

Committee: Organization of American States (OAS)

Issue: Inter-american collaboration on regulation of the illicit production, distribution and use of firearms

Student Officer: Dimitrios Kottoros

Position: Deputy President

PERSONAL INTRODUCTION

Dear delegates,

It is my absolute honor to welcome you all to the 8th Arsakeia-Tositseia Schools Model United Nations conference! My name is Dimitris Kottoros, I am 17 years old, and I will be serving as one of the deputy presidents in the Organization of the American States (OAS) committee. I am currently an IB2 student in the 12th grade at the International School of Athens (ISA) in Athens, Greece. Preparation for Model United Nations conferences is undoubtedly difficult, I assume many of the delegates reading this guide are first timers! Therefore, I understand how time-consuming and exhausting researching about your country's policy and the agenda can be. I would like to congratulate you on your perseverance and commitment during your research period, as I assure you that your time will be worthwhile. I acknowledge that some delegates, understandably, may feel a bit anxious during this period, please recognize that an MUN conference is not only about improving your public speaking skills and expanding your knowledge about current global issues, but also about having a pleasurable time by meeting people that have similar interests with you! I should also note that this is going to be my first time chairing a conference, providing more proof that there is a first time for everything and occasionally, it's good to step out of your own comfort zone.

I would now like to remind all delegates that this study guide is just a summary which provides detailed information of most but not all aspects of this topic. Consequently, I highly encourage you to do further research outside of this study guide, especially regarding your own country's policy. This guide will not provide you with enough details to be ready to debate in the conference itself, so I emphasize that this guide should not be your sole source of information! I have placed footnotes throughout this guide, so feel free to use the sources I have linked in the bottom of each page, as well as the bibliography section at the end of

the guide. If any delegates have any questions about the study guide, your country's policy or the rules of procedure of the conference, you may freely ask me by contacting me via my email: dkottoros@students.isa.edu.gr

Finally, I would like to welcome you again to the 8th Arsakeia-Tositseia Schools Model United Nations conference and I reassure you that this will be a memorable event that you will hopefully look back on and appreciate. I can not wait to see you all at the conference, whether that will be online or in person, I wish you the best of luck in your research!

Sincerely yours,

Dimitrios Kottoros

INTRODUCTION

The Organization of American States (OAS) uses a four-pronged approach to effectively implement its essential purposes, based on its main pillars: democracy, human rights, security, and development¹.

By focusing on the Security Pillar, the Organization has identified that the growing phenomenon of organized crime, which affects and concerns all citizens of the Americas, is one of the key challenges the region faces today. This incorporates transnational organized crime, the global drug problem, corruption, money laundering, illegal arms trafficking, terrorism – and these issues collectively constitutes the main threats to the security of the OAS countries.

This is indeed directly linked to the UN Sustainable Development Goal, SDG 16, “To promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”

Through its Secretariat for Multidimensional Security, the OAS aims to become a focal point for developing cooperation and strengthening the member countries' capacity in effectively addressing security issues, including inter alia, the multidimensional concept of security and

¹ OAS :: Annual Reports. https://www.oas.org/en/information_center/annual_reports.asp.

the principle that the basis and purpose of security is the protection of human beings. It also recognizes the multidimensional nature of conflicts that are identified by recent trends and the need for a joint effort to confront the threats as well as address the root causes of those threats.

In view of the above, the OAS has further identified the urgent need for all states, and especially those states that produce, export, and import arms, to take the necessary measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms.

This issue is far from being something novel, and it has followed out society like a shadow through history, with an ever-increasing importance being attached to the subject due to the specific risks to security and well-being of society, countries, and their citizens.

However, the OAS has also recognized that states have developed different cultural and historical uses for firearms, and that the purpose of enhancing international cooperation to eradicate illicit transnational trafficking in firearms is to ensure a consistent approach is applied across the region due to the increase, at the international level, in the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials and by the serious problems resulting from these activities.

Specifically, South American operations on illegal arms have shown various recent trends of concern such as the increase in the circulation of weapons that are difficult to trace, tolerance for more stealthy smuggling in and out of the continent, and continuation of illicit firearms trade despite the pandemic².

²OAS :: Annual Reports. https://www.oas.org/en/information_center/annual_reports.asp.

DEFINITION OF KEY TERMS

Arms

Weapons reported as seized, found or surrendered through the Illicit Arms Flow Questionnaire. The target universe is that of all categories of firearms and of small arms and light weapons; however in some cases the reported figures may include other weapons³.

Illicit production

The manufacture or assembly of firearms from components or parts illicitly trafficked, or without a license from a competent governmental authority of the State Party where the manufacture or assembly takes place, or without marking the firearms that require marking at the time of manufacturing⁴.

Illicit distribution

The import, export, acquisition, sale, delivery, movement, or transfer of firearms from or across the territory of one State Party to that of another State Party, if any one of the States Parties concerned does not authorize it⁵.

Firearms

Any barreled weapon which will or is designed to or may be readily converted to expel a bullet or projectile by the action of an explosive, except antique firearms manufactured before the 20th Century or their replicas; or any other weapon or destructive device such as any explosive, incendiary or gas bomb, grenade, rocket, rocket launcher, missile, missile system, or mine⁶.

³ "Rapid Spread of Small Arms, Light Weapons Still Threatening World Peace, Exacerbating Plight of Civilians in Conflict Zones, Disarmament Chief Tells Security Council | UN Press." *United Nations*, United Nations, <https://press.un.org/en/2021/sc14656.doc.htm>.

⁴ "Firearms." *United Nations : Office on Drugs and Crime*, <https://www.unodc.org/unodc/en/firearms-protocol/index.html>.

⁵ *Protocol against the Illicit Manufacturing of and ... - United Nations*. https://treaties.un.org/doc/source/RecentTexts/18-12_c_E.pdf.

⁶ "18 U.S. Code § 921 - Definitions." *Legal Information Institute*, Legal Information Institute, [https://www.law.cornell.edu/uscode/text/18/921#:~:text=The%20term%20%E2%80%9Cfirearm%E2%80%9D%20means%20{\(D\)%20any%20destructive%20device.](https://www.law.cornell.edu/uscode/text/18/921#:~:text=The%20term%20%E2%80%9Cfirearm%E2%80%9D%20means%20{(D)%20any%20destructive%20device.)

Controlled delivery

The technique of allowing illicit or suspect consignments of firearms to pass out of, through, or into the territory of one or more states, with the knowledge and under the supervision of their competent authorities, with a view to identifying persons involved⁷

Illicit use

This is the unlawful use of regulated or prohibited firearms, their parts and components or ammunition. The illegal discharge of arms is an example of illicit use⁸.

Tracing

The systematic tracking of arms and, where possible, their parts and components, and ammunition, at a national and/or international level for the purpose of assisting the competent authorities of States Parties in detecting, investigating and analysing illicit manufacturing and illicit trafficking. Searching the national record for example is considered as tracing⁹.

Ghost Guns

A gun that lacks a serial number by which it can be identified and that is typically assembled by the user (as from separately purchased or homemade components). These so-called ghost guns, normally consist of untraceable parts that can be ordered online and then, with a little finishing work, assembled into a working firearm. Interestingly, although buying or selling a ghost gun is illegal, making one remains legal under US gun control laws¹⁰.

Uniquely marked/uniquely identifiable

A uniquely marked item has a unique marking providing the name of the manufacturer, the country or place of manufacture and the serial number, or maintain any alternative unique user-friendly marking with simple geometric symbols in combination with a numeric and/or

⁷Fromiti. "Organized Crime Module 8 Key Issues: Special Investigative Techniques - Undercover Operations." *Organized Crime Module 8 Key Issues: Special Investigative Techniques - Undercover Operations*, <https://www.unodc.org/e4j/zh/organized-crime/module-8/key-issues/special-investigative-techniques/undercover-operations.html>.

⁸ "Arms Seized by Legal Justification of Seizure | Dataunodc." *United Nations*, United Nations, <https://dataunodc.un.org/ru/node/1594>.

⁹ *Conference of the Parties to the United Nations Convention against ...* https://www.unodc.org/documents/treaties/Fire_Arms_2015/CTOC_COP_WG.6_2016_2/CTOC_COP_WG.6_2016_2_E.pdf.

