



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

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Working Group on Firearms

Vienna, 16–17 July 2020

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, 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. 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 8/3, entitled “Strengthening the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime”, the Conference acknowledged that the Working Group on Firearms serves as a useful network of experts and competent authorities in order to improve international cooperation, exchange of information and good practices related to illicit firearms trafficking.



II. Future considerations

5. At the meeting of the Working Group on Firearms held in Vienna from 16 to 17 July 2020, in line with meetings of the Working Groups of the Conference held under similar conditions in hybrid format, the Working Group decided not to adopt recommendations for consideration by the Conference. Instead, the Working Group agreed to put the recommendations on hold until the States parties have had an opportunity to meet with the President of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and reach a consensus on the organization of work of the Working Groups in view of COVID-19 restrictions.

6. Stemming from the meeting, the Chair of the Working Group, in consultation with the Secretariat, prepared discussion points for future consideration, which are annexed to the Chair's summary.

III. Summary of deliberations

7. Stemming from the meeting, the following summary of deliberations was prepared by the Secretariat in close coordination with the Chair. This summary of deliberations was not subject to negotiations and adoption during the meeting and was, instead, a Summary by the Chair, as follows.

A. Opening of the meeting, adoption of the agenda and organization of work

8. At its first meeting, on 16 July 2020, the Working Group considered agenda item 1 on the opening of the meeting, the adoption of the agenda and the organization of work.

9. In his introductory remarks, the Chair referred to the content of the letter of the Group 77 and China sent to the President of the Conference on 6 July (paras. 5 and 9), and the concerns expressed that there is no sufficient time for proper, inclusive and transparent consideration of recommendations during the virtual meetings, and that no consensus existed on whether the meeting should issue recommendations, because of time constraints, and also because for many experts there was no possibility to participate in the meeting or fully attend the meeting due to technical issues of connectivity.

10. Given the lack of agreement on adoption of recommendations in the report, a list of "salient discussion points" were listed in an annex to the summary of the Chair, with the indication that they were not subject of debate and adoption.

B. Responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

11. At its first and second meeting, on 16 July 2020, the Working Group considered agenda item 2, entitled "Responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition".

12. The discussion under agenda item 2 was facilitated by Emmanuel Vallens, Policy Officer in the Directorate General for Migration and Home Affairs of the European Commission, on behalf of the European Union, and Isaac Morales Tenorio, Multidimensional Security Coordinator of the Ministry of Foreign Affairs of Mexico, on behalf of the Group of Latin American and Caribbean States.

13. The representative of the European Union described specific threats related to the illicit manufacturing of and trafficking in firearms faced by European Union Member States, including the reactivation of firearms, the trade and trafficking in “Flobert” calibre firearms, the conversion of alarm and signal weapons as well as hand-made, modified and 3D printed firearms, that were often produced with parts and components available on the legal market. The panellist introduced the legislative and regulatory developments undertaken by the European Union to help prevent and address illicit activities related to these type of weapons, highlighting the importance of harmonizing the legislative responses within the region so as to close gaps and avoid loopholes derived from the different treatment of the issue by Member States. Among the relevant measures adopted he referred to the requirement for Member States to render the deactivation of firearms permanent, the issuance of a certificate for deactivated firearms and the application of a common and standardized marking on such weapons, as well as the adoption of common technical specifications for alarm and signal weapons that fall under the relevant European Union Directive. He further mentioned the law enforcement efforts undertaken to address these threats, particularly through the firearms priority of the European multidisciplinary platform against criminal threats (EMPACT) of Europol as additional measures that complement the EU’s efforts to tackle these new and emerging threats.

14. Following their presentations, the panellists exchanged additional information with the delegates in attendance in response to several questions and comments.

15. At its second meeting, on 16 July 2020, the Working Group continued its deliberations under agenda item 2.

C. Investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions

16. Following the closure of agenda item 2, the Working Group considered agenda item 3, entitled “Investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions”.

17. The discussion under agenda item 3 was facilitated by HJ Odendaal, Lieutenant Colonel of the National Priority Violent Crime Bureau (NPVC) Directorate for Priority Crime Investigation (DPCI) from South Africa, on behalf of the African Group; José Romero Morgaz, Lieutenant Colonel of the Guardia Civil of Spain, Head of Unit of the Central Division for Firearms and Explosives of the Ministry of Interior of Spain and Driver of the firearms priority area of the European Multidisciplinary Platform against Criminal Threats (EMPACT), on behalf of the Group of Western European and other States; and Marcus Vinicius da Silva Dantas, Federal Police Commissioner of Brazil, Division for the Repression of Crimes against Property and Trafficking in Firearms, on behalf of the Group of Latin American and Caribbean States; and by Professor Christian Ponti from the University of Milan, Italy, also on behalf of the Western European and other States.

18. Furthermore, representatives of INTERPOL and of Spain delivered short presentations from the floor.

19. At its third meeting, on 17 July 2020, the Working Group began its deliberations under agenda item 3. Following their presentations, the panellists exchanged additional information with the delegates in attendance in response to several questions and comments.

IV. Organization of the meeting

A. Opening of the meeting

20. The seventh meeting of the Working Group on Firearms was held in Vienna from 16 to 17 July 2020. As agreed by the extended Bureau of the Conference of the Parties by approval via silence procedure on 19 June 2020, the meeting was held in a “hybrid” format, with a very restricted number of participants (representatives from the Secretariat and the Chair) present in the meeting room, and all other participants being remotely connected using an interpretation platform contracted with the United Nations.

