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General and complete disarmament

The illicit trade in small arms and light weapons in all its aspects and assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them

Report of the Secretary-General

Summary

The present report provides a consolidation of requests from the General Assembly contained in resolution [74/60](#) on the illicit trade in small arms and light weapons in all its aspects and resolution [74/51](#) on assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them.

The report includes an overview of challenges related to the diversion of small arms and light weapons at the national, regional and international levels. It provides an overview of good practices, lessons learned and recommendations on preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients. The views of Member States, the United Nations system, the International Criminal Police Organization and the World Customs Organization are reflected therein.

An analysis of those views reveals that the full and effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons is critical to combating diversion and preventing the acquisition of small arms and light weapons by unauthorized recipients, including terrorist groups.

In addition, multidisciplinary platforms at the regional level can bring together relevant States, institutions and agencies, international organizations and other public and private partners to address transnational threats such as trafficking in arms.

Furthermore, the diversion of and illicit trafficking in arms continue to have differentiated impacts on women, men, girls and boys. In that connection, therefore, understanding the gendered nature of small arms and light weapons, including through

* [A/75/50](#).



disaggregated data and gender analysis, must underpin all policies and programmes addressing their diversion.

The diversion of small arms and light weapons is a threat to the achievement of the 2030 Agenda for Sustainable Development. Efforts towards the attainment of target 16.4 of the Sustainable Development Goals in particular is essential to reducing illicit arms flows and ensuring the establishment of stable environments conducive to development.

Many States continue to face capacity and resource challenges in addressing illicit arms flows. Effective and sustainable international cooperation and assistance remain essential cornerstones of the full and effective implementation of small arms and light weapons control measures and can be undertaken in bilateral, regional and international frameworks. The Saving Lives Entity fund, a newly established facility within the Peacebuilding Fund, and complementary, flexible mechanisms, such as the United Nations Trust Facility Supporting Cooperation on Arms Regulation and the Arms Trade Treaty voluntary trust fund, likewise serve an important purpose.

I. Introduction

1. In its resolution 74/60 on the illicit trade in small arms and light weapons in all its aspects, the General Assembly requested the Secretary-General to seek the views of Member States on best practices, lessons learned and new recommendations on preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients and to include them, along with views from the United Nations system, in particular those agencies participating in the small arms coordination mechanism, as well as input from the International Criminal Police Organization (INTERPOL) and the World Customs Organization, in a report for consideration at the seventh Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

2. Resolution 74/60 included a request to the Secretary-General to report to the General Assembly at its seventy-fifth session on the implementation of the resolution. In the same resolution, the Assembly emphasized that international cooperation and assistance remained essential to the full and effective implementation of the Programme of Action and the International Tracing Instrument and recognized the need for the strengthened participation of women in decision-making and implementation processes, while reaffirming the need for States to mainstream gender dimensions into relevant efforts.

3. In its resolution 74/51 on assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them, the General Assembly invited the Secretary-General and those States and organizations that were in a position to do so to continue to provide assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them. In the same resolution, the Assembly requested the Secretary-General to continue to consider the matter and to report to the Assembly at its seventy-fifth session on the implementation of the resolution.

4. With a view to ensuring a coherent and consistent response to overlapping and mutually reinforcing issues, and in keeping with previous practice, the above-mentioned requests are addressed in the present consolidated report.

II. Preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients

A. Conceptualization

5. Diversion is the movement, physical, administrative or otherwise, of a weapon from the legal to the illicit realm. Diversion to an unauthorized recipient or for unlawful end use occurs in defiance of national and/or international law.

6. Diversion risks exist at each stage of the life cycle of a weapon, including manufacture, before and during transfer, post-delivery storage in stockpiles and end use or disposal. Sources of diversion include ineffective physical security and stockpile management; fraudulent actions, such as forged or altered import or export licences, end user certificates or similar documentation; battlefield or other forms of violent capture; leakage from private actors; illicit manufacture; cross-border trafficking; unauthorized State retransfer or unlawful distribution; illegal craft production; and the illicit conversion and imitation of weapons (GGE/PACAS/2020/3).

7. Another means of diverting weapons from the legal to the illegal market is illicit brokering, which is often facilitated by inadequate national legislation or shortcomings in administrative procedures regulating the activities of those who engage in small arms and light weapons brokering.

8. The diversion of weapons to unauthorized recipients is often observed in cases of a corrupt governing authority or the total or partial collapse thereof, resulting in the dissolution of the security forces or a breakdown of the security sector (*ibid.*).

9. Illicit international transfer is linked conceptually to, among other actions, cross-border trafficking, unauthorized State retransfer or the violation of arms embargoes imposed by the Security Council. It can be considered a category of diversion insofar as a person, group, entity or State lawfully possessing, controlling or owning a weapon, in line with domestic legislation, diverts it to the illicit realm, where it is deliberately moved across borders or otherwise acquired without appropriate authorization. With regard to cross-border trafficking, a distinction is often made between large shipments and the so-called “ant trade”, through which individual illicit transactions are made on an ongoing small scale, resulting in an eventual accumulation of large numbers.

B. Addressing the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients in existing global frameworks

10. Existing global and regional normative frameworks can be used to guide efforts towards preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients.

Programme of Action and International Tracing Instrument

11. In the Programme of Action, it is acknowledged that the diversion of small arms and light weapons has a wide range of humanitarian and socioeconomic consequences and poses a serious threat to peace, safety, security, stability and sustainable development at the individual, local, national, regional and international levels.¹

12. The Programme of Action provides details on comprehensive measures taken at the national, regional and global levels to combat illicit trafficking, thus tackling diversion from multiple vantage points. Explicit focus is placed on the establishment of adequate laws and their enforcement, regulations and administrative procedures to exercise effective control over the production, export, import, transit or retransfer and storage of small arms and light weapons in order to prevent their diversion to unauthorized recipients.²

13. In the International Tracing Instrument, small arms and light weapons are defined as illicit, among others, when they are transferred in violation of an existing Security Council arms embargo or manufactured, assembled or transferred without a licence or authorization from a competent national authority (A/60/88, annex, para. 6).

14. The International Tracing Instrument provides a guide to national actions to ensure the traceability of weapons, thus supporting the identification and elimination of illicit trafficking routes and sources of diversion. Challenges related to

¹ Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, see [A/CONF.192/15](#), chap. IV, preambular para. 2.

² *Ibid.*, chap. IV, sect. II, paras. 2 and 11, in which diversion is referred to explicitly.

identification, marking and record-keeping, such as the inaccurate identification of weapons, the lack of import marking, obliterated marks and developments in manufacturing technologies and design, must be addressed to retain the effectiveness of the Instrument.

15. The diversion of small arms and light weapons to unauthorized users has been a central focus of the deliberations of the follow-up meetings on the Programme of Action. In 2016, at the sixth Biennial Meeting of States, States acknowledged the relevance of weapons tracing in peace, conflict and post-conflict settings and agreed to increase national capacity to take into account diversion risks when assessing applications for the authorization of exports of small arms and light weapons. They emphasized the utility of exchanging information on physical stockpile management and security, permanent weapons deactivation and weapons tracing (A/CONF.192/BMS/2016/2, para. 37).

16. At the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in 2018, States renewed their commitment to preventing and combating the diversion of small arms and light weapons, as well as their illicit international transfer.³ They outlined specified actions related to stockpile management and security, transportation, unauthorized recipients, conflict and post-conflict situations and Security Council arms embargoes. In addition, they agreed on steps to ensure the irreversible deactivation of weapons and the destruction of identified surplus.⁴

17. With regard to assistance, States have identified areas for strengthened implementation efforts through international assistance requests included in the national reports submitted on their implementation of the Programme of Action. The most frequently identified areas in the 2018 reports included manufacturing, international transfers, brokering, stockpile management, destruction, collection, marking and record-keeping and international tracing. States may wish to consider those specific areas at the seventh Biennial Meeting of States.

