



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

Distr.: General
31 May 2021

Original: English

Report on the meeting of the Working Group on Firearms held in Vienna from 10 to 12 May 2021

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 Organized Crime Convention.

2. Also in that resolution, the Conference 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 served 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. Recommendations

5. At its meeting held in Vienna from 10 to 12 May 2021, the Working Group on Firearms adopted the recommendations presented below.

A. General recommendations

Recommendation 1

The United Nations Office on Drugs and Crime (UNODC), in cooperation with relevant international and regional organizations, is requested to continue to assist States, upon request, in implementing the Firearms Protocol with a view to fostering international cooperation to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

Recommendation 2

States should note the complementarity between international and regional instruments and multilateral mechanisms on preventing and countering the diversion of and trafficking in firearms.

Recommendation 3

States should better collect, consolidate, analyse and disseminate information, data and statistics on the humanitarian and other consequences of firearms trafficking, particularly with regard to their links to violence, crime and homicide.

Recommendation 4

States should cooperate closely and exchange data and information, in accordance with national law, with multilateral institutions such as UNODC, the International Criminal Police Organization (INTERPOL) and the World Customs Organization (WCO).

B. Recommendations on reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals

Recommendation 5

States are encouraged to further advance efforts to achieve target 16.4 of the Sustainable Development Goals.

Recommendation 6

Acknowledging that illicit firearms are often purchased with proceeds of criminal activities, States are encouraged to address illicit firearms trafficking and illicit financial flows as a multidimensional security threat and not as two separate phenomena.

Recommendation 7

Acknowledging that efforts to prevent and combat corruption and money-laundering can be an important part of a holistic approach to addressing illicit firearms trafficking, States parties should fulfil their obligations under the Organized Crime Convention and the United Nations Convention against Corruption, as well as other international anti-corruption treaties and commitments, and apply them, as appropriate, to firearms trafficking cases.

Recommendation 8

Acknowledging that criminal and terrorist groups may participate in illicit firearms trafficking for profit or as recipients of trafficked firearms, States parties to the Firearms Protocol should apply the trafficking offence to address trafficking flows in both directions.

Recommendation 9

States should strengthen their efforts to counter money-laundering and the financing of terrorism in the context of illicit firearms trafficking.

Recommendation 10

States are encouraged to address illicit firearms trafficking as a predicate offence of money-laundering and as a source of the financing of terrorism.

Recommendation 11

States parties to the Firearms Protocol should conduct financial investigations and analyse financial intelligence in order to effectively eradicate and combat money-laundering and the financing of terrorism linked to illicit firearms trafficking.

Recommendation 12

States should make their best efforts to trace illicit firearms back to their point of origin and prosecute those involved in all stages of the trafficking chain, including by carrying out routine financial investigations in cases of seizures of illicit firearms and using financial intelligence to detect possible links, in some cases, between illegal arms trafficking, crime and the operations of individual terrorists and terrorist groups, including with the aim of establishing strategies to combat terrorism.

Recommendation 13

States should conduct, in accordance with their domestic law, parallel and/or joint financial investigations and financial criminal analysis, where appropriate, as a standard aspect of investigations into illicit firearms trafficking and related crimes and establish multidisciplinary groups that bring together expertise from different investigative backgrounds as standing or ad hoc bodies.

Recommendation 14

States should establish standard operating procedures to ensure that specialized firearms units work hand in hand with customs and border control agencies, financial intelligence units, arms control authorities and tax authorities at the domestic, regional and international levels in order to detect, investigate, prosecute and adjudicate illicit arms flows accompanying money-laundering schemes and corruption.

Recommendation 15

States should establish, as appropriate, national strategies and standing operational procedures on inter-institutional coordination among arms control, customs and law-enforcement authorities, prosecutors and financial intelligence units for effective investigations into illicit firearms trafficking and related crimes.

Recommendation 16

States should analyse their illicit arms trafficking and financing of terrorism risks, combining the knowledge of all their relevant agencies, including financial crime specialists, intelligence authorities, authorities specializing in arms control and criminal justice authorities, and promote inter-agency cooperation in that regard.

Recommendation 17

Taking into account the close links between firearms trafficking and transnational organized crime, States should apply the provisions of the Organized Crime Convention to illicit firearms trafficking with a view to disrupting criminal organizations by targeting the leaders of those organizations and by depriving them of their illicitly gained proceeds from firearms trafficking and related crimes, through measures such as asset forfeiture, financial and asset tracing and investigations and money-laundering investigations, in parallel with investigations into the firearms trafficking offence, in close collaboration with financial intelligence units. To that end, States should also consider ways of using the confiscated proceeds of those crimes to support the fight against illicit firearms trafficking.

