



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

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## Working Group on Firearms

Vienna, 8-10 May 2017

### Draft Report

#### I. Introduction

1. In its resolution 5/4, entitled “Illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided to establish an open-ended intergovernmental working group on firearms, in accordance with article 32, paragraph 3, of the United Nations Convention against Transnational Organized Crime, and rule 2, paragraph 2, of the rules of procedure for the Conference, to be chaired by a member of the Bureau of the Conference, to advise and assist the Conference in the implementation of its mandate with regard to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.

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

3. In its resolution 7/1, entitled “Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, the Conference decided that the Working Group on Firearms would be a constant element of the Conference of the Parties, forwarding its reports and recommendations to the Conference, and encouraged the Working Group to consider meeting on an annual basis, as needed.

4. In its resolution 8/2, the Conference decided to continue the process of establishing the mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto based on the recommendations contained in the report on the open-ended intergovernmental meeting to explore all options regarding an appropriate and effective review mechanism for the United Nations Convention against



Transnational Organized Crime and the Protocols thereto, held in Vienna on 6 and 7 June 2016. In the same resolution, the Conference also decided to elaborate specific procedures and rules for the functioning of the review mechanism for consideration and adoption by the Conference at its ninth session, which was to be guided by the principles and characteristics set out in Conference resolution 5/5.

5. Furthermore, in resolution 8/2, the Conference decided that the review mechanism would progressively address all the articles of the Convention and the Protocols thereto for each of the instruments that States parties are parties to, grouped in thematic clusters in accordance with the content of their provisions and that, in order to review each thematic cluster of articles, the relevant working group would, in the next two years, with the assistance of the Secretariat, define a short, precise and focused self-assessment questionnaire.

6. In its resolution 8/3, the Conference welcomed the commitment made by Member States in the 2030 Agenda for Sustainable Development to significantly reduce illicit arms flows in their efforts to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

## **II. Recommendations**

7. At its meeting held in Vienna from 8 to 10 May 2017, the Working Group on Firearms adopted the recommendations presented below.

### **A. General recommendations**

8. ...

*Recommendation 1*

*Recommendation 2*

*Recommendation 3*

*Recommendation 4*

*Recommendation 5*

### **B. Recommendations on specific topics**

#### **1. Recommendations on Contribution of the Firearms Protocol in supporting the achievement of target 16.4 of the Sustainable Development Goals**

##### **(a) Recommendations on record-keeping and marking (articles 7 and 8 of the Protocol)**

*Recommendation 6*

*Recommendation 7*

*Recommendation 8*

##### **(b) Recommendations on transfer and brokering controls (articles 10 and 15)**

*Recommendation 9*

*Recommendation 10*

*Recommendation 11*

##### **(c) Recommendations on security measures and border control (article 11)**

*Recommendation 12*

*Recommendation 13*

*Recommendation 14*

**(d) Recommendations on criminalization (article 5)**

*Recommendation 15*

*Recommendation 16*

*Recommendation 17*

**(e) Recommendations on seizure and confiscation (article 6)**

*Recommendation 18*

*Recommendation 19*

*Recommendation 20*

**(f) Recommendations on cooperation in tracing, information exchange, and law enforcement/judicial international cooperation (articles 12 and 13 of the Protocol)**

*Recommendation 21*

*Recommendation 22*

*Recommendation 23*

**2. Recommendations on Contribution of the Firearms Protocol in measuring the progress in enforcing control systems to enable States to effectively counter illicit trafficking in firearms**

**(a) Recommendations regarding experiences and best practices**

*Recommendation 24*

*Recommendation 25*

*Recommendation 26*

**(b) Recommendations on ways to measure the effectiveness of the control measures**

*Recommendation 27*

*Recommendation 28*

*Recommendation 29*

**(c) Recommendation on the new formulation of target indicator 16.4.2**

*Recommendation 30*

*Recommendation 31*

*Recommendation 32*

### **III. Summary of deliberations**

9. ...

10. ...

