

1998/18. Measures to regulate firearms for the purpose of combating illicit trafficking in firearms

The Economic and Social Council,

Recalling resolution 9 of 7 May 1995, on firearms regulation for purposes of crime prevention and public safety, 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,

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 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 adopted the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials at its twenty-fourth special session, held in Washington, D.C., on 13 and 14 November 1997,⁷⁰ the Inter-American Drug Abuse Control Commission of the Organization of American States, which adopted the Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition at its twenty-second regular session, held at Lima from to 4 to 6 November 1997,⁷² and the

Council of the European Communities, which adopted the directive on the control of the acquisition and possession of weapons on 18 June 1991,⁷³

Taking note of the relevant recommendations contained in the report of the 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,⁷⁴

Taking note also of the results of the *United Nations International Study on Firearm Regulation*,⁷⁵

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*,⁷⁵ 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 *Study*;

3. *Also 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;

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,

⁷² OEA/Ser.L/XIV.2.22-CICAD/doc.905/97.

⁷³ Directive 91/477/EEC; see *Official Journal of the European Communities*, No. L 256, 13 September 1991.

⁷⁴ A/52/298, annex, sect. V.

⁷⁵ United Nations publication, Sales No. E.98.IV.2.

where relevant and appropriate, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials,⁷⁰ 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.

*44th plenary meeting
28 July 1998*