Recommendation 18

Acknowledging that illicit firearms are occasionally purchased on the darknet and paid for with cryptocurrencies, States are invited to promote, adopt, improve and implement existing applicable international obligations and standards for the regulation of all kinds of assets to prevent illicit firearms trafficking.

Recommendation 19

Taking into account the close connection between illicit arms flows and illicit financial flows, States should enhance their national statistical systems with a view to strengthening data collection, analysis and verification capacities and national inter-institutional cooperation on indicators for target 16.4 of the Sustainable Development Goals, as well as to identifying and monitoring relevant trafficking routes and the trafficking networks involved in these illicit flows, supported, when requested, by the relevant agencies of the United Nations system.

Recommendation 20

In the fight against illicit financial and arms flows, States parties to the Firearms Protocol and UNODC should consider cooperating with the private sector, building on public-private partnerships, in line with article 13 of the Protocol, and should also establish strategic partnerships with academia to research the links between firearms trafficking and economic crimes, for evidence-based policy decisions.

Recommendation 21

UNODC is requested to assist States, upon request, in building the capacities of their relevant agencies and officials and in establishing joint strategies to reduce illicit financial and arms flows in order to ensure better cooperation and effective coordination among relevant agencies dealing with illicit financial flows and firearms trafficking, including in transborder areas.

Recommendation 22

UNODC should, at the request of States, continue to provide capacity-building for law enforcement agencies, prosecutors and judges in the areas of audit and financial investigations related to any kinds of assets, in investigating the illicit financial flows accompanying illicit arms flows and in identifying and seizing cryptocurrencies as proceeds of illicit firearms trafficking cases.

C. Recommendations on the application of the Firearms Protocol in the context of diversion

Recommendation 23

States parties to the Firearms Protocol should take primary responsibility for firearms control, including through strengthening domestic firearms regulations and international firearms transfer authorization systems, and refrain from transferring

arms to criminal groups in order to prevent, combat and eradicate illegal activities involving firearms and the diversion of firearms to criminals and terrorists, in accordance with the Firearms Protocol.

Recommendation 24

States should engage in effective international cooperation and information exchange to counter firearms trafficking and diversion and to hold criminal groups and organizations and their leaders accountable.

Recommendation 25

States and international organizations are encouraged to pursue the complementarity of and synergies between the Firearms Protocol and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and other relevant and applicable international and regional arms control instruments in order to address the illicit trade in and diversion of firearms and should engage in a dialogue between the relevant intergovernmental processes to identify linkages, reduce implementation overlaps and build on the complementary nature of the instruments.

Recommendation 26

When addressing the diversion of firearms, States parties to the Firearms Protocol should keep abreast of new and emerging forms of diversion and should apply the provisions of the Firearms Protocol in those cases.

Recommendation 27

In line with the Firearms Protocol, States parties should apply markings to all firearms, including those held by national authorities, and consider any unmarked firearms as illicit and the possession of unmarked firearms a criminal offence.

Recommendation 28

States parties to the Firearms Protocol should strengthen their efforts to harmonize domestic legislation, in particular on the marking of essential parts and components of firearms, if feasible.

Recommendation 29

States parties to the Firearms Protocol should fully implement the marking requirements contained in the Protocol in order to adapt to the latest technological developments and highest standards to ensure effective tracing and prevent firearms from being diverted to the illegal market.

Recommendation 30

States parties to the Firearms Protocol should cooperate with the manufacturing industry to establish common guidelines containing technical specifications and standards on durable marking techniques, in order to prevent the tampering with markings on firearms, guidelines on deactivation standards and techniques and technical specifications to prevent the reactivation and conversion of weapons and firearms.

Recommendation 31

States parties to the Firearms Protocol are called upon to implement article 7 of the Protocol and to include in their legal and regulatory regimes record-keeping systems that address the entire life cycle of all firearms that exist in a country and, where appropriate and feasible, their parts and components and ammunition.

Recommendation 32

States parties to the Firearms Protocol should establish, in accordance with domestic law, a comprehensive firearms control regime, including comprehensive registries, clear conditions and requirements and domestic vetting systems for individuals and legal persons who apply to possess, carry or transfer a firearm, as well as outreach programmes and voluntary firearms-surrender mechanisms.

Recommendation 33

States are encouraged to accede to the Firearms Protocol and States parties to the Firearms Protocol are encouraged to also consider acceding to the Arms Trade Treaty, with a view to establishing a solid and comprehensive transfer control regime and strict export criteria and risk assessment procedures domestically, including for firearms transfers, and to increase the accountability of firearms transfers through a reciprocal system of authorizations or licences by making the use of end user certificates and non-re-export clauses mandatory and by conducting post-shipment controls.

