



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

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Working Group on Firearms

Vienna, 10–12 May 2021

Annotated provisional agenda

Provisional agenda

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 - (b) Adoption of the agenda and organization of work.
2. Reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals.
3. From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion.
4. Follow-up to the results of the previous meetings of the Working Group on Firearms.
5. Other matters.
6. Adoption of the report.

Annotations

1. Organizational matters

(a) Opening of the meeting

The eighth meeting of the Working Group on Firearms will be opened on Monday, 10 May 2021, at 10 a.m.

(b) Adoption of the agenda and organization of work

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. Also in that resolution, the Conference decided that the working group should perform the following functions: (a) facilitate implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the Convention, 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.

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

Furthermore, in its resolution 9/2, the Conference of the Parties reiterated its request to the Secretariat to inform the Working Group on Firearms about: (a) the activities of the United Nations Office on Drugs and Crime to assist the Conference in promoting and supporting the implementation of the Firearms Protocol; (b) coordination with other relevant international and regional organizations; (c) best practices in the areas of training and capacity-building; and (d) awareness-raising strategies to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. In the same resolution, the Conference also requested the Secretariat to continue supporting the Working Group in the performance of its functions.

The extended Bureau of the Conference of the Parties agreed on the dates for the eighth meeting of the Working Group, to be held in Vienna from 10 to 12 May 2021. On 29 December 2020, the secretariat submitted proposed agenda items to the extended Bureau. The first two substantive agenda items were approved by the extended Bureau on 12 January 2021 by means of a silence procedure. With regard to the third substantive agenda item, comments and a counterproposal were received from a Member State. The new proposal for the third item was approved by the extended Bureau on 8 February 2021, again by means of a silence procedure.

The proposed organization of work, contained in the annex to the present document, was prepared in order to enable the Working Group to perform its mandated functions within the allotted time and according to the conference services available to it. The resources available to the Working Group will permit the holding of five plenary meetings over a period of three days, with interpretation in the six official languages of the United Nations.

Possible changes in view of the impact of the coronavirus disease (COVID-19) pandemic

In the light of the ongoing coronavirus disease (COVID-19) pandemic, it is difficult to predict the impact of possible health and safety measures, including travel restrictions, on the meeting of the Working Group. Therefore, the secretariat is monitoring the situation closely and, subject to the approval of the extended Bureau, will provide timely updates if any specific changes or measures are required. In particular, this might include holding the meeting in an online or hybrid format, with reduced meeting times of two instead of three hours. Delegations are therefore advised to regularly consult the web page of the eighth meeting of the Working Group.

2. Reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals

By linking the reduction of illicit arms flows to that of illicit financial flows, including money-laundering, in target 16.4 of the Sustainable Development Goals, Member States recognized the interdependencies between those activities and the need for comprehensive approaches to address them. Under agenda item 2, the Working Group on Firearms will consider procedural, institutional and operational challenges, opportunities and good practices in following illicit financial flows in the context of

preventing, investigating and prosecuting illicit firearms trafficking and related crimes.

In that vein, at its seventh meeting, the Working Group encouraged States to recognize that investigations of firearms-related crimes, of illicit assets and of money-laundering can be combined as three interchangeable entry points for initiating investigations on illicit firearms trafficking. However, too often, those crimes are still addressed in silos. Under agenda item 2, the Working Group will therefore discuss how to overcome the boundaries between approaches based on single threats and how to combine investigations of illicit firearms trafficking with financial investigations, asset forfeiture and asset recovery and national efforts in that regard. The multifaceted links between the illegal acquisition and trafficking of firearms by and to terrorist groups and organized criminal groups, including, where applicable, the financing of terrorism, could also be discussed.

The outcomes of the substantive discussion may support States parties in implementing resolution 10/2 of the Conference of the Parties, in particular its invitation to States parties to promote investigations of firearms-related crimes that are combined with investigations of illicit assets and money-laundering, in order to dismantle the trafficking networks behind illicit arms transfers and gather intelligence on suspicious transactions, for the achievement of target 16.4 of the Sustainable Development Goals.

Documentation

Background paper prepared by the Secretariat on reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals (CTOC/COP/WG.6/2021/2)

3. From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion

Agenda item 3 will provide an opportunity for a more in-depth discussion of how gaps and loopholes in the preventive measures to safeguard legal arms transfers are exploited by petty criminals, organized crime groups and terrorists alike to purchase firearms, their parts and components and ammunition. While the regulation of legal transfers of small arms and light weapons and the prevention of their illegal diversion is addressed in the Arms Trade Treaty, the issue of diversion of legally transferred firearms is also addressed in the Firearms Protocol. In many cases, the rerouting of small arms and light weapons falls under the definition of the offence of illicit trafficking under the Firearms Protocol. In order to effectively prevent, detect and combat the phenomenon of arms diversion, both preventive measures and criminal justice responses are fundamental and require that the Firearms Protocol and, where applicable, the Arms Trade Treaty be implemented in a comprehensive manner, making use of the reinforcing synergies between the two instruments.

The outcomes of the substantive discussion may support States parties in implementing resolution 10/2 of the Conference of the Parties, in particular paragraph 6, in which the Conference urged States parties to address any existing gaps in their legislative frameworks on points such as import and export licensing, marking, tracing and record-keeping, and paragraph 16, in which the Conference called upon States parties to include in their legal and regulatory regimes record-keeping systems that addressed the entire life cycle of firearms and, where appropriate and feasible, their parts and components and ammunition, including those aspects that are in the licit realm, such as the manufacturing industry, as well as export, import and transfer information, and the issuance of licences for firearms possession and end-user verifications, consistent with domestic law, for the purpose of supporting the detection, investigation and prosecution of diversion and illicit trafficking.

Documentation

Background paper prepared by the Secretariat entitled “From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion” (CTOC/COP/WG.6/2021/3)

4. Follow-up to the results of the previous meetings of the Working Group on Firearms

The year 2021 marks the twentieth anniversary of the adoption of the Firearms Protocol, and 2022 will mark the tenth anniversary of the establishment of the Working Group on Firearms. The meeting of the Working Group is therefore a suitable occasion to take stock of the results emanating from its previous meetings, including its recommendations and discussion points, and of their implementation. This exercise may help to identify gaps in the intergovernmental work of the Working Group and in the mandates of the United Nations Office on Drugs and Crime related to preventing and combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Furthermore, the process is aimed at providing the Conference of the Parties at its eleventh session, to be held in 2022, with a basis for decision-making with regard to the future direction of the Working Group. Delegations may wish to consult the compendium and thematic index of recommendations, resolutions and decisions on firearms, to be published in the first quarter of 2021.

The Secretariat will make an oral statement on the thematic priorities that have been pursued by the Working Group in the past.

Documentation

No documentation is currently foreseen under agenda item 4.

5. Other matters

As no issues to be raised under item 5 have come to the attention of the secretariat, no documentation regarding this item is currently foreseen.

6. Adoption of the report

The Working Group will adopt a report on its meeting, the draft of which will be prepared by the Secretariat.

Annex

Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
Monday, 10 May		
10 a.m.–1 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	2	Reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals
3–6 p.m.	2	Reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals (<i>continued</i>)
Tuesday, 11 May		
10 a.m.–1 p.m.	3	From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion
3–6 p.m.	3	From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion (<i>continued</i>)
	4	Follow-up to the results of the previous meetings of the Working Group on Firearms
Wednesday, 12 May		
10 a.m.–1 p.m.	5	Other matters
	6	Adoption of the report