



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

Distr.: Limited
21 October 2022

English only

Eleventh session

Vienna, 17–21 October 2022

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

Strengthening international cooperation to prevent, combat and eradicate the 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,*

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

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 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”, and 10/2 of 16 October 2020, entitled “Strengthening international

* The present document is being issued without formal editing.

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.



cooperation against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition”,

Recalling Commission on Narcotic Drugs resolution 65/2 of 18 March 2022, entitled “Strengthening international cooperation to address the links between illicit drug trafficking and illicit firearms trafficking”,

Taking note of the report of the Eighth Biennial Meeting of States to Consider 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, held from 27 June to 1 July 2022,

Inviting States parties to further advance their efforts to achieve the 2030 Agenda for Sustainable Development² and its target 16.4, which includes significantly reducing illicit arms flows, in order to promote peaceful and inclusive societies for sustainable development and provide access to justice for all,

Remaining deeply concerned about the increasing harm caused by illicitly manufactured and trafficked firearms, their parts and components and ammunition and their negative impact on the levels of crime and violence as well as their consequences for development, wherever it occurs, and the access to such firearms by criminal organizations and, in some cases, by terrorists,

Recognizing the need to better address the human dimension of this challenge and the importance of considering the needs of the victims of crimes related to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Noting that reducing the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition is one of the major components of the efforts to reduce the power of transnational organized criminal groups and the violence that accompanies their activities,

Reiterating the urgent need for States parties to adopt and further implement an integrated and comprehensive approach to address the root causes of transnational organized crime, including the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, acknowledging, where appropriate, economic and social factors that have an impact on firearms-related crime, as well as cross-border criminality and trafficking flows, in particular as related to firearms, and recognizing the urgent need for States parties to consider the gender and age dimensions of such crime,

Concerned about the negative impact of illicit trafficking in firearms on the lives of women, men, girls and boys, and acknowledging that preventing, combating and eradicating illicit trafficking in firearms are crucial to combating gender-based violence,

Taking into consideration the challenges that may have been exacerbated by the coronavirus disease (COVID-19) pandemic, including the increasing criminal exploitation of international commerce such as online trade in firearms, their parts and components and ammunition and that COVID-19 may pose a risk of, among others an increase in domestic violence and the fact that illicitly manufactured or trafficked firearms could be used to commit such violence,

Noting with appreciation the continuous efforts undertaken at the multilateral, regional and subregional levels to strengthen the prevention of and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, while highlighting 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 United Nations Convention against Transnational Organized Crime,³ are among the principal

² General Assembly resolution 70/1.

³ United Nations, *Treaty Series*, vol. 2326, No. 39574.

global legal instruments to combat 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 international legal instruments, as well as other relevant regional instruments and global frameworks that support its States parties to regulate the international trade in conventional arms, 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 Aspects⁴ and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,⁵ which are aimed at preventing and combating the illicit manufacturing of and trafficking in firearms and reducing the risk of their theft and diversion,

Underscoring the importance of the Working Group on Firearms, since its establishment as a permanent element of the COP, as a substantive and useful network of experts and competent authorities, consistent with its resolution 5/4 of 22 October 2010, to identify, address and propose responses to new challenges and trends, improve international cooperation and exchange information and best practices related to preventing and combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and taking note with appreciation of its work and of the recommendations resulting therefrom,

Noting General Assembly resolution 76/233 of 24 December 2021, in which the Assembly decided to establish an open-ended working group to elaborate a set of political commitments as a new global framework that will address existing gaps in through-life ammunition management, including international cooperation and assistance, without prejudice to national legal systems addressing national ammunition ownership, possession and use, and will be part of a comprehensive framework to support safe, secure and sustainable through-life ammunition management at the national, subregional, regional and global levels, building upon and complementing existing frameworks, whereas cooperation at the regional and subregional levels should be considered on a voluntary basis,

Welcoming the formation of the Firearms Trafficking Section within the Organized Crime and Illicit Trafficking Branch of the United Nations Office on Drugs and Crime to support the ratification and implementation of the Firearms Protocol, and expressing appreciation for the continuous assistance provided to Member States, upon request, by the United Nations Office on Drugs and Crime, including through the Firearms Trafficking Section,

Recalling that States bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, in accordance with the sovereignty of States and their relevant international obligations,

Emphasizing the need to enhance cooperation and coordination among the relevant UN bodies to assist States in preventing and combating the engagement of organized criminal groups in supply of firearms, their parts, and components and ammunition to terrorists and foreign terrorist fighters,

Acknowledging the valuable contributions, where appropriate and useful, of academia, the private sector and civil society in addressing some of the challenges posed by 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,

1. *Welcomes* the Working Group on Firearms at its eighth meeting, held in Vienna from 10 to 12 May 2021, and at its ninth meeting, held in Vienna on 4 and

⁴ 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), chap. IV, para. 24.

