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English only

**Conference of the Parties to the United Nations
Convention against Transnational Organized Crime**
Fourth session
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**Information submitted by States in their responses to
the checklist/ questionnaire on the Implementation of
the Protocol against the Illicit Manufacturing of and
Trafficking in Firearms, supplementing the United
Nations Convention against Transnational Organized
Crime**

Note by the Secretariat

The present document is to be considered jointly with the report of the Secretariat on the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime: consolidated information received from States (CTOC/COP/2006/8/Rev.1).



Firearms Protocol

	1. Does domestic legislation contain a legal definition of firearms?				3. Does domestic legislation contain any regulation on antique firearms and their replicas?		4. When a national definition exists, are the following (parts and components under Protocol art. 3) included in this definition or defined separately under domestic legislation:				5. Does domestic legislation contain a legal definition of finished or assembled types of ammunition used in a firearm?			
	Definition exists?		If exists, in line with art. 3?				a. Elements of firearm		b. Silencer		Definition exists?		If exists, in line with art. 3?	
	Yes	No	Yes	No			Yes	No	Yes	No	Yes	No	Yes	No
Albania	X			X		X					X			X
Algeria	X		X		X						X		X	
Azerbaijan	X		X		X	X		X	X	X	X		X	
Belarus	X			X		X	X		X		X		X	
Belgium		X			X		X		X			X		
Bulgaria	X			X		X	X		X		X		X	
Burkina Faso	X		X		X		X		X		X		X	
Chad	X		X		X			X		X	X		X	
China	X			X		X	X			X	X			X
Croatia	X		X			X	X		X		X		X	
Cyprus	X		X		X		X			X		X		
Czech Republic	X		X		X		X		X		X		X	
Ecuador	X			X		X		X	X	X	X		X	
Estonia	X		X		X		X		X		X		X	
European Community	X			X			X			X				

Firearms Protocol

	1. Does domestic legislation contain a legal definition of firearms?		3. Does domestic legislation contain any regulation on antique firearms and their replicas?		4. When a national definition exists, are the following (parts and components under Protocol art. 3) included in this definition or defined separately under domestic legislation:				5. Does domestic legislation contain a legal definition of finished or assembled types of ammunition used in a firearm?					
	Definition exists?	If exists, in line with art. 3?	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Finland	X		X		X			X		X		X		X
Germany	X		X		X		X		X		X		X	
Guatemala	X			X		X		X		X		X		
Honduras	X			X	X			X		X		X		X
Italy	X		X		X		X		X		X		X	
Kazakhstan	X			X		X		X		X		X		X
Korea	X		X			X		X		X		X		X
Kuwait	X					X				X		X		
Latvia	X		X		X			X		X		X		X
Lebanon	X		X		X		X					X		X
Madagascar	X		X		X		X					X		
Malaysia	X			X		X		X		X		X		X
Malta	X		X		X		X		X		X		X	
Mexico		X				X		X		X		X		
Moldova (Republic of)	X			X		X		X		X		X		X
Monaco		X			X							X		
Morocco		X				X		X		X		X		
Netherlands	X		X		X(antiques)			X		X		X		X
New Zealand	X			X	X		X		X		X		X	
Nigeria	X		X			X					X		X	
Norway	X		X		X		X		X		X		X	
Paraguay	X		X		X			X			X		X	
Peru	X		X			X		X		X		X		X

Firearms Protocol

	1. Does domestic legislation contain a legal definition of firearms?		3. Does domestic legislation contain any regulation on antique firearms and their replicas?		4. When a national definition exists, are the following (parts and components under Protocol art. 3) included in this definition or defined separately under domestic legislation:				5. Does domestic legislation contain a legal definition of finished or assembled types of ammunition used in a firearm?					
	Definition exists?	If exists, in line with art. 3?	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Poland	X		X		X		X		X		X		X	
Portugal	X		X		X		X		X		X		X	
Romania	X		X		X		X		X		X		X	
Serbia	X				X						X			
Slovakia	X		X		X		X			X	X		X	
Slovenia	X			X	X		X		X		X			X
South Africa	X		X		X		X			X	X		X	
Spain		X		X	X			X		X	X		X	
Sweden	X		X		X			X		X	X		X	
Tanzania (United Republic of)	X		X		X		X			X	X		X	
The Former Yugoslav Republic of Macedonia	X		X		X				X		X		X	
Thailand	X		X			X	X			X	X		X	
Tunisia	X			X	X			X						
Turkey	X		X		X		X			X	X		X	
Turkmenistan		X				X	X		X					
United Kingdom of Great Britain and Northern Ireland	X			X	X		X		X		X			X
Zimbabwe	X		X		X		X		X		X			X
	49	6	32	16	37	19	34	15	26	21	41	11	33	8