Recommendation 34

States should improve their record-keeping mechanisms in order to trace firearms that are subject to retransfer or re-export, consider making the use of end user and end use certificates a mandatory component in all export authorizations and take appropriate post-delivery verification measures to ensure that importing countries comply with the information set out on those certificates.

Recommendation 35

States parties to the Firearms Protocol should implement effective systems of export licensing or authorization that define and strengthen the parameters for legal transfers to prevent illicit firearms trafficking and should notify one another about their exports of firearms, with a view to preventing diversion.

Recommendation 36

For an effective system of import, export and transit authorizations and licences in accordance with the Firearms Protocol, States parties to the Protocol should establish a system of cooperation and information exchange both at the interministerial level and with the private sector, including manufacturers, exporters and importers, through outreach events, for instance.

Recommendation 37

To prevent and investigate diversion, States should verify the authenticity of transfer authorizations and accompanying transport documents and certificates through verification and validation systems or through diplomatic authorities accredited in the importing country.

Recommendation 38

States parties to the Firearms Protocol should enhance their capacity to regulate brokering activities, including extraterritorial brokering activities, and fully implement article 15 of the Protocol, including with a view to strengthening the effectiveness of arms embargoes.

Recommendation 39

States should hold private entities and individuals, including shipping and transport companies, brokers and suppliers, accountable where they are involved in illicit firearms transfers, and States parties to the Firearms Protocol should apply its provisions, in particular the trafficking offence, to such cases.

Recommendation 40

In view of the fact that theft, loss or other forms of diversion from government stockpiles and civilian holdings may precede firearms trafficking and account for a significant source of the supply of illicit arms to criminals and terrorists, States should consider establishing criminal provisions and preventive measures that effectively address the issue.

Recommendation 41

States should establish effective protocols for the disposal of seized and confiscated firearms, their parts and components and ammunition, including final depositories for their destruction, and safe and secure destruction mechanisms.

Recommendation 42

States are invited to participate in INTERPOL and UNODC operations, such as Operation Trigger and Operation KAFO, that target firearms trafficking by promoting international cooperation, intelligence-sharing and follow-up investigations.

Recommendation 43

States should, where appropriate and feasible, populate the INTERPOL Illicit Arms Records and Tracing Management System (iArms) with national data, systematically trace firearms through iArms and ensure that national record-keeping systems are fully interoperable with iArms.

Recommendation 44

States and UNODC should continue to include gender perspectives in measures to curb illicit firearms trafficking, in particular by collecting and analysing sex- and age-disaggregated data and integrating gender analysis into all capacity-building projects related to firearms trafficking.

D. Recommendations based on the follow-up to the results of the previous meetings of the Working Group on Firearms

Recommendation 45

States and UNODC should continue to encourage the participation of experts, practitioners and representatives of competent national authorities in the meetings of the Working Group on Firearms to improve international cooperation and the exchange of information and good practices related to illicit firearms trafficking.

Recommendation 46

UNODC should prepare a proposal for a multi-year workplan for discussion and adoption at the ninth meeting of the Working Group on Firearms. The workplan should follow a two-pronged approach, combining:

- (a) One agenda item on the scope and implementation of certain provisions of the Firearms Protocol, supporting a common understanding of those provisions;
- (b) One agenda item dedicated to specific topics and thematic priorities related to the Firearms Protocol deemed of particular interest by the Working Group.

Recommendation 47

Possible topics for consideration by the Working Group in its future sessions:

- (a) Addressing and mainstreaming gender perspectives in preventing and countering the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

(b) Promoting victim-centred approaches in the area of preventing and countering illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

(c) Relevance of the implementation of the Firearms Protocol to the achievement of the 2030 Agenda for Sustainable Development;

(d) Regulation of brokers, brokering and brokering-related activities, in accordance with article 15 of the Firearms Protocol;

(e) Preventing and combating the trade in, illicit manufacturing of and trafficking in ammunition;

(f) Addressing the issue of illicit manufacturing and assembly of firearms from parts and components, including the use of counterfeit markings and serial numbers, conversion and convertibility of alarm and signal weapons into firearms and the availability on the Internet of “ghost guns” and blueprints for the 3D-printing of firearms;

(g) Establishing effective tracing mechanisms and ensuring the full traceability of firearms through the application of markings on firearms and their essential parts and components, where feasible and appropriate;

(h) Establishing an international cooperation mechanism, especially between neighbouring countries, to effectively address illicit firearms trafficking, in accordance with article 13 of the Firearms Protocol;

(i) Addressing the role of commercial carriers in illicit firearms trafficking;

(j) Operationalizing article 10 of the Firearms Protocol in terms of national transfer control systems, considering the complementarity with other relevant international and regional arms control instruments;

(k) Supporting the establishment of national firearms focal points to act as liaisons between States and to foster international cooperation (article 13 of the Firearms Protocol) and capacity-building.

