



UNODC

United Nations Office on Drugs and Crime

SDG 16 and Target 16.4: Scope and Consequences for the ATT

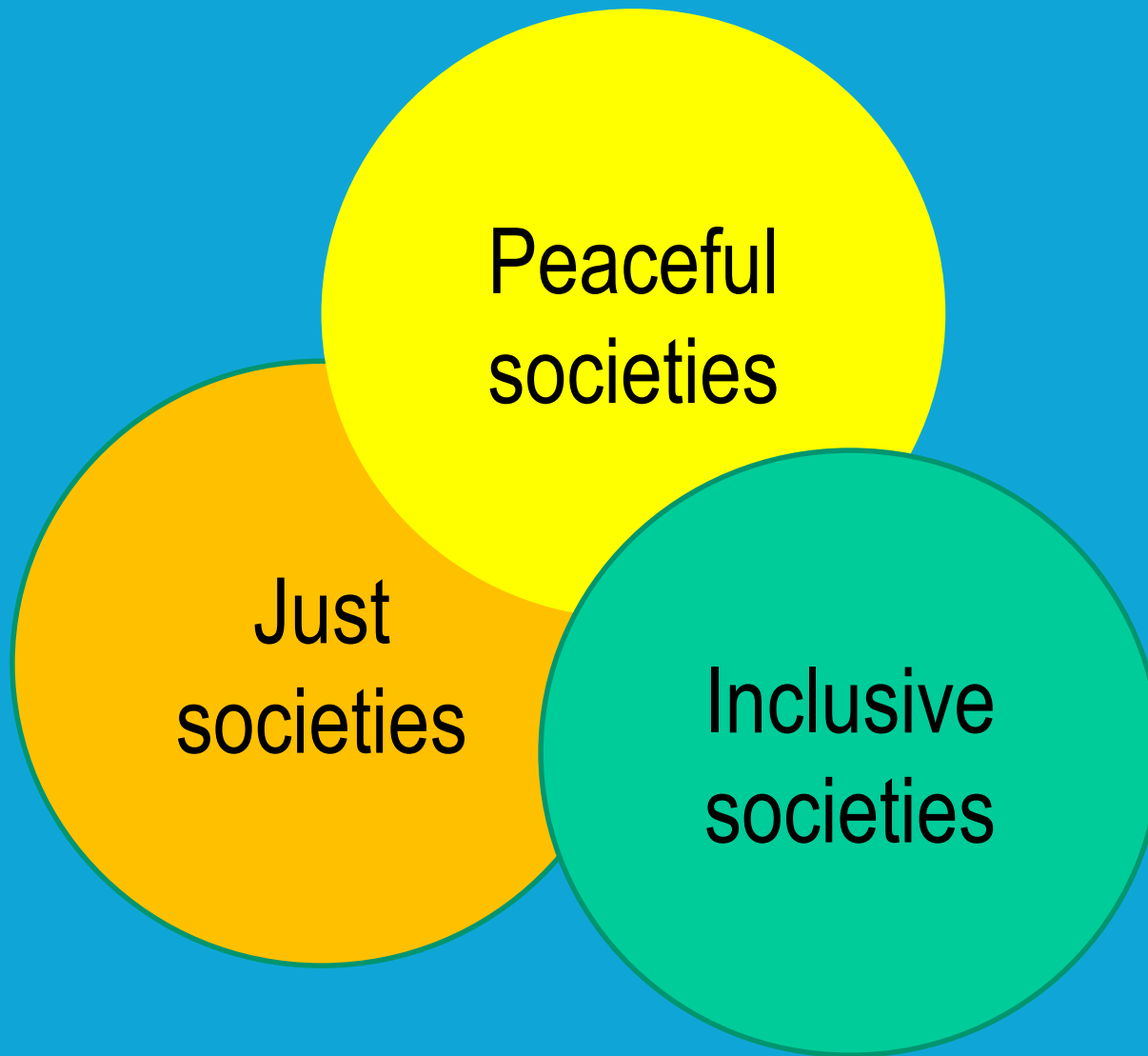
**Thematic Discussion on the ATT and the SDG
ATT 3rd Conference of States Parties
11-15 September 2017
Geneva, Switzerland**



UNODC

United Nations Office on Drugs and Crime

2030 Agenda for Sustainable Development





Target Goal 16

Box 1. Text of SDG 16, Target 16.4, and Indicator 16.4.2¹

SDG 16

- Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Target
16.4

- By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime

Indicator
16.4.2

- 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



UNODC

United Nations Office on Drugs and Crime

Relevance of UNSDG 16.4

Recognises the links between crime and development, and identifies organized crime as a domestic and global threat to societies

Focus on two crucial aspects: **Illicit financial and arms flows** are frequent cross-cutting elements present in serious crimes, which contribute to their **transnational nature** and to their levels of threat.