Firearms Protocol

	7. Does legislation establish as a criminal offence the manufacturing or assembly of firearms, their parts or components or ammunition from parts or components illicitly trafficked?		9. Does legislation establish as a criminal offence the manufacturing or assembly of firearms, their parts or components or ammunition without a licence or authorization from a competent national authority?		11. Does legislation establish as a criminal offence the manufacturing or assembly of firearms without marking them at the time of manufacture or with markings that do not meet the requirements of art. 8?		13. Does legislation establish as a criminal offence the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components or ammunition without valid authorization for the items in question?	
	Yes	No	Yes	No	Yes	No	Yes	No
Albania	X		X			X	X	
Algeria	X		X		X		X	
Azerbaijan	X		X			X	X	
Belarus	X		X			X	X	
Belgium		X	X		X		X	
Bulgaria	X		X		X		X	
Burkina Faso	X		X		X		X	
Chad	X			X	X		X	
China	X		X		X		X	
Croatia	X		X		X		X	
Cyprus	X		X		X		X	
Czech Republic	X		X			X	X	
Ecuador		X	X			X	X	
Estonia	X		X			X	X	
European Community								

Firearms Protocol

	7. Does legislation establish as a criminal offence the manufacturing or assembly of firearms, their parts or components or ammunition from parts or components illicitly trafficked?		9. Does legislation establish as a criminal offence the manufacturing or assembly of firearms, their parts or components or ammunition without a licence or authorization from a competent national authority?		11. Does legislation establish as a criminal offence the manufacturing or assembly of firearms without marking them at the time of manufacture or with markings that do not meet the requirements of art. 8?		13. Does legislation establish as a criminal offence the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components or ammunition without valid authorization for the items in question?	
	Yes	No	Yes	No	Yes	No	Yes	No
Finland		X	X			X	X	
Germany	X		X		X		X	
Guatemala	X		X			X	X	
Honduras	X		X			X	X	
Italy	X		X		X		X	
Kazakhstan	X		X		X		X	
Korea	X		X		X		X	
Kuwait		X	X		X		X	
Latvia	X		X		X		X	
Lebanon	X		X		X		X	
Madagascar	X		X		X		X	
Malaysia	X		X		X		X	
Malta	X		X		X		X	
Mexico		X	X			X	X	
Moldova (Republic of)	X		X		X		X	
Monaco		X	X			X	X	
Morocco	X		X			X	X	
Netherlands	X		X			X	X	
New Zealand		X	X		X			X
Nigeria	X		X		X		X	
Norway	X		X		X		X	
Paraguay	X		X		X		X	
Peru		X	X			X	X	

Firearms Protocol

	7. Does legislation establish as a criminal offence the manufacturing or assembly of firearms, their parts or components or ammunition from parts or components illicitly trafficked?		9. Does legislation establish as a criminal offence the manufacturing or assembly of firearms, their parts or components or ammunition without a licence or authorization from a competent national authority?		11. Does legislation establish as a criminal offence the manufacturing or assembly of firearms without marking them at the time of manufacture or with markings that do not meet the requirements of art. 8?		13. Does legislation establish as a criminal offence the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components or ammunition without valid authorization for the items in question?	
	Yes	No	Yes	No	Yes	No	Yes	No
Poland	X		X		X		X	
Portugal	X		X		X		X	
Romania	X		X		X		X	
Serbia	X			X		X	X	
Slovakia	X		X		X		X	
Slovenia	X		X		X		X	
South Africa	X		X		X		X	
Spain	X		X			X	X	
Sweden	X		X			X	partly	partly
Tanzania (United Republic of)	X		X		X		X	
The Former Yugoslav Republic of Macedonia	X		X		X		X	
Thailand	X		X		X		X	
Tunisia		X		X		X	X	
Turkey	X		X		X		X	
Turkmenistan	X		X		X		X	
United Kingdom of Great Britain and Northern Ireland	X		X			X	X	
Zimbabwe	X		X		X		X	
	45	9	51	3	35	19	53	2