III. Summary of deliberations

6. The following summary of deliberations stemming from the meeting was prepared by the secretariat after the meeting, in close coordination with the Chair. It was not subject to negotiations and adoption during the meeting and was instead prepared as a summary by the Chair:

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

7. At its 1st and 2nd meetings, on 10 May 2021, the Working Group considered item 2 on its agenda, entitled “Reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals”.

8. The discussion was facilitated by Miguel Angel Fuentes Peniza, Head, Chemical and Conventional Disarmament Section of the Subdirectorato General for Non-Proliferation and Disarmament of the Ministry of Foreign Affairs, the European Union and Cooperation of Spain, on behalf of the Group of Western European and other States; Karen Lizeth Chávez Quintero, Adviser to the Directorate and Coordinator of the Sustainable Development Goals Indicators Group at the National Department of Statistics (DANE) of Colombia, on behalf of the Group of Latin American and Caribbean States; Adam Mohammed, Commander, Principal Staff Officer of the Office of the National Security Adviser of Nigeria, on behalf of the Group of African States; and Mireya Valverde Okón, General Director for Legal

Affairs of the Financial Intelligence Unit of the Ministry of Finance and Public Credit of Mexico, also on behalf of the Group of Latin American and Caribbean States.

9. The representative of the Group of Western European and other States delivered a presentation on the use of cryptocurrencies as a means of payment in illicit firearms trafficking, including the purchase of weapons from the darknet and the laundering of proceeds of crime. He described the challenges faced in financial investigations when criminals employed digital currencies that ensured high levels of privacy and referred to recommendations from previous Working Group meetings. He provided an account of the varying methods used to trade cryptocurrencies and of how their non-traceable nature was used to finance trafficking in firearms. He drew the attention of the meeting to the difficulty in tracking those financial flows owing to anonymity and the challenges in obtaining timely and relevant information. He recommended, *inter alia*, providing staff with the capacities and analytical tools required to carry out financial investigations involving cryptocurrencies and to strengthen the regulation of those type of assets.

10. The first representative of the Group of Latin American and Caribbean States presented the overall framework and guide of Colombia for tracking the country's progress in relation to the 2030 Agenda for Sustainable Development. She informed the meeting that no comprehensive and coherent data were currently available with regard to indicators 1 and 2 of target 16.4 of the Sustainable Development Goals. Owing to the need to enhance data availability throughout the framework, various steps had been identified to validate data and identify different possible sources of information, including statistics at the national and international levels. In conclusion, she recommended the further strengthening of the capacities of national statistical institutes and the provision of support for coordination between the different institutions involved, as well as with the relevant United Nations agencies.

11. The representative of the Group of African States drew the attention of the meeting to the interlinkage between illicit firearms trafficking and other forms of crime, such as drug trafficking, maritime crime, corruption, money-laundering and terrorism. In terms of the link between illicit firearms trafficking and terrorism, he mentioned the challenges and security risks posed by terrorist groups, such as Boko Haram, not only within Nigeria but also across borders and throughout West Africa. Criminal and terrorist groups relied on firearms for a dual purpose, namely, to pursue criminal activities and terrorist acts and to generate income to fund their activities through trafficking. He also mentioned the large informal economy in Nigeria and other countries in the region, through which illicit funds were laundered and integrated into the formal economy. To address those mutually reinforcing criminal activities, he outlined a few of the steps that Nigeria had taken to counter illicit financial and arms flows. In conclusion, he made recommendations, including improved coordination and collaboration with financial intelligence units and improved border security management.

12. The second representative of the Group of Latin American and Caribbean States reminded delegates of target 16.4 of the Sustainable Development Goals, which sought to address three specific challenges: (a) significantly reducing illicit financial flows and arms flows; (b) strengthening the recovery and return of stolen assets; and (c) fighting organized crime. She noted that, in 2020, Mexico had registered 34,515 homicides, 70 per cent of which involved the use of firearms, exceeding incidents involving firearms from 2015, 2016 and 2017. Observing the importance of tackling illicit arms flows, she emphasized the need to focus on illicit ammunition flows and on all new types of illicit financial flows. She noted the commitment of Mexico to improving the analysis and generation of financial intelligence aimed at tracking and identifying assets presumed to be of illicit origin. She referred to the financial intelligence unit's collaboration with UNODC on its pilot project to measure indicator 16.4.1.