⁵ See General Assembly decision 60/519, A/60/88 and A/60/88/Corr.2, annex.

5 May 2022, and invites States parties to consider, as appropriate, to apply the relevant and applicable recommendations and discussion points resulting from the Working Group meetings, in order to contribute to the strengthening of international cooperation against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

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, and to fully implement its provisions;

3. *Urges* States parties to the Firearms Protocol to enhance their efforts to implement the Protocol;

4. *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 Firearms Protocol, and encourages those Member States in a position to do so to make available extrabudgetary resources to enable the Office to better implement its mandate in this regard;

5. *Calls upon* States parties to fully engage with the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in particular for the Firearms Protocol, where applicable, and to continue advancing the review process, and invites them to share best practices on their constructive engagement, in accordance with domestic law with relevant stakeholders, in the context of the Mechanism and in accordance with its procedures and rules;

6. *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 full implementation of the Convention and the Protocol, to address any existing gaps in their legislative frameworks on points such as import and export licensing, marking, tracing and record-keeping, and to consider further measures, as appropriate, to prevent and counter the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and their diversion, including through online trade and illicit reactivation, which may include measures that allow for their tracing;

7. *Acknowledges* that the full and effective use of the Organized Crime Convention and its supplementary Firearms Protocol provides a meaningful basis to put in place national regulatory regimes that help States to detect, prevent and eliminate the theft, loss or diversion of, as well as the illicit manufacturing of and trafficking in, firearms, their parts and components and ammunition;

8. *Calls upon* States to develop or strengthen their national capacity for the collection and analysis of disaggregated data, where possible and consistent with domestic law, on illicit trafficking in firearms and its criminal context, with a view to identifying trends and patterns, fostering the exchange of information and enabling the global monitoring of progress on indicator 16.4.2 of the Sustainable Development Goals, and requests the United Nations Office on Drugs and Crime to develop a new study on firearms trafficking, as well as regional studies / analyses, based on data collected from or in consultation with States, subject to the availability of extrabudgetary resources;

9. *Encourages* the continued analysis and dissemination of credible information on the impacts of firearms trafficking as an illicit market and its relation to violence and crime, to facilitate, where appropriate, the production of standardized and comparable data, and to address armed violence against women, girls and boys and hate crimes related to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as to continue analysing the dynamics that may have originated with the trends posed by the coronavirus disease (COVID-19) pandemic;

10. *Calls upon* States parties to the Firearms Protocol and *encourages* all other States to strengthen their domestic marking and record-keeping regimes for identifying and tracing firearms and, where appropriate and feasible, their parts and components and ammunition, and consistent with domestic law systematically collect, record and analyse data, including tracing data on recovered, seized, confiscated, collected and found firearms suspected of being connected with an illicit activity;

11. *Requests* the United Nations Office on Drugs and Crime to continue to promote cooperation and coordination among the secretariats and pertinent bodies of related international and regional instruments and mechanisms;

12. *Calls upon* States parties to the Firearms Protocol that import and export firearms, their parts and components and ammunition to reinforce their control measures in accordance with the Protocol and encourage them to implement other relevant international legal instruments to which they are party, with a view to preventing and reducing the risks of their diversion, illicit manufacturing and trafficking;

13. *Encourages* States parties to provide one another with the broadest possible cooperation, within their domestic legal systems, in tracing firearms, their parts and components and ammunition, and in investigating and prosecuting their illicit manufacturing, trafficking and diversion, including, where appropriate, when related to terrorism and other crimes, such as urban crime committed by gangs and other criminal groups by responding in a timely and effective manner to international cooperation requests relating to tracing and criminal investigations and, in this regard, to consider strengthening cooperation, sharing information and making use of record keeping and tracing systems or facilitation mechanisms, as appropriate and in accordance with domestic law, such as the International Criminal Police Organization (INTERPOL) Illicit Arms Records and Tracing Management System, among others, and to promote the exchange of best practices and experiences in measures aimed at preventing the falsification or illicit obliteration, removal or alteration of the markings on firearms;

14. *Invites* States parties to adopt a multidimensional approach, with the support of the United Nations Office on Drugs and Crime, as appropriate, in formulating their responses to threats related to 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;

