

1998/17. Regulation of explosives for the purpose of crime prevention and public health and safety

The Economic and Social Council,

Recalling resolution 9 of 7 May 1995 adopted by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995,⁶⁸

Recalling also 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,

Recalling further General Assembly resolution 52/38 J of 9 December 1997, in which the Assembly requested the Secretary-General to initiate a study on the problems of ammunition and explosives in all their aspects, in cooperation with appropriate international and regional organizations where necessary,

Bearing in mind General Assembly resolution 51/60 of 12 December 1996 and the United Nations Declaration on Crime and Public Security annexed to that resolution,

Bearing in mind also Commission on Narcotic Drugs resolution 9 (XXXVI) of 7 April 1993,⁶⁹ on the relationship between the illicit traffic in arms and explosives and illicit drug trafficking, in which the Commission recommended that States should consider establishing or improving appropriate controls on transfers of explosives, munitions and armaments,

Taking note with appreciation of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, adopted by the General Assembly of the Organization of American States at its twenty-fourth special session, held in Washington, D.C., on 13 and 14 November 1997,⁷⁰

⁶⁸ See A/CONF.169/16/Rev.1, chap. I.

⁶⁹ See *Official Records of the Economic and Social Council, 1993, Supplement No. 9 (E/1993/29/Rev.1)*, chap. XI.

⁷⁰ See A/53/78, annex.

Deeply concerned that effective action against manifestations of transnational organized crime is hampered by the easy access of criminals and organized criminal groups to firearms, munitions, explosives and their components and parts,

Concerned that the rapid globalization of crime will have a negative effect on the continued capacity of Governments to assess and to counteract effectively threats to public security and will weaken international efforts aimed at enhancing cooperation among police, intelligence, customs and border-control agencies,

Noting the interest shown by Member States in receiving United Nations technical assistance in the area of prevention and control of illicit trafficking in and use of firearms, explosives and their components and parts,

Recognizing that, with the increasing dimensions and scale of international transport and the growing sophistication of transnational illicit trafficking in explosives, States that have not already done so may consider reviewing their legislation and administrative regulations concerning explosives and their components and parts to make those instruments more effective in combating that crime,

Determined, therefore, to initiate measures to promote international cooperation for the prevention of the criminal misuse of and illicit trafficking in explosives and their components and parts,

1. *Decides*, for purposes of crime prevention and public safety, that a study should be initiated on the illicit manufacturing of and trafficking in explosives by criminals and on the abuse and misuse of explosives for criminal purposes;

2. *Requests* the Secretary-General to prepare, as early as possible, in cooperation with relevant international and regional organizations where necessary, an action plan for collecting, reviewing and exchanging statistics, other information and policy proposals that may deal with, *inter alia*, the following issues:

(a) Criminal incidents in which explosive substances were involved, including the number of such incidents, the number of victims involved, the nature and extent of harm caused, the extent of damage to property and the type of explosives used;

(b) Diversion of explosives for criminal use;

(c) Status of national legislation and regulations on explosives in individual countries;

(d) Relevant initiatives for the regulation of explosives at the international and regional levels;

3. *Also requests* the Secretary-General to examine the possibility of convening a meeting of a group of experts to consider the question of the preparation of the action plan;⁷¹

⁷¹ For this purpose, the group of experts may consider that the word "explosive" would mean any substance or article that is made, manufactured or used to produce an explosion, detonation or propulsive or pyrotechnic effect.

4. *Invites* the International Criminal Police Organization to provide the Secretary-General with its views, suggestions and expertise regarding the development and implementation of the action plan with a view to making it an effective instrument for combating the criminal misuse of and illicit trafficking in explosives.

*44th plenary meeting
28 July 1998*