13. Subsequent to the presentations by the panellists and taking note of their recommendations, the Chair invited the meeting participants to share further

observations or provide ideas for additional recommendations. In the discussions that followed, some speakers referred to the standards of the Financial Action Task Force, mentioning that they would provide a comprehensive framework for the prevention of and fight against money-laundering and terrorist financing, including in the context of firearms trafficking, and recommending that they be fully leveraged. In that regard, a recent report produced by the Financial Action Task Force on the links between illicit arms trafficking and terrorist financing, which analysed how terrorist organizations profited from trafficking activities and also used illicit trafficked firearms for terrorist attacks, was also mentioned. Speakers recommended, *inter alia*, strengthened border controls, increased collaboration between authorities to better understand the links between firearms trafficking and the financing of terrorism and associated risks, routine investigations into the financial flows linked to illicit arms trafficking and increased efforts to trace arms back to the source of origin, instead of focusing only on prosecution for illicit possession. Reference was also made to a joint project on addressing the terrorism-arms-crime nexus in Central Asia, which had been developed and implemented with the involvement of several United Nations entities.

14. A few speakers pointed to the complementarity of arms trafficking and economic crime, including tax evasion and fraud. In that regard, one speaker highlighted the importance of identifying the beneficiaries of the proceeds of those crimes and dismantling the economic and criminal structures behind those crimes by tracing, freezing, seizing and confiscating the proceeds thereof. Authorities should use the possibility of approaching those interlinked crimes from different angles of an investigation and use the various available sources of information, including open- and closed-source data, public databases, information from national and local service supply companies, car rental services, property registers and notaries.

15. One speaker stressed the importance of making more use of the possibility of civil or non-conviction-based asset forfeiture and recommended that those States that had relevant legislation on asset forfeiture consider its application in investigations related to illicit firearms trafficking.

16. Several speakers recommended strengthening inter-agency collaboration, with a few mentioning the establishment of joint task forces or teams that could include, *inter alia*, officers from financial intelligence units and law enforcement, customs, border control and immigration agencies and prosecutors. Several speakers underlined the need to conduct parallel financial investigations on firearms trafficking and on related financial transactions and flows. In that context, speakers expressed the need for capacity-building, such as on new dimensions of illicit arms and financial flows.

17. Two speakers mentioned the need to address the symptoms as well as the causes of illicit firearms trafficking, by, *inter alia*, considering socioeconomic factors, poverty, instability, violence and weak institutions.

18. In relation to the role of corruption and money-laundering in illicit firearms trafficking, one speaker called upon all States parties to prioritize fulfilling their obligations under the Organization Crime Convention and the Convention against Corruption and, where possible, other international anti-corruption treaties and commitments. In that regard, he underlined the crucial need for the prevention of corruption, as that could reduce the need for enforcement actions, including those related to diversion and illicit firearms trafficking. Another speaker referred to the leading role of multilateral institutions such as the United Nations and outlined the need for the exchange of information with INTERPOL or WCO on relevant issues.

19. One speaker mentioned the need to develop a comprehensive cross-cutting risk evaluation that would look into interlinked crimes and illicit markets. He also mentioned the need to build on the recommendations of previous Working Group meetings and gather more information in relation to target 16.4 of the Sustainable Development Goals, as well as the need to compile and analyse information related to the negative impact of illicit financial flows and arms trafficking on peace, security and sustainable development.

20. Another speaker referred to initiatives involving the private sector and academia. She underlined the need for public-private partnerships to combat firearms trafficking and for ongoing research on firearms trafficking, including its economic elements.

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

21. Following the conclusion of the consideration of agenda item 2 during the 2nd meeting, the Working Group moved to agenda item 3, entitled “From arms transfers to firearms trafficking: application of the Firearms Protocol in the context of diversion” which was considered during the remainder of the 2nd meeting and during the 3rd meeting, on 10 and 11 May 2021.

22. The discussion was facilitated by Christian Ponti of the University of Milan, Italy, on behalf of the Group of Western European and other States; José Luís Cabrera Pérez of the National Police of Colombia, on behalf of the Group of Latin American and Caribbean States; Jasmina Roskić, Head of the Department for International Agreements and Foreign Trade in Controlled Goods of the Ministry of Trade, Tourism and Telecommunications of Serbia, on behalf of the Group of Eastern European States; and Adam Mohammed, Commander, Principal Staff Officer of the Office of the National Security Adviser of Nigeria, on behalf of the Group of African States.