It recognizes that States cannot achieve the target alone, and calls for international actions to “**combat all forms of organized crime**”



Some elements to build the approach

Significantly Reduce Illicit Arms Flows

- What are illicit flows?
- Only cross-border trafficking or also domestic flows?
- Use of terms; “illicit” (IITI includes violations of embargoes);
- “Illicit Trafficking” (Firearms Protocol: all trans-border movements of firearms without authorization or required marking)
- No global baseline of illicit flows available to measure reduction

Combat all forms of Organized Crime

- Only crime related arms or also conflict related?



Measurability - Development of Indicator 16.4.2

- Measurability through statistical indicators
- First proposed indicator (March 2016):
- **“Proportion of seized small arms and light weapons that are recorded and traced, in accordance with international standards and legal instruments”**
- Refined Indicator 16.4.2 (March 2017):
- **“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.”**



Importance of changes in the Indicator 16.4.2

- Achieves harmonization with Target 16.4 (“arms”) as opposed to ‘small arms and light weapons’,
- Also arms other than SALW fall under the scope of 16.4.
- Enlarged **scope**: ‘**seized, found or surrendered**’ arms.
- No reference to the recording of SALW.
- Indicator’s goal: Establishment **by the competent authorities** of the illicit nature of arms that they seize, find, or that are surrendered to them.
- Definition of **applicable norms**: “international instruments” instead of “legal instruments” thus including politically-binding instruments



