



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

Distr.: Limited
17 October 2024

English only

Twelfth session

Vienna, 14–18 October 2024

Agenda item 2 (d)

**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**

Mexico: revised draft resolution

Enhancing measures, including under the Firearms Protocol, to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, in view of technological developments

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

Recalling the functions assigned to it in article 32 of the United Nations
Convention against Transnational Organized Crime, its resolution 7/1 of 10 October
2014, entitled “Strengthening the implementation of the United Nations Convention
against Transnational Organized Crime and the Protocols thereto” and its decision 4/6
of 17 October 2008, entitled “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”,

Recalling also its resolutions 5/4 of 22 October 2010, entitled “Illicit
manufacturing of and trafficking in firearms, their parts and components and
ammunition”, 6/2 of 19 October 2012, entitled “Promoting accession to and
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”, 7/2 of 10 October 2014,
entitled “Importance 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”, 8/3 of
21 October 2016, 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”, 9/2 of 19 October 2018, entitled “Enhancing and ensuring the
effective 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”, 10/2 of 16 October 2020, entitled “Strengthening international cooperation against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”, and 11/6 of 21 October 2022, entitled “Strengthening international cooperation to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”,

Taking note of Conference of the States Parties to the United Nations Convention against Corruption resolution 10/5 of 15 December 2023, entitled “Measures to address corruption involving organized criminal groups”,

Noting the human cost of firearms, in conflict and non-conflict settings alike, arising from the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Remaining deeply concerned about the increasing harm caused by illicitly manufactured and trafficked firearms, their parts and components and ammunition, their negative impact on levels of crime and violence, and the endangerment of the well-being of people, their social and economic development and their right to live in peace, as well as the rule of law and respect for applicable international human rights law, and recognizing the need to better address the human dimensions of this challenge, including the needs of victims affected by this crime, including women and girls,

Recognizing the importance of preventing and combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition as part of efforts to prevent and address all forms of violence,

Underlining that preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition is one of the major components of efforts to reduce the strength of organized criminal groups and the violence and harmful effects resulting from their activities, and reiterating the urgent need for States parties to consider the gender and age dimensions of such crime, as well as its impact at the community level, and to adopt and implement an integrated and comprehensive approach to address the root causes of transnational organized crime, acknowledging, where appropriate, economic and social factors that have an impact on firearms-related crimes, as well as cross-border criminality and trafficking flows,

Highlighting the importance of the Working Group on Firearms and its role, in accordance with its mandate, in identifying, addressing and proposing responses to new challenges and trends, including illicit manufacturing from weapons that are readily convertible to become firearms, as defined in the Firearms Protocol, taking into account technological developments that may facilitate the illicit manufacturing of firearms, their parts and components and ammunition, and in improving international cooperation and exchanging information and best practices for preventing and combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Noting the common themes, nature and complementary character of other relevant applicable international legal instruments, regional instruments and global frameworks aimed at preventing and combating the illicit manufacturing of and trafficking in firearms and reducing the risk of their theft and diversion, and political commitments such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects¹ and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,²

¹ Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001 (A/CONF.192/15(SUPP)), chap. IV, para. 24.

² See General Assembly decision 60/519 and A/60/88 and A/60/88/Corr.2, annex.

Taking note of the report of the fourth United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,³ held in New York from 17 to 28 June 2024, in which participating States recognized the importance of strengthening the coordination of efforts under the Programme of Action, the International Tracing Instrument and other relevant instruments to which a State is a party,

Noting the adoption by the General Assembly of the Global Framework for Through-life Conventional Ammunition Management, in its resolution 78/47 of 4 December 2023, entitled “Through-life conventional ammunition management”, a voluntary separate and distinct cooperative framework that contains a set of political commitments for strengthening through-life conventional ammunition management,⁴

Emphasizing the need to enhance cooperation and coordination among relevant United Nations entities, as appropriate, for better assisting States in receiving, upon request and based on their needs and priorities, the training and technical assistance necessary to enhance their ability to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition, and taking note of the valuable contribution, as appropriate, of academia, the private sector and civil society to addressing some of these challenges and the impact of the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition, by raising awareness, analysing trends and exchanging best practices regarding international cooperation in preventing and combating these crimes and identifying technical assistance needs and providing such assistance,