15. *Reiterates* its invitation for States parties to provide and/or request specialized training for national law enforcement and regulatory officials on marking, tracing and record-keeping and training on new technologies, the identification of firearms and the recording and reporting of firearms seizures;

16. *Encourages* States parties to include in their legal and regulatory regimes record-keeping systems that address 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, the issuance of licenses for firearms possession and end-user verifications, consistent with their domestic law, and consider extending the retention period for such records, and takes note of the development by the United Nations Office on Drugs and Crime, to that end, of the “goIFAR” integrated record-keeping software, for States that request assistance;

17. *Urges* States parties consistent with their international obligations to strengthen their mechanisms and strategies for border control in order to prevent and combat the theft, loss or diversion of, as well as the illicit manufacturing of and trafficking in, firearms, their parts and components and ammunition, including by strengthening early-detection capacities through the use of new technological tools, and by providing specialized training to law enforcement, customs and judicial authorities, as well as to importers and exporters, as appropriate and as applicable, to

other relevant private sector actors such as transporters and postal and package delivery services, and requests the Firearms Trafficking Section of the United Nations Office on Drugs and Crime to continue to provide technical assistance and capacity-building in those fields to requesting States;

18. *Invites* States parties to consider providing technical assistance, on a voluntary basis and under mutually agreed terms, to detect, investigate and prosecute illicit trafficking in firearms and related crimes, including through the provision of state-of-the-art equipment required for combating illicit trafficking in firearms, and to consider strengthening international cooperation for investigations and prosecutions, as well as to consider establishing joint investigative bodies, consistent with article 19 of the UNTOC, and where applicable, parallel bodies;

19. *Also invites* States parties to integrate into their investigations of firearms-related crimes the analysis of financial intelligence and investigations of illicit assets and money-laundering, in order to recover illicit assets derived from proceeds of crime and dismantle the trafficking networks behind illicit firearms trafficking and gather intelligence on suspicious transactions, for the achievement of target 16.4 of the Sustainable Development Goals;

20. *Encourages* States parties and the United Nations Office on Drugs and Crime to advance the gender and age dimensions of firearms policies and programmes, including in the areas of programme design, planning, implementation, monitoring and evaluation, encourages the sharing of national experiences, lessons learned and best practices, and invites States parties to further collect gender- and age-disaggregated data on illicit trafficking in firearms and enhance their understanding of the gender-specific impacts, in particular for the purpose of improving the corresponding national policies and programmes;

21. *Encourages* States parties to promote, whenever possible, the participation in the meetings of the Working Group on Firearms of national experts and competent authorities, subregional and regional organizations and relevant non-governmental organizations, in line with the rules of procedure of the Conference;

22. *Acknowledges* the occurrence in some regions and countries of an increasing number of cases of illicit trafficking in ammunition, which demonstrates the flow and use of illicitly trafficked firearms, and the challenges of preventing, intercepting and, where possible, tracing the illicit trafficking in and diversion of that ammunition, especially at borders and customs control posts;

23. *Invites*, where appropriate, international and regional organizations, the private sector, non-governmental organizations, academia and civil society to strengthen their cooperation and work with States parties in their achievement of the Firearms Protocol in order to raise awareness of successful practices, patterns and trends in preventing and combating illicit trafficking in firearms, their parts and components and ammunition;

24. *Encourages* States parties to seek 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;

25. *Requests* the United Nations Office on Drugs and Crime to continue to assist States parties, upon request, in their efforts to strengthen their firearms control regimes, in particular in the areas of legislative assistance, the development of technical and operational tools and support for firearms identification, seizure, confiscation and disposal, and technical support for marking, record-keeping and tracing, as well as training and capacity-building in the investigation and prosecution of related crimes, with a view to preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and efforts by States parties to address the links to other serious crimes;

26. *Also requests* the United Nations Office on Drugs and Crime to continue fostering the collection and sharing of information on trends, effective responses and related experiences among practitioners, and to continue promoting cooperation and coordination among the secretariats and pertinent bodies of related international and regional instruments and mechanisms;

27. *Requests* the secretariat to continue supporting the Working Group on Firearms in the performance of its functions and to submit to the Conference at its twelfth session a report on the meetings of the Working Group held prior to that session, in accordance with its resolution 5/4 of 22 October 2010;

28. *Calls upon* States parties, pursuant to Article 32 of the Convention, among other applicable provisions, and in furtherance of resolution 5/4, to facilitate the exchange of information and cooperation with relevant international and regional organizations, civil society, the private sector and academic institutions in order to better address the new challenges, trends, and patterns related to the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition;

29. *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.