Arms Trade Treaty

18. The Arms Trade Treaty is aimed at preventing and eradicating the illicit trade in conventional arms, including small arms and light weapons, and their diversion to the illicit market and for unauthorized end use, including the commission of terrorist acts (see General Assembly resolution 67/234 B). The implementation and universalization of the Treaty are thus important contributions to efforts to combat the diversion of small arms and light weapons.

19. In article 11 of the Arms Trade Treaty, which is dedicated to diversion, States parties involved in the transfer of conventional arms covered by the Treaty are committed to taking measures to prevent their diversion. It is explicitly required that an exporting State Party prevent such diversion through its national control system by assessing the risk of diversion of the arms export and, if needed, through the establishment of mitigation measures.

20. It is also required that importing, transit, trans-shipment and exporting States parties cooperate and exchange information in order to mitigate the risk of diversion of the transfer of conventional arms, given that all States involved in conventional arms transfers have a role to play in preventing their diversion. In addition, all States

³ A/CONF.192/2018/RC/3, annex, sect. I, para. 8.

⁴ Ibid., annex, sect. II.A, paras. 46–50.

parties are encouraged to share relevant information on effective measures to address diversion.

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

21. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (Firearms Protocol), supplementing the United Nations Convention against Transnational Organized Crime, is the only international legally binding instrument in which a framework for a criminal justice response to illicit trafficking in firearms is established (see General Assembly resolution [55/255](#)). Importantly, its definitions of firearms, ammunition, parts and components, illicit manufacturing, illicit trafficking and tracing serve as a legal foundation on the basis of which States parties can initiate investigations and prosecute and adjudicate firearms-related crimes. Under the offence of illicit trafficking in firearms, arms transfers that are not authorized within the national import, export and transit regime pursuant to article 10 of the Firearms Protocol can be prosecuted.

22. National legal frameworks established pursuant to the Firearms Protocol and its parent Convention also support the implementation of the Arms Trade Treaty by providing law enforcement, prosecutorial and judicial authorities with criminal justice tools, in particular article 11, on security and preventive measures, to combat illicit international arms transfers and arms diversion.

Security Council

23. The Security Council has remained seized of the issue of weapons diversion and the illicit international transfer of small arms and light weapons, acknowledging them as threats to international peace and security. It continues to address the nexus between small arms and terrorism, as well as between weapons and ammunition management and peacekeeping and peacebuilding mandates. Nevertheless, more consistent mainstreaming of small arms and light weapons considerations into the Council's work, both thematically and in country-specific contexts, is needed ([S/2019/1011](#)).

24. The Council has adopted two resolutions on small arms and light weapons, [2117 \(2013\)](#) and [2220 \(2015\)](#). In resolution [2220 \(2015\)](#), it is emphasized that illicit trafficking in small arms and light weapons can aid terrorism and illegal armed groups and facilitate increasing levels of transnational organized crime. Also in resolution [2220 \(2015\)](#), it is recognized that improving the national implementation of Council-mandated arms embargoes and mandating United Nations peacekeeping operations and other relevant Council-mandated entities to assist in building national and regional capacities by States, including for preventing the diversion of small arms and light weapons and related materiel to illicit markets, may contribute to more effective implementation of the Arms Trade Treaty.

25. Through the adoption of resolution [2370 \(2017\)](#), the Council recognized the need for Member States to take appropriate measures to address the illicit trafficking in small arms and light weapons of terrorists. Such actions include enhancing national systems for the collection and analysis of detailed data and putting in place adequate laws, regulations and administrative procedures to exercise effective control over the production, export, import, brokering, transit or retransfer of small arms and light

weapons, in line with the Programme of Action. Also in resolution 2370 (2017), Member States are urged to eliminate the supply of weapons to terrorists by taking appropriate legal actions; ensuring the proper physical security and stockpile management of weapons; implementing marking and tracing procedures; and strengthening judicial, law enforcement and border control capacities, including the capability of investigating arms trafficking networks. The need for technical assistance, capacity-building and awareness-raising is also highlighted.

26. There is a strong link between terrorist attacks and the trade in illegal weapons on the dark web or darknet markets. The nature of the darknet allows for increased anonymity and cross-border trading, which appeal to terrorists and criminals globally. The Paris attacks of 2015, for which four assault rifles were reportedly obtained from the darknet, is an example of the dangers of such unregulated trade.⁵

27. In a follow-up resolution, resolution 2482 (2019), the Council urged States to adopt legislative and other measures, consistent with domestic marking laws and regulations, including criminal measures, to prohibit the illegal manufacture of unmarked or inadequately marked small arms and light weapons, as well as the illicit falsification, obliteration, removal or alteration of the unique markings prescribed in the International Tracing Instrument.

28. Relevant Council-mandated arms embargoes can help to eliminate the supply of small arms and light weapons to unauthorized recipients, in particular terrorists. Improved information-sharing on possible arms embargo violations between groups of experts, peace operations and other relevant Council-mandated entities is necessary to increase the effectiveness of those efforts (S/2019/1011).

29. In a recent study by the United Nations Institute for Disarmament Research, it was noted that there was a lack of formal, evidence-based processes at the Security Council level through which to reassess and modify sanctions regimes, leading to a discrepancy between adjustments made to embargoes and the security situation on the ground.⁶ In the study, it was noted that the Council has used arms control obligations increasingly when easing arms embargoes. However, those obligations were focused mainly on national stockpile management, legal frameworks and the safeguarding of exempted transfers, indicating a possible failure to address additional relevant areas regarding the diversion of small arms and light weapons. Arms control-related benchmarks to assess arms embargoes could be a useful addition (S/2019/1011).

30. Preventing the illicit circulation and diversion of small arms and light weapons is paramount in conflict and post-conflict environments. In this regard, the United Nations is actively supporting national authorities, countering the proliferation of and trafficking in small arms and light weapons by assisting them in weapons and ammunition management. Such support is being provided in several peace operation contexts, including the Central African Republic, the Democratic Republic of the Congo, Haiti and Mali.

⁵ See also *UNODA Occasional Papers, No. 32, October 2018: The Trade in Small Arms and Light Weapons on the Dark Web – A Study* (United Nations publication, Sales No. E.19.IX.1).

⁶ United Nations Institute for Disarmament Research, *Applying Conventional Arms Control in the Context of United Nations Arms Embargoes* (2018).

Small arms and light weapons diversion: impact on the women and peace and security agenda

31. The impact of small arms and light weapons and the need to regulate and control those weapons are relevant to the women and peace and security agenda and the Security Council's work in preventing and eliminating sexual violence in conflict. The diversion and illicit international transfer of small arms and light weapons to unauthorized recipients affects women disproportionately, in particular, in the private sphere. Diverted weapons are frequently linked to femicides and are often used in cases of rape and sexual abuse and as a tool with which to inflict psychological and other forms of violence, as well as intimidation. In this realm, resolution 2242 (2015) constitutes a good example of how to ensure that arms control is addressed as part of the women and peace and security agenda. In that resolution, the specific impact of conflict and post-conflict environments on the security of women and girls is acknowledged, in particular as it relates to sexual and gender-based violence, as well as the risk of women becoming active players in the illicit trade in small arms and light weapons. In paragraph 15 of that resolution, the Council encouraged the empowerment of women to participate in efforts to combat the illicit use of small arms and light weapons, including through capacity-building.