¹⁰ "Ghost Gun Definition & Meaning." *Merriam-Webster*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/ghost%20gun>.

alphanumeric code, permitting ready identification by all States of the country of manufacture¹¹.

Country of manufacture

The country where the item was manufactured. In the case of assembled arms, the country where the weapon was assembled should be considered¹².

Gun Control

“Gun control” refers to legal measures meant to restrict possession or use of firearms by civilians. These measures reflect a broad range of restrictions. They can regulate the types of firearms manufactured; who can buy or sell them; whether or how they’re carried in public; and beyond¹³.

Straw Purchasing

Straw purchasing is when a non-prohibited person lies on a background check form to buy a firearm for someone else¹⁴.

Seized items

Arms, their parts and components and ammunition that have been temporarily physically apprehended by a competent authority in relation to a suspected criminal offence or administrative violation related to these items. Seized items can be permanently confiscated at a later stage by the state, or returned to their legitimate owners^{15 16}.

¹¹Arms Seized, Found and Surrendered by Type of Marking. <https://dataunodc.un.org/fr/node/1582>.

¹² “The Firearms Protocol.” *United Nations : Office on Drugs and Crime*, <https://www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html>.

¹³ “Gun Control Pros and Cons: Where Both Parties Stand.” *The Flag*, 12 June 2021, <https://theflag.org/glossary/gun-control-pros-and-cons/>.

¹⁴ “Straw Purchases of Firearms.” *Goldman Wetzel*, 22 Jan. 2021, www.goldmanwetzel.com/blog/straw-purchases-of-firearms/#:~:text=It%20is%20illegal%20to%20buy,type%20of%20felony%20are%20significant.

¹⁵ *Global Study on - United Nations Office on Drugs and Crime*. www.unodc.org/documents/data-and-analysis/Firearms/2020_REPORT_Global_Study_on_Firearms_Trafficking_2020_web.pdf.

¹⁶ *Oas :: SLA :: Department of International Law (Dil) :: Inter-American ...* [ensorisations.firesidegrillandbar.com/charm-https-
www.oas.org/en/sla/dil/inter_american_treaties_A-62_radio_permit_signatories.asp](https://www.oas.org/en/sla/dil/inter_american_treaties_A-62_radio_permit_signatories.asp)

BACKGROUND INFORMATION

Firearms Trafficking

Firearms trafficking influences all parts of the world and impacts society in multiple ways. It is a major concern in the context of human security, and it is central in law enforcement efforts and activities. Firearms are instrumental in many acts of violence, particularly homicide; they are often used by organized criminals, and they support operations related to armed conflicts and terrorism¹⁷. This especially includes the risk of their use in terrorist attacks and organized crime as well as the instigation of individual physical insecurity and domestic violence that may escalate into homicide, or fatalities in general¹⁸. It helps in addressing other forms of criminal activities, such as terrorism, illicit drugs trafficking, trafficking of human beings, smuggling of migrants, maritime piracy, counterfeiting, environmental crime, or organized property crime.

The most common form of weapons trafficking involves small arms and light weapons; however, the nature and characteristics of this trafficking can vary significantly in different geographical contexts and in relation to different weapons¹⁹.

Furthermore, illicit firearms are more easily accessible online (notably on the dark web) and their trade is increasingly carried out by individual criminals in addition to organized crime groups²⁰.

Such trends are generally confirmed by the latest data collected by the United Nations Office for Drugs and Crime (UNODC) in its 2020 Global Study on Firearms Trafficking. Based on the finding of this study, a total of 550,000 firearms were seized during each of 2016 and 2017²¹.

¹⁷“Global Study on Firearms 2020.” *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/firearms-protocol/firearms-study.html.

¹⁸ *Crime, Violence, and Development: Trends, Costs, and Policy Options in ...* www.unodc.org/pdf/research/Cr_and_Vio_Car_E.pdf.

¹⁹“Global Study on Firearms Trafficking 2020.” : sherloc.unodc.org/cld/en/bibliography/2020/global_study_on_firearms_trafficking_2020.html.

²⁰*Internet Organised Crime Threat Assessment (IOCTA) 2021 - Europol*. www.europol.europa.eu/cms/sites/default/files/documents/internet_organised_crime_threat_assessment_iocta_2021.pdf.

²¹ “Global Study on Firearms 2020.” *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/firearms-protocol/firearms-study.html.

However, the real global figure for seizures is much higher than 550,000, as some of the countries covered by this study underreported their seizures for administrative reasons, and the quality of data varied significantly between countries²². Also, many countries have not provided any information, including some of the world's most populous nations, and this is another problem which should need to be addressed.

There are a number of modalities involved for a firearm to typically enter the black market. The vast majority of firearms, and indeed of trafficked firearms, are manufactured legally by licensed manufacturers, the illicit chain starts at the moment when the legal chain is diverted into the illegal chain – that is, when transfers or movement occur in violation of national laws or international provisions. To understand how the black market for firearms is supplied, it thus becomes crucial to understand the point at which firearms cross over from the licit sphere to the illicit sphere; this is referred to as the “point of diversion.”²³ Once a firearm enters the illicit market, it can in principle continue to be trafficked indefinitely, unless removed from circulation.

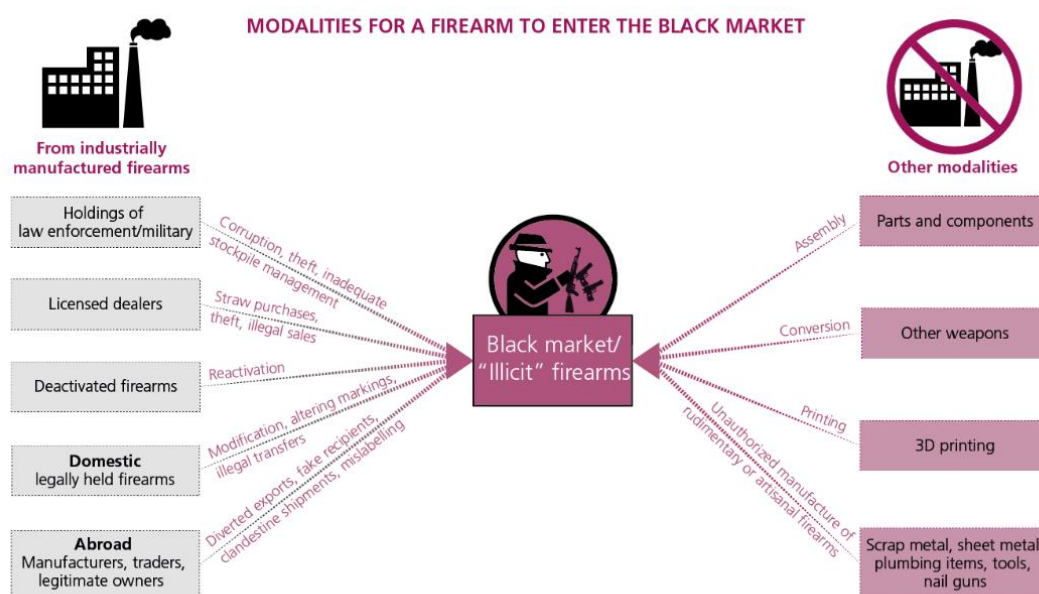


Figure 1: Modalities for a Firearm to enter the black market.²⁴

²²2020 Report Global Study on Firearms Trafficking 2020 WEB3. www.unodc.org/documents/data-and-analysis/Firearms/2020_Global_Study_on_Firearms_Trafficking_Chapter_1.pdf.

²³"Gun Control Pros and Cons: Where Both Parties Stand." *The Flag*, 12 June 2021, <https://theflag.org/glossary/gun-control-pros-and-cons/>.

²⁴ *Global Study on - United Nations Office on Drugs and Crime*. www.unodc.org/documents/data-and-analysis/Firearms/2020_REPORT_Global_Study_on_Firearms_Trafficking_2020_web.pdf.

Despite these well documented threats, there is a lack of harmonized regulations and measures on a multilateral basis for the prevention of illicit manufacture, distribution and use of firearms²⁵.

Manufacture

According to UNODC's 2020 Global Report, Europe emerges as the main manufacturing region in seizures made across the world, however the most prominent subregion of illicit origin is Northern America²⁶. This can be explained by the fact that firearms are durable goods and their circulation before and after diversion to the black market often involves several transfers.

