



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

Distr.: Limited
18 October 2012

Original: English

Sixth session

Vienna, 15-19 October 2012

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**

El Salvador:* revised draft resolution

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

*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 reaffirming its decision 4/6 of
17 October 2008 and concerned by the increased levels of harm and violence that
transnational criminal organizations generate in some regions of the world as a
result of the illicit manufacturing of and trafficking in firearms, their parts and
components and ammunition,

Reaffirming resolution 5/4 of 22 October 2010, in which the Conference
requested States to consider the adoption or strengthening of comprehensive and
efficient measures to counter the illicit manufacturing of and trafficking in firearms,
their parts and components and ammunition, to consider ways to strengthen the
collection and sharing of information consistent with their respective legal and
administrative systems, in order to prevent and combat the illicit manufacturing of
and trafficking in firearms, their parts and components and ammunition, to

* On behalf of the States Members of the United Nations that are members of the Group of Latin
American and Caribbean States.

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



strengthen their mechanisms and strategies for border control in order to prevent illicit trafficking in firearms, and to afford each other the broadest possible bilateral, regional and international cooperation so as to facilitate the tracing of firearms and the investigation and prosecution of firearms-related offences, in conformity with their national laws,

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

Expressing its conviction that there is a need to strengthen international cooperation to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Recalling that the 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,² are among the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,³

Noting with appreciation the increasing number of accessions to the Firearms Protocol,

Noting the common themes and nature of other instruments with respect to the Convention and its Firearms Protocol, 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 as well as regional legal instruments,

Taking note of the outcome document of the 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, held in New York from 27 August to 7 September 2012, and encouraging States that have not done so to consider ratifying or acceding to the international instruments against terrorism and transnational organized crime, including the Convention and the Protocols thereto, in particular, the Firearms Protocol,

Reaffirming that one of the primary purposes of the Conference is to improve the capacity of States parties to the Firearms Protocol to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and that the Conference should spearhead international efforts in that regard,

² United Nations, *Treaty Series*, vol. 2326, No. 39574.

³ Resolution 4/5 2010.

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 A/60/88 and Corr.2, annex; see also General Assembly decision 60/519.

Noting with appreciation the assistance provided by the United Nations Office on Drugs and Crime to States, upon request, through its global programme on firearms,

[*Convinced* that supplementing the Convention with an international instrument against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition will be useful in preventing and combating the illicit manufacturing of and trafficking in firearms, noting that article 10 of the Firearms Protocol permits the adoption of simplified procedures for the temporary import and export and the transit of firearms, their parts and components and ammunition for verifiable lawful purposes, such as hunting, sport shooting, evaluation, exhibitions or repairs, reaffirming the obligation of States parties to seek support and cooperate according to article 13 of the Firearms Protocol to combat these crimes and acknowledging that this cooperation is facilitated through the recognition of the legitimate international trade and use of firearms, where such ownership and uses are permitted and protected by law,]

[*Noting* that the Firearms Protocol recognizes verifiable lawful purposes, such as hunting, sport shooting, evaluation, exhibitions or repairs, reaffirming the obligation of States parties to seek support and cooperate to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and acknowledging that this cooperation is facilitated through the recognition of such lawful purposes where these activities are permitted and protected by law,]

1. *Expresses its appreciation* for the work of the Working Group on Firearms at its meeting held in Vienna on 21 and 22 May 2012 and takes note of the recommendations contained in its report;⁶

2. *Invites* 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,⁷ and to fully implement its provisions;

3. *Urges* States parties to the Firearms Protocol to harmonize their national legislation in a manner consistent with the Protocol, develop programmes of action to implement the Protocol, provide to the Secretariat full and up-to-date information on their national body or single point of contact and make use of the online directory of competent national authorities designated by States under the Firearms Protocol;

4. *Requests* the United Nations Office on Drugs and Crime, in order to support ratification of, accession to and the implementation of the United Nations Convention against Transnational Organized Crime⁸ and its Firearms Protocol, to promote knowledge- and awareness-raising activities, to assist Member States, upon request, in the adoption of national laws and strategies on firearms, to continue to facilitate, whenever possible, technical assistance to States consistent with need

⁶ CTOC/COP/2012/6.

⁷ United Nations, *Treaty Series*, vol. 2326, No. 39574.

⁸ *Ibid.*, vol. 2326, No. 39574.

identified by those Member States and to promote inter-agency and international cooperation;

5. *Also requests* the United Nations Office on Drugs and Crime to continue developing technical assistance tools, in particular in the areas identified by the Working Group on Firearms, in close consultation with Member States and, where appropriate, drawing on the expertise of the International Criminal Police Organization according to its statutory rules;

6. *Further requests* the United Nations Office on Drugs and Crime, through its global programme on firearms, to assist Member States, upon request, in strengthening their capacities to investigate and prosecute illicit manufacturing of and trafficking in firearms and related forms of transnational organized crime, inter alia, through practical workshops and exchanges of experience and direct contacts among investigators and prosecutors on the application of the Convention and its Firearms Protocol;

7. *Takes note* of the information gathered so far by the United Nations Office on Drugs and Crime in carrying out the study asked for by the Conference in its resolution 5/4 of 22 October 2010, requests the United Nations Office on Drugs and Crime to improve methodology, in close consultation with Member States, and to complete the study in accordance with the given mandate, for consideration by the Conference at its seventh session, and calls upon States to participate and to contribute to the study, as appropriate;

8. *Invites* States to consider making use of the Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition as a tool of technical assistance, inter alia, for accession, ratification and implementation of the Firearms Protocol, and requests the United Nations Office on Drugs and Crime to disseminate the Model Law in the six official languages of the United Nations;

9. *Requests* the Working Group on Firearms to continue advising and assisting the Conference in the implementation of its mandate with regard to the Firearms Protocol in accordance with that resolution, and invites the Working Group to consider practical proposals for implementing the recommendations formulated at its meeting held on 21 and 22 May 2012;

10. *Encourages* States, through the Working Group, to present their views and comments on the implementation of the Firearms Protocol, including those relating to factors that may impede accession, ratification or implementation, as well as on its strong points, good practices and progress made with its application, with a view to achieving closer cooperation on preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

11. *Decides* that the Working Group shall hold at least one intersessional meeting and encourages the Secretariat to schedule the meeting or meetings in proximity to other relevant meetings, with a view to making the most efficient use of available resources;

12. *Requests* the Secretariat to inform the Working Group about: (a) the activities of the United Nations Office on Drugs and Crime to assist the Conference in promoting and supporting the implementation of the Firearms Protocol,

(b) coordination with other relevant international and regional organizations,
(c) best practices in the areas of training and capacity-building and
(d) awareness-raising strategies to prevent and combat the illicit manufacturing of
and trafficking in firearms, their parts and components and ammunition;

13. *Also requests* the Secretariat to support the Working Group on Firearms
in the performance of its functions;

14. *Decides* that the Secretariat, in cooperation with the Chair of the
Working Group on Firearms, shall prepare a report on the activities of the Working
Group, to be submitted to the Conference at its seventh session;

15. *Invites* States and other donors to provide extrabudgetary resources for
the purposes outlined in the present resolution in accordance with the rules and
procedures of the United Nations.
