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**Draft questionnaire for the review of the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their parts and Components and Ammunition (Firearms Protocol)**

Draft text by the Chair

(status date: 29.1.2020)

***Note:*** *The present document was prepared by the Chair based on the latest version of the rolling text of the draft questionnaire discussed by the Working Group on Firearms, and the two draft versions submitted by the European Union and by Mexico and includes some methodological changes aimed at ensuring greater harmonization of terminology and approaches throughout the document. This non-paper was prepared to support informal consultations among Member States.*

1. **General information, Scope of application, use of terms and definitions**
2. **General Information**
3. According to your domestic legal framework, can the Firearms Protocol be applied directly or does it require implementing legislation?

[ ]  Yes [ ]  No

1. Please explain, if needed.
2. Is your country a Party to other multilateral, regional or bilateral international firearms control regimes?

[ ]  Yes [ ]  No

1. If the answer is “Yes” please list them.
2. Does your country’s legal framework on firearms apply to:

[ ]  Firearms

[ ]  Parts and components

[ ]  Ammunition

[ ]  Illicit manufacturing

[ ]  Illicit trafficking

[ ]  Falsifying or illicitly obliterating, removing or altering of the identifying marking(s) on firearms

[ ]  Other (please specify)

1. **Scope of application, use of terms and definitions (article 3)**
2. Does your country’s legal framework include the definitions set forth in art. 3 of the Firearms Protocol for the following terms:
3. Firearm (art. 3 (a)).

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the relevant law(s) or regulation(s) and definition(s).
2. If the answer to question 4 (a) is “Yes”, please specify whether the definition of firearm used in your country’s legal system is based on:
* Physical or forensic characteristics associated with firearms
(e.g. size, portability, type of rifling, type of action or shooting mechanism, etc.)

Yes [ ]  No [ ]

and/or

* Categories (e.g. prohibited or restricted arms, categories based on particular legal regime of the weapons, etc.)

Yes [ ]  No [ ]

and/or

* Qualifying terms indicating the intended application for which the firearms were designed (such as military, or sporting or recreational firearms)

Yes [ ]  No [ ]

Please explain:

1. **Antique firearms** and their replicas (art. 3 (a)).

[ ]  Yes [ ]  No

1. If the answer to question 4 (b) is “Yes”, please cite the relevant law(s) or regulation(s) and definition(s) and provide available information on:

[ ]  Any threshold used to exclude antique firearms from the scope of application of your country’s national law(s) on firearms (specific number of years or a date in time)

[ ]  Any criteria used to exclude replicas of antique firearms from the scope of application of your country’s national law(s) or regulations on firearms (eg. capabilities or appearance of the replicas)

Please explain:

1. Do **weapons which may be readily converted** to expel a shot, bullet or projectile by the action of an explosive**[[1]](#footnote-1)** fall under the definition of firearms in your country’s legal framework (art. 3 (a))?

[ ]  Yes [ ]  No

1. If the answer to question 4 (c) is “Yes”, please explain and cite the relevant law(s) or regulation(s) and definition(s).
2. **Parts and components** of firearms (art. 3 (b))?

[ ]  Yes [ ]  No

1. If the answer to question 4 (d) is “Yes” please cite the relevant law(s) or regulation(s) and definition(s).
2. **Ammunition** used in a firearm (art. 3 (c))?

[ ]  Yes [ ]  No

1. If the answer to question 4 (e) is “Yes”, please explain and cite the relevant law(s) or regulation(s) and definition(s). Please indicate also whether components of ammunition referred to in article 3 subpara. (c), are themselves subject to authorization in your country or not.
2. **Illicit manufacturing** of firearms, their parts and components and ammunition (art. 3 (d))?

 [ ]  Yes [ ]  No

1. If the answer to question 4 (f) is “Yes”, please cite the relevant law(s) or regulation(s) and definition(s).
2. If the answer to question 4 (f) is “Yes”, does your country’s definition include the manufacturing or assembly of firearms, parts and components, and ammunition;

 [ ]  From parts and components illicitly trafficked (art. 3 (d) (i));

 [ ]  Without a license or authorization from a competent authority from the country where the manufacture or assembly takes place (art. 3 (d) (ii));

 [ ]  Without marking the firearms at time of manufacture, in accordance with art. 8 of the Firearms Protocol (art. 3 (d) (iii));

1. **Illicit trafficking** of firearms, their parts and components and ammunition (art. 3 (e))?

[ ]  Yes [ ]  No

1. If the answer to question 4 (g) is “Yes”, please cite the relevant law(s) or regulation(s) and definition(s).

(ii) If the answer to question 4 (g) is “Yes”, does your country’s definition of illicit trafficking include any of the following elements, in accordance with art. 3 (e)?

 [ ]  the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components or ammunition

 [ ]  from or across the territory of one State to that of another State

 [ ]  without valid licence or authorization for the transfer

 [ ]  the absence of appropriate marking on the firearm, in line with the requirements of article 8 of the Firearms Protocol;

1. **Tracing** (art. 3 (f))?

[ ]  Yes [ ]  No

1. If the answer to question 4 (h) is “Yes”, please cite the relevant law(s) or regulation(s) and definition(s).
2. **Broker or brokering activity**?

[ ]  Yes [ ]  No

1. If the answer to question 4 (i) is “Yes”, please cite the relevant law(s) or regulation(s) and definition(s).
2. **Other definitions** relevant to the implementation of the Firearms Protocol (please cite)?
3. If any of the answers to questions 4 (a) – (j) is “Yes, in part” or “No”, does your legal framework permit your country to implement the Firearms Protocol without adopting the specific definitions, set forth in art. 3 of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

Please explain.