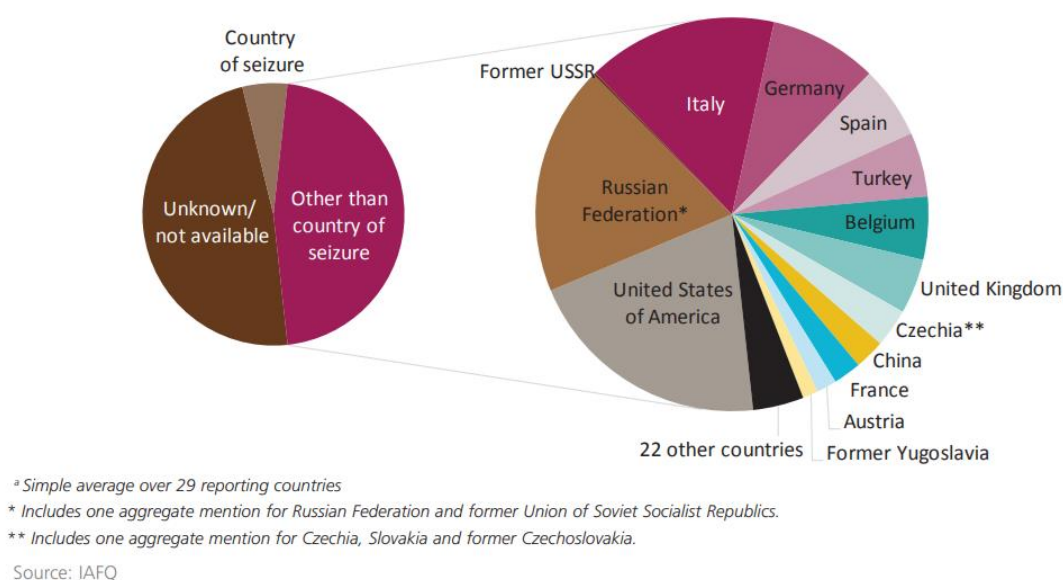


Figure 2: Typical distribution of country of manufacture of seized arms, 2016-17.²⁷

Distribution

According to the UNODC's 2020 Global Report and based on the routes of seized firearms, transnational trafficking flows seem to be mostly concentrated within continents. Northern America plays a significant role as a departing subregion for other subregions, particularly

²⁵ *Technical Guide to the Implementation of the Protocol Against the ...*

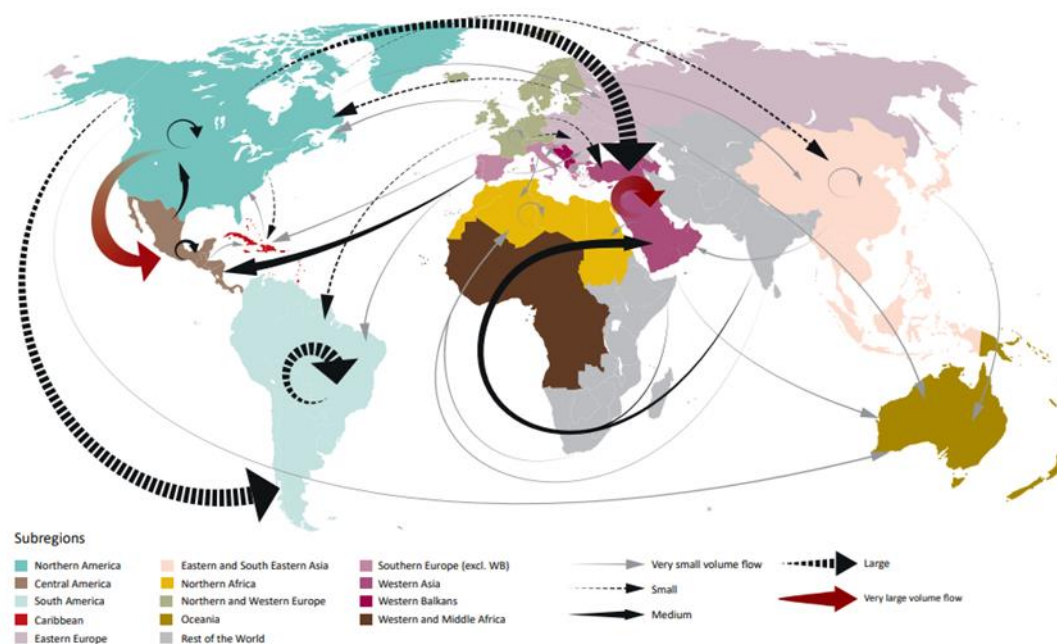
https://www.unodc.org/documents/firearms-protocol/Publications/10-56148_Ebook.pdf.

²⁶ *United Nations Office on Drugs and Crime*. https://www.unodc.org/documents/firearms-protocol/2020/Global_Study_Summary_WEB.pdf.

²⁷ "L'Office Des Nations Unies Contre La Drogue Et Le Crime." *Nations Unies : Office Des Nations Unies Contre La Drogue Et Le Crime*, <https://www.unodc.org/>.

South and Central America, as well as Western Asia. Northern America, Europe and Western Asia together accounted for almost all departure points of trafficking in 2016-17²⁸. In contrast with other parts of the world, outgoing flows from countries in Europe were predominantly intended for trafficking across continents.

MAP 1 Main transnational firearms trafficking flows (as defined by routes of seized firearms), 2016-17



The breakdown into subregional groupings is based on the standard UN classification (M49), adapted to take into account the availability of data and regions of special interest of the study. Please see Methodological Annex for details.

Arrows represent flows between subregions (not specific countries).

Source: UNODC elaboration of data from Illicit Arms Flows Questionnaire and World Customs Organization.

Figure 3: Map of Main Transnational Firearms Trafficking Flows.²⁹

Use

In accordance with UNODC's 2020 Global Report on Firearms Trafficking, countries on average seized around two-thirds of firearms on the grounds of illicit possession, according to the legal justifications given by national authorities. Trafficking was, on average, named as the legal

²⁸ United Nations Office on Drugs and Crime. https://www.unodc.org/documents/firearms-protocol/2020/Global_Study_Summary_WEB.pdf.

²⁹ Global Study on - United Nations Office on Drugs and Crime. https://www.unodc.org/documents/data-and-analysis/Firearms/2020_REPORT_Global_Study_on_Firearms_Trafficking_2020_web.pdf.

justification in only around 9 per cent of cases. However, it is likely that the offence of illicit possession provides an easier and quicker way for law enforcement to justify stopping shipments and seizing firearms, and trafficking emerges as the actual offence only after further investigations³⁰ – this is known as the “criminal context” of the seizure.

Overall, more than 50 per cent of homicides globally each year are carried out with a firearm. The availability of firearms is linked to the homicide rate: a rise in the rate of firearms possession in a country often goes together with an increase in the homicide rate³¹. However, the significance of firearms varies depending on the context of the homicide. For example, firearms are by far the most significant method in homicides related to gangs or organized crime, but far less prominent when the homicide involves intimate partners and family members³².

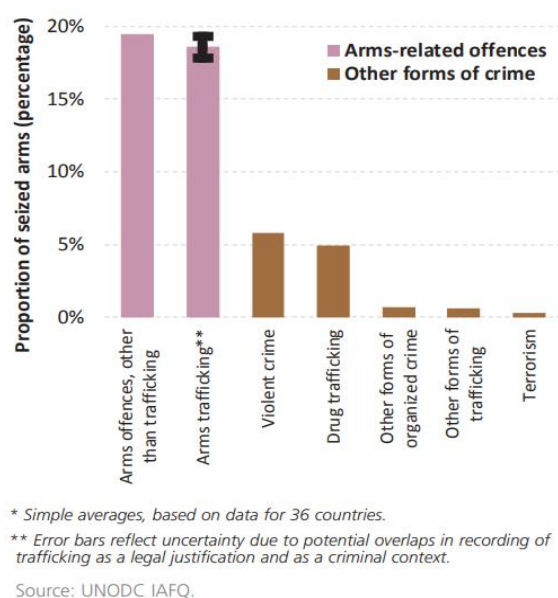


Figure 4: Criminal context of seizures, measured by arms seized in context as average proportion of arms seized in a single country, 2016-17.³³

³⁰ United Nations Office on Drugs and Crime. www.unodc.org/documents/firearms-protocol/2020/Global_Study_Summary_WEB.pdf.