Firearms Protocol

	15. Does legislation establish as a criminal offence the import, export, acquisition, sale, delivery, movement or transfer of firearms if these firearms have not been appropriately marked?		17. Does legislation establish as a criminal offence the act of falsifying or illicitly obliterating, removing or altering the markings on firearms?		19. Bearing in mind that States parties can adopt more strict or severe measures:						
	a. Does domestic legislation establish as criminal offences the following conducts:						i. Acts related to the failure to keep records of firearms and, where appropriate and feasible, their parts and components and ammunition, and the falsification and destruction of such records?		ii. Acts of giving false or misleading information likely to unduly influence the issuance of the required licence or authorization for either the manufacture or assembly of firearms, their parts of components or ammunition or their export, import or transit?		iii. Acts related to the falsification or misuse of documents for the purpose of achieving the issuance of the required licence or authorization for either the manufacture or assembly of firearms, their parts and components or ammunition or their export, import or transit?
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
Albania	X		X								
Algeria	X		X		X		X		X		
Azerbaijan	X	X	X	X	X	X	X	X	X	X	
Belarus		X		X		X		X		X	
Belgium	X			X	X		X		X		
Bulgaria	X		X		X		X		X		
Burkina Faso	X		X		X		X		X		
Chad	X		X		X			X		X	
China	X			X		X		X			
Croatia	X		X		X		X		X		
Cyprus	X		X		X		X		X		
Czech Republic		X		X	X		X		X		
Ecuador		X		X	X			X		X	
Estonia		X		X		X		X		X	
European Community											

Firearms Protocol

	15. Does legislation establish as a criminal offence the import, export, acquisition, sale, delivery, movement or transfer of firearms if these firearms have not been appropriately marked?		17. Does legislation establish as a criminal offence the act of falsifying or illicitly obliterating, removing or altering the markings on firearms?		19. Bearing in mind that States parties can adopt more strict or severe measures:						
	a. Does domestic legislation establish as criminal offences the following conducts:						i. Acts related to the failure to keep records of firearms and, where appropriate and feasible, their parts and components and ammunition, and the falsification and destruction of such records?		ii. Acts of giving false or misleading information likely to unduly influence the issuance of the required licence or authorization for either the manufacture or assembly of firearms, their parts or components or ammunition or their export, import or transit?		iii. Acts related to the falsification or misuse of documents for the purpose of achieving the issuance of the required licence or authorization for either the manufacture or assembly of firearms, their parts and components or ammunition or their export, import or transit?
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
Finland		X		X	X		X		X		
Germany	X		X		X		X		X		
Guatemala		X	X		X			X		X	
Honduras	X		X		X		X		X		
Italy	X		X		X		X		X		
Kazakhstan	X		X								
Korea		X		X		X	X		X		
Kuwait	X		X		X		X		X		
Latvia	X		X			X		X		X	
Lebanon	X		X		X		X		X		
Madagascar	X		X		X		X		X		
Malaysia		X	X		X		X		X		
Malta	X		X		X		X		X		
Mexico		X		X	X		X		X		
Moldova (Republic of)	X		X		X		X		X		
Monaco		X		X	X		X		X		
Morocco	X			X	X		X		X		
Netherlands		X		X	X		X		X		
New Zealand		X		X	X		X		X		
Nigeria	X		X		X		X		X		
Norway	X				X		X		X		
Paraguay	X		X		X		X			X	
Peru		X		X		X	X		X		

Firearms Protocol

	15. Does legislation establish as a criminal offence the import, export, acquisition, sale, delivery, movement or transfer of firearms if these firearms have not been appropriately marked?		17. Does legislation establish as a criminal offence the act of falsifying or illicitly obliterating, removing or altering the markings on firearms?		19. Bearing in mind that States parties can adopt more strict or severe measures:						
	a. Does domestic legislation establish as criminal offences the following conducts:						i. Acts related to the failure to keep records of firearms and, where appropriate and feasible, their parts and components and ammunition, and the falsification and destruction of such records?		ii. Acts of giving false or misleading information likely to unduly influence the issuance of the required licence or authorization for either the manufacture or assembly of firearms, their parts or components or ammunition or their export, import or transit?		iii. Acts related to the falsification or misuse of documents for the purpose of achieving the issuance of the required licence or authorization for either the manufacture or assembly of firearms, their parts and components or ammunition or their export, import or transit?
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
Poland	X		X		X		X		X		
Portugal	X		X			X		X	X		
Romania	X		X		X		X		X		
Serbia		X		X		X		X	X		
Slovakia	X		X			X		X	X		
Slovenia	X			X	X		X		X		
South Africa	X		X		X		X		X		
Spain		X	X			X	X		X		
Sweden		X		X		X	X		X		
Tanzania (United Republic of)	X		X		X		X		X		
The Former Yugoslav Republic of Macedonia	X		X		X		X		X		
Thailand	X		X		X		X		X		
Tunisia		X		X	X		X		X		
Turkey	X		X		X		X		X		
Turkmenistan	X			X		X		X		X	
United Kingdom of Great Britain and Northern Ireland		X		X	X		X		X		
Zimbabwe	X		X		X		X		X		
	36	19	33	21	40	13	42	11	45	8	