1. **Criminalization**
2. **Criminalization of illicit manufacturing (art. 5 para.1 (a))**
3. Is the illicit manufacturing or assembly of firearms, their parts and components, and ammunition, when committed intentionally, a criminal offence under your country’s legal framework, according to art. 5 para. 1 (a)in conjunction with art. 3 subpara. (d)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please indicate if the offence(s) of illicit manufacturing established under your country’s legal framework apply to:

[ ]  Firearms;

[ ]  Parts and Components;

[ ]  Ammunition

Please explain, if needed.

1. If the answer to question 5 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer is to question 5 is “Yes, in part” or “No”, please explain how illicit manufacturing or assembly in firearms, parts and components and ammunition is treated in your country’s legal framework.
3. If the answer to question 5 is “Yes” or “Yes, in part”, are the manufacturing or assembly of firearms **from illicitly trafficked parts and components**, when committed intentionally, a criminal offence under your country’s legal framework, according to art. 5 para. 1 (a), in conjunction with art. 3 subpara. (d) (i) of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer to question 6 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer to question 6 is “Yes, in part” or “No”, please explain.
3. If the answer to question 5 is “Yes” or “yes, in part”, are the manufacturing or **assembly** of firearms, their parts and components and ammunition **without a licence or authorization from a competent national authority**, when committed intentionally, a criminal offence in your country’s legal framework according to art. 5 para. 1 (a), in conjunction with art. 3 subpara. (d) (ii) of the Firearms Protocol?

 [ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is to question 7 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer to question 7 is “Yes, in part” or “No”, please explain
3. If the answer to question 7 is “Yes” or “Yes, in part”, does your country’s legal framework criminalizes:

The **reactivation** of deactivated firearms or essential parts thereof (art. 9 (1))

[ ]  Yes [ ]  Yes, in part [ ]  No

[The conversion of weapons into a firearm (art. 3 (d) (ii))

[ ]  Yes [ ]  Yes, in part [ ]  No]

[The **attempt** to reactivate or convert the beforementioned items (art. 5 para. 2 (a))

[ ]  Yes [ ]  Yes, in part [ ]  No]
(Japan)

**without a licence or authorization from a competent national authority**, (art. 5 para. 1 (a), in conjunction with art. 3 subpara. (d) (ii))?

1. If any of the answers to question 8 is “Yes” or “Yes, in part”, please cite the applicable law(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of its successful implementation and enforcement.
2. If any of the answer to question 8 is “Yes, in part” or “No”, please explain how reactivation and conversion of firearms are treated under your country’s legal framework.
3. Are the manufacturing or assembly of firearms, **without marking** them at the time of manufacture or **with markings that do not meet the requirements of article 8** of the Firearms Protocol, when committed intentionally a criminal offence in your country’s legal framework, according to art. 5 para. 1 (a), in conjunction with art. 3 subpara. (d) (iii), and art. 8 para. 1 (a) of Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer to question 8 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer to question 8 is “Yes, in part” or “No”, please explain how manufacturing or assembly of firearms without proper marking is treated in your country’s legal framework.

1. **Criminalization of illicit trafficking (art. 5 para. 1 (b))**
2. Is the offence of illicit trafficking in firearms, their parts and components and ammunition, when committed intentionally, criminalized under your country’s legal framework in accordance with art. 5 para. 1 (b), in conjunction with art. 3 subpara. (e) of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please indicate if the offence(s) of illicit trafficking established under your country’s legal framework apply to:

[ ]  Firearms;

[ ]  Parts and Components;

[ ]  Ammunition

Please explain, if needed

1. If the answer to question 10 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer is to question 10 is “Yes, in part” or “No”, please explain how trafficking in firearms, parts and components and ammunition is treated in your country’s legal framework.
3. If the answer to question 10 is “Yes” or “Yes, in part”, are the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components or ammunition from or across the territory of one State to that of another State, **without authorization of any of the countries concerned in accordance with the terms of the Firearms Protocol**, when committed intentionally, criminalized in your country’s legal framework according to art. 5 para. 1 (b), in conjunction with arts. 3 subpara. (e), and 10 of Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer to question 11 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer is “Yes, in part” or “No”, please explain how the illicit transfer of firearms, parts and components and ammunition is treated in your country’s country’s legal framework.
3. If the answer to question 10 is “Yes” or “Yes, in part”, are the import, export, acquisition, sale, delivery, movement or transfer of firearms from or across the territory of one State to that of another State without **appropriate marking** in accordance with **article 8 of the Firearms Protocol,** when committed intentionally, criminalized in your country’s legal framework according to art. 5 para. 1 (b), in conjunction with arts. 3 para. (e) and 8 of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer to question 12 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer is “Yes, in part” or “No”, please explain how the transfer of firearms without the required marking or with markings that do not meet the requirements of article 8 of the Protocol is treated in your country’s legal framework.
3. If the answer to question 10 is “Yes” or “Yes, in part”, are any of the following actions included in the offence(s) of illicit trafficking established under your country’s legal framework (art. 5 para. 1 (b), in conjunction with art. 3 subpara. (e))?

[ ]  Import;

[ ]  Export;

[ ]  Acquisition;

[ ]  Sale;

[ ]  Delivery;

[ ]  Movement;

[ ]  Transfer;

[ ]  Other, if any:

Please provide further details, if needed:

1. If the answer to question 10 is “Yes” or “Yes, in part”, does the offence(s) of illicit trafficking established under your country’s legal framework require a transnational