.

23. A common phenomenon emerging from the responses is that cross-border and intraregional trafficking continue to be the prevailing forms of trafficking, at least in the States reporting. The analysis of the cases submitted indicated that the most common means of trafficking made use of land routes, with transport companies and public and private transport, such as small numbers of private cars and buses, through both controlled and uncontrolled border points, as well as by sea, using small boats and, in one case, containers. Few cases of seizures at airports or through the mail were reported. However, the information provided, while indicative of a certain pattern valid for the reporting countries, does not confirm that these methods are the prevailing means of trafficking, given that there is a lack of sufficient comparable data.

24. Although most States named neighbouring countries as the source of trafficked firearms, the information available on the types of arms seized indicates that in most cases the firearms described had not actually been manufactured in the neighbouring country. However, responding States did not provide additional information on the status of such firearms in the neighbouring country from which they entered the responding State. Details are not available as to whether those firearms had previously been legally owned in the neighbouring country and were later reported stolen or lost in that country, or whether they had originated in a third country and arrived in the responding State by illegally transiting through the neighbouring country. One responding State indicated that recent crises in some countries in the region had led to several incidents of mutiny and the consequent theft and uncontrolled circulation of larger amounts of arms along its borders with neighbouring countries. Five States provided a detailed description of common trafficking methods and routes. Two of those States noted that the major firearms trafficking routes in their region were also notorious drug trafficking routes.

25. A few States provided details on the most common factors contributing to firearms trafficking in the country and abroad, such as remnants from armed conflicts, thefts from stockpiles, poor security measures and disloyal officials, Internet purchases and arms fairs. Two States made special reference to the possibility of using the Internet for the purpose of trafficking in firearms. The fact that legislation on deactivation requirements adopted by States of the same region had not been harmonized was an additional factor facilitating illicit trafficking in firearms, parts and components.

26. Several country responses included an analysis of the profiles and the nationalities of the traffickers, most of whom were nationals or came from neighbouring countries. In that connection, one State noted the frequent use of false identity documents by traffickers.

¹ The “ant trade” is among the most important forms of illicit trafficking: numerous shipments of small numbers of weapons that, over time, result in the accumulation of large numbers of illicit weapons by unauthorized end users.

27. Some States also described the measures adopted or necessary to strengthen border control capacities. Some States made proposals such as to develop collection and destruction campaigns, especially in those countries identified in national reports as the main source countries. Such campaigns were successful in several countries and regions. Several States also indicated that the lack of harmonized legislation and the absence of reciprocity with other countries, for example, with regard to deactivation requirements, facilitated illicit trafficking and represented an impediment to cooperation. One State suggested ways to invite States to engage in a collective reflection on how to overcome the lack of harmonization and use current initiatives in the subregion as models. That recommendation was in line with statements by other States from that and other regions regarding the negative impact of trafficking in firearms on cooperation and security. The promotion of harmonization efforts within a subregion was considered to be a promising measure. It is also one of the major objectives pursued by UNODC through its global project on firearms.

C. Information about the topics, scope and extent of the study and proposed methodology

28. States were requested to provide suggestions regarding the topics, scope, extent and methodology of a comprehensive study of the transnational nature of and routes used in trafficking in firearms.

29. Several States providing information for the purpose of this report acknowledged that they did not have sufficient experience in conducting research on the transnational nature of and routes used in trafficking in firearms. Some States, however, referred to existing studies and reports on related subject matters.

30. One State proposed that the scope of the study should include the causes responsible for the lack of detection of trafficking in firearms and ammunition, especially in developing countries. The lack of information on illicit trafficking cases might be more indicative of the absence of adequate skills and capacities to detect, prevent and combat trafficking than of the absence of actual incidents of illicit trafficking. That State further proposed that the study to be developed should encompass the national, regional and global levels. Another State suggested focusing research on the effects of political and security crises on the uncontrolled proliferation of firearms.

IV. Conclusions and recommendations

31. The exercise of gathering information, through a note verbale, demonstrated that the collection and analysis of information on lost, found, stolen, seized and confiscated firearms could have great potential for acquiring more in-depth knowledge on the current status of the circulation and use of firearms.

