



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

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Draft report

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Addendum

VI. Other matters

A. Consideration of matters pertaining 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

1. At its 11th and 12th meetings, on 17 October, the Conference of the Parties considered agenda item 5 (a), on matters pertaining to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.
2. Several speakers welcomed the entry into force of the Firearms Protocol, underscoring the serious threats that the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition posed to the security of States. Speakers also reported on progress made towards ratification of or accession to the Protocol.
3. Attention was drawn to the situation of States emerging from conflict and States surrounded by conflict zones, both of which were vulnerable to the security threats posed by the proliferation of small arms and light weapons. Several speakers also informed the Conference of the difficulties such States had faced in efforts at disarmament.
4. Many speakers described legislative measures that had been taken in order to bring their laws into compliance with the provisions of the Firearms Protocol, including the definition of firearms and related items and criminalization of illicit manufacturing of and trafficking in firearms, their parts and components and



ammunition. A number of measures had been undertaken to control the movement of firearms, in particular, marking, record-keeping and export and import licensing, in line with the Protocol. The need for awareness-raising was raised and several speakers outlined campaigns that had been undertaken to that effect.

5. Several speakers made reference to specific examples of bilateral, multilateral, regional and subregional agreements, arrangements and projects that were being put in place with a view to addressing effectively the challenges posed by small arms and light weapons. It was emphasized that, in implementing the Firearms Protocol, attention should be also given to existing regional and subregional frameworks concerned with small arms and light weapons. In that connection, the observer for the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies reported on its activities.

6. The need for States parties and signatories to designate their central authorities in order to further facilitate cooperation among themselves in accordance with the Firearms Protocol was underscored.

7. The need for financial assistance in implementing the provisions of the Firearms Protocol was reiterated by some speakers.

8. Some speakers pointed out several sources of trafficked firearms, such as firearms remaining after conflicts, stolen firearms and illicitly manufactured firearms, and underscored the need to further identify sources of trafficked firearms in order to address the phenomenon. In that regard, some speakers informed the Conference of their additional efforts to address the problem by undertaking measures in relation to collection and stock management of small arms and light weapons. Others highlighted the potential effectiveness of buy-back schemes.

9. Following the discussion, the Conference considered the development of a programme of work along the lines of the action that had been taken for the review of the implementation of the Convention and its two Protocols for the second session. The Conference based its discussion on a proposal made by the President.

10. With a view to collecting information from States parties and signatories to the Firearms Protocol, the secretariat submitted a draft questionnaire on its implementation (CTOC/COP/2005/L.5) to the Conference. The Conference endorsed the questionnaire, as amended. All comments made would be taken into consideration by the secretariat in preparing the final version of the questionnaire, which would be sent to States parties and signatories with a view to obtaining the required information in the following areas, as determined by the Conference, for consideration at its third session:

- (a) Basic adaptation of national legislation in accordance with the Protocol;
- (b) Examination of criminalization legislation and difficulties encountered in implementation of article 5 of the Protocol;
- (c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in implementing the Protocol;
- (d) Views and experience regarding record-keeping, marking and licensing gained in the implementation of articles 7, 8 and 10 of the Protocol.

An analytical report based on the responses to the questionnaire will be prepared by the secretariat and submitted to the Conference at its third session.

11. The outcome of the relevant discussions was brought to the attention of the Conference in the form of a draft decision submitted by the President (CTOC/COP/2005/L.7).

Action taken by the Conference

12. At its 12th meeting, on 17 October, the Conference of the Parties decided to establish a programme of work that would be reviewed at regular intervals and would cover for its third session the areas referred to in paragraph [...] above. (For the text of the decision, see chapter I, decision [...].) The Conference adopted the decision on the understanding that the exchange of views on and experience in the implementation of measures on record-keeping, marking of firearms and licensing would not imply collection of information by the secretariat, but would serve as a guide for preparation by States parties and observers for the third session of the Conference.