³¹ “America's Gun Culture - in Seven Charts.” *BBC News*, BBC, 25 May 2022, <https://www.bbc.com/news/world-us-canada-41488081>.

³² Neil Walker. “UN Global Study on Firearms Trafficking: A Global Phenomenon.” *Border Security Report*, 24 July 2020, <https://border-security-report.com/un-global-study-on-firearms-trafficking-a-global-phenomenon/>.

³³ *Global Study on - United Nations Office on Drugs and Crime*. https://www.unodc.org/documents/data-and-analysis/Firearms/2020_REPORT_Global_Study_on_Firearms_Trafficking_2020_web.pdf.

Other than arms offences, the criminal conduct most commonly linked with firearms seizures was violent crime, particularly in Latin America and Africa. In Europe, drug trafficking was the biggest category³⁴. In order to shed light on the illicit movement of firearms within the territory of a given country, it is worth examining seizures at sub-national level (region, state, department, province, et cetera) focusing on a number of OAS countries in Central America.

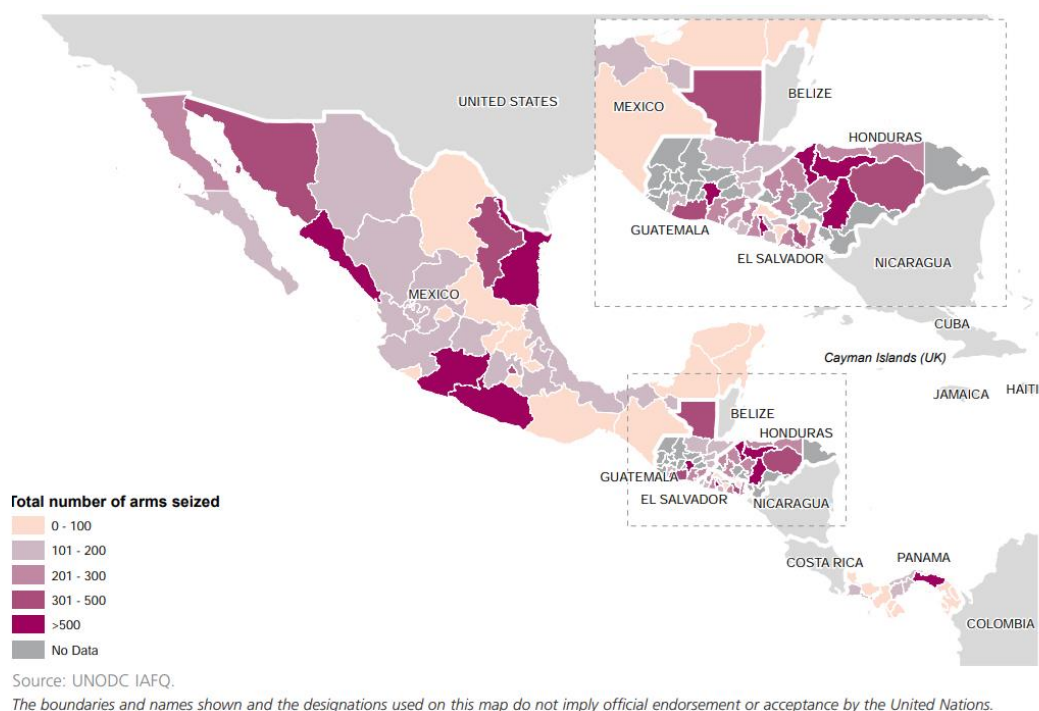


Figure 5: Number of arms seized in Central American countries, at sub-national level, 2017.

NeilWalker. ³⁵

³⁴ 2020 Report Global Study on Firearms Trafficking 2020 WEB3.

https://www.unodc.org/documents/data-and-analysis/Firearms/2020_Global_Study_on_Firearms_Trafficking_Executive_Summary.pdf.

³⁵ "UN Global Study on Firearms Trafficking: A Global Phenomenon." *Border Security Report*, 24 July 2020, <https://border-security-report.com/un-global-study-on-firearms-trafficking-a-global-phenomenon/>.

Gun Control

“Gun control” refers to legal measures meant to restrict possession or use of firearms by civilians. These measures reflect a broad range of restrictions. They can regulate the types of firearms manufactured; who can buy or sell them; whether or how they’re carried in public; and beyond³⁶.

Most developed nations impose gun control measures in some form. The US, where gun ownership is constitutionally protected, has some of the least restrictive laws. On the other hand, countries such as Canada have very prescriptive and effective gun control regulations with tight implementation frameworks.

Historically speaking, less developed countries such as Venezuela have never had a robust history of private gun ownership like that of the United States and ironically arms bans, confiscation, and registration have given the Venezuelan state a virtual monopoly on violence, thus turning its citizens into defenseless subjects.

US federal law prohibits gun possession by some types of people and the manufacture and sale of specific types of guns — namely machine guns. Licensed gun dealers must also conduct FBI background checks on buyers to verify whether their gun rights are restricted. Individual states impose gun regulations, too. California, New York, and Massachusetts maintain some of the strictest gun laws. Alaska, Arizona, and Wyoming boast some of the least restrictive³⁷.

In theory, more gun control and gun regulations can help reduce gun deaths and may reduce mass shootings as well as helping to protect vulnerable populations.

On the other hand, many gun rights advocates maintain that regulations that make it harder to possess guns lawfully are unconstitutional. The fundamental rationale for this is The Second Amendment of the United States Constitution — states that: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”.

Some research suggests that common US gun control measures barely impact mass shooting rates³⁸.

³⁶ “Gun Control in the U.S.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., <https://www.britannica.com/story/gun-control-in-the-us>.

³⁷ “Federal Firearms Laws: Overview and Selected Legal Issues for the 116th Congress.” *EveryCRSReport.com*, Congressional Research Service, 25 Mar. 2019, <https://www.everycrsreport.com/reports/R45629.html>.

³⁸ *The Impact of Mass Shootings on Gun Policy V29[1]* - Harvard Business School. https://www.hbs.edu/ris/Publication%20Files/16-126_ce055015-fc1c-4a8c-9a8a-8a9361d808bb.pdf.

Americans remain deeply divided on gun control overall. However, public opinion polls regularly find majority support for some type of regulation³⁹.

For example, recent research from Pew Research finds that 85 percent of Republicans and 90 percent of Democrats believe people with mental illnesses should not be allowed to purchase guns. Additionally, 70 percent of Republicans and 92 percent of Democrats support background checks for private and gun show sales. However, other propositions receive stark disagreement. Republicans show far more support for expanding concealed carry rights. On the other side, Democrats are much more in favor of tracking gun sales through a federal database and banning assault weapons and high-capacity magazines⁴⁰.

Finally, President Joe Biden actually signed the nation's most significant gun reform bill in decades into law in June 2022 after many years of stalled efforts to tighten gun laws. The main emphasis of these reforms is to restrict gun access for the youngest buyers, domestic violence offenders and others who could pose a risk to their communities. The Bipartisan Safer Communities Act also would fund school safety and mental health programs.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

USA

The United States has been one of the countries under the most heat regarding the topic of gun violence since it is a P5 country with more relaxed laws about carrying firearms. Under the US constitution, the 2nd amendment is the most argued, it states "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."⁴¹ Due to this amendment, citizens of the US can bear firearms under certain regulations, that vary from state to state⁴². Unfortunately, even with these regulations, gun violence in the United States has been an everlasting problem, with 27 school

³⁹ *The Impact of Mass Shootings on Gun Policy V29[1]* - Harvard Business School.
https://www.hbs.edu/ris/Publication%20Files/16-126_ce055015-fc1c-4a8c-9a8a-8a9361d808bb.pdf.

⁴⁰ *The Impact of Mass Shootings on Gun Policy V29[1]* - Harvard Business School.
https://www.hbs.edu/ris/Publication%20Files/16-126_ce055015-fc1c-4a8c-9a8a-8a9361d808bb.pdf.

⁴¹ U.S. Constitution - Second Amendment | Resources - Congress.
<https://constitution.congress.gov/constitution/amendment-2/>.