23. The representative of the Group of Western European and other States referred to the complementarity between the Firearms Protocol and other instruments. He outlined the need to harmonize domestic legal frameworks, as the lack of uniformity could be misused by criminals. With regard to traceability, he recommended adopting common guidelines on marking techniques, building on the provisions of the Firearms Protocol, so that the marking of firearms and their parts and components would be harder to erase. Subsequently, he spoke about converted weapons and reactivated firearms, which were raising growing concern, and recommended that States consider strengthening common efforts, especially with the aim of identifying common guidelines on deactivation standards and techniques and technical specifications and regulations to prevent the conversion of firearms. Furthermore, he stated that supplementary measures were needed for authorization and licensing systems and outlined several recommendations in that regard, including making use of the synergies between the Firearms Protocol and the Arms Trade Treaty. In concluding, he referred to the urgent need to enhance national regulations on brokering activities, which was of paramount importance to strengthening the effectiveness of arms embargoes. He explained, *inter alia*, that many jurisdictions in Europe did not expressly regulate extraterritorial brokering activities.

24. The representative of the Group of Latin America and Caribbean States gave an overview of firearms seizures in Colombia, indicating that there had been a decrease in 2020, mostly because of the measures taken to combat the coronavirus disease (COVID-19) pandemic. The panellist detailed the different methods and routes used by traffickers to illicitly transfer various types of firearms into Colombia. He then highlighted the importance of the ballistic comparison system of Colombia (SUCOBA), which had yielded very positive results in terms of supporting the investigative and judicial process related to firearms cases. In that regard, he recommended that countries use ballistic comparison systems and offered the assistance of Colombia. He also pointed to the need to strengthen efforts to prevent criminals from erasing markings on firearms.

25. The representative of the Group of African States outlined that firearms diversion and illicit trafficking remained monumental concerns for Nigeria and the West African region. He referred to armed attacks on stockpiles by criminals and terrorist groups and the diversion of stockpiles by rogue officials, especially in crisis-ridden countries. He informed the meeting that, while porous borders had been identified as a major challenge, firearms seizures were mainly made at the domestic

level, with less than 10 per cent at borders. Furthermore, he explained that the illicit trade in and manufacturing of handcrafted firearms, which was prevalent in Nigeria and pervasive in the West Africa subregion, was of great concern. He outlined a few of the main trafficking routes, including in the Sahel region, in particular around Lake Chad. He also referred to the efforts of Nigeria to address illicit firearms flows, including through bilateral cooperation with neighbouring countries, ratification of the Arms Trade Treaty and the establishment of a national centre for the control of small arms and light weapons.

26. The representative of the Group of Eastern European States provided an overview of Serbian legislation on firearms transfers. She noted that the issue of unauthorized re-exports or retransfers of arms and ammunition had been drawing a lot of attention in recent years. She provided two case studies on retransfers and re-exports. In one of the presented cases, the export by Serbia to a European Union member State had to be denied as a result of concerns that the arms could be re-exported without the knowledge or consent of Serbia. In her conclusions, she emphasized the responsibility of importing States and the importance of end user certificates to prevent diversion and unauthorized re-exports or retransfers. She recommended the improvement of national record-keeping mechanisms and stressed the importance of cooperation and information exchange at the national, regional and international levels, as well as of outreach activities.

27. In the discussions that followed, one speaker underlined that the European Union attached great importance to the issue of gaps in legal transfers of firearms and highlighted several legislative measures adopted by the European Union on the topic, including its action plan on firearms trafficking for the period 2020–2025. He announced that the European Union planned to increase its controls over transfers of firearms, their parts and components and ammunition, including through the mandatory use of end user certificates in international transfers of firearms. He highlighted the importance of marking firearms in accordance with the Firearms Protocol and the recommendations adopted by the Working Group on Firearms, and recommended considering making use of new marking technologies in order to ensure the effective identification and tracing of firearms.

28. Some speakers referred to the Firearms Protocol and other international legal instruments and frameworks, such as the Arms Trade Treaty and the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, and to 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 Aspects, and underlined their complementarity, synergies and linkages. Another speaker noted the different scope and ratification status of the various international legal instruments.

29. Several speakers shared information about their national legal and institutional frameworks and regulatory measures implementing the provisions of the Firearms Protocol with a view to addressing diversion. Speakers mentioned different national legislation and procedures, with regard to, among others, the marking of firearms, appropriate storage, accounting for stockpiles, procedures and sanctions in case of loss or theft, regulation of brokering and requirements to obtain a licence to own a firearm. One speaker provided an example from his jurisdiction, where a civil agency was responsible for controlled materials, including firearms, and had competencies ranging from the registration of arms users, arms and ammunition and export and import to support to the judiciary. He also referred to the positive experience of his country with regard to the identification and seizure of illicit firearms and the use of a national voluntary surrender campaign to collect firearms from civilians for subsequent destruction.