2030 Agenda for Sustainable Development

32. With the inclusion of target 16.4 in the 2030 Agenda for Sustainable Development, it has been acknowledged that a significant reduction in illicit arms flows is central to attaining peace, security and development. The respective indicator of the Sustainable Development Goals, 16.4.2, is focused on actions taken by national authorities to identify illicit arms flows and points of diversion.⁷ States have agreed to take advantage of the national reports submitted under the Programme of Action to support data collection for indicator 16.4.2. According to the 120 national reports submitted in 2018, 246,090 small arms and light weapons had been collected in 2017, of which 21,997 had been marked, 115,612 recorded and 125,764 destroyed. No action had been taken on 75,531 of the weapons collected, and a tracing request had been submitted for only 669.⁸

33. It is evident that the tracing of small arms and light weapons should be strengthened as a central mechanism through which to identify their illicit origin or point of diversion. In 2018, 86 States reported having international procedures in place for small arms and light weapons tracing, only 79 reported cooperating with INTERPOL in such tracing and 45 reported requesting international assistance on the issue in the reporting period 2016–2017.⁹ According to the *Global Study on Firearms Trafficking, 2020* of the United Nations Office on Drugs and Crime (UNODC), on average, nearly 90 per cent of firearms reported seized over the period 2016 to 2017 were found to have been manufactured industrially, and some 85 per cent were marked appropriately.¹⁰ Detailed data provided by 14 countries for the same period showed that the success rate in tracing seized weapons amounted to only 28 per cent.

⁷ Indicator 16.4.2 reads, "Proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments".

⁸ For the 2018 national reports on the implementation of the Programme of Action and the International Tracing Instrument, see <https://smallarms.un-arm.org/national-reports>. States report biennially on their implementation of the Programme of Action and the International Tracing Instrument. The 2018 national reports cover the implementation period 2016–2017.

⁹ See <https://smallarms.un-arm.org/statistics>.

¹⁰ United Nations publication, forthcoming.

That number was made up of two roughly equal components: firearms traced domestically to a national registry (13 per cent) and those traced internationally to a foreign registry (15 per cent).

34. The lack of understanding of trafficking routes and the insufficient identification of points of diversion are further aggravated by a general lack of criminal investigations aimed at determining the origin of diverted arms. According to the *Global Study*, countries on average seized some two thirds of firearms on the grounds of illicit possession, according to the legal justifications provided by national authorities. Trafficking was, on average, named as the legal justification in only some 9 per cent of cases.¹¹ 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, with trafficking emerging as the actual offence only after further investigation, making it a largely hidden phenomenon.

35. In connection with target 16.4, the destruction of surplus weapons should be highlighted as the most effective and common measure to prevent diversion and thus eventually reduce illicit arms flows. In 2018, States reported that a total of 357,152 surplus weapons had been destroyed in 2017. The Africa region accounted for 45 per cent of the global total of destroyed surplus weapons.

Securing Our Common Future: An Agenda for Disarmament

36. In the publication entitled *Securing Our Common Future: An Agenda for Disarmament*, the role that conventional arms control plays in preventing the diversion of weapons to unauthorized users is acknowledged.¹² Attention is given therein to inadequate physical security, which can often result in diversion. In the *Agenda*, it is recognized that the loss of arms from storage sites, and their onward proliferation, can be a catalyst for armed violence, conflict and insecurity. Conflict-affected States are particularly susceptible to the problems caused as a result of improper stockpile management practices.

United Nations Global Counter-Terrorism Strategy

37. The connection between terrorism and illicit trafficking in small arms and light weapons is highlighted in the United Nations Global Counter-Terrorism Strategy. At the sixth review of the Strategy, the General Assembly called upon Member States to eliminate the supply of weapons, including small arms and light weapons, to terrorists (see resolution [72/284](#)).

C. Good practices on preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients

38. Preventing and combating the diversion and illicit international trade in small arms and light weapons require integrated approaches that combine preventive control measures – such as legislation, institutional architecture, border control, export and import control systems, stockpile management, marking and tracing, and technology development – and effective criminal justice responses.

¹¹ Ibid.

¹² United Nations publication, Sales No. E.18.IX.6.

39. A non-exhaustive compilation of good practices that have been received from Member States, regional actors, the United Nations system and other partners, such as INTERPOL and the World Customs Organization, is set out below.

1. National good practices

40. In line with resolution 74/60, Member States were invited to submit their views on best practices, lessons learned and new recommendations on preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients. A summary of the submissions is provided below.¹³

41. International arms control instruments and treaties are relevant and important, and States should actively support their implementation through relevant reporting. Some States underscored the global application of the Programme of Action and the International Tracing Instrument, while others emphasized the particular role of the Arms Trade Treaty in mitigating the diversion of weapons and called for the universalization of the Treaty. Emphasis was also placed on leveraging synergies between various instruments to strengthen coordinated implementation efforts.

42. It was noted that the illicit arms trade formed a persistent barrier to the realization of the 2030 Agenda. The Programme of Action was thereby seen as a vital instrument to counter the threat posed by the illicit trade in small arms and light weapons.

43. Reporting on the Programme of Action, on treaties to which a State is a party and on the illicit arms flows questionnaire developed by the United Nations under the Firearms Protocol,¹⁴ should be coordinated. Consistent reporting could provide a base of evidence for tracking progress made in implementation efforts while also serving as a mechanism for increasing transparency and building confidence.

44. States underscored the relevance of regional and subregional mechanisms related to combating illicit trafficking in small arms and light weapons.

45. Understanding the gendered nature of small arms and light weapons and ways of addressing it is fundamental to effective policymaking and programming. Ensuring the full and effective participation of women in operational and decision-making processes is crucial in the fight against illicit trafficking in small arms and light weapons.

46. States acknowledged the nexus between the illicit small arms trade, terrorism and transnational organized crime, including money laundering and trafficking in persons and drugs, and have thus supported multidimensional approaches, including the creation of institutional architecture and the involvement of the private sector in response. This translates into the integration of national arms control considerations into national development plans, national anti-terrorism strategies and the establishment of inter-institutional mechanisms.

47. Putting in place national legislation and procedures that regulate the manufacture, import, export, commercialization and possession of small arms and light weapons is seen as the foundation for addressing the diversion of those weapons. All other activities related to small arms and light weapons should be considered illegal and must be established as crimes in order to allow judicial responses, in accordance with the Firearms Protocol. The establishment of additional guidelines on how to implement those laws and procedures will facilitate the translation of national legislation into implementation efforts. The evaluation of the quality of the

¹³ The submissions in their entirety are available at www.un.org/disarmament/convarms/salw/.

¹⁴ Available at www.unodc.org/unodc/en/data-and-analysis/statistics/crime/iafq.html.

implementation of national laws and procedures on small arms and light weapons control strengthens efficient and effective policymaking, programming and implementation.

48. Preventing the diversion of weapons from civilian holdings and the misuse of weapons under civilian ownership requires a robust licencing process established under national law. The licencing process should address the sale, transfer, donation or inheritance of such weapons. The possession of small arms and light weapons should be authorized, recorded, controlled and monitored by a competent and designated national authority.

49. A national regulatory framework for the export, import, transit and retransfer of small arms and light weapons must be established. It should include procedures for exporter registration and national authorization, end user and use certificate management and export licensing.

50. Pre-transfer risk assessments and requirements for end user documentation are the foundation of responsible exports. In the assessment of the diversion risks associated with a specific arms export, end user certificates can be a helpful source of information. Some States therefore request that end user certificates provide details on the small arms and light weapons to be transferred, the parties involved in the transfer and the intended end user and end use. An end user certificate can be used to determine whether the stated recipient and/or end use of the small arms and light weapons in question are acceptable and can thus indicate potential diversion risks. In order to mitigate the risk of diversion, exporters may also request that a non-retransfer clause for small arms and light weapons be included in end user certificates. The clause can provide a reactive control to halt or review further exports.

51. In the case of small arms and light weapons exports to non-State recipients, requesting and enforcing end user certificates from foreign private entities may be challenging owing to a lack of jurisdiction. To counter the diversion risks associated with non-State recipients, States may choose not to export weapons to non-State entities or individuals per se, while others may opt to request a copy of the import licence or an international import certificate in order to verify whether the home country of the non-State recipient is aware of and consents to the small arms and light weapons transfer in question. Any country can choose to establish national legislation banning the import of such weapons to non-State actors in its jurisdiction.