⁴² State Constitutional Right to Keep and Bear Arms Provisions,
<https://www2.law.ucla.edu/volokh/beararms/statecon.htm>.

shootings in the year 2022 alone⁴³. There have been multiple attempts within the US to try to tackle the issue of gun violence, but they did not have a significant effect



Figure 6: American protesters while carrying firearms⁴⁴

Aside from gun violence, the United States is one of the countries with the most output of firearms, with 11.3 million firearms manufactured in 2020 alone⁴⁵. Due to this factor, many guns are smuggled from the US to their southern neighbors, mainly to Mexico, many then get smuggled to other countries. The ATF (The Bureau of Alcohol, Tobacco, Firearms, and Explosives) has found that 40% of the firearms seized from crimes committed in central America were traced back to the United States, the other 60% come from 39 countries⁴⁶. These weapons arm organized crime gangs such as cartels and aid them in their criminal activity.

⁴³ "School Shootings This Year: How Many and Where." Education Week, Education Week, 1 Aug. 2022, <https://www.edweek.org/leadership/school-shootings-this-year-how-many-and-where/2022/01>.

⁴⁴ Bernaski, Alla. "Virginia Gun-Rights Rally Opens Peacefully amid Fears of Extremist Violence." *ID AGORA*, 20 Jan. 2020, www.id-agera.com/virginia-gun-rights-rally-opens-peacefully-amid-fears-of-extremist-violence/.

⁴⁵ Thrush, Glenn. "U.S. Gun Production Triples since 2000, Fueled by Handgun Purchases." *The New York Times*, The New York Times, 18 May 2022, <https://www.nytimes.com/2022/05/17/us/politics/gun-manufacturing-atf.html#:~:text=The%20numbers%20released%20Tuesday%20revealed,to%2011.3%20million%20in%202020>.

⁴⁶ Dinan, Stephen. "40% Of Guns Traced from Crimes in Central America Came from U.S." *The Washington Times*, The Washington Times, 17 Jan. 2022, <https://www.washingtontimes.com/news/2022/jan/17/40-guns-traced-crimes-central-america-came-us/>.

Mexico

Undoubtedly, the crime and violence generated by drug cartels in Mexico are the cause of major problems not only for Mexico but for the OAS as well as for the global community. Cartels are becoming bolder, showcasing weapons and drugs in videos used to not only attract potential recruits but also threaten those who might oppose them. Cartels, while illicit, typically operate based on for-profit business model. They typically buy in bulk from countries in Central and South America which is much more efficient than traversing the U.S. border with one or two guns at a time. With so much attention put on the northern border, this option is preferred for arming large amounts of sicarios at a time.



Figure 7: Photo depicting cartel showcasing their weapons and ammunition. Images),
(Image: Getty, and (Image: Getty Images/iStockphoto)).⁴⁷

With the incentives provided by cartels, many soldiers and police officers have taken their training and service firearms and put it to work for the lucrative, but illicit, narcotics trade⁴⁸.

Compounding the problem further are black markets such as Tepito, where firearms are one of many items that can be purchased illegally in a tented shopping area. Here, the black market is operated by Union de Tepito, a cartel that uses children as lookouts and is fortified enough that law enforcement agencies avoid the area altogether. In some instances, law

⁴⁷“Blood-Thirsty Mexican Drug Cartels 'Arming Themselves with US-Bought Guns'.” *Dailystar.co.uk*, 10 Feb. 2021, <https://www.dailystar.co.uk/news/world-news/blood-thirsty-mexican-drug-cartels-23478116>

⁴⁸ Images), (Image: Getty, and (Image: Getty Images/iStockphoto). “Blood-Thirsty Mexican Drug Cartels 'Arming Themselves with US-Bought Guns'.” *Dailystar.co.uk*, 10 Feb. 2021, <https://www.dailystar.co.uk/news/world-news/blood-thirsty-mexican-drug-cartels-23478116>.

enforcement officials are even working for the cartel, proving again that giant drug cartels are the problem, not the firearms themselves⁴⁹.

The firearms industry, through NSSF, has supported and funded the Don't Lie for the Other Guy anti-straw purchasing campaign for more than a decade. This joint effort between the ATF and NSSF helps to educate firearms retailers on how to better detect and deter illegal purchases of firearms and warns the public that it is a serious crime to engage in a straw purchase⁵⁰.

Venezuela

Venezuela is an example of a poor country which not only has the highest crime rate in the world (crime index of 83.76) because of corrupt authorities, but also a flawed judiciary system, and poor gun control⁵¹.

The irony is that, according to the Venezuelan government, the only people who should carry guns are government agents. Néstor Reverol minister for interior relations and justice claimed that strict gun control led to a reduction in crime and kidnappings in Venezuela.

⁴⁹Cassidy, Daphane. "Mexico Proves More Gun Control Does Not Mean Less Crime." *NSSF*, 4 Dec. 2020, <https://www.nssf.org/articles/mexico-proves-more-gun-control-does-not-mean-less-crime/>.

⁵⁰Cassidy, Daphane. "Mexico Proves More Gun Control Does Not Mean Less Crime." *NSSF*, 4 Dec. 2020, <https://www.nssf.org/articles/mexico-proves-more-gun-control-does-not-mean-less-crime/>.

⁵¹ *Crime Rate by Country 2022*, <https://worldpopulationreview.com/country-rankings/crime-rate-by-country>.



Figure 8: “Venezuelans Now Regret Giving up Their Guns – This Is What Happens to a Disarmed Populace.”⁵²

Canada

Canada serves as a very good example of how gun control is effectively regulated and enforced. Canada's firearm laws are stated in the Firearms Act. The possession and acquisition licence (PAL) is distributed by the RCMP (federal police) and requires taking a firearms safety course and passing a test, a background check, and reference interviews⁵³. The PAL allows purchase of most popular sporting rifles and shotguns. A Restricted-PAL (RPAL) has an additional course for restricted weapons, which have increased storage requirements. The two main reasons for owning firearms are target shooting and hunting.

⁵²GOA, <https://www.gunowners.org/venezuelans-now-regret-giving-up-their-guns-this-is-what-happens-to-a-disarmed-populace/>.

⁵³ Government of Canada, Royal Canadian Mounted Police. “Licensing.” *Royal Canadian Mounted Police*, 9 Sept. 2021, <https://www.rcmp-grc.gc.ca/en/firearms/licensing>.

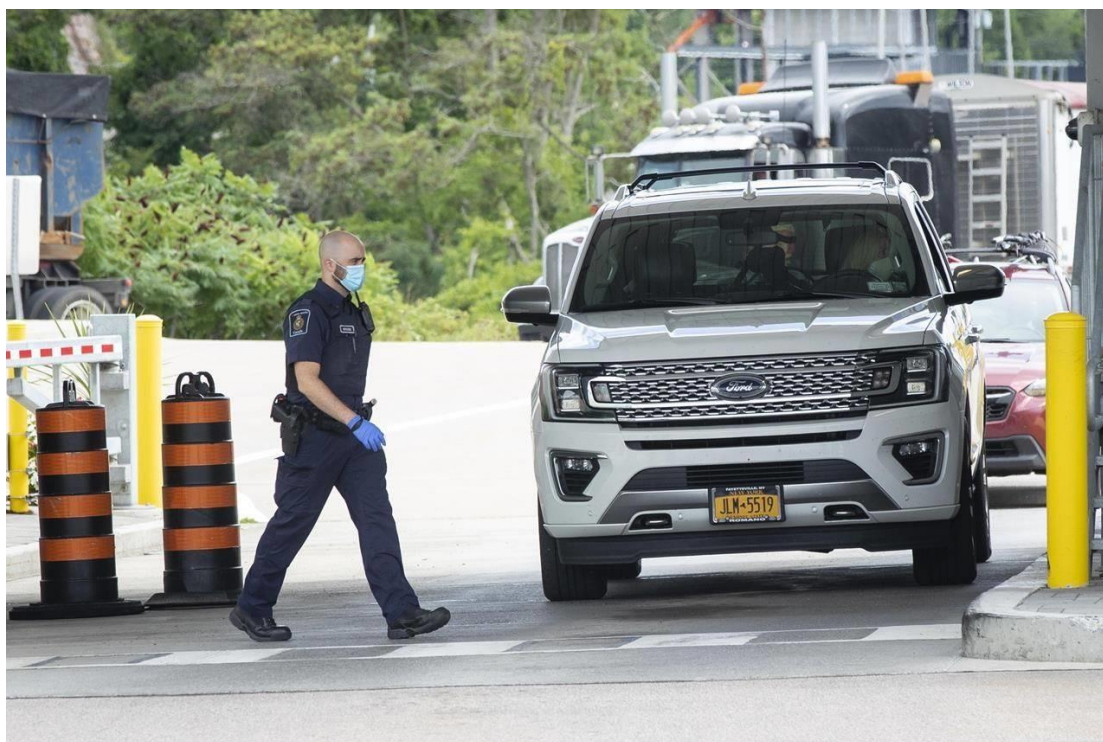


Figure 9: Canadian border police.⁵⁴

Carrying firearms for self-defense against human threats is prohibited without a permit. These permits are typically only issued to police and those in a profession that involves carrying valuable goods, such as armored car personnel⁵⁵. The RCMP is also able to issue an Authorization to Carry permit to private individuals on the basis that a person's life is in imminent danger and police protection is inadequate.