30. Measures to prevent diversion that were specifically and repeatedly mentioned and recommended by various speakers were, inter alia, strict regulations and control regarding the production and transfer of firearms and the marking of all firearms, both newly manufactured and imported, as well as unmarked firearms already in

circulation. Moreover, several speakers expressed the need for exporting countries to conduct a comprehensive export risk assessment. One speaker added that such risk assessments should specifically consider risks for women and children through the collection of sex-disaggregated data and information.

31. Some speakers noted the importance of cooperation among different institutions at the national level and of international cooperation, mutual legal assistance and information exchange to mitigate diversion. In addition, one speaker reiterated that States should prioritize the arrest and prosecution of leaders of criminal organizations and the confiscation of illicit assets of criminal organizations engaged in illicit firearms trafficking.

32. One speaker pointed to the risk of gross violations of human rights in conflict and non-conflict situations caused by the diversion of firearms. He also drew the attention of the meeting to the risk of terrorists, including foreign terrorist fighters in conflicts, as potential recipients of diverted arms. He mentioned the need for strict scrutiny by national authorities of private carriers and cargo airlines potentially involved in illicit firearms transfers across borders to prevent trafficking activities. Several speakers underlined the importance of compliance with arms embargoes in firearms transfers.

33. One speaker mentioned emerging common challenges in view of new technologies, such as 3D printing of firearms and ammunition, and mentioned that practical solutions for those would need to be found.

34. With regard to capacity-building, one speaker encouraged States to identify specific difficulties they faced in addressing transfer diversion and expressed willingness to offer assistance. As regards the need to bridge the gap between political commitments and operational response, one speaker called for, among other things, more capacity-building, resources, centralized assistance and harmonization of the activities of focal points for the prevention and fight against illicit firearms trafficking. He also pointed out that improved and annual monitoring of the results of various actions to prevent and combat diversion would be needed to guide policy decisions.

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

35. At its 4th meeting, on 11 May 2021, the Working Group considered agenda item 4. The Chair highlighted that 2021 marked the twentieth anniversary of the adoption of the Firearms Protocol by the General Assembly, the tenth anniversary of the creation of the UNODC Global Firearms Programme and the twenty-fifth anniversary of the Wassenaar Arrangement, and that 2022 would mark the tenth anniversary of the establishment of the Working Group on Firearms. Against that backdrop, the Chair invited the Working Group to identify thematic gaps in the intergovernmental work of the Group and potential priority topics, with a view to providing the Conference of the Parties, at its eleventh session, with a basis for decision-making with regard to the future direction of the Working Group. In accordance with the Conference of the Parties resolutions in which the Working Group on Firearms had been established and its mandate outlined, in particular paragraph 9 of resolution 5/4, a representative of the Secretariat presented the results of the previous meetings, which had been recently compiled by UNODC for each working group in a compendium and thematic index of recommendations, resolutions and decisions.

36. The representative of the Secretariat also proposed the development of a multi-year workplan for the Working Group, an issue that had been discussed in previous meetings, for adoption at its ninth meeting. The structure of the workplan presented followed a two-pronged approach that combined one agenda item on the scope and implementation of certain provisions of the Firearms Protocol and one agenda item dedicated to specific topics and thematic priorities related to the Protocol.

37. Several speakers supported the idea of a multi-year workplan and discussed possible topics of interest. Considering the work carried out by the Working Group so far, as well as emerging or other priority topics, several speakers suggested topics for consideration by the Working Group in its future sessions. One speaker specifically thanked the Secretariat for the preparation of the compendium.

D. Other matters and Adoption of the report

38. At its 4th meeting, on 11 May 2021, the Working Group considered agenda item 5, entitled “Other matters”. No statements were made under the agenda item.

39. At its 5th meeting, on 12 May 2021, the Working Group considered agenda item 6, entitled “Adoption of the report”. During the adoption of the report, a few speakers mentioned that the consideration of the report, including the recommendations, had been challenging owing to the limited time available for inter-agency coordination between the publication of the draft report and its adoption. While it was acknowledged that meeting reports had to be drafted in session and translated prior to their dissemination, a few speakers stressed the need to explore options for future meetings to make the recommendations available earlier, including, where possible, prior to the meeting, and to strive to streamline them further, in order to avoid duplication, while capturing all substantive aspects.

