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COMMISSION ON CRIME PREVENTION
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Agenda item 5

**CRIMINAL JUSTICE REFORM AND STRENGTHENING OF LEGAL INSTITUTIONS:
MEASURES TO REGULATE FIREARMS**

Angola, Argentina, Australia, Azerbaijan, Benin, Bolivia, Botswana, Brazil, Canada, Costa Rica, Côte d'Ivoire, Democratic Republic of the Congo, Ecuador, Finland, Gambia, Germany, Ghana, Greece, Guatemala, Ireland, Italy, Jamaica, Japan, Lebanon, Lesotho, Lithuania, Malta, Mexico, Netherlands, Norway, Panama, Paraguay, Philippines, Poland, Romania, Russian Federation, Saudi Arabia, Slovakia, South Africa, Sudan, Swaziland, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Zambia: revised draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

Measures to regulate firearms for the purpose of combating illicit trafficking in firearms

The Economic and Social Council,

Recalling resolution 9 of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, on firearms regulation for purposes of crime prevention and public safety,¹

Recalling section IV.A of its resolution 1995/27 of 24 July 1995 and its resolutions 1996/28 of 24 July 1996 and 1997/28 of 21 July 1997,

Bearing in mind that freedom from the fear of crime is fundamental to international cooperation and to the sustainable development of States and that international illicit trafficking in and criminal misuse of firearms have

¹Report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Cairo, 29 April-8 May 1995 (A/CONF.169/16/Rev.1), chap. I.

a harmful effect on the security of each State and endanger the well-being of peoples and their social and economic development,

Aware of the need for improved cooperation and exchange of data and other information for law enforcement purposes as well as for cooperative action to combat illicit trafficking in firearms,

Mindful that the suppression and prevention of international illicit trafficking in firearms can best be accomplished by the adoption of effective methods of identifying and tracing firearms and by the establishment of an import and export and in-transit licensing or similar authorization regime for the international transfer of firearms,

Aware of the importance of bilateral and multilateral instruments and arrangements in the furtherance of international cooperation, including guidelines and model regulations,

Taking note with appreciation of the work of regional organizations such as the Organization of American States, which completed in November 1997 the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, the Inter-American Drug Abuse Control Commission, which developed the Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition, and the Council of the European Communities directive on firearm regulation,²

Taking note of the relevant recommendations contained in the report of the United Nations Panel of Governmental Experts on Small Arms, in particular those related to achieving effective control of firearms in the peace-building process in order to prevent their entry into the illicit market,

Noting the results of the United Nations International Study on Firearm Regulation,³

Recognizing that States will benefit from sharing technical expertise and training that will enhance the capability of law enforcement and criminal justice officials to develop crime prevention policies and solutions to prevent and combat illicit trafficking in and criminal misuse of firearms,

Recalling General Assembly resolution 52/85 of 12 December 1997,

1. *Welcomes* the results of the United Nations International Study on Firearm Regulation and expresses its appreciation to the Member States that participated in that initiative;
2. *Expresses its appreciation* to the Governments of Australia, Canada and Japan, to intergovernmental organizations and to institutes of the United Nations Crime Prevention and Criminal Justice Programme network for contributing financially or in kind to the development and implementation of the United Nations International Study on Firearm Regulation;
3. *Expresses its appreciation* to the Government of Slovenia for acting as host to the regional workshop on firearm regulation in Europe, held at Ljubljana from 22 to 26 September 1997, to the Government of the United Republic of Tanzania for acting as host to the regional workshop on firearm regulation in Africa, held at Arusha from 3 to 7 November 1997, to the Government of Brazil for acting as host to the regional workshop on firearm regulation in the Americas, held at São Paulo from 8 to 12 December 1997, and to the Government of India for acting as host to the regional workshop on firearm regulation in Asia, held at New Delhi from 27 to 31 January 1998;

²Directive 91/477/EEC of 18 June 1991.

³United Nations publication, Sales No. E.98.IV.2.

4. *Recommends* that States, in the light of the above-mentioned considerations, work towards the elaboration of an international instrument to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition within the context of a United Nations convention against transnational organized crime;

5. *Invites* States, when discussing the elaboration of the international instrument referred to in paragraph 4 above, to take into account, as appropriate, the views of interested non-governmental organizations and other interested parties;

6. *Recommends* that States, in discussing the elaboration of the international instrument, take into account, where relevant and appropriate, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, as well as other existing international instruments and ongoing initiatives;

7. *Decides* that the ad hoc committee on the elaboration of a comprehensive international convention against transnational organized crime, to be established by the General Assembly, should hold discussions on the elaboration of an international instrument to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including, *inter alia*, effective methods of identifying and tracing firearms, as well as on the establishment or maintenance of an import and export and in-transit licensing or similar authorization regime for the international commercial transfer of firearms, their parts and components and ammunition, to prevent their diversion for criminal misuse;

8. *Invites* the International Criminal Police Organization and other intergovernmental organizations to provide the Secretary-General with views and proposals regarding their possible contributions towards the development and implementation of technical cooperation to strengthen the ability of law enforcement officials to combat illicit trafficking in and criminal misuse of firearms and requests the Secretary-General to report thereon to the Commission on Crime Prevention and Criminal Justice at its ninth session;

9. *Requests* the Secretary-General to prepare the report referred to in paragraph 8 above using existing or extrabudgetary resources.