Honduras

Hondurans and the laws of Honduras have had an individual freedom centered view on firearms. Guns are carried openly in the countryside as a demonstration of machismo and virility. Citizens of Honduras and non-citizens who are legal residents of the country may own handguns, shotguns, or rifles under the types and calibers permitted by law. Firearms may be used for the purpose of hunting, competition, target practice, home protection, work protection, personal safety and any other hobby or recreational activity permitted by law.

⁵⁴Press, The Canadian, et al. "Feds Reach Tentative Deal with Striking Border Guards Days before Restrictions Ease." *Saanich News*, 8 Aug. 2021, <https://www.saanichnews.com/news/feds-reach-tentative-deal-with-striking-border-guards-days-before-restrictions-ease/>.

⁵⁵Government of Canada, Royal Canadian Mounted Police. "Authorization to Carry." *Royal Canadian Mounted Police*, 28 Nov. 2019, <https://www.rcmp-grc.gc.ca/en/firearms/authorization-carry>.

Because of rise in crime, gun ownership in the home, business establishment and while working (such as delivery drivers, taxi drivers, and truckers) has become common⁵⁶.



Figure 10: Lohmuller, Michael. "Insecurity Fuels Honduras Illegal Gun Ownership of over 1 MN." ⁵⁷

Anyone visiting a city in Honduras will immediately notice armed guards in virtually every establishment including restaurants, grocery stores, and everyday businesses. "No Weapons Allowed" signs can be seen in certain places reminding patrons to leave their firearms at home when conducting business with them⁵⁸. Besides the common frisk when entering a building, some establishments have gone as far as installing metal detectors to make sure visitors are unarmed when entering. Rise in crime has brought some politicians to think the best way to protect citizens is from entirely banning firearms from civilians.



⁵⁶"Search - Unbate - a General Blog." *Unbate*, <https://unbate.ngontinh24.com/article/guns-in-honduras-firearms-gun-law-and-gun-control>

⁵⁷InSight Crime, 6 Oct. 2017, <https://insightcrime.org/news/brief/insecurity-fuels-honduras-illegal-gun-ownership-of-over-1-mn/>.

⁵⁸ Clarín.com. "Honduras, Un País Armado y Con Un Altísimo Número De Crímenes." *Clarín*, Clarín, 4 Sept. 2018, https://www.clarin.com/ultimo-momento/honduras-pais-armado-altisimo-numero-crimenes_0_S1k40l_RpFg.html.

Figure 11: Bargent, James. "'Private Security Companies a Cover for Criminals in Honduras'." ⁵⁹

In 2009 there were 220,000 registered guns in private ownership in addition to an estimated 500,000 illegal guns. There is an active black market for firearms. Though officially banned, AK-47 rifles can be purchased for about \$500. Crime has been endemic in Honduras for several years. The high level of violence and killings experienced in the last 20 years led public officials to formulate laws restricting and regulating firearms in the country. In 2008, Honduras held the second highest rate of homicides per 100,000 inhabitants with 78.6 percent of these committed by firearm⁶⁰.

As of 2012, Honduras holds the highest homicide rate in the world and San Pedro Sula holds the country's highest homicide rate with 137.5 murders per 100,000 inhabitants⁶¹. Between 2005 and mid 2010, 79.38 percent of homicides were committed by firearm in the country. The UNDP estimates at least 800,000 guns in the country of which at least 650,000 are unregulated⁶².

El Salvador

El Salvador laws aims to allow and regulate civilian possession of firearms. In order to get a firearm license, one must have no criminal records, be at least 21 years of age (24 for a carry license), pay tax stamp (around \$32 dollars), and undergo a written test⁶³. The process takes around three hours in total. In 2017 there were 344,587 registered firearms in El Salvador or 5.6 per 100 people⁶⁴.

⁵⁹InSight Crime, 6 Oct. 2017, <https://insightcrime.org/news/brief/honduras-private-security-organized-crime/>.

⁶⁰"Homicides in Honduras: Association for a More Just Society." *Homicides in Honduras | Association for a More Just Society*, <https://www.asj-us.org/learn/honduras-homicides>.

⁶¹Romo, Rafael, and Nick Thompson. "Inside San Pedro Sula, 'Murder Capital' of the World." *CNN*, Cable News Network, 28 Mar. 2013, <https://edition.cnn.com/2013/03/27/world/americas/honduras-murder-capital/index.html>.

⁶²"Tasa De Homicidios En Honduras Es Ocho Veces Superior a La Media Mundial: AméricaEconomía - El Sitio De Los Negocios Globales De América Latina." *Tasa De Homicidios En Honduras Es Ocho Veces Superior a La Media Mundial | AméricaEconomía - El Sitio De Los Negocios Globales De América Latina*, <https://web.archive.org/web/20110928041625/http://www.americaeconomia.com/politica-sociedad/politica/tasa-de-homicidios-en-honduras-es-ocho-veces-superior-la-mundial>

⁶³Alpers, Philip. "Guns in El Salvador - Firearms, Gun Law and Gun Control." *Gun Law and Policy: Firearms and Armed Violence, Country by Country*, <https://www.gunpolicy.org/firearms/region/el-salvador>.

⁶⁴"100 People in a Sentence." *"100 People" in a Sentence | "100 People" Sentence Examples*, https://inasentence.net/100_people.

NRA

The National Rifle Association of America (NRA) is an American non-profit organization founded in 1871 that promotes firearm competency, safety, and ownership, as well as police training, marksmanship, hunting, and self-defense training in the United States⁶⁵. The NRA is also one of the United States' largest certifying bodies for firearm safety training and proficiency training courses for police departments, recreational hunting, and child firearm safety. The NRA is criticized by groups advocating for gun control such as Americans for Gun Safety, Brady Campaign, Coalition to Stop Gun Violence, and Million Mom March. Some newspaper editorial boards like the New York Times, Washington Post, Los Angeles Times, USA Today, and the Pittsburgh Post-Gazette have also criticized the NRA's positions⁶⁶.

Members of the U.S. Democratic Party and liberal commentators have frequently criticized the National Rifle Association's policies. On occasion, politicians in the U.S. Republican Party and conservative commentators have also criticized the organization.

INTERPOL

INTERPOL supports police to trace firearms and link them to crime scenes and criminals across international borders as well as help national and international law enforcement agencies address firearms crimes with three specific tools⁶⁷: The Illicit Arms Records and Tracing Management System (iARMS) which stores records of illicit firearms, including stolen, lost, trafficked/smuggled and seized firearms submitted for tracing; the INTERPOL Firearms Reference Table (IFRT) which is an interactive online tool that provides a standard framework for identifying and describing firearms; the INTERPOL Ballistic Information

⁶⁵ Association, National Rifle. "About the NRA." *NRA.ORG*, <https://home.nra.org/about-the-nra/>.

⁶⁶ Kulish, Nicholas, et al. "Gun Control Advocates Have More Money Now, but Money Can't Buy Zeal." *The New York Times*, The New York Times, 17 June 2022, www.nytimes.com/2022/06/17/business/gun-control-nra-money.html.

⁶⁷ "Our Firearms Activities." *INTERPOL*, www.interpol.int/en/Crimes/Firearms-trafficking/Our-firearms-activities.

Network (IBIN) which enables law enforcement officials to compare images of ballistics (such as fired bullets and casing) to connect crimes.