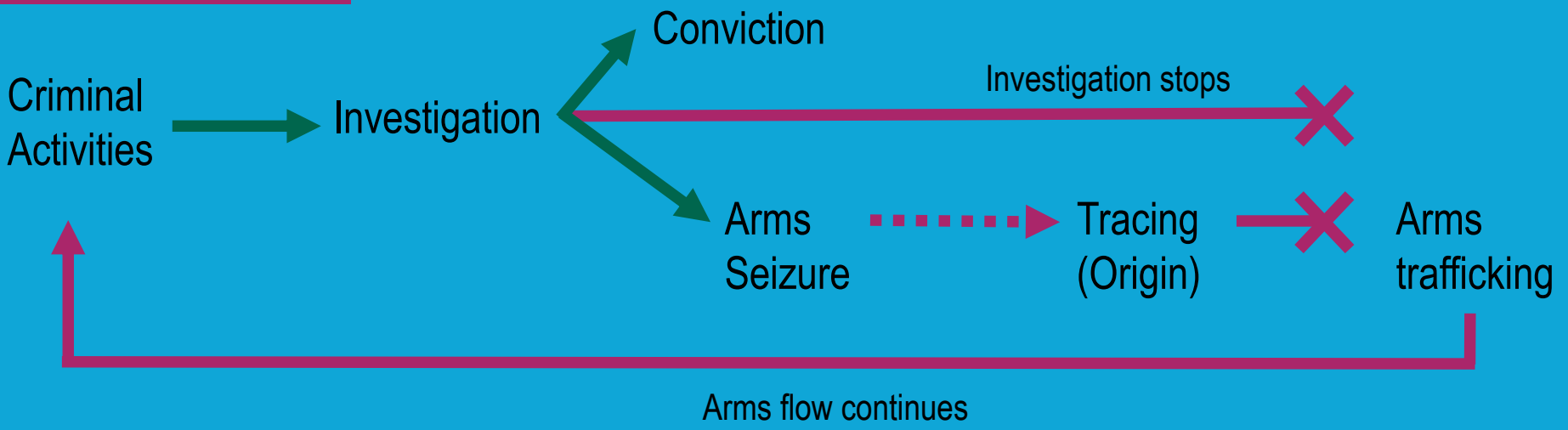


Preventive measures under International Instruments

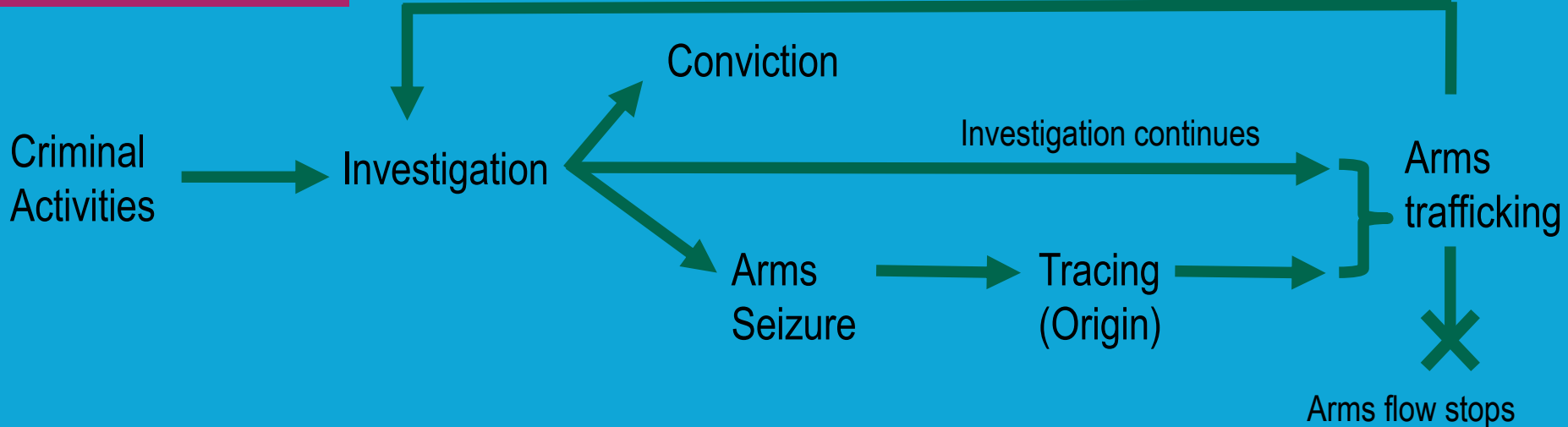
UN FP	ATT	UN PoA	ITI
Marking	Record-keeping	Marking	Marking
Record-keeping	Import, Export, Transit and Trans-shipment	Record-keeping	Record-keeping
Deactivation	Brokering	Tracing	Tracing
Import, export and transit licensing system	Control list	Import, Export, and Transit	Tracing requests and responses
Security and prevention measures	International cooperation	Brokering	International cooperation
Brokers and brokering activities		International cooperation	International cooperation
Tracing			
International cooperation			

INVESTIGATION FLOWS

Scenario A



Scenario B



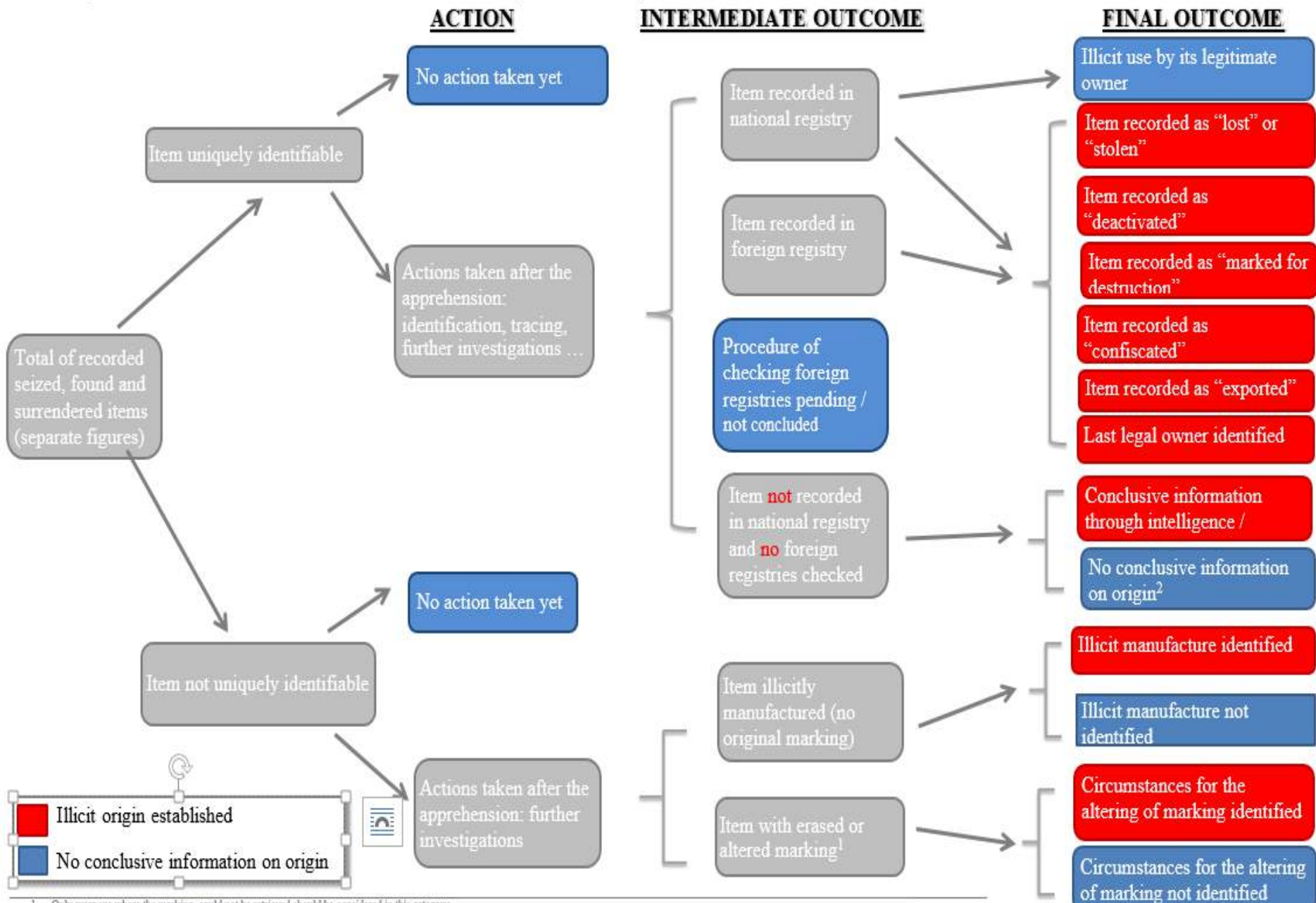
What does the indicator 16.4.2 measures?