Firearms Protocol

19. Bearing in mind that States parties can adopt more strict or severe measures:											
a. Does domestic legislation establish as criminal offences the following conducts:								b. Does domestic legislation stipulate which part of firearms should be marked?			
iv. Acts of possession or use of fraudulent licences in relation to the manufacture or assembly of firearms, their parts and components or ammunition or their export, import or transit?		v. Illicit reactivation of deactivated firearms, including the attempt to reactivate them?		vi. Illicit brokering of firearms, their parts and components or ammunition and failure to provide required information about brokerage activities?		vii. Other?				i. If yes, does domestic legislation stipulate that the offences in 11., 15. and 17. also apply to parts and components of firearms?	
Yes	No	Yes	No	Yes	No	Yes	Yes	No	Yes	No	
Albania											
Algeria	X										
Azerbaijan	X		X	X	X	X		X	X	X	
Belarus	X		X		X						
Belgium	X		X		X		X		X		
Bulgaria	X		X		X			X		X	
Burkina Faso	X		X		X			X		X	
Chad		X		X		X			X		
China	X		X		X			X		X	
Croatia	X		X		X			X		X	
Cyprus	X		X			X		X			
Czech Republic	X		X		X			X		X	
Ecuador		X		X		X		X	X		
Estonia		X		X		X		X		X	
European Community											

Firearms Protocol

19. Bearing in mind that States parties can adopt more strict or severe measures:											
	a. Does domestic legislation establish as criminal offences the following conducts:							b. Does domestic legislation stipulate which part of firearms should be marked?			
	iv. Acts of possession or use of fraudulent licences in relation to the manufacture or assembly of firearms, their parts and components or ammunition or their export, import or transit?		v. Illicit reactivation of deactivated firearms, including the attempt to reactivate them?		vi. Illicit brokering of firearms, their parts and components or ammunition and failure to provide required information about brokerage activities?		vii. Other?			i. If yes, does domestic legislation stipulate that the offences in 11., 15. and 17. also apply to parts and components of firearms?	
	Yes	No	Yes	No	Yes	No	Yes	Yes	No	Yes	No
Finland	X		X		X		X		X		
Germany	X		X		X			X		X	
Guatemala		X		X	X				X		
Honduras	X		X		X		X		X		
Italy		X		X	X			X		X	
Kazakhstan											
Korea	X		X			X		X		X	
Kuwait	X		X		X		X		X		
Latvia		X		X		X		X		X	
Lebanon	X		X		X			X		X	
Madagascar	X		X		X			X		X	
Malaysia	X		X		X				X		
Malta	X			X	X				X		X
Mexico	X			X		X			X		
Moldova (Republic of)	X		X			X		X		X	
Monaco	X		X		X						
Morocco	X			X		X			X		
Netherlands	X		X		X				X		
New Zealand	X			X		X		X			X
Nigeria	X		X		X			X		X	
Norway	X		X		X						
Paraguay		X		X		X			X		
Peru	X			X		X		X			X

Firearms Protocol

19. Bearing in mind that States parties can adopt more strict or severe measures:											
a. Does domestic legislation establish as criminal offences the following conducts:								b. Does domestic legislation stipulate which part of firearms should be marked?			
iv. Acts of possession or use of fraudulent licences in relation to the manufacture or assembly of firearms, their parts and components or ammunition or their export, import or transit?		v. Illicit reactivation of deactivated firearms, including the attempt to reactivate them?		vi. Illicit brokering of firearms, their parts and components or ammunition and failure to provide required information about brokerage activities?		vii. Other?				i. If yes, does domestic legislation stipulate that the offences in 11., 15. and 17. also apply to parts and components of firearms?	
Yes		No		Yes		No		Yes		No	
Poland		X		X		X		X		X	
Portugal		X		X		X		X		X	
Romania		X		X		X		X		X	
Serbia		X		X		X		X		X	
Slovakia		X		X		X		X		X	
Slovenia		X		X		X		X		X	
South Africa		X		X		X		X		X	
Spain		X		X		X		X		X	
Sweden		X		X		X		X		X	
Tanzania (United Republic of)		X		X		X		X		X	
The Former Yugoslav Republic of Macedonia		X		X		X		X		X	
Thailand		X		X		X		X		X	
Tunisia		X		X		X		X		X	
Turkey		X		X		X		X		X	
Turkmenistan		X		X		X		X		X	
United Kingdom of Great Britain and Northern Ireland		X		X		X		X		X	
Zimbabwe		X		X		X		X		X	
45		7		35		16		37		15	
10		29		20		24		5			