IANSA

The International Action Network on Small Arms (IANSA) is an international non-governmental organization recognized by the United Nations. IANSA is the global movement against gun violence, linking civil society organizations working to stop the proliferation and misuse of small arms and light weapons. IANSA supports efforts to make people safer by reducing demand for such weapons, improving firearms regulation, and strengthening controls on arms transfers. The network has over 250 full members that undertake research, advocacy, and campaigning to promote local, national, regional, and global measures to strengthen human security⁶⁸.

IANSA was involved in lobbying the 2001 United Nations Conference on the Illicit Trade in Small Arms which produced an agreed program of action. A UN Review Conference ended in July 2006 without further agreement. In a subsequent meeting in 2008, agreed on a substantive outcome document by a majority vote⁶⁹.

IANSA, part of the Control Arms Campaign, promotes an international treaty regulating the conventional arms trade. A resolution to begin work on this Arms Trade Treaty was approved by the UN General Assembly in 2006⁷⁰.

The US National Rifle Association says IANSA is using the treaty as the first step in a ban on private gun ownership in the United States, and also of making it easier for the world's dictatorships to oppress their citizens⁷¹.

⁶⁸ "International Action Network on Small Arms." *IANSA*, 9 Aug. 2022, iansa.org/.

⁶⁹ "Press Conference by International Action Network on Small Arms | UN Press." *United Nations*, United Nations, press.un.org/en/2001/lansaconf.doc.htm.

⁷⁰ "International Action Network on Small Arms." *IANSA*, 9 Aug. 2022, iansa.org/.

⁷¹ Nra-Ila, and National Rifle Association. "Ila: Home." *NRA*, www.nraila.org/.

TIMELINE OF EVENTS

| Date | Description of Event |
|-------------|---|
| 1997 | Inter-American Convention against the Illicit Manufacture of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CLIFTA) adopted by OAS |
| 2003 | Declaration on Security in the Americas is adopted by the OAS |
| 2005 | OAS creates the Secretariat for Multidimensional Security |
| 2009 | OAS launched its Promoting Firearms Marking project in 25 of the region's countries |
| 2010 | OAS established the Program of Assistance for Control of Arms and Munitions (PACAM). |
| 2011 | The project "Promoting Firearms Marking in Latin America and the Caribbean," was signed in October 2011 |
| 2016 | OAS firearms standards were created for marking and recordkeeping and agreed at the 17th Regular Meeting of the Consultative Committee |
| 2018 | The 2018-2022 Course of Action, adopted at the Fourth Conference of the States Parties in 2018, entered into force. |
| 2021 | V (and most recent) Conference of the States Parties to CIFTA. |

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES, AND EVENTS

UNITED NATIONS OFFICE ON DRUGS AND CRIME Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, July 2011.

The Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition was developed by the United Nations Office on Drugs and Crime (UNODC) in response to the request of the General Assembly to the Secretary-General to promote and assist the efforts of Member States to become party to and implement the United Nations Convention against Transnational Organized Crime and the Protocols thereto⁷². More specifically, it was developed to assist States in implementing a legislative regime consistent with the provisions contained in 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 Crime⁷³.

“United Nations Convention against Transnational Organized Crime”

With the signing of the United Nations Convention against Transnational Organized Crime in Palermo, Italy, in December 2000, the international community demonstrated the political will to answer a global challenge with a global response⁷⁴. If crime crosses borders, so must law enforcement. If the rule of law is undermined not only in one country, but in many, then those who defend it cannot limit themselves to purely national means⁷⁵.

⁷² *Model Law against the Illicit Manufacturing of and Trafficking in ...*
www.unodc.org/documents/legal-tools/Model_Law_Firearms_Final.pdf

⁷³ Protocol against the Illicit Manufacturing of and ... - United Nations.
treaties.un.org/doc/source/RecentTexts/18-12_c_E.pdf.

⁷⁴ *United Nations Convention against Transnational Organized Crime.*
www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf.

⁷⁵ “UNODC - Address by the Secretary-General, Mr. Kofi Annan, at The.” *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/about-unodc/speeches/speech_2000-12-12_1.html#:~:text=If%20crime%20crosses%20all%20borders,themselves%20to%20purely%20national%20means.

UN 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.

This Protocol (Firearms Protocol) is a treaty on anti-arms trafficking including Small Arms and Light Weapons that is supplemental to the Convention against Transnational Organized Crime. It is one of the so-called Palermo protocols⁷⁶.

The Protocol was adopted by the United Nations General Assembly as Resolution 55/255 on 31 May 2001; the treaty entered into force on 3 July 2005. It was signed by 52 parties and as of February 2022 it has 121 parties, including the European Union⁷⁷.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

OAS: Inter-American Convention against the Illicit Manufacture of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA)

The CIFTA is a binding agreement between the countries of the Americas to control and regulate the illicit manufacturing of and trafficking of firearms. It was adopted in 1997 and all OAS states have signed it, with 31 countries having ratified it⁷⁸.

The CIFTA includes several provisions which each member state that ratifies the treaty must incorporate into domestic law and regulations. These provisions include requirements for each state to⁷⁹: mark firearms to allow them to be traced and for their origin, import, and

⁷⁶ "The Firearms Protocol." *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html.

⁷⁷ "Firearms." *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/firearms-protocol/index.html.

⁷⁸ *Media Center - OAS*. www.oas.org/en/media_center/press_release.asp?sCodigo=E-031/18.

⁷⁹ "International Convention for the Protection of All Persons from Enforced Disappearance." *OHCHR*, www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced.

custody to be identified, criminalize the illicit manufacture of and trafficking in firearms, correctly manage confiscated and seized firearms, ensure that export, import, and transit license regimes are in place, strengthen controls at points of export, and establish other security measures, including stockpile management and security.

The CIFTA has also been used as the basis for drafting model laws on the following topics⁸⁰: Marking and tracing of firearms, model regulations for the control of the international movement of firearms, control of brokers of firearms, their parts and components, and ammunition, strengthening controls at export points for firearms, ammunition, explosives, and other related materials, legislative measures to establish criminal offenses in relation to the illicit manufacturing of and trafficking in firearms, confiscation and forfeiture of firearms, ammunition, explosives, and other related materials and the controlled delivery of firearms.

2020-2025 EU action plan on firearms trafficking.

Combatting illicit access to firearms is a cross-thematic security priority for the European Union, its Member States, and its partners. The Commission calls on the European Parliament, the Council, Member States and south-east Europe partners to fully recognize the need to step up actions in this area at national level, at EU level and through international cooperation⁸¹.

The Commission believes that the comprehensive and multidisciplinary character of this action plan can provide a coherent operational framework for the EU and its Member States within the EU's borders, and proposals for cooperation and assistance to fight firearms trafficking in and with south-east Europe⁸².

⁸⁰ "International Convention for the Protection of All Persons from Enforced Disappearance." *OHCHR*, www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced.

⁸¹ *EUR*, eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A52020DC0608&from=n1.

⁸² *EUR*, eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A52020DC0608&from=n1.

The Commission notably calls on all EU institutions, law enforcement authorities and stakeholders, both within the EU and in south-east Europe, to live up to the challenges mentioned in this action plan. The Commission calls on the European Parliament and the Council to endorse this Action plan and support and harness the full potential of each strategic priority⁸³.

POSSIBLE SOLUTIONS

An OAS backed national firearms register ie a record of all manufactured firearms, their origin and their owners

Since the vast majority of firearms arrive from USA manufacturers it is important to be able to gather, collect, analyse and disseminate quality data and information when it comes to known illegal firearm manufacturers, smugglers and users.

Proper training, evaluation and background checks of individuals who wish to purchase firearms.

It is important that before someone purchases a gun, they should be thoroughly evaluated to see if they are psychologically stable enough to possess such a weapon. By doing this, those providing the guns can be sure that the person purchasing a gun is stable enough to have control over a weapon. This will also help to avoid future mass shootings and will educate those who are responsible for issuing licenses to thoroughly analyze a person before handing them the license to buy a weapon. This will also help those selling a gun better examine a person's history so they have a better understanding of who they're giving the gun to.

Cooperation between the OAS and other international organizations (UN, Interpol) in order to achieve proper investigation, legislation and general measures.

The international cooperation frameworks should be stepped up and all Member States which have not done so should ratify the United Nations Firearms Protocol, which facilitates and

⁸³ CPVO, 9 Dec. 2021, cpvo.europa.eu/en/news-and-events/news/european-parliament-resolution-eu-commissions-intellectual-property-action-plan-recovery-and-resilience.

strengthens cooperation in order to prevent, combat and eradicate the illicit manufacture and trafficking of firearms.