- One indicator may not be enough
- Focus on illicit arms: seized, found or surrendered
- Does not measure what has not occurred (prevention)
- Does not measure actual illicit flows, but allows for a better analysis and monitoring of these flows.

16.4.2 measures the effectiveness of States' in establishing measures to prevent, detect and reduce illicit arms flows and combat all forms of organized crime.

- It captures a crucial moment in a larger chain of events that need to take place in order to achieve the target goal. More is needed.

Establishment of Origin/Context under Indicator 16.4.2





Other national / regional indicators to support risk assessment and analysis

- Crime Statistics: (the more disaggregated the better)
- Prices on black market
- Civilian possession: no. of licensed owners
- National manufacturing: No. of licensed manufacturers. Craft production?
- Size of police, military, etc.
- Types of seized, found or surrendered arms
- Ground for seizure and criminal context
- Records on international transfers and their denials
- Crime situation: OC / terrorist groups, gangs etc.
- Regional context: armed conflicts? Transit country?
- External sources to understand broader picture UN mission & monitoring groups reports; official press releases; media, research ...



How ATT can support SDG

- Implementation of the preventive measures under ATT through the establishment of import, export, transit, trans-shipment and brokering regulations will have a direct impact on the reduction of the illicit arms flows.
- Collection of data on denials of licensing requests and specifically the reasons for the denial, including a reference to ATT's provisions, will provide information about the number of illicit transfers, which were prevented due to the adoption of the ATT.
- **Record-keeping under ATT** supports directly the implementation of Indicator 16.4.2 as the ATT reports contain relevant data, which will assist competent authorities in the process of **establishing the origin** of the arms.
- The **reports submitted under ATT** will assist the process of **tracing** of arms conducted by national authorities.



Synergies between ATT and UN FP

ATT

International transfers – Art. 6(2) ATT, transfers from the exporting to the receiving State,

International transfers – Art. 7(1 b iv) ATT, acts that could be committed by the receiving State Party

Firearms Protocol

Authorisations requirements, Art. 10, 4(2)