52. End user certificates, import licences and international import certificates are effective in preventing the diversion of small arms and light weapons only if they are authentic. However, authenticating such documents can be challenging. Involving foreign embassies in the destination country, where possible, has proven to be an effective approach to mitigating risk. Connecting licensing authorities through direct points of contact can facilitate such verification processes.

53. Cooperation between importing and exporting countries is essential to preventing diversion. Initiatives such as on-site verifications, also known as post-shipment verifications, provide a framework for such cooperation. Post-shipment verifications can also be used as a vehicle for improving administrative systems in order to ensure compliance with end user certificates. Furthermore, the results of post-shipment verifications can also help exporting countries to assess the diversion risk associated with future export applications. Post-shipment verifications do not, therefore, merely mitigate the risk of diversion but also provide a means of understanding the compliance systems in place in recipient countries. If established well, post-shipment verifications serve as a confidence-building measure. The involvement of embassies and/or military attachés in post-shipment verifications could be of particular interest to countries that, owing to budgetary limitations, may not be in a position to deploy experts for each verification.

54. In the Americas and the Caribbean, the World BASC (Business Alliance for Secure Commerce) Organization promotes safe trade in voluntary cooperation with governments, border agencies, control authorities and international organizations.¹⁵ Certification with the World BASC Organization can provide national authorities with compliance standards for control and measures related to diversion risk mitigation.

55. Law enforcement, border and customs control agencies are key stakeholders in preventing and combating the diversion of weapons to illicit markets. It is essential to continuously improve the effectiveness of mechanisms for interdepartmental cooperation among military, customs, criminal investigation and public security personnel to ensure a comprehensive response to illicit trafficking in arms.

56. Police forces are often mandated to control small arms and light weapons and include forensic weapons experts in units, departments and laboratories. To enhance the ability of those experts to investigate and prosecute arms-related crimes, ballistic laboratories should be equipped with and trained in creating replicas, or double casts, of bullets and tubes, allowing the laboratories to increase their capacity to connect evidence from crime scenes to national, regional and international analysis mechanisms.

57. Criminal investigations in other areas, such as the monitoring of suspicious financial flows, can provide valuable intelligence, including on criminal networks, shipments, routes and logistical support, with regard to trafficking in small arms and light weapons.

58. Combining police and customs operations at the national and regional levels has proven to be an effective tool. Such processes could include investigating vessels that may carry out illicit arms movements and collaborating with colleagues leading the establishment of vessel risk profiles or operations to prevent the illicit circulation and sale of weapons through postal shipments. Strengthening the role of customs and including customs in the first line of defence on security matters is essential, as is the coordinated work of police and customs authorities. Good practices to detect and neutralize illicit trafficking routes include the establishment of mobile and fixed checkpoints installed in main road corridors and special verification zones dedicated to the inspection of selected merchandise, operational control of containers, the use of scanners or non-intrusive inspection equipment, the random verification of packages and courier shipments, periodic control and monitoring of merchandise guides and the implementation of surprise operations at logistics companies and strict security at airports and in aviation.

59. At the operational level, important options for small arms control include weapons marking and record-keeping and stockpile management, as well as the destruction of obsolete weapons to prevent the unauthorized circulation, imitation and use of those weapons. New technologies, such as automated information systems, can further enhance those measures.

60. National authorities that have mechanisms to ensure the rigorous and periodic control of all stockpiles of arms and their ammunition are able to account for and report lost weapons, which mitigates their diversion from national stockpiles.

61. Weapons tracing is central to identifying the illicit origin or point of diversion of illicit arms, in particular in conflict settings. Cooperation with INTERPOL, in particular through the Illicit Arms Records and Tracing Management System, continues to be highlighted by many States. Greater harmonization of national collaboration with INTERPOL, such as by establishing a specialized working group that would include representatives of forensic ballistics laboratories and designated

¹⁵ See www.wbasco.org/en.

weapons tracing units, is encouraged. Good practices also include the development of inter-institutional strategic plans for the purpose of weapons tracing and the establishment of national systems that include centralized national small arms and light weapons records. Lead institutions and/or focal points that are equipped with access to all physical and computer records related to arms and with the technical knowledge and skills necessary to collect data from other institutions involved are better suited to respond to international traceability requests in a coordinated and complete fashion.

2. Regional best practices

Africa

62. The Silencing the Guns by 2020 initiative of the African Union represents concerted efforts at the political and practical levels to address the proliferation of small arms and light weapons on the continent. As a practical step towards the implementation of the initiative, the Assembly of the African Union has declared every September through 2020 to be Africa Amnesty Month, during which illegally owned weapons can be handed over to national authorities voluntarily without fear of prosecution.¹⁶ The African Union Master Road Map of Practical Steps to Silence the Guns in Africa by the Year 2020 includes information for States on capacity-building in the areas of stockpile management, record-keeping and tracing and the destruction of illicit small arms and light weapons, all of which contribute to preventing and combating the diversion of small arms and light weapons.

63. Recognizing the need for more evidence-based interventions and solutions, the African Union Commission and the Small Arms Survey released in early 2019 the first continental study mapping illicit arms flows in Africa. In the study, States members of the African Union have identified cross-border trafficking in arms as the main type of illicit arms flows, with armed groups, including terrorist organizations, having demonstrated their capacity to move weapons across borders or carry out attacks.¹⁷ A number of existing good practices and recommendations are highlighted for addressing cross-border trafficking, transfer diversion, diversion from national stockpiles, civilian holding diversions, craft production and cross-cutting issues.¹⁸ They include joint border commissions, forces or committees; cross-border security strategies and monthly security meetings among countries to foster trust and information exchange; and cross-border and interregional joint operations.¹⁹

64. Readily convertible imitation firearms remain a major source of illicit firearms in Europe and a growing threat on other continents owing to their proliferation. In Africa, violations of respective arms embargoes have been well documented. Converted firearms have also been documented in several countries in Central Africa, the Sahel and West Africa.²⁰

65. In Africa region instruments on small arms control, a wide range of measures that States can take to prevent diversion at all stages in the transfer chain is identified, but diversion carried out through unauthorized re-export and retransfer is not explicitly addressed. Only the Nairobi Protocol provides for confirmation of delivery by importing States and measures to be taken when diversion has been detected.²¹

¹⁶ See Assembly/AU/Dec.645(XXIX).

¹⁷ Nicolas Florquin, Sigrid Lipott and Francis Wairagu, *Weapons Compass: Mapping Illicit Small Arms Flows in Africa* (Geneva, African Union and Small Arms Survey, 2019).

¹⁸ *Ibid.*, annex II.

¹⁹ *Ibid.*

²⁰ *Ibid.*, pp. 58–59.

²¹ Paul Holtom and Benjamin Jongleux, “Preventing diversion: comparing ATT and African measures for importing States”, August 2019, p. 9.