IV. Organization of the meeting

A. Opening of the meeting

40. The Working Group on Firearms met from 10 to 12 May 2021, holding a total of five meetings. As agreed by the extended Bureau of the Conference of the Parties, the meeting was held in a hybrid format, with a restricted number of participants present in the meeting room and all other participants connected remotely using an interpretation platform contracted by the United Nations.

41. The meeting was opened by Luis Javier Campuzano Piña (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.

B. Statements

42. Representatives of the Secretariat provided introductory remarks under agenda items 2, 3 and 4.

43. With the Chair presiding, the discussion under item 2 was led by the following panellists: Miguel Angel Fuentes Peniza (Spain), Karen Lizeth Chávez Quintero (Colombia), Adam Mohammed (Nigeria) and Mireya Valverde Okón (Mexico).

44. Under agenda item 2, statements were made by representatives of the following States parties to the Firearms Protocol: Finland, Mexico, Nigeria, Spain and Trinidad and Tobago. Statements were also made by the observer for the signatory State China and by the observer for the non-signatory State the United States of America. Statements under the item were also made by the observers for the Financial Action Task Force and the Office of Counter Terrorism.

45. With the Chair presiding, the discussion under item 3 was led by the following panellists: Christian Ponti (Italy), José Luís Cabrera Pérez (Colombia), Jasmina Roskić (Serbia) and Adam Mohammed (Nigeria).

46. Under agenda item 3, statements were made by representatives of the following parties to the Firearms Protocol: Algeria, Argentina, Armenia, Brazil, Cuba, European

Union,¹ Finland and Mexico. Statements were also made by the observers for the signatory States Canada and China and by the observer for the non-signatory State the United States. The observer for the Wassenaar Arrangement also made a statement.

47. Under agenda item 4, statements were made by representatives of the following parties to the Firearms Protocol: Brazil, Canada, Cuba, European Union,² Finland, Ghana, Mexico, Peru and Turkey. Statements were also made by the observer for the non-signatory States Colombia and the United States. A statement was also made by the observer for INTERPOL.

48. No statements were made under agenda item 5.

C. Adoption of the agenda and organization of work

49. At its 1st meeting, on 10 May 2021, 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. 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.

D. Attendance

50. The following parties to the Firearms Protocol were represented at the meeting, including online, owing to the specific format of the meeting in the light of the COVID-19 pandemic: Albania, Algeria, Angola, Argentina, Armenia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Dominican Republic, Ecuador, El Salvador, Estonia, European Union, Finland, France, Ghana, Guatemala, Honduras, India, Iraq, Italy, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libya, Lithuania, Madagascar, Mexico, Morocco, Netherlands, Nicaragua, Nigeria, North Macedonia, Oman, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

51. The following States signatories to the Firearms Protocol were represented by observers, including online, owing to the specific format of the meeting in the light of the COVID-19 pandemic: Australia, Canada, China and Germany.

52. The following States that are not parties or signatories to the Firearms Protocol were represented by observers, including online, owing to the specific format of the meeting in the light of the COVID-19 pandemic: Bhutan, Chad, Colombia, Indonesia, Iran (Islamic Republic of), Ireland, Jordan, Malaysia, Philippines, Russian

¹ On behalf of the European Union and its member States.

² Ibid.

Federation, Somalia, Sri Lanka, Tajikistan, United Arab Emirates, United States and Yemen.

53. The following intergovernmental organizations were represented by observers, including online, owing to the specific format of the meeting in the light of the COVID-19 pandemic: Andean Community, Asia-Pacific Economic Cooperation forum, Commonwealth of Independent States, Cooperation Council for the Arab States of the Gulf, European Union Agency for Criminal Justice Cooperation, European Union Agency for Law Enforcement Cooperation, Financial Action Task Force, European Border and Coast Guard Agency, INTERPOL, Organization of American States, Organization for Security and Cooperation in Europe, Wassenaar Arrangement and WCO.

54. The following United Nations entities were represented by observers attending online owing to the specific format of the meeting in the light of the COVID-19 pandemic: United Nations Counter-Terrorism Centre, Office for Disarmament Affairs and Office on Genocide Prevention and the Responsibility to Protect.

55. A list of participants is contained in document [CTOC/COP/WG.6/2021/INF/1/Rev.1](#).

E. Documentation

56. The Working Group had before it the following:

- (a) Annotated provisional agenda ([CTOC/COP/WG.6/2021/1](#));
- (b) 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](#));
- (c) 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](#)).

V. Adoption of the report

57. On 12 May 2021, the Working Group adopted chapters I, II, IV and V of the present report on its fifth meeting.