Marking requirement for firearms, Art. 8

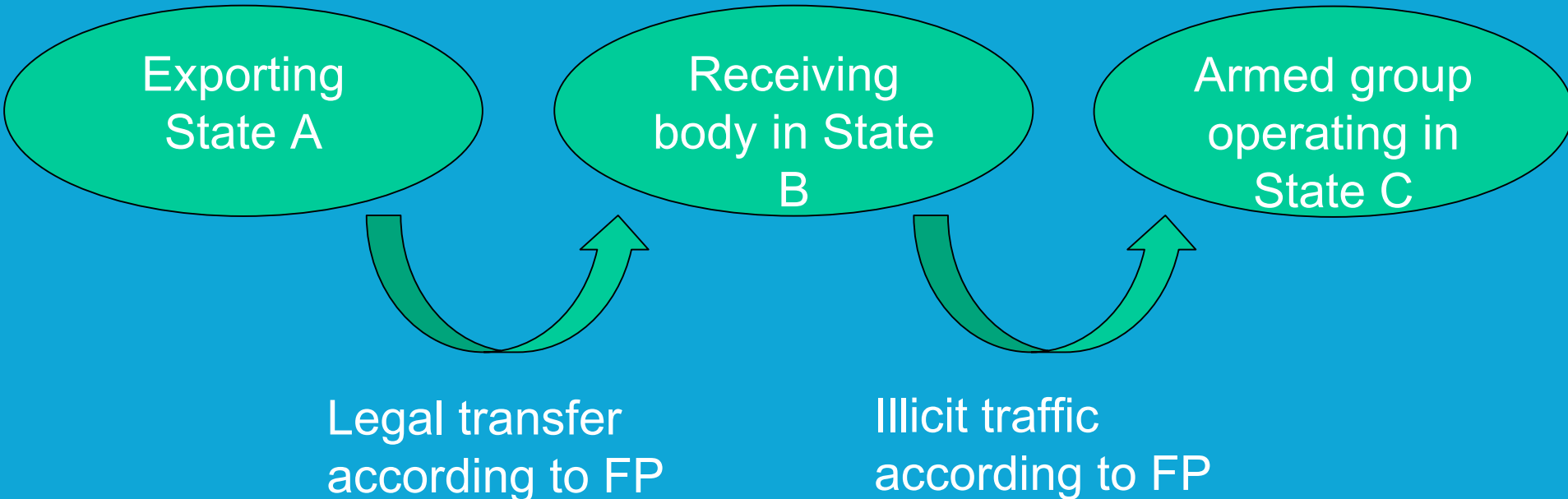
Offences under the FP (Art. 5 FP) and UNTOC

Offence: Illicit manufacturing , Illicit trafficking, Tempering with markings, Attempts/ participation/ organisation in/of offence, Illicit reactivation, UNTOC offences

Synergies between the ATT and the Firearms Protocol: International transfers – Art. 7(1 b iv) ATT

→ What and when are these offences relevant for the ATT?

Example: Illicit trafficking in firearms



→ If State A is aware of risk of subsequent illicit traffic, State A needs to take the potential future traffic into account in its export risk assessment (Art. 7 (1 b iv) ATT)



Synergies between the ATT and the Firearms Protocol: Other relevant aspects

ATT provision	Relevant FP and UNTOC provisions
Art. 8 – Import	Art. 10 (1) – Import authorisation or licensing system Art. 10 (4) – Upon request, inform the exporting State of the receipt of the dispatched items
Art. 10 - Brokering	Art. 15 – Registration and licensing/authorisation system for brokers; disclosure of information related to the transferred items (licences, accompanying documents); <i>Note that brokering measures are not legally binding</i>
Art. 11 – Diversion	Art. 11 – Security measures for items at time of manufacture, import, export and transit; increase transfer controls including border controls and police/customs trans-border cooperation
Art. 12 – Record keeping	Art. 7 – Records on licences (including import) Art. 8 – Marking of firearms



Synergies between the ATT and the Firearms Protocol: Other relevant aspects

ATT provision	Relevant FP and UNTOC provisions
Art. 14 – Enforcement	Art. 5 – Relevant offences Art. 6 – Confiscation, seizure and disposal Art. 19 UNTOC – Joint investigations Art. 20 UNTOC – Special investigative techniques Art. 27 UNTOC – Law enforcement cooperation ...
Art. 15 – International cooperation, including to prevent corruption	Art. 12 – Information exchange on organized criminal groups and modus operandi; cooperation in tracing Art. 8 and 9 UNTOC- Criminalisation of corruption and measures against corruption Art. 16, 18 UNTOC – Extradition and Mutual legal assistance



- **Created in 2011**
- **Objective:** To counter illicit arms trafficking and related serious and organized crime, and foster effective international cooperation and information exchange.
- **Global and Trans-regional dimension**

Since 2011

- Latin America
- West Africa & Sahel region

As of 2017:

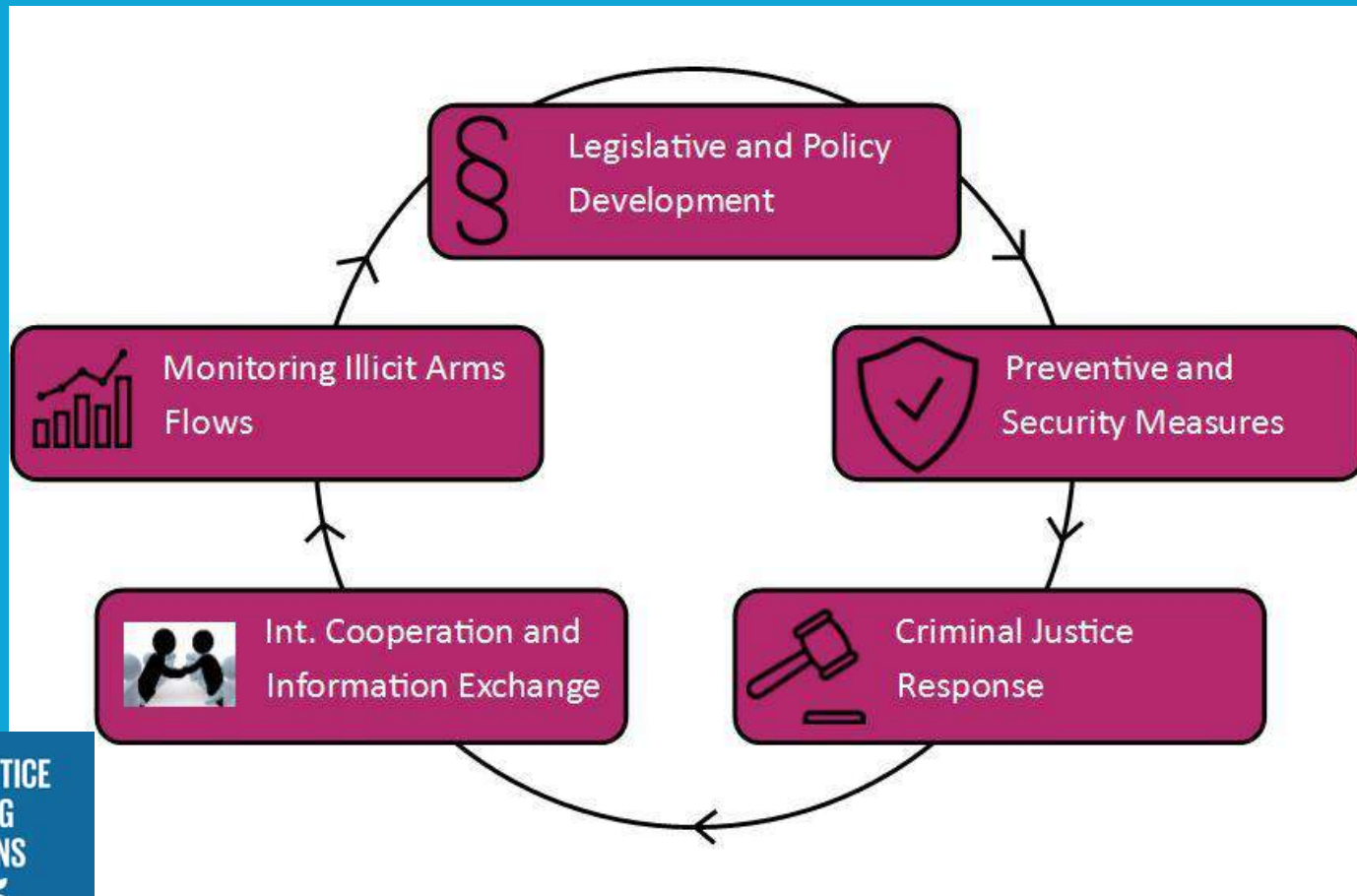
- Western Balkans
- Sahel-Maghreb region
- Panama

Donors



UNSCAR
United Nations Trust Facility
Supporting Cooperation on Arms Regulation

UNODC's Integrated 5 Pillar Approach on Firearms



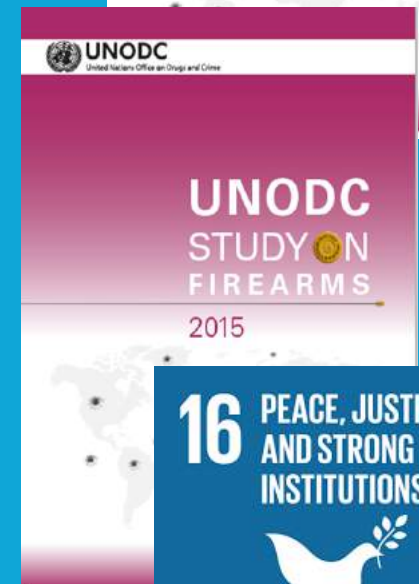
16 PEACE, JUSTICE
AND STRONG
INSTITUTIONS



→ Contribution of all pillars to achieve and/or Monitor achievement towards SDG target 16.4

