

(a) Assisting Member States, at their request, through, *inter alia*, a standing pool of experts, in the review and assessment of experiences in the computerization of criminal justice operations and/or in the implementation of actual computerization projects;

(b) Assisting Member States, at their request, through, *inter alia*, a standing pool of experts, in technical cooperation projects to strengthen national capacities for the collection, analysis and dissemination of crime and criminal justice statistics, including participation in the United Nations surveys of crime trends and operations of criminal justice systems and the international surveys of victims of crime;

(c) Assisting Member States, at their request, in the training, at the national, regional and interregional levels, of experts in the collection, analysis, dissemination and policy use of crime and criminal justice statistics;

(d) Assisting the Secretary-General in the design of a core questionnaire for future United Nations surveys of crime trends and operations of criminal justice systems and in the design of supplementary questionnaires on extensive ad hoc topics;

(e) Assisting the Secretary-General in the design of an effective framework for the collection of data on transnational crime;

(f) Assisting in the dissemination of statistical and other relevant policy information on crime and criminal justice by means of modern information technologies, in collaboration with the United Nations Crime and Justice Information Network and the United Nations On-line Crime and Justice Clearing House;

(g) Assisting in the training of officials responsible for maintaining national crime and criminal justice statistics in order to improve national data collection capacities;

5. Welcomes the offer of the Governments of Argentina and the Netherlands to support the work of the advisory steering group by hosting regional and/or interregional meetings, and invites other Member States to provide similar support;

6. Also welcomes the offer of the Government of Canada to assist the Secretariat, which will work in cooperation with the members of the United Nations Crime Prevention and Criminal Justice Programme network and other interested experts, in the preparation of the *Guide on the Development and Analysis of Criminal Justice Statistics*;

7. Requests the Secretary-General to develop, in cooperation with the members of the United Nations Crime Prevention and Criminal Justice Programme network and other interested experts, an annex to the above-mentioned *Guide* that would include specific examples of basic statistical instruments used for data collection, such as questionnaires, information output, reports, classifications, definitions and victimological issues, with a view to making national approaches to data collecting more compatible, thus making data comparable.

36th plenary meeting
21 July 1997

1997/28. Firearm regulation for purposes of crime prevention and public health and safety

The Economic and Social Council,

Recalling resolution 9 of 7 May 1995 adopted by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995,¹⁵⁶

Recalling also section IV.A of its resolution 1995/27 of 24 July 1995 and its resolution 1996/28 of 24 July 1996,

Mindful of the need for effective implementation of those resolutions,

Taking note of the report of the Secretary-General on measures to regulate firearms,¹⁵⁶

Taking note also of the findings contained in the draft "United Nations international study on firearm regulation",¹⁵⁷ prepared by the Crime Prevention and Criminal Justice Division of the Secretariat,

Taking note further of the work of the Inter-American Drug Abuse Control Commission of the Organization of American States on the question of control of the international movement of illicit firearms and explosives, including the proposal for a model regulation for the control of the international movement of firearms,

1. Urges Member States that have not already replied to the questionnaire related to the draft "United Nations international study on firearm regulation"¹⁵⁷ to do so by 30 September 1997;

2. Requests the Secretary-General to continue the data collection and dissemination of information on firearm regulation, including the revised survey format referred to in the report of the Expert Group Meeting on Gathering Information on and Analysis of Firearm Regulation, held at Vienna from 10 to 14 February 1997¹⁵⁸ and the ongoing and regular maintenance of a list of contact persons and organizations in each Member State with the responsibility of providing such information and enhancing the existing database on firearm regulation;

3. Takes note with appreciation of the proposal of the Secretary-General to convene an ad hoc meeting of representatives of relevant international organizations¹⁵⁹ with a view to better coordinating the data collection that is necessary for a more complete understanding of the issues affecting firearm regulation;

4. Requests the Secretary-General to promote, within existing resources, technical cooperation projects that recognize the relevance of firearm regulation in addressing violence against women, in promoting justice for victims of crime and in addressing the problem of children and youth as

¹⁵⁶ E/CN.15/1997/4 and Corr.1.

¹⁵⁷ E/CN.15/1997/CRP.6.

¹⁵⁸ E/CN.15/1997/CRP.4.