Recalling its resolution 9/1, entitled “Establishment of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, and taking note of the holding of the constructive dialogue meetings following the tenth and eleventh meetings of the Working Group on Firearms,

1. *Welcomes* the results of the tenth and eleventh meetings of the Working Group on Firearms, held in Vienna on 3 and 4 May 2023 and on 3 and 4 April 2024, respectively, and invites States parties to consider, as appropriate, applying the relevant and applicable recommendations resulting from the Working Group meetings;⁵

2. *Encourages* States that have not yet done so to consider becoming parties 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,⁶ requests the United Nations Office on Drugs and Crime, through its Firearms Trafficking Section, to continue to assist requesting States in their efforts to ratify, accept, approve or accede to and implement the Protocol, and encourages those in a position to do so to make available extrabudgetary resources to enable the Office to better implement its mandate in this regard;

3. *Urges* States parties to the Firearms Protocol to harmonize their legislation with the Protocol, to develop action plans, programmes or strategies to contribute to the effective implementation of the Convention and the Protocol and to address any existing gaps in their legislative frameworks, including with regard to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition through the use of new and emerging technologies;

4. *Invites* States parties to the Firearms Protocol to consider regulating the blueprints required for the 3D printing of firearms and their parts and components, and establishing as criminal offences the illicit possession, uploading, downloading and transfer of such blueprints for the purpose of illicit manufacturing and criminal

³ A/CONF.192/2024/RC/3.

⁴ See A/78/111.

⁵ See CTOC/COP/WG.6/2023/5 and CTOC/COP/WG.6/2024/5.

⁶ United Nations, *Treaty Series*, vol. 2326, No. 39574.

use of or trafficking in firearms, as appropriate and without prejudice to the legitimate use of new and emerging technologies;

5. *Encourages* States parties to the Firearms Protocol to consider applying the provisions of article 5 of the Protocol also to offences related to light weapons and explosives and to consider them as serious offences in line with article 2 of the Convention;

6. *Encourages* States parties to strengthen their legal frameworks, as appropriate, to prevent and prosecute the intentional misuse of firearms permits or licences granted to private security companies;

7. *Calls upon* States parties to the Firearms Protocol, and encourages all other States, to strengthen their domestic marking and record-keeping regimes to permit the effective identification and tracing of firearms and, where appropriate and feasible, their parts and components and ammunition, including by ensuring that all essential parts and components are subject to regulatory regimes under their domestic law, and, where appropriate and feasible, marked and recorded in an identifiable manner;

8. *Encourages* States, with a view to preventing and combating trafficking in firearms, their parts and components and ammunition through e-commerce platforms and postal and courier services, as well as trafficking involving straw purchasers, to adopt, where consistent with domestic law, adequate regulations for preventing the illicit sale of firearms and related materiel online, to enforce identity checks, background verification and transaction tracking and to establish communication channels, where appropriate and feasible, between countries of origin, transit and destination, as well as with relevant service providers in order to raise awareness and enhance detection capacities;

9. *Invites* States to adopt, as appropriate, without prejudice to the legitimate use of new technologies, and with the support of the United Nations Office on Drugs and Crime, a multidimensional, whole-of-government approach, involving all relevant and competent domestic authorities, in formulating their responses to threats related to the criminal misuse of technological developments and changing *modi operandi* for the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including with the use of modern technology;

10. *Also invites* States to provide and request specialized training for national law enforcement and regulatory officials on new technologies for manufacturing, marking, tracing and record-keeping and for the identification of firearms, and the recording and reporting of firearms seizures, taking into account, *inter alia*, the technical assistance needs and priorities identified in the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

11. *Encourages* States, in view of technological developments, to strengthen the capacities of law enforcement and criminal justice authorities to detect, investigate, prosecute and adjudicate new and emerging forms of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, such as firearms trafficking in postal and express courier parcels, as appropriate and applicable, and requests the Firearms Trafficking Section of the United Nations Office on Drugs and Crime to continue to provide to States, upon request, equipment, as well as technical assistance and capacity-building, including in relation to X-ray detection, the development of risk assessment criteria and standard operating procedures for the screening of parcels;