Pillar 5: Data Monitoring Illicit Arms Flows Collection and Analysis

- **2015 Study on firearms**
 - Developed by UNODC in 2013-2015 in cooperation with Member States, to explore the transnational nature routes and modus operandi of firearms trafficking
 - First effort to collect & analyse standardized data on firearms seizure at global level (Period 2010 – 2013)
- **2016: UNODC mandate to collect on regular basis data on firearms**
 - Currently developing a questionnaire for an annual data collection on firearms starting in 2017
 - **UNODC /UNODA custodian agency for SG 16.4**
 - EU-UNODC project to support global data collection work



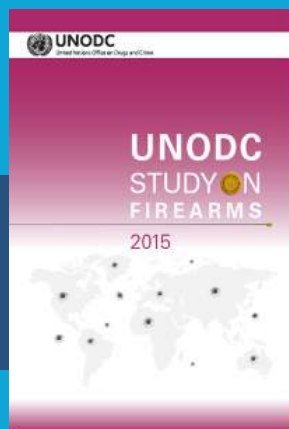
16 PEACE, JUSTICE
AND STRONG
INSTITUTIONS



UNODC's Data Collection on Firearms

2015

Publication of the first UNODC Study on Firearms



2017

EU-UNODC Project “Supporting Global Data Collection and Analysis on Firearms Trafficking and Fostering Cooperation and Information Sharing, in particular Among Countries along Major Trafficking Routes to/from the EU

16 PEACE, JUSTICE AND STRONG INSTITUTIONS



2010 - 2013

UNODC mandated by COP to **develop** the Firearms Study (res. 5/4, 6/2)

2016

UNODC mandated by COP “to **continue to collect and analyse**, on a regular basis, quantitative and qualitative information and suitably disaggregated data on trafficking in firearms, **their parts and components and ammunition**” and to take into account target 16.4 of the SDGs(res. 8/3)



Content of the New Questionnaire

- Introduction: Use of terms and concepts, definitions and metadata from States
- Total number of seized - found - collected firearms / SALW, their parts and ammunitions;
- Level of disaggregation: by types of firearms and years
- Legal ground for seizure (illegal possession, illegal trafficking, other crimes, administrative infractions) and seizure context
- Tracing results (domestic / international) and Trafficking routes
- Crime context (associated crimes)
- Qualitative information on trafficking, including on flows, involvement of organized crime, prices, new technologies etc.



How UNODC supports Member States in these efforts

- Support development of **comprehensive record-keeping mechanism**
- EU funded project: Supporting **Global Data Collection and Analysis on Firearms Trafficking and Fostering Cooperation and Information Sharing**,

3 Pillars

Develop **tools** for data gathering, establish **regular data collection mechanism on illicit arms flows and SDG 16.4**.

5 Reg. Meetings to raise awareness & technical assistance on data & information exchange, designation of **national focal points**

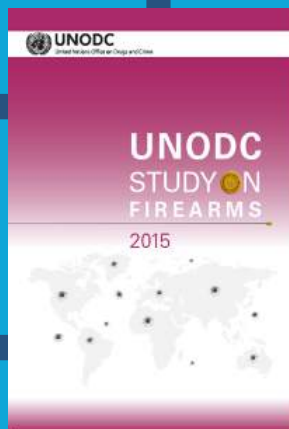
Mapping and monitoring of illicit arms flows, periodic **sharing** of findings, foster **information exchange**

FROM DATA TO ACTION: USE OF INFORMATION

Registration and Record-keeping

Informing and tailoring policies and action plans

Information exchange to support a joint fight against illicit firearms trafficking