66. Analysis of national reports on the Programme of Action reveals that African States have often requested international assistance related to infrastructure and capacity-building to prevent and detect the diversion of imported arms.²² Similarly, many African States parties to the Arms Trade Treaty have requested international assistance to prevent the diversion of weapons at or after importation and from post-delivery storage.²³

67. Diversion transfers often occur because of ineffective and weakly enforced end user and end use control systems, with significant consequences for many States in the region. In response, States that include Burkina Faso and South Africa and subregional organizations including the Economic Community of West African States (ECOWAS) have developed national and subregional end user and end use control systems to address gaps in the certification and verification of end users and end use. Such systems seem promising for the prevention of arms transfer diversions.²⁴

68. Notably, in the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, it is stated that the transfer of small arms and light weapons into, from and through the national territory of ECOWAS member States is prohibited. Member States wishing to transfer arms can apply for an exemption certificate and submit end user and end use documentation to the ECOWAS Commission – which conducts a technical assessment and a review together with the other member States before an authorization to transfer the arms is granted – in advance of such a transfer. The ECOWAS secretariat manages and monitors exemption requests and enters information contained in the exemption certificates and end user and end use control documentation into a subregional database.²⁵

69. Good practices on tackling the diversion from civilian holdings include weapons amnesty, collection and destruction programmes; disarmament, demobilization and reintegration programmes; provisions in subregional conventions on civilian possession of small arms; and national small arms baseline assessments and surveys.²⁶

Western Balkans

70. A road map for a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition in the Western Balkans by 2024, jointly developed by Governments in the subregion under the auspices of France, Germany and the European Union, has been established as a comprehensive instrument for achieving a sustainable solution to the illicit possession and misuse of firearms and to trafficking therein.²⁷

71. The road map is aimed at systematically decreasing surplus and destroying seized small arms and ammunition with the goal of decreasing the risk of the proliferation and diversion of arms, ammunition and explosives significantly.²⁸

²² Paul Holtom and Moshe Ben Hamo Yeger, *Implementing the Programme of Action and International Tracing Instrument: An Assessment of National Reports, 2012–17* (Geneva, Small Arms Survey, 2018).

²³ Holtom and Jongleux, “Preventing diversion”, p. 3.

²⁴ *Ibid.*, p. 46.

²⁵ *Ibid.*, p. 72.

²⁶ *Ibid.*

²⁷ South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, “Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons (SALW) and their ammunition in the Western Balkans by 2024”, 2019.

²⁸ *Ibid.*

72. The implementation of the road map will be monitored and evaluated regularly against 14 key performance indicators, including the number of legal frameworks on arms control in the Western Balkans, harmonized with regional legislation, the Arms Trade Treaty and the Firearms Protocol; the number of evidence-based arms control policy documents that address the needs of women, men, girls and boys; the number of cases and quantity of weapons seized inland versus at the borders; the number of weapons seized and traced; the number of arms and amount of ammunition for which export licences were issued and identified as diverted through post-shipment control procedures; disaggregated data on the number of incidents involving firearms and victims affected by their misuse; the number of weapons surrendered, legalized and deactivated; the number of weapons and amount of ammunition destroyed; and the number of storage facilities for small arms and light weapons and ammunition in line with international safety and security standards.²⁹

73. It is envisaged that the implementation of the road map includes a comprehensive coordination and monitoring mechanism facilitated by the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, as well as a dedicated multi-partner trust fund. In advance of regional meetings, the Clearinghouse supports the small arms and light weapons commissions in organizing local coordination meetings. The meetings enable the exchange of information and the coordination of actions.

League of Arab States

74. In November 2018, the European Union adopted Council Decision (CFSP) 2018/1789, thereby launching a project in support of combating the illicit trade in and proliferation of small arms and light weapons in the States members of the League of Arab States (LAS). The project is aimed at building the regional capacity of LAS and the national capacity of States members of LAS sustainably to combat weapons proliferation, address terrorism and increase security in post-conflict situations, as well as to enhance the exchange of good practices and lessons learned.

75. In the project, implemented by the Small Arms Survey, INTERPOL and the World Customs Organization in collaboration with the arms control and disarmament department of LAS, priority is given to areas of work that include control of international small arms and light weapons transfer, such as the licensing and control of exports, imports and transit and the prevention of the diversion of small arms and lights weapons to unauthorized recipients; the identification and disruption of sources of illicit small arms; and other measures, including physical security and stockpile management. The World Customs Organization is responsible for providing training in the cross-border management of small arms and light weapons and has developed training materials to address that need.

3. United Nations system

International guidance

76. The Modular Small-arms-control Implementation Compendium is the result of a decade of coordinated work within the United Nations system translating into practice the objectives of key global agreements aimed at preventing the illicit trade, destabilizing accumulation and misuse of small arms and light weapons. The Compendium's modules are based on good practices, codes of conduct and standard operating procedures that have been developed at the regional and subregional levels.

²⁹ Ibid.

The modules, which are used in well over half of Member States, assist authorities around the world in improving their small arms control measures.³⁰

77. Several of the Compendium's modules provide guidance on preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients. Series 3 is focused on legislative and regulatory frameworks and provides guidance on national control over the manufacture, international transfer and end use of internationally transferred small arms and light weapons, as well as on the national regulation of civilian access to such weapons. Series 5 comprises operational support with regard to stockpile management, marking and record-keeping, tracing, collection and destruction, as well as border controls and the cooperation of law enforcement.³¹

78. The above-mentioned modules of the Compendium are complemented by the *Legislative Guide for the United Nations Convention against Transnational Organized Crime and the Protocols thereto and the Legislative guide for the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (Firearms Protocol)*, as well as the *Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*, which were developed to assist States parties in strengthening their domestic legal framework in a manner consistent with the international legal regime on firearms.³²

79. The United Nations has produced an aide-memoire to assist Member States in accurately and comprehensively reflecting state-of-the-art weapons and ammunition management practices in relevant drafts of Security Council decisions. The publication also supports the recommendation of the Secretary-General, in his report on small arms and light weapons (S/2015/289), that the Council address the arms situation consistently when considering both geographic and thematic issues on its agenda.³³

Peace operations

80. Disarmament, demobilization and reintegration contribute to addressing the illicit trade in small arms and light weapons by supporting national stakeholders in the proper handling, storage, documentation and disposal of weapons that are collected from combatants through such processes. In addition, weapons and ammunition management activities linked to community violence reduction programming can also contribute by addressing the threat of arms and ammunition held by armed groups and the civilian population at the local level. To increase the efficacy of such interventions, the United Nations has revised the Integrated Disarmament, Demobilization, and Reintegration Standards to ensure that disarmament and weapons and ammunition management operations conducted in this context are designed and implemented in line with international arms control standards and technical guidelines, including regional instruments to which host Government may be a signatory party.³⁴

81. The United Nations is providing technical and capacity-building support to Member States through peacekeeping missions seeking to prevent and combat the diversion of weapons to unauthorized users and reduce armed violence. The Mine

³⁰ See www.un.org/disarmament/convarms/mosaic/.

³¹ Ibid.

³² See, respectively, www.unodc.org/unodc/en/treaties/CTOC/legislative-guide.html#_Full_Version_2, www.unodc.org/unodc/firearms-protocol/publications.html and www.unodc.org/documents/legal-tools/Model_Law_Firearms_Final.pdf.

³³ See www.un.org/disarmament/publications/aide-memoire.

³⁴ See www.unddr.org/iddrs.aspx.

Action Service provides technical assistance and capacity development to Member States including on the establishment of institutional framework and harmonization of national legislation on arms control; development of comprehensive national strategies for weapons and ammunition management, including the marking and registration of weapons; and the construction of weapons and ammunition storage facilities. Technical support, training and weapons storage solutions are, for example, provided to the National Defence and Security Forces of the Democratic Republic of the Congo to increase capabilities in the tracing and securitization of weapons owned by the forces. In Mali, technical support and training of the Defence and Security Forces are focused on weapons and ammunition storage and management, while support for the Central African Republic has been provided to the National Commission for the Fight against the Proliferation of Small Arms and Light Weapons in the implementation of the national action plan. Support provided is directed towards, inter alia, the development of the legislative and institutional framework in weapons and ammunition management, international coordination for combating the illicit international flux of weapons and the coordination of its activities within the national disarmament, demobilization and reintegration programme.

82. Responding to the need to reduce the risk of diversion of arms and ammunition from United Nations peace operations to unauthorized parties,³⁵ a United Nations inter-agency initiative³⁶ developed the first Weapons and Ammunition Management Policy and associated standard operating procedures for troops and police contributing to United Nations operations in January 2019. That set of policies and procedures incorporates guidance from the Modular Small-arms-control Implementation Compendium and the International Ammunition Technical Guidelines, as well as good practice.