12. *Invites* States to consider, as appropriate and in accordance with their respective domestic laws, sharing among themselves information on technological developments and *modi operandi*, through relevant channels, including through International Criminal Police Organization (INTERPOL) purple notices, and developing, as appropriate, national standard operating procedures to strengthen the forensic and ballistic examination of all firearms-related pieces of evidence;

13. *Encourages* States to pursue, within the conditions prescribed by their domestic law, comprehensive investigative approaches that combine the analysis of financial intelligence with special investigative techniques set forth in the Convention, such as undercover operations and joint investigative bodies, including, inter alia, cross-border joint investigative bodies or inter-State cooperation mechanisms, as appropriate and within their means, to make use of new technologies to increase the effectiveness of criminal investigations of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and, where appropriate, to explore the possible link that may exist in criminal investigations between these crimes and offences established under the Convention;

14. *Invites* States to establish, where appropriate and feasible and consistent with their domestic legal frameworks, national coordination mechanisms and/or focal points for improving their intelligence and investigative functions and the tracing of firearms, and, where possible, their parts and components and ammunition, and for developing expertise in using ballistic or crime-related data and improving situational analysis and strategic reporting with respect to the offences set forth in the Firearms Protocol as well as related crimes;

15. *Encourages* the United Nations Office on Drugs and Crime, within its mandate and in close consultation with States, to integrate a multidimensional approach that includes, for example, gender and age, into the development of its strategy against illicit firearms, and to mainstream these elements into the technical assistance delivered by the Firearms Trafficking Section;

16. *Encourages* States parties to develop or strengthen, where appropriate and consistent with domestic law, their capacities for the collection and analysis of disaggregated data on illicitly trafficked firearms and their criminal context, including disaggregated data on sex, age, disability and other characteristics relevant in national contexts, with a view to identifying trends and patterns and foster the exchange of information, where technologically possible, within their means, in a standardized format, for enhancing understanding of firearms trafficking as an illicit market, which may enable the global monitoring of progress in terms of indicator 16.4.2 of the Sustainable Development Goals and its relation to violence, in particular against women and children, hate crimes and transnational organized crime, and requests the United Nations Office on Drugs and Crime to monitor and address illicit firearms trafficking and diversion risks, in consultation with States and subject to the availability of extrabudgetary resources;

17. *Also encourages* States parties to promote, whenever possible, the participation in the meetings of the Working Group on Firearms of national experts or practitioners and competent authorities, subregional and regional organizations and relevant non-governmental organizations, in line with the rules of procedure of the Conference and bearing in mind the agenda of the respective meeting;

18. *Encourages* States parties to the Firearms Protocol to seek, in view of technological developments, the support and cooperation of manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition to prevent and detect the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including illicit manufacturing from weapons that are readily convertible to become firearms, as defined in the Protocol, and to promote responsible business practices among these actors, as appropriate, in line with relevant applicable United Nations guiding principles;

19. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, and in view of technological developments, in their efforts to strengthen their firearms control regimes and to counter trafficking in firearms, without prejudice to the legitimate use of new technologies;

20. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and subject to the availability of extrabudgetary resources, to review and

update the *Legislative Guide for the Implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*,⁷ as well as other technical assistance tools, such as the *Technical Guide to the Implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* and the *Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*,⁸ including with a view to addressing the implementation of the Firearms Protocol by the States parties thereto in the light of new and emerging threats and technological developments;

21. *Calls upon* States parties, pursuant to articles 32 and 33 of the Convention, among other applicable provisions, and in furtherance of Conference resolution 5/4, to facilitate, in accordance with domestic laws and policies, the exchange of information and cooperation with relevant international and regional organizations, civil society, the private sector and academic institutions, and to continue promoting cooperation and coordination among the secretariats and pertinent bodies of related international and regional instruments and mechanisms, in order to better address new challenges, trends and patterns related to the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition, in view of technological developments;

22. *Invites* States to regularly conduct, where feasible, risk assessments of ammunition stockpiles with a view to preventing unplanned explosions and the diversion of ammunition, and urges States parties to the Firearms Protocol to strengthen the effective implementation of the relevant provisions on ammunition contained therein;

23. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations.

⁷ *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto* (United Nations publication, Sales No. E.05.V.2), part four.

⁸ United Nations publication, Sales No. E.11.V.9.