

Open-ended Working Group on Conventional Ammunition

New York, 23-27 May 2022

Working Paper of the United Nations Office on Drugs and Crime

On 4 and 5 May 2022, the Working Group on Firearms of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime held its 9th meeting in Vienna, gathering more than 300 experts from almost 100 delegations. The Working Group was established 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 United Nations Convention against Transnational Organized Crime.

The Firearms Protocol includes ammunition of firearms in 13 out of its 15 substantive articles. Namely, it requires States parties to criminalize the illicit manufacturing of and trafficking in ammunition, to provide one another the broadest possible cooperation in criminal matters to investigate and prosecute these offences and trace illicit ammunition, to maintain information on ammunition for tracing purposes (where appropriate and feasible), to only transfer ammunition based on reciprocal authorizations and to take effective measures to detect, prevent and eliminate their theft, loss or diversion.

With 121 States parties the Firearms Protocol can become an important complementary building block of efforts to develop a comprehensive framework on conventional ammunition. The effective implementation of the Firearms Protocol will also support the implementation of the new comprehensive framework on conventional ammunition: Where investigators have the knowledge and tools at hand to investigate the trafficking in firearms ammunition, most likely they can also apply this expertise to instances of diversion of other types of conventional ammunition.

This year, the Working Group considered one agenda item entitled “*Preventing and combating the illicit manufacturing of and trafficking in ammunition [of firearms]*” and discussed various preventive and enforcement measures in that context.¹ This included the marking and record-keeping of firearms ammunition, their international transfers and the tracing of recovered and seized ammunition.

The Working Group adopted by consensus a set of recommendations, which will be submitted to the Conference of Parties to the UN Convention against Transnational Organized Crime (UNTOC) for its consideration in October.

Several of these recommendations could be of relevance and contribute to the upcoming discussions of the OEWG on the development of the global framework, such include the following listed below:

Recommendation 4²

States should take effective measures to stem the illicit trafficking in and use of firearms, including efforts to prevent the illicit supply of ammunition.

Recommendation 6

States should consider implementing measures, on a voluntary basis, to reduce safety and security risks at each stage of the through-life management of ammunition, and should regularly conduct risk assessments of ammunition stockpiles, with the view to prevent unplanned explosions and the diversion of ammunition.

Recommendation 7

With the view to facilitate the identification and tracing of ammunition, States should consider, on a voluntary basis, taking into account their technical and financial capabilities, marking ammunition and ammunition packaging, including with lot or batch numbers on single cartridges and their smallest packaging units, and maintaining accompanying records of this information.

¹ See the background paper prepared by the secretariat of the Working Group: <https://undocs.org/CTOC/COP/WG.6/2022/3>. The report of the meeting will soon be available here: <https://undocs.org/CTOC/COP/WG.6/2022/4> (forthcoming).

² Numbering of the recommendations as in the final report of the Working Group on Firearms, <https://undocs.org/CTOC/COP/WG.6/2022/4> (forthcoming)

Recommendation 8

When available, ammunition markings, including head stamps, data and records, should permit investigators to identify the country and year of manufacture, lot and/or batch numbers and, if possible and feasible, the destined purchaser and final recipient.

Recommendation 10

States should seek the support and cooperation of ammunition and firearms manufacturers to prevent and detect the illicit manufacturing of and trafficking in ammunition, to prevent commercialization practices that facilitate the commission of these offences and support the identification of the origin of recovered and seized ammunition.

Recommendation 11

States that have established limits for the purchase of ammunition by civilians should consider adopting measures to prevent purchasers from exceeding these limits.

Recommendation 12

In conducting commerce and transfers in ammunition, States should assess the risk that the ammunition might be misused, diverted or illicitly trafficked, including by making use of seizure data and tracing results, and should take measures to prevent the transfer if they identify an overriding risk of diversion, onward trafficking or use for the commission of serious crimes.

Recommendation 13

States should establish control over the purchase and possession of specialized equipment for ammunition reloading, where the reloading of ammunition cartridges requires authorization.

Recommendation 14

Following the recovery or seizure of illicit ammunition, States should aim at tracing it back to its source, inform the country of origin accordingly and share relevant information; the country of origin should start a parallel investigation against end-users suspected of being involved in the diversion. To that end, States should, with the support of UNODC, upon request, train law enforcement personnel to trace ammunition and foster international cooperation.

Recommendation 17

States should continue to collect and analyse data on seized and recovered ammunition, and including the information provided by the markings on ammunition and their packaging, with a view to gaining a better understanding of sources of illicit ammunition and the size of the illicit ammunition and firearms market, which is needed for evidence-based policies and proactive and intelligence-led investigations with the technical assistance provided by UNODC, upon request of States.

UNODC invites Member States to consider the relevance and usefulness of these recommendations for the purpose of contributing to the development of the new global framework on conventional ammunition.

UNODC further invites Member States to explore possible synergies with existing international instruments and process, and with related implementation efforts at national, regional and international level. This includes the Firearms Protocol and its accompanying intergovernmental processes, such as the Conference of the Parties to the Organized Crime Convention and the Protocols thereto, the Working Group on Firearms, and the Mechanism to Review the Implementation of the Firearms Protocol. These instruments and processes could become complementary building blocks of then new global framework on conventional ammunition.