Firearms Protocol

	20. Does legislation establish as a criminal offence the attempt to commit offences referred to in questions 7., 9., 11., 13., 15., 17.?		22. Is participating as an accomplice in offences referred to in questions 7., 9., 11., 13., 15., 17. criminalized?		24. Are organizing, directing, aiding, abetting, facilitating or counselling the commission of offences under those questions criminalized?		26. Mutatis mutandis application of art. 16 of TOC?		27. Mutatis mutandis application of art. 18 of TOC?	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Albania										
Algeria	X		X		X		X			
Azerbaijan	X	X	X		X		X		X	
Belarus	X		X		X		X		X	
Belgium	X		X			X				
Bulgaria	X		X		X		X		X	
Burkina Faso	X		X		X					
Chad	X		X		X		X		X	
China	X		X		X		X		X	
Croatia	X		X		X		X		X	
Cyprus	X		X		X		X		X	
Czech Republic	partly		partly		partly		X		X	
Ecuador	X	X	X	X	X	X	X	X	X	
Estonia		X	partly	partly		X	X		X	
European Community										

Firearms Protocol

	20. Does legislation establish as a criminal offence the attempt to commit offences referred to in questions 7., 9., 11., 13., 15., 17.?		22. Is participating as an accomplice in offences referred to in questions 7., 9., 11., 13., 15., 17. criminalized?		24. Are organizing, directing, aiding, abetting, facilitating or counselling the commission of offences under those questions criminalized?		26. Mutatis mutandis application of art. 16 of TOC?		27. Mutatis mutandis application of art. 18 of TOC?	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Finland	X		X		X		X	X	X	
Germany	X		X		X		X		X	
Guatemala	X		X			X				
Honduras	X		X		X		X		X	
Italy	X		X		X		X		X	
Kazakhstan	X		X		X					
Korea		X	X		X					
Kuwait	X		X		X			X		X
Latvia	X		X		X		X		X	
Lebanon	X		X		X					
Madagascar	X		X		X		X		X	
Malaysia	X		X		X		X		X	
Malta	X		X		X			X	X	
Mexico	X		X		X					
Moldova (Republic of)	X		X		X		X		X	
Monaco		X	X			X				
Morocco	X		X		X		X		X	
Netherlands	X		X		X		X		X	
New Zealand		X		X		X		X		X
Nigeria	X		X		X			X		X
Norway	X						X		X	
Paraguay	X		X		X		X		X	
Peru		X		X		X	X		X	

Firearms Protocol

	20. Does legislation establish as a criminal offence the attempt to commit offences referred to in questions 7., 9., 11., 13., 15., 17.?		22. Is participating as an accomplice in offences referred to in questions 7., 9., 11., 13., 15., 17. criminalized?		24. Are organizing, directing, aiding, abetting, facilitating or counselling the commission of offences under those questions criminalized?		26. Mutatis mutandis application of art. 16 of TOC?		27. Mutatis mutandis application of art. 18 of TOC?	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Poland	X		X		X					
Portugal	X		X		X		X		X	
Romania	X		X		X		X		X	
Serbia	X		X		X					
Slovakia	X		X		X		X		X	
Slovenia	X		X		X					
South Africa	X		X		X		X		X	
Spain	X		X			X		X		X
Sweden		X	partly	partly	partly	partly	X		X	
Tanzania (United Republic of)	X		X		X		X		X	
The Former Yugoslav Republic of Macedonia	X		X		X		X		X	
Thailand	X		X		X		X		X	
Tunisia		X	X		X		X		X	
Turkey	X		X		X		X		X	
Turkmenistan	X		X		X					
United Kingdom of Great Britain and Northern Ireland	X		X		X					
Zimbabwe	X		X		X		X		X	
	46	9	50	5	45	9	35	7	35	4