Crime and terrorism nexus

83. Guidance material has been developed to assist Member States in preventing and combating illicit trafficking in small arms and light weapons. The Madrid Guiding Principles on stemming the flow of foreign terrorist fighters (S/2015/939) and the Addendum adopted by the Security Council (S/2018/1177) include guiding principles on preventing and combating illicit trafficking in small arms and light weapons. The “Technical guide to the implementation of Security Council resolution 1373 (2001) and other relevant resolutions” of the Counter-Terrorism Committee Executive Directorate was updated in 2017 to assist Member States in their implementation efforts (S/2017/716, annex). It also covers the proliferation of and illicit trade in small arms and light weapons in relation to foreign terrorist fighters, as well as addressing the nexus between terrorism and organized crime.

84. In 2020, the Working Group on Border Management and Law Enforcement relating to Counter-Terrorism, part of the Office of Counter-Terrorism, is focusing on the development of a comprehensive set of guidelines to implement resolution 2370 (2017), the revised Madrid Guiding Principles and the other pertinent resolutions and international standards relevant to preventing terrorist access to weapons, in a comprehensive, coherent and organized manner.

³⁵ The Small Arms Survey has documented the diversion of small arms and light weapons from a range of multilateral peace operations. See the Survey’s Peace Operations Data Set at www.smallarmssurvey.org/mpome/pods-dynamic-map.html and www.smallarmssurvey.org/fileadmin/MPOME/resources/MPOME-Infographic-Losses-Incidents.pdf.

³⁶ The United Nations bodies involved were the Department of Operational Support, the Department of Peace Operations, the Department of Political and Peacebuilding Affairs and the Department of Safety and Security.

85. Under the programme Addressing the terrorism-arms-crime nexus: Preventing and combating illicit trafficking in small arms and light weapons and their illicit supply to terrorists, co-led by UNODC and the Office of Counter-Terrorism, the United Nations will cooperate with Central Asian countries to prevent and counter the respective threats and promote effective international cooperation and information exchange in this field. Main activities include the deployment of United Nations needs assessment missions to determine the regional situation, the relevant legislation and the response capacities to the threat posed by trafficking in arms and related crimes. For each country, a national assessment report, including gap analysis and policy and legislative recommendations for action, will be developed.³⁷

86. The United Nations has established two Centres of Excellence for Statistical Information on Government, Public Security, Victimization and Justice – one covering Latin America and the Caribbean and the other covering the Asia-Pacific region – to provide dedicated support for improving the quality and availability of crime statistics at the national and international levels.³⁸ Solid data are the basis for evidence-based policymaking and programming as they help to identify and understand trends.

Private sector engagement

87. Cooperation among all actors involved in the international trade in small arms and light weapons is vital to address diversion.³⁹ A good practice in that regard is the engagement of private sector actors involved in the international arms trade to ensure that they have an understanding of national controls, prohibitions and procedures. It has been emphasized that internal compliance programmes can promote awareness-raising and the fulfilment of export control requirements by exporters, as well as enhance communication and cooperation among national officials working on licensing, customs and other law enforcement authorities and the exporting companies or entities. Private sector actors may possess relevant information and data that, if provided to authorities in a timely fashion, can mitigate the risk of diversion. Private sector actors should therefore be requested to provide accurate and relevant information to national authorities about the equipment and its intended end user and end use when applying for registration and licences to conduct trade in conventional arms and related items.⁴⁰ Other relevant information related to monitoring and targeting high-risk transfers can be requested. The private sector can also play a role in supporting post-delivery verification through the development of track and trace technologies.

4. International Criminal Police Organization

88. INTERPOL assists member countries in the identification, tracking and interception of illicit firearms. Three INTERPOL Policing Capabilities are at the disposal of countries to share information on illicit firearms that have been reported as lost, stolen, trafficked or smuggled or have been used in the commission of a crime. INTERPOL Firearms Programme Policing Capabilities, the Illicit Arms Records and Tracing Management System database, the INTERPOL Ballistic Information Network and the Firearms Reference Table assist member countries in the identification, tracking and interception of illicit trafficking in weapons and materials necessary for terrorist activities. The capabilities also act as platforms for the sharing

³⁷ See www.un.org/counterterrorism/cct/terrorism-arms-crime-nexus.

³⁸ United Nations Office on Drugs and Crime (UNODC), “UNODC presents its centres of excellence on crime statistics at the Paris peace forum 2019”, 20 November 2019.

³⁹ United Nations Institute for Disarmament Research, “Enhancing the understanding of roles and responsibilities of industry and States to prevent diversion”, 2019.

⁴⁰ *Ibid.*, p. 2.

of information. The increased use of the Illicit Arms Records and Tracing Management System and INTERPOL Ballistic Information Network databases has resulted in the development of new investigative leads on trafficking in firearms.

89. Information exchange alone cannot prevent and combat the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients. Cooperation in law enforcement with regard to operational activities targeting illicit trafficking in firearms is also essential. In this regard, INTERPOL coordinates illicit firearms operations, code-named “Trigger”, to encourage countries to work together to target illicit trafficking in firearms on a regular and regional basis. INTERPOL has conducted five Trigger operations in various regions, namely the Balkans, Central America, Europe, the Middle East and North Africa and the Sahel. Further operations are planned, targeting South American countries in 2020. Cooperation between INTERPOL and the United Nations in the framework of the operation will ensure simultaneous regional intelligence-led law enforcement action and appropriate criminal justice response.

90. INTERPOL recognizes the value added by synergizing the activities of actors involved in preventing the diversion and combating the proliferation of illicit firearms. In this regard, INTERPOL encourages and coordinates close cooperation with regional and international organizations. To this extent, the INTERPOL Firearms Programme is working closely with the UNODC Global Firearms Programme to conduct joint project activities targeting illicit trafficking in firearms with funding from the European Union. INTERPOL is also working on providing Illicit Arms Records and Tracing Management System database access to the World Customs Organization and the European Law Enforcement Agency.

5. World Customs Organization

91. Since the introduction of the Punta Cana resolution, in December 2015, the World Customs Organization Security Project has addressed the control of illicit small arms and light weapons as one of the five pillars of its programme. It has developed and delivered a small arms and light weapons Train the Trainer package focused on the specific challenges and solutions faced by customs officers in controlling the cross-border movement of illicit small arms and light weapons. Since the completion and delivery of the training, the World Customs Organization, as part of the Asia Pacific Security Project, has deployed more than 60 national trainers to 10 countries in the Asia-Pacific region. This method of training ensures the sustainability of the effort and allows member States to tailor the materials to their specific needs.

92. The World Customs Organization has developed online training materials for small arms and light weapons that are available online.⁴¹ The materials and training address the correct identification of small arms and light weapons and licensing and documentary fraud and are available for free to all customs officers of States members of the World Customs Organization.

93. The World Customs Organization conducted a global firearms detection operation in 2016⁴² and two small arms and light weapons detection operations in the Asia-Pacific region between 2017 and 2019. Through the operations, capacity gaps and best practices were identified in the participating customs administrations.

⁴¹ See <https://clikc.wcoomd.org/>.

⁴² World Customs Organization, “USD 460 million and hundreds of weapons seized in global counter-smuggling operation”, October 2016.

6. Arms Trade Treaty Secretariat

94. In an effort to facilitate exchanges on article 11 of the Arms Trade Treaty, on diversion, a first informal meeting was held to discuss specific cases of detected or suspected diversion that States parties and signatories are dealing or have dealt with as a solid basis for further exchanges.⁴³

95. In the context of the sub-working group of the Working Group on Effective Treaty Implementation, which is dedicated to article 11 of the Arms Trade Treaty, States parties have developed two relevant documents: a list of possible reference documents to be considered by States parties to prevent and address diversion, and possible measures to prevent and address it.⁴⁴

96. A working paper of a sub-working group on diversion, which includes possible measures to prevent and address diversion, was developed before the fifth Review Conference.