¹⁵⁹ E/CN.15/1997/20, para. 10.

victims and perpetrators of crime, and in re-establishing* and strengthening the rule of law in post-conflict peacekeeping projects;

5. *Encourages* Member States to consider, where they have not yet done so, regulatory approaches to the civilian use of firearms that include the following common elements:

(a) Regulations relating to firearm safety and storage;

(b) Appropriate penalties and/or administrative sanctions for offences involving the misuse or unlawful possession of firearms;

(c) Mitigation of or exemption from criminal responsibility, amnesty or similar programmes that individual Member States determine to be appropriate, so as to encourage citizens to surrender illegal, unsafe or unwanted firearms;

(d) A licensing system, including the licensing of firearm businesses, to ensure that firearms are not distributed to persons convicted of serious crimes or other persons who are prohibited under the laws of the respective Member States from owning or possessing firearms;

(e) A record-keeping system for firearms, including a system for the commercial distribution of firearms and a requirement for appropriate marking of firearms at manufacture and upon import, to assist criminal investigations, discourage theft and ensure that firearms are distributed only to persons who may lawfully own or possess firearms under the laws of the respective Member States;

6. *Requests* the Secretary-General to include in the provisional agendas for the four regional workshops on firearm regulation to be organized in 1997 in accordance with the work plan¹⁶⁰ approved by the Council in its resolution 1996/28, within existing resources or subject to the availability of extrabudgetary funding, the possible development of a United Nations declaration of principles, based on the regulatory approaches suggested above, the collection of comparable information on firearm regulation, the provision of technical assistance, training and information sharing and the need for implementing bilateral, regional or multilateral agreements or arrangements on combating illicit trafficking in firearms, in order to ensure that all Member States have sufficient capacity in the area of firearm regulation, and requests that interested non-governmental organizations should each be allowed to make a statement at the regional workshops on subjects covered in their agenda but should not be permitted to attend workshop meetings where sensitive law enforcement issues will be discussed;

7. *Also requests* the Secretary-General to seek the views of Member States, the institutes constituting the United Nations Crime Prevention and Criminal Justice Programme network, relevant United Nations entities and inter-governmental and non-governmental organizations on the development of a declaration of principles, based on the regulatory approaches suggested above, and to submit a report

containing the views received to the Commission on Crime Prevention and Criminal Justice at its seventh session;

8. *Further requests* the Secretary-General to explore ways and means of developing a programme of continuing education for criminal justice administrators and of public education and awareness-building in relation to the links between firearms in civilian use and the unacceptable levels of violence in cities, communities and families and to disseminate that information in order to encourage Member States to undertake similar programmes;

9. *Encourages* Member States to ensure the tracing of illegal firearms and accurate and prompt responses to requests from other Member States for firearm-tracing;

10. *Invites* the International Criminal Police Organization to review the firearm- and ballistic-tracing capabilities of its member States, with a view to advising the Commission on Crime Prevention and Criminal Justice on the adequacy of those capabilities, and to clarify and compile common firearm terminology and descriptions, preferably in the form of an index, in order to enhance the sharing of investigative information on illegal firearms among Member States;

11. *Invites* the United Nations Panel of Governmental Experts on Small Arms, established in pursuance of General Assembly resolution 50/70 B of 12 December 1995, and other relevant specialized intergovernmental organizations to provide the Commission with available information about the results of their work in relation to the proliferation of illegal military small arms in Member States;

12. *Invites* the Customs Cooperation Council, also called the World Customs Organization, to review international customs practices relating to the movement of firearms for civilian purposes and worldwide trends in firearm smuggling, including such matters as import and export licensing, monitoring, standard protocols, including a common import and export certificate, and an advance notification system, with a view to advising the Commission on the effectiveness of controls concerning the international movement of firearms;

13. *Invites* other relevant intergovernmental organizations to re-analyse their data on issues related to firearms, within the scope of the United Nations international study on firearm regulation, with a view to informing the Commission, through the Secretary-General, of possible steps towards improving the collection and analysis of the related interdisciplinary statistics;

14. *Reiterates its request* to the Secretary-General to publish the "United Nations international study on firearm regulation", as scheduled in the work plan approved in Council resolution 1996/28, and to disseminate the study as widely as possible;

15. *Encourages* Member States to disseminate the report of the Secretary-General on measures to regulate firearms¹⁵⁶ and the "United Nations international study on firearm regulation" in their own countries and to consider the usefulness of the report and the study in evaluating whether to undertake new initiatives in firearm regulation;

¹⁶⁰ Official Records of the Economic and Social Council, 1996, Supplement No. 10 and corrigenda (E/1996/30 and Corr.1-3), para. 73 (g).