## **IV. Organization of the meeting**

### **A. Opening of the meeting**

11. The fifth meeting of the Working Group on Firearms was held in Vienna from 8 to 10 May 2017.
12. The meeting was opened by Joel Hernández García (Mexico), Chair of the Working Group. He addressed the meeting and presented an overview of the mandate of the Working Group, its objectives and the subjects under its consideration.
13. At the opening of the meeting, a statement was made by Venezuela (Bolivarian Republic of) on behalf of the Group of Latin American and Caribbean States.
14. Opening statements were also made by the following parties to the Firearms Protocol: European Union, Costa Rica, Cuba, Guatemala, Ecuador, Mexico, Belgium, Turkey, Senegal, Iraq, Algeria, Brazil, Oman, Democratic Republic of the Congo, Mauritania, Kuwait, Peru and Morocco.
15. A statement was also made by China, a signatory State.
16. Statements were also made by the observers for Niger, Chad and the Lake Chad Basin Commission.

### **B. Statements**

17. Under agenda item 2, statements were made by representatives of the following States parties to the Firearms Protocol: ...
18. With the Chair presiding, the discussion under item 2 was led by the following panellists: William Kullman (United States), Emmanuel Vallens (European Union) and Chaibou Samna (Niger).
19. Under agenda item 3, statements were made by representatives of the following parties to the Firearms Protocol: ...
20. Under agenda item 4, statements were made by representatives of the following parties to the Firearms Protocol: ...
21. Under agenda 5, statements were made by the representatives of the following parties to the Firearms Protocol: ...

### **C. Adoption of the agenda and organization of work**

22. At its first meeting, on 8 May 2017, the Working Group adopted by consensus the following agenda, as orally amended:
  1. Organizational matters:
    - (a) Opening of the meeting;
    - (b) Adoption of the agenda and organization of work.
  2. Contribution of the Firearms Protocol in supporting the achievement of target 16.4 of the Sustainable Development Goals and in measuring the progress in enforcing control systems to enable States to effectively counter illicit trafficking in firearms.
  3. Preparation of the questionnaire to review the implementation of the Firearms Protocol.
  4. Other matters.
  5. Adoption of the report.

## **D. Attendance**

23. The following States parties to the Firearms Protocol were represented at the meeting: Algeria, Angola, Argentina, Belgium, Brazil, Burkina Faso, Chile, Côte d'Ivoire, Cuba, Cyprus, Czechia, Democratic Republic of the Congo, Ecuador, El Salvador, Gabon, Guatemala, Hungary, Italy, Kenya, Kuwait, Mauritania, Mexico, Morocco, Norway, Oman, Panama, Peru, Poland, Portugal, Republic of Moldova, Romania, Saudi Arabia, Senegal, Slovakia, South Africa, Spain, Switzerland, Togo, Tunisia, Turkey, Uruguay, Venezuela (Bolivarian Republic of) ...

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

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

26. The following States that are not parties or signatories to the Firearms Protocol were represented by observers: Bolivia (Plurinational State of), Cameroon, Chad, Colombia, France, Iran (Islamic Republic of), Malta, Namibia, Niger, Pakistan, Philippines, Qatar, Russian Federation, Sri Lanka, United Arab Emirates, United States of America, Yemen ...

27. The following Secretariat units and programmes of the United Nations system were represented by observers: UNODC ...

28. The following intergovernmental organizations were represented by observers: Lake Chad Basin Commission, Organization for Security and Cooperation in Europe, Regional Centre on Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies.

29. A list of participants is contained in document CTOC/COP/WG.6/2017/INF/1/Rev.1.

## **E. Documentation**

30. The Working Group had before it the following:

- (a) Annotated provisional agenda (CTOC/COP/WG.6/2017/1);
- (b) Draft questionnaire prepared by the Secretariat for the review of the implementation of the Firearms Protocol, in accordance with Conference resolution 8/2 (CTOC/COP/WG.6/2017/2);
- (c) Background paper prepared by the Secretariat on the contribution of the Firearms Protocol in supporting the achievement of target 16.4 of the Sustainable Development Goals and on the activities of the United Nations Office on Drugs and Crime to promote its ratification and implementation (CTOC/COP/WG.6/2017/3).

## **IV. Adoption of the report**

31. On 10 May 2017, the Working Group adopted the present report on its meeting.