D. Recommendations

97. On the basis of the good practices outlined above, which can be applied to the entire life cycle of small arms and light weapons, additional efforts can be undertaken to prevent diversion and illicit international transfer. Such efforts include the following:

Normative frameworks

98. **Global and regional normative frameworks on small arms control, counter-terrorism and crime prevention, as well as associated guidance documents and standards, should form the basis of comprehensive efforts on preventing and combating the diversion and illicit international transfer of small arms and light weapons to unauthorized recipients. Strengthened implementation can be assured when synergies between different instruments to which a State is a party are maximized.**

99. **States are encouraged to continue to engage actively in all relevant regional and international processes that address the diversion of weapons, including through regular national reporting, and to ensure that mandates under different instruments and treaties are harmonized and not duplicated.**

100. **States are encouraged to participate in the Monitoring Illicit Arms Flows Initiative of UNODC to collect data on seized, found and surrendered firearms, their parts and components and ammunition, with a view to developing evidence-based national policies and approaches to counter the diversion of small arms and light weapons.**

101. **Small arms and light weapons control should be more consistently mainstreamed into the work of the Security Council, both thematically and in country-specific contexts, as a key tool to ensure that arms diversion is included in conflict prevention and management efforts.**

102. **Recalling the obligations States made in the Programme of Action to fully comply with arms embargoes decided by the Security Council in accordance with the Charter of the United Nations, the Council could address a broad range of preventive and control measures addressing the diversion of small arms and light**

⁴³ Arms Trade Treaty, document ATT/CSP5/2019/SEC/536/Conf.FinRep.Rev1.

⁴⁴ Both documents are available on the Arms Trade Treaty webpage dedicated to tools and resources; see www.thearmstradetreaty.org/tools-and-guidelines.html.

weapons, such as legislation, institutional architecture, border control, export and import control systems, physical security and stockpile management, marking and tracing, technology development and effective criminal justice responses. In addition, arms control-related benchmarks to assess arms embargoes would be useful.

New trends and developments

103. The implications of recent developments in small arms and light weapons manufacturing and design must be addressed to ensure the continued relevance of the International Tracing Instrument. States are encouraged to consider the possibility of a supplementary annex to the Instrument.

104. The darknet is both an enabler of the trade in illegal weapons already on the black market and a potential source of newly diverted weapons. Such dangers should be taken into account in arms control and cybersecurity strategies.

105. States should address at all levels – national, regional and international – the problem of reactivation and conversion of small arms and light weapons and consider agreeing on common global regulatory measures or standards.

International cooperation and assistance

106. Cooperation within the United Nations and partners such as INTERPOL and the World Customs Organization have proven effective over the years and must continue to be strengthened.

107. Enhanced partnerships between the United Nations, regional and subregional organizations and national authorities, as well as civil society, in particular research institutes, academia and the private sector, can further contribute to a better understanding of the impact of arms diversion and how to address it.

108. Cooperation between international police and the judiciary in investigating and prosecuting the offences of the illicit manufacture of and trafficking in firearms, their parts and components and ammunition, as well as related offences, is crucial to trace back illicit arms flows. States are encouraged to foster international cooperation in criminal matters and exchange information on trafficking trends, routes and patterns.

109. States that are in a position to do so are encouraged to provide technical and financial assistance, including through the transfer of technology, to strengthen relevant policies and programmes, as well as advocacy and research aimed at preventing and combating the diversion of small arms and light weapons, including illicit international transfers.

110. Information exchange on successful prosecutions of trafficking, incidents of diversion, trafficking routes and techniques, good law enforcement and other practices remains essential to address the diversion of small arms and light weapons effectively.

Regional and subregional mechanisms

111. Regional and subregional mechanisms and cooperation are essential to tackling the cross-border nature of the illicit arms trade and can serve as a vehicle for confidence-building.

112. Regional initiatives, such as the Silencing the Guns by 2020 initiative of the African Union, the Western Balkan Roadmap and the League of Arab States project, can be considered as models for possible implementation in other regions, taking into account regional dynamics and national priorities.

Gender and small arms and light weapons control

113. **Understanding the gendered nature of small arms and light weapons, including through disaggregated data and gender analysis, must underpin all policies and programmes addressing the diversion of small arms and light weapons. The full and effective participation of women in all decision-making and operational processes should thereby be guaranteed to ensure that all views are taken into account.**

Strengthening the criminal justice capacity to detect, investigate and prosecute diversion and illicit trafficking

114. **States are urged to strengthen their detection, criminal investigation and prosecution capacities and to consider conducting systematic concurrent investigations, pursuant to the Firearms Protocol, into possible illicit arms transfers, and by establishing specialized units and joint investigative teams and applying special investigative techniques.**

Export, import, transit and retransfer

115. **States should uphold national bans of exports and/or imports to non-State actors as tools to mitigate diversion risks. The establishment of a subregional mechanism to monitor end users and/or end use could be considered.**

116. **States are encouraged to initiate an inclusive international dialogue on end user and end use control systems with the objective of harmonizing end user and end use control documentation and an international framework or mechanism to enhance the authentication and verification of end user and end use control certificates. Work could build on previous deliberations and reports under the Programme of Action and considerations in the framework of the Arms Trade Treaty and the Firearms Protocol. Elements to consider include the following:**

- **national authority and interministerial and/or inter-agency systems for arms transfer controls, including a national end user and end use control system**
- **national end user and end use documentation that comprises recommended international good practices on end users, end use and the re-export of arms**
- **a limited number of officials with the delegated authority to sign end user and end use documentation and providing their sample signatures to foreign diplomatic missions, to help exporting States to authenticate and verify applications for authorization**
- **using cooperative measures between exporting and importing States during the preauthorization, pre-delivery, transfer and post-delivery phases**
- **linking the arms transfer control system with effective arms stockpile management procedures**

117. **Exporters of small arms and light weapons are encouraged to report their arms exports to the Register of Conventional Arms in order to identify and prevent transfer diversions.**

National institutional architecture

118. **Strengthening interdepartmental cooperation mechanisms in the military, customs, criminal investigation and public security is essential to ensure that regulatory frameworks, including national legislation and criminal justice responses, are enforced comprehensively.**

Marking, record-keeping and tracing

119. **Further progress on weapons tracing is essential to identifying the illicit origin and point of diversion of trafficked arms, including in conflict and post-conflict settings. Such efforts at the national level could include the following:**

- **ensuring sustainable capacity for weapons marking and record-keeping, where it does not exist, as a precondition for tracing**
- **developing a well-maintained centralized record-keeping system**
- **ensuring consistent recording of any weapons, pending destruction**
- **ensuring sustainable capacity for weapons tracing, including through the designation of a focal point, unit and/or working group on weapons tracing and the development of standard operating procedures for tracing and capacities for arms identification**
- **developing procedures to foster international cooperation and the exchange of information, for example through closer cooperation with INTERPOL**
- **beginning the tracing of a weapon by obtaining access to domestic records in order to determine if the weapon has been diverted within the country**

III. International cooperation and assistance

120. The Secretariat continues to support States in their efforts to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Tracing Instrument, in line with resolutions 74/60 and 74/51. Some of those activities are included in section II of the present report. Activities undertaken by the regional centres for peace and disarmament of the Office for Disarmament Affairs are described in separate reports.

121. Under the United Nations Global Counter-Terrorism Coordination Compact, led by the Office of Counter-Terrorism, technical assistance, capacity-building projects and programmes in the counter-terrorism context will be coordinated to ensure a coherent United Nations-wide response, including in accordance with the technical assistance needs identified by the Counter-Terrorism Committee Executive Directorate.