Marking and tracing of firearms

A process that mark weapons permanently with identifiable information such as serial number, name and place of manufacture or import, model and caliber—is an important step in the fight against illicit firearms trafficking as it facilitates tracing and, therefore, linking to crimes in which they were used, increasing in this way the capacity of law enforcement.,

Oversight and control of the international firearms trade,

This is interlinked with the INTERPOL action plans and should also aim to vigorously enforce existing regulations by restricting transfers to nations engaged in systematic patterns of human rights abuses and violations of the laws of war.

Security and control measures for the management and destruction of firearms, ammunition, and explosives

These can support the design and implementation of comprehensive national collection and destruction activities including: assistance and technical advice on national campaigns for the voluntary surrender, collection, management and disposal of firearms.

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ANNEX 1 - COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

2020-2025 EU action plan on firearms trafficking

Brussels, 24.7.2020

COM(2020) 608 final

ANNEX 1

List of relevant EU legislation and EU initiatives

EU legislation

- Council Directive 91/477/EEC on control of the acquisition and possession of weapons, OJ L 256 13.9.1991, p. 51 (amended);
- Common Position (CFSP) 2008/944 of 8 December 2008 defining common rules governing control of exports of military technology and equipment, amended by Council Decision (CFSP) 2019/1560 of 16 September 2019, OJ L 239, 17.9.2019, p. 16;
- Directive 2009/43/EC of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community, *OJ L 146, 10.6.2009, p. 1*;
- Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition, OJ L 94, 30.3.2012, p. 1;

- Commission Implementing Regulation (EU) 2015/2403 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable, *OJ L 333, 19.12.2015, p. 62* (amended);
- Commission Implementing Directive (EU) 2019/68 of 16 January 2019 establishing technical specifications for the marking of firearms and their essential components under Council Directive 91/477/EEC on control of the acquisition and possession of weapons, *OJ L 15, 17.1.2019, p. 18*;
- Commission Implementing Directive (EU) 2019/69 of 16 January 2019 laying down technical specifications for alarm and signal weapons under Council Directive 91/477/EEC on control of the acquisition and possession of weapons, *OJ L 15, 17.1.2019, p. 22*;
- Commission Delegated Regulation (EU) 2019/686 of 16 January 2019 laying down the detailed arrangements under Council Directive 91/477/EEC for the systematic exchange, by electronic means, of information relating to the transfer of firearms within the Union, *OJ L 116, 3.5.2019, p. 1*;
- Commission Implementing Decision (EU) 2019/689 of 16 January 2019 on a pilot project to implement certain administrative cooperation provisions set out in Council Directive 91/477/EEC by means of the Internal Market Information System; *OJ L 116, 3.5.2019, p. 75*.

International instruments

- 2001 Convention against transnational organised crime and its Protocol on Illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

- 2001 United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;
- 2005 International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons;
- 2013 Arms Trade Treaty.

EU initiatives

General

- EU Policy Cycle 2014-2018, first operational action plan as part of the European Multidisciplinary Platform Against Criminal Threats. ¹This included numerous activities geared towards increasing the collection, gathering and production of intelligence, improving exchange of ballistics information, setting up national focal points, organising joint control operations on specific threats (converted weapons, gas and alarm weapons, parcel delivery), training and capacity building and international cooperation.
- Firearms and the internal security of the EU: protecting citizens and disrupting illegal trafficking, Communication from the Commission to the Council and the European Parliament, COM (2013) 716 of 21.10.2013.
- European Agenda on Security, Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, COM (2015) 185 final of 28.4.2015.
- EU action plan against illicit trafficking in and use of firearms and explosives, COM(2015) 624 final, 2.12.2015.

- Elements towards an EU Strategy against illicit Firearms, Small Arms & Light Weapons and their Ammunition, Joint Communication of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (JOIN(2018) 17 final, 1.06.2018), endorsed by the Council, turning it into a fully-fledge EU Strategy (Council conclusions of 19 November 2018 – Document 13581/18).
- Commission report for an evaluation of the application of Regulation (EU) No 258/2012 on import, export and transit of civilian firearms, COM(2017) 737 final, 12.12.2017.
- Commission recommendation on immediate steps to improve security of export, import and transit measures for firearms, their parts and essential components and ammunition, calling for strengthening EU rules to improve traceability and the security of export and import control procedures of firearms and the cooperation between authorities in the fight against firearms trafficking, C(2018) 2197 final, 17.4.2018.

South-east Europe

- Action plan on the illicit trafficking of firearms between the EU and the south-east Europe region for 2015-2019, 14 November 2014, Council Document 15516/14, adopted by the Council of 4 and 5 December 2014 (Council Document 16526/14); EU – Western Balkans Ministerial Forum on Justice and Home Affairs of 12 December 2014 in Belgrade.
- A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, COM(2018) 65 final, 6.2.2018. Action 2.12 specifically focused on firearms trafficking.
- Joint Action Plan on Counter-Terrorism for the Western Balkans, signed by the representatives of the European Union and the six

Western Balkans partners on 5 October 2018 at the EU-Western Balkans Justice and Home Affairs Ministerial in Tirana. ² Addressing the issue of illicit trafficking of firearms is included among its five comprehensive objectives. Tailor-made counter-terrorism bilateral arrangements have been jointly developed and concluded with the authorities of all six Western Balkans partners. ³ This includes key issues of firearms trafficking such as the establishment of fully operational firearms focal points. Priority actions are qualified by concrete indications of responsibilities, indicators and deadlines.

·Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of SALW and their ammunition, London Summit of the Berlin Process on 10 July 2018. This initiative later received EU financial support through a Council Decision (CFSP) 2018/1788 of 19 November 2018 in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans which defines the overall coordination and monitoring of the Roadmap implementation, OJ L 293, 20.11.2018, p. 11.

·Evaluation of the 2015-2019 action plan on firearms trafficking between the EU and the south-east Europe region, Commission Report of 27 June 2019, COM(2019) 293 final, 27.06.2019. According to this evaluation report, the action plan improved networking, exchange of information and put in place the building blocks of future cooperation. However, several planned actions have not yet been fully implemented such as the establishment of firearms focal points, which are necessary for proper enforcement strategies, coordination, intelligence and information exchanges, both

nationally and at European level. There is also still no harmonised data collection for firearms seizures which would enable an evidence-based policy and proper and reliable assessment of trafficking trends. Similarly, stakeholders did not develop a standard reporting format for the exchange of information as envisaged by the Action Plan.

- Council Decision (CFSP) 2019/2111 of 9 December 2019 in support of SEESAC disarmament and arms control activities in South-East Europe reducing the threat of illicit small arms and light weapons and their ammunition, OJ L 318, 10.12.2019: Since 2002, the EU has provided assistance to the Western Balkans through a consecutive number of Council Decisions providing financing for small arms control projects worth EUR 18,1 million.

- [Council Decision \(CFSP\) 2019/2009](#) of 2 December 2019 in support of Ukraine's efforts to combat illicit trafficking in weapons, ammunition and explosives, in cooperation with the OSCE; OJ L 312, 3.12.2019, p. 42.

These projects provided a comprehensive support to SALW control efforts and preventing arms trafficking in South East Europe. Since 2002, the key implementing partner of the assistance provided to the region by the Council has been UNDP's South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). The new Council Decision of 9 December 2019 grants 11,8 million EUR for arms control activities in the next 4 years. The Small Arms and Light Weapons Commissions and the South East Europe Firearms Experts Network contribute to standardisation of approaches in the region and formulation of activities at the regional and local levels contributing to evidence based policy making; enhanced physical security and stockpile management;

improved marking, tracking and record keeping; strengthening capacities for combatting illicit trafficking of firearms through support for establishment of Firearms Focal Points and strengthening of investigation capacities. Support has also been provided for awareness raising, collection campaigns of SALW and ammunition, transparency of arms exports in the region and integration of the gender perspective in SALW control.

·Eastern Partnership policy beyond 2020, Joint communication, JOIN(2020) 7 final, 18.3.2020; reiterated the call of the 2015 European Neighbourhood Policy (ENP) Review for an enhanced security dimension for the disruption of organized crime, including the trafficking of firearms.