Tracing → Identification of point of diversion

Identify, monitor and address illicit arms flows

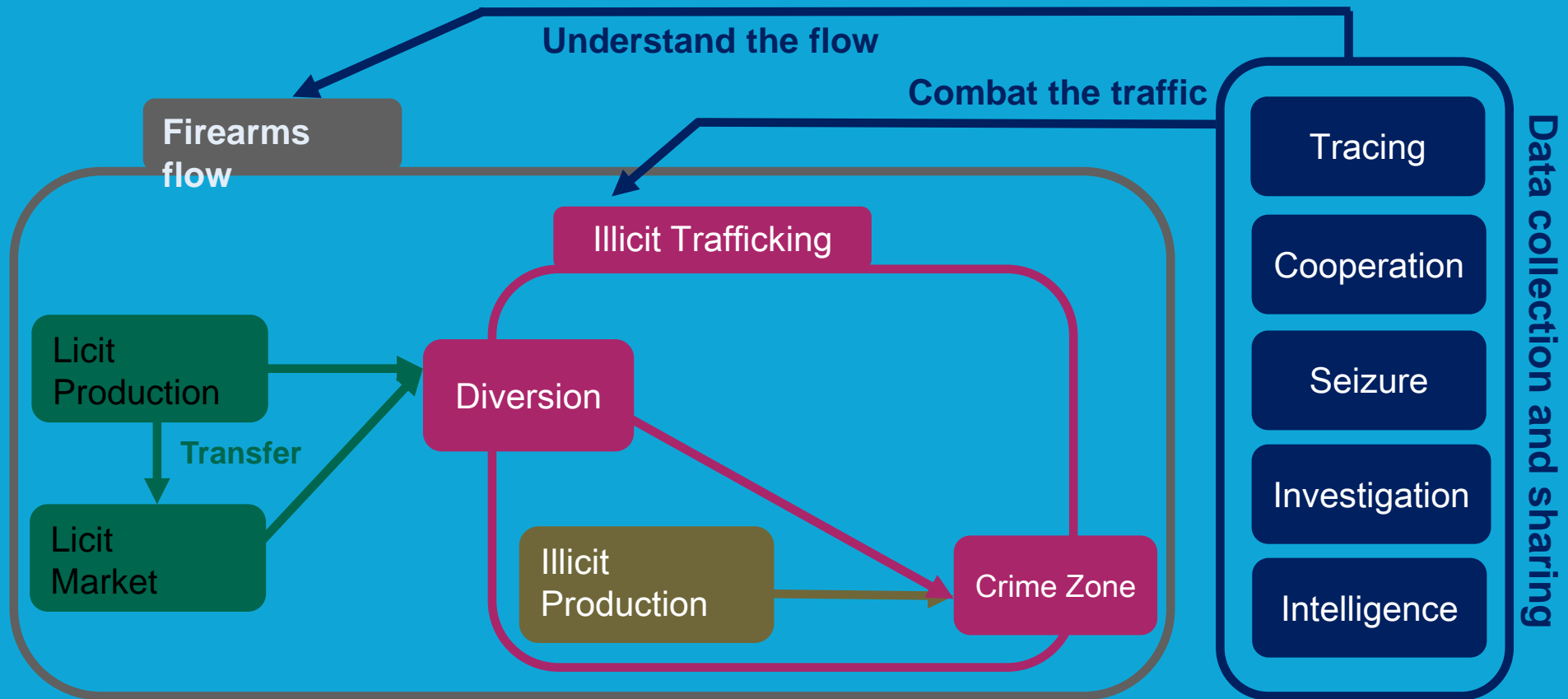
Addressing points of diversion

- Strengthening control and regulatory measures
- Prosecuting offenders

16 PEACE, JUSTICE AND STRONG INSTITUTIONS



- Better understand the extent and dimension of the illicit trafficking
- Reduce and monitor its illicit flows , monitor SDG indicator 16.4.2
- Combat illicit trafficking and all associated forms of organized crime



- With the support of Denmark, the EU, Germany, Japan and Sweden (since 2011 and ongoing):
 - Supporting the drafting of **national firearms legislation**, including relevant offences;
 - Supporting preventive and control measures such as **marking and registration** of firearms, enhancing **security of storage sites** for firearms and ammunition, supporting weapons **collection and destruction** campaigns;
 - Training law enforcement officers on **investigating and prosecuting** firearms trafficking and related offences;
 - Fostering **information exchange** through **group of practitioners** and **compilation of firearms related cases**
 - Supporting direct **operational information exchange and cooperation on real cases** (cooperation with INTERPOL, EMPACT)
 - Support **standardized collection and analysis** of firearms data at national and international level



CONCLUSIONS

- The SDG 16.4 focuses on illicit flows
- The ATT can significantly contribute the SDG by:
 - Establishing a robust transfer control regime
 - Encouraging reporting and transparency in legal transfers
 - Thus preventing illicit arms flows
 - Supporting the work of national authorities to the tracing and the establishment of the illicit origin of arms
 - Facilitate information exchange and international cooperation in criminal investigations
- In conjunction with other relevant instruments such as the Firearms Protocol, the PoA and the ITI, the ATT provide a solid basis for Member States to achieve and monitor the SDG



UNODC

United Nations Office on Drugs and Crime

Thank you!

Ms. Simonetta Grassi

Head of the UNODC Global Firearms Programme

Tel: +43-1-26060-5484

E-Mail: Simonetta.Grassi@unodc.org

United Nations Office on Drugs and Crime
Global Firearms Programme
Implementation Support Section
Organized Crime and Illicit Trafficking Branch
Division for Treaty Affairs
Vienna International Centre
PO Box 500, A-1400 Vienna, Austria