21. The Working Group met on 16 and 17 July, and held four meetings in total. The first meeting on each day was held from 12:00 to 14:00 hrs. and the second meeting from 16:00 to 18:00 hrs. Central European Summer Time (CEST). Upon consultation with the Chair of the working group, the above-mentioned schedule sought to accommodate the different time zones of the Chairs and participants of the working group, while also respecting and staying within the time frame usually set for the meetings. The relevant information about the new meeting times was made available on the respective web page of the Working Group.

22. The Working Group session was chaired by Mr. Gonzalo Fabián Medina Hernández, Head of Cabinet of the Minister of Foreign Affairs (Mexico). The Chair of the Working Group made an opening statement, providing an overview of the mandate of the Working Group, its objectives and the subjects under its consideration and explaining the new meeting etiquette.

23. At the opening of the meeting, an introductory statement was made by the Secretariat followed by a presentation on activities of UNODC implemented since the preceding session of the Working Group to promote the ratification and implementation of the Firearms Protocol, pursuant to paragraph 35 (a) of resolution 9/2 of 2018 of the Conference of Parties.

24. General statements at the opening of the meeting were made by representatives of the following States parties to the Firearms Protocol: Argentina, Guatemala, Honduras, India, Mexico, Paraguay and Turkey.

25. General statements were also made by representatives of the following signatory and observer States to the Firearms Protocol: China and Germany.

26. Moreover, statements at the opening of the meeting were made by representatives of following international and regional organizations: United Nations Counter-Terrorism Executive Directorate and the United Nations Office on Counter-Terrorism.

B. Statements

27. For the purposes of the meeting, the Secretariat used the aforementioned interpretation platform to facilitate the interpretation into all six official United Nations languages. The Interprefy platform allowed 300 participants to be assigned a “speaking & listening role”, while all other participants had only a “listening role”. Delegations had been requested to notify the Secretariat about the distribution of roles (speaking role/listening role) in each delegation when requesting the registration of their delegates through a note verbale.

28. Representatives of the Secretariat provided introductory remarks under agenda items 2 and 3.

29. With the Chair presiding, the discussion under item 2 was led by the following panellists: Emmanuel Vallens (European Union) and Isaac Morales Tenorio (Mexico).

30. With the Chair presiding, the discussion under item 3 was led by the following panellists: José Romero Morgaz (Spain) and Marcus Vinicius da Silva Dantas (Brazil).

C. Adoption of the agenda and organization of work

31. At its first meeting, on 16 July 2020, 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. Responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.
3. Investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions
4. Other matters.
5. Adoption of the report.

D. Attendance

32. The following parties to the Firearms Protocol were represented at the meeting, connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Albania, Angola, Argentina, Armenia, Austria, Azerbaijan, Belgium, Brazil, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Dominican Republic, Ecuador, El Salvador, Estonia, European Union, Guatemala, Honduras, France, India, Iraq, Italy, Kuwait, Latvia, Lebanon, Libya, Malawi, Mexico, Morocco, Nigeria, Norway, Oman, Paraguay, Peru, Poland, Portugal, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Tunisia, Turkey, Ukraine, Uruguay, Venezuela (Bolivarian Republic of) [...].

33. The following States signatories to the Firearms Protocol were represented by observers connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Australia, Canada, China, Germany, Japan, United Kingdom of Great Britain and Northern Ireland [...].

34. The following States that are not parties or signatories to the Firearms Protocol were represented by observers connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Bolivia, Colombia, Egypt, Iran, Ireland, Jordan, Kyrgyzstan, Malaysia, Malta, Myanmar, Namibia, Nepal, New Zealand, Philippines, Russian Federation, United Arab Emirates, United States of America, Viet Nam [...].

35. The following intergovernmental organizations were represented by observers connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Counter-Terrorism Committee Executive Directorate (CTED), European Union Judicial Cooperation Unit (EUROJUST), Gulf Cooperation Council, International Criminal Police Organization (INTERPOL), League of Arab States, Organization of American States (OAS), OSCE (Organization for Security and Co-operation in Europe), Centre for Security Cooperation (RACVIAC), SEESAC (South Eastern European Small Arms and light Weapons Clearinghouse), United Nations Counter-Terrorism Centre (UNCCT) of the United Nations Office of Counter-Terrorism (UNOCT), Wassenaar Arrangement [...].

36. A list of participants is contained in document CTOC/COP/WG.6/2020/INF/1/Rev.1.

E. Documentation

37. The Working Group had before it the following as prepared for the originally scheduled meeting of the Working Group on 17 and 18 March 2020:

- (a) Annotated provisional agenda ([CTOC/COP/WG.6/2020/1](#));
- (b) Background paper prepared by the Secretariat on the Responsiveness of the Firearms Protocol and national legislation to new and emerging threats relating to illicit manufacturing of and trafficking in firearms, their parts and components and ammunition ([CTOC/COP/WG.6/2020/2](#));
- (c) Background paper prepared by the Secretariat on Investigative and prosecutorial approaches in countering illicit firearms trafficking and related forms of crime within and across jurisdictions ([CTOC/COP/WG.6/2020/3](#)).

IV. Adoption of the report

38. On 17 July 2020, the Working Group adopted the present report on its meeting.