32. The variety of the responses received also demonstrated that, in order to conduct a comprehensive study, the preliminary groundwork must be in place, including as follows:

(a) *Scope and purpose.* A comprehensive study on the transnational nature of firearms trafficking, the routes used and *modi operandi* needs to be global in scope. In order to obtain useful data, it is important to have participation from a sufficiently representative number of States from each region;

(b) *Support from participating States.* Such a study requires the active participation and support of States. There needs to be a common understanding of the scope, extent and duration of the study in order to coordinate and work in partnership with States;

(c) *Reliable and transparent methodology.* A common, reliable and transparent methodology needs to be identified and agreed upon for all national and regional segments and stages of the study. Such methodology should be verifiable and easy to apply in different national and regional contexts;

(d) *Comparability of the data.* In order to draw credible conclusions, it is important that the data be collected and gathered in a comparable and compatible way. The methodology should allow for standardized approaches, in terms of content, quality and duration. This may present challenges, as States have different practices in gathering data on firearms. Therefore, a common understanding and preliminary fieldwork are necessary to ensure that the information provided is suitable for inclusion in the study;

(e) *Suitability of the data.* The added value of comparable data is that they can be analysed in a common database, and, where possible, they can be integrated with geographic information systems to generate secondary data, in order to provide a better study, analysis and understanding of the broader trafficking situation. Only comparable and compatible data can be related to each other and superimposed on a global or regional scale. Therefore, a standardized approach using common templates and possible field visits and, where necessary, with adequate technical support from UNODC, would facilitate the necessary common understanding and contribute to the collection and analysis of data;

(f) *Layered approach.* One of the responding States proposed that the study be conducted at different levels — national, regional and global — in order to establish possible relationships, links and patterns of the illicit flows;

(g) *Establishment of trends and patterns.* The repetition of this exercise, using the same methodology and scope, would allow UNODC to produce more solid and measurable data on the transnational dimension of firearms trafficking and to identify trends and patterns over time.

33. After the establishment of baseline information for each country, the repetition of this exercise can identify and measure changes, predict trends and risks and undertake corrective measures. By way of example, the annual coca and opium surveys conducted by UNODC illicit crop monitoring projects in the major coca- and opium-producing countries have produced internationally recognized empirical information and solid data on the production, extent and dynamics of illicit crop cultivation. Over time, the data in those surveys have gained the confidence of the international community and have become a reference point for

national and international analysis. Similarly, the establishment of a standardized, reliable and transparent methodology for the collection, tracing and analysis of data concerning stolen, lost, seized, confiscated or otherwise collected firearms, could also generate a critical mass of empirical and transparent information on the extent and the dynamics of illicit trafficking in firearms, their parts and components and ammunition. Additional modern techniques such as geographical information systems could be valuable tools for further visualizing and cross-referencing data and information that would otherwise be difficult to collate.

34. Such a study could be conducted in cooperation with other international organizations such as the International Criminal Police Organization (INTERPOL) and the World Customs Organization, both of which gather, through their databases, relevant data from States on firearms trafficking and related matters. In particular, INTERPOL, in cooperation with UNODC, is currently implementing an integrated data collection system, the Illicit Arms Records and Tracing Management System (iARMS), which, in addition to existing tracing support, will include a new database on stolen, lost and seized firearms. That database could provide useful inputs for a comprehensive study, should Member States agree to conducting such a study.

35. Such a study could be conducted using a two-fold approach by (a) developing a series of subregional pilot studies to assess and validate a comparable and reliable common methodology, in order to keep the exercise to a manageable size and exploit existing synergies of working within the same region; and by (b) conducting a cross-analysis of these regional studies to relate and connect the findings and establish global patterns and trends.

36. In view of the above, the Conference may wish:

(a) To request UNODC to design a methodology for a comprehensive study on the transnational nature of and routes used in trafficking in firearms, on the basis of empirical information collected and provided by State parties through subregional pilot studies and a subsequent global cross analysis;

(b) To invite interested States to join the initiative and to work with UNODC in the collection and analysis of timely and thorough data including information on seized, confiscated, lost, found and stolen firearms and ammunition; the date and place of the event; the concealment method; the mode of transportation, if relevant; the country of origin, transit and destination; and the type, make, model, serial number and any other relevant information, which could help to identify the firearms and ammunition;

(c) To invite INTERPOL and the World Customs Organization to consider participating and supporting the development of the study by facilitating the gathering of relevant information on firearms trafficking and related matters;

(d) To request UNODC to organize a preparatory meeting with interested States to discuss the establishment of a common methodology and agree on the data to be made available for such a study and on the assistance required to build capacity for collecting, analysing and sharing the required data, if these resources are lacking;

(e) To conduct, in conjunction with interested States, a series of at least three surveys within a two-year period, to establish a flow of information and thus

detect possible trends, thereby increasing the capability of those States to analyse and determine patterns in the transnational trafficking of firearms;

(f) To invite States to make available financial resources for the implementation of a pilot study on the transnational nature of and the routes used in trafficking in firearms, focusing on a specific region or a subregion.

37. The Conference may also wish to consider inviting States that wish to participate in such pilot studies to continue sharing data on an annual basis once the initial study has been finalized and the proper institutional, regulatory and operational procedures for collecting, analysing and sharing data have been established, with the assistance of UNODC.