A. *Securing Our Common Future: An Agenda for Disarmament*

122. Following the establishment of the Saving Lives Entity fund within the Peacebuilding Fund, through a partnership between the United Nations Development Programme (UNDP), the Office for Disarmament Affairs and the Peacebuilding Support Office, efforts to pilot two in-country projects through the Saving Lives Entity fund are under way. In contrast with traditional project-based approaches, the Saving Lives Entity fund is intended to enable affected States to tackle small arms issues through innovative, integrated, multidimensional programmes and as part of wider development plans. The Saving Lives Entity fund is open to entities of the United Nations system and external partners to foster collaboration on comprehensive approaches, as well as to open new doors for the sustainable financing of disarmament that saves lives. Applications for funding can be made by at least two United Nations entities or agencies and the host government.

123. The United Nations has undertaken efforts to enhance weapons and ammunition management in peace operation contexts, including for disarmament, demobilization

and reintegration activities. With a view to disseminating expert resource materials to practitioners in the field, the United Nations developed comprehensive training materials on weapons and ammunition management.⁴⁵ In August 2019, a training course on effective weapons and ammunition management in a changing disarmament, demobilization and reintegration context was given for participants representing six United Nations peace operation settings and special political missions, as well as the African Union and relevant United Nations entities. As a complementary resource, a standing technical assistance mechanism, through which disarmament, demobilization and reintegration practitioners can request ad hoc support in the design of context-specific weapons and ammunition management activities, was established. This technical advisory capacity was piloted in Haiti by the Department of Peace Operations and the Office for Disarmament Affairs in June 2019, through which a technical assistance team provided context-specific recommendations on weapons and ammunition management activities in support of the Mission's transition from a peacekeeping operation to a special political mission.

B. Modular Small-arms-control Implementation Compendium

124. The United Nations will continue to ensure the promotion and availability of guidance on small arms and light weapons through the Modular Small-arms-control Implementation Compendium. Such guidance will include an increased emphasis on the accessibility and use of existing modules by continuing their translation into other official languages of the United Nations, as well as planning for the development of new modules.

C. Coordinating Action on Small Arms

125. The mechanism Coordinating Action on Small Arms was established in 1998 as a United Nations inter-agency mechanism, following the designation of the Office for Disarmament Affairs as the Organization's focal point for small arms. Currently, 24 United Nations entities participate in the mechanism.⁴⁶

126. The mechanism ensures a multidisciplinary, coordinated and coherent approach to the challenges posed by small arms and light weapons, ammunition and the arms trade in the United Nations system; enables the United Nations to speak with one voice at relevant small arms meetings; and develops and promotes global standards and guidelines on small arms control.⁴⁷

127. During the reporting period, the Coordinating Action on Small Arms provided the platform to coordinate relevant reports of the Secretary-General to the General Assembly, the Security Council and the Human Rights Council; to support data collection pertaining to indicator 16.4.2 of the 2030 Agenda; and to share information on the implementation of the *Agenda for Disarmament*. Within the framework of the *Agenda*, the coordination mechanism serves as a consultative body for the Saving Lives Entity fund.

⁴⁵ See Savannah de Tessières, *Effective Weapons and Ammunition Management in a Changing Disarmament, Demobilization and Reintegration Context: A Handbook for United Nations Disarmament, Demobilization and Reintegration Practitioners* (New York, United Nations, 2018).

⁴⁶ See www.un-arm.org/PoAISS/CASA.aspx. The Office of Counter-Terrorism joined Coordinating Action on Small Arms in 2018.

⁴⁷ Modular Small-arms-control Implementation Compendium, available at <http://un.org/disarmament/mosaic>.

D. United Nations Trust Facility Supporting Cooperation on Arms Regulation

128. In response to States' need for a focused and accessible trust fund, the United Nations Trust Facility Supporting Cooperation on Arms Regulation was established in 2013. The Facility has been operating as a flexible funding mechanism for quick-impact, short-term, small-scale projects related to conventional arms control. Since its creation, it has filled the need for a stable and dedicated funding mechanism for small arms control and related violence reduction issues. The Facility has played an important role in galvanizing momentum towards the adoption and entry into force of the Arms Trade Treaty and has been a constant vehicle for supporting the national implementation of the Programme of Action through annual grants to flexible but well-vetted implementing partners in all regions of the world.

129. The Trust Facility has catalysed the trending norms into deliverable actions, in partnership with civil society and States. Funded projects ensure specific outputs and outcomes to support the following relevant agendas and initiatives of the United Nations:

- (a) The matching of assistance needs and resources in the implementation of the Programme of Action and the International Tracing Instrument, on the basis of information provided in relevant national reports;
- (b) The data collection for the 2030 Agenda;
- (c) The promotion of the issue of women and peace and security;
- (d) The application of and compliance with global guidelines on small arms⁴⁸ and ammunition.⁴⁹

130. To date, with the financial and policy support of 13 donors, a total budget of \$12.5 million was allocated to sponsor 94 projects that were selected from among proposals submitted by civil society and regional and subregional organizations, as well as United Nations entities. A total of 46 implementing partners have undertaken projects benefiting more than 140 countries. Some projects funded in 2019 were focused specifically on the prevention of the diversion and illicit international transfers of small arms and light weapons to unauthorized recipients. They included the following:

- (a) The capacity-building of States parties to the Kinshasa Convention on small arms and light weapons control in their technical and operational aspects, including the application of the global guidelines, the elaboration of national action plans and the establishment of national small arms commissions;
- (b) The marking of 17,000 police-owned weapons to prevent diversion in Ghana;
- (c) The identification and record-keeping of seized weapons and data collection for the 2030 Agenda in the Niger and Nigeria;
- (d) Capacity-building for effective stockpile management and marking in Bosnia and Herzegovina;
- (e) The establishment of an arms transfer database and subregional weapons tracing system for ECOWAS States;

⁴⁸ Ibid.

⁴⁹ International Ammunition Technical Guidelines, available at www.un.org/disarmament/ammunition/iatg.

(f) The development of national systems for small arms-related indicators and data collection in Burundi, Ghana and Mauritania.

131. The operation of the Trust Facility entails strong coordination among its implementing partners, recipient countries and regional organizations. Its coordination efforts are also extended to regular information exchange with the Arms Trade Treaty voluntary trust fund and relevant European Union-funded projects, with a view to avoiding a duplication of efforts and seeking synergies in the impacts of project outcomes.

E. Support for the Silencing the Guns by 2020 initiative of the African Union

132. The United Nations is fully committed to supporting the African Union in its implementation of the African Union Master Road Plan for its Silencing the Guns initiative. Arms control and armed violence reduction activities are key to this initiative. The Office for Disarmament Affairs, in collaboration with the African Union Commission and with the financial support of the Governments of Germany and Japan, has launched a project supporting in particular Africa Amnesty Month in September 2020. The project is aimed at addressing illegal gun ownership and reducing illicit flows of arms and armed violence in interested African countries in accordance with African Union Assembly declaration [645 \(XXIX\)](#). Project activities will be organized on media and awareness-raising campaigns on the negative impacts of illicit trafficking in small arms, strengthening national legislative frameworks on gun ownership and the capacity-building of law enforcement officials in physical security and the management of stockpiles of small arms.

F. Supporting gender-responsive arms control policies, programmes and actions

133. To support States in their implementation of their global commitment to including a gender dimension in their efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, the Office for Disarmament Affairs launched, in April 2019, a multi-year project advancing gender-mainstreamed policies, programmes and actions into combating trafficking in and the misuse of small arms, in line with the women and peace and security agenda, with funding from the European Union. Under the project, the Office for Disarmament Affairs, in partnership with the International Action Network on Small Arms, will support States in their efforts to design and implement gender-responsive small arms control. On the basis of the Modular Small-arms-control Implementation Compendium, the project comprises workshops, training and assistance programmes in support of national authorities and civil society to gender mainstream their small arms control-related work. Other activities include the development of a trainer handbook, an online training course on gender-responsive small arms control, a workshop for staff from regional organizations at which to exchange good practices on advancing gender-responsive arms control and initiatives to promote linkages in implementing the small arms agenda and the women and peace and security agenda, as well as synergies with the 2030 Agenda.