16. *Requests* the Secretary-General to prepare a report on the implementation of the present resolution and to submit it to the Commission at its seventh session;

17. *Decides* that the Commission on Crime Prevention and Criminal Justice should consider the item entitled "Measures to regulate firearms" at its seventh session, drawing on the report of the Secretary-General referred to in paragraph 16 above.

*36th plenary meeting
21 July 1997*

1997/29. Measures on the prevention and control of illicit trafficking in motor vehicles

The Economic and Social Council,

Alarmed by the rapid growth and geographical expansion of the illicit trafficking in motor vehicles, which increasingly transcends national borders,

Concerned about the increasing role of organized transnational crime in the theft of and illicit trafficking in motor vehicles,

Recognizing that car theft and illicit trafficking in motor vehicles, with their high costs, have adverse effects on the safety and national economies of Member States,

Recalling section II, paragraph 1 of its resolution 1995/27 of 24 July 1995, in which it requested the Commission on Crime Prevention and Criminal Justice to consider measures on the prevention and suppression of illicit trafficking in motor vehicles,

Emphasizing the need for strengthened and more effective international cooperation at all levels to fight illicit trafficking in motor vehicles,

Acknowledging, in particular, the importance of international police cooperation in the prevention of and the fight against illicit trafficking in motor vehicles and the need for a rapid exchange of information between States on the status and origins of motor vehicles,

Recognizing the work already undertaken by the International Criminal Police Organization in establishing a worldwide stolen vehicle database,

Welcoming the participation of and the contributions made by representatives of the private sector, in particular insurance companies, insurance crime bureaux and car manufacturers, in the prevention and control of illicit trafficking in motor vehicles,

1. *Expresses its appreciation* to the Government of Poland for acting as host to the Conference on Theft of and Illicit Trafficking in Motor Vehicles, held at Warsaw on 2 and 3 December 1996, and to the Government of the United States of America for providing financial support for that conference;

2. *Also expresses its appreciation* to the Government of the Russian Federation for acting as host to the Conference on International Cooperation in the Prevention and Control of the Theft of and Illicit Trafficking in Motor Vehicles, held at Moscow from 28 February to 2 March 1997, and to the

Government of the United States of America, the United Nations Development Programme and the European Institute for Crime Prevention and Control, affiliated with the United Nations, for providing financial support for that conference;

3. *Takes note* of the recommendations of the Warsaw Conference, contained in the annex to the report of the Secretary-General on measures for the prevention and suppression of illicit trafficking in motor vehicles,¹⁶¹ and the Moscow Declaration, contained in annex I to the present resolution;

4. *Urges* Member States:

(a) To improve international cooperation in the prevention and control of theft of, trafficking in and other offences in connection with stolen vehicles and to negotiate and conclude, as appropriate, in compliance with domestic law, bilateral and/or multilateral agreements or arrangements on a simplified and effective procedure for recovering stolen vehicles that clearly define, *inter alia*, the documentation required, certification procedures, translation requirements, authorized expenses and the applicability of value-added tax, taking into account the Model Bilateral Treaty for the Return of Stolen or Embezzled Vehicles, contained in annex II to the present resolution, and other bilateral treaties, as well as the United Nations model treaties, such as the Model Treaty on Extradition,⁹⁰ the Model Treaty on Mutual Assistance in Criminal Matters,⁸⁸ the Model Treaty on the Transfer of Proceedings in Criminal Matters⁸⁹ and the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released,⁹¹ as necessary, as useful tools in improving international cooperation in the investigation and prosecution of cases involving illicit trafficking in motor vehicles;

(b) To improve the exchange of information on the theft of and illicit trafficking in motor vehicles, to explore the possibility of establishing national databases on stolen vehicles and other pertinent information, to support the efforts of the International Criminal Police Organization by supplying their national data on stolen vehicles to its Automated Search Facility International Stolen Vehicle Database, to exchange information among themselves on a bilateral, subregional or regional basis and, through international law enforcement entities, to fight illicit trafficking in motor vehicles more effectively;

(c) To consider developing compatible registration and titling procedures and documents for motor vehicles in order to facilitate the identification of rightful owners of such vehicles by competent national authorities, to harmonize the elements contained in the registration documents of motor vehicles as a means of preventing illicit trafficking in motor vehicles, to consider the possibility of integrating their national stolen vehicle databases into the international stolen vehicle database, to explore the possibility of establishing salvage control procedures to ensure that the title documents of wrecked vehicles are not used on stolen vehicles and to exchange information on how to improve the security features of car registration documents;

¹⁶¹ E/CN.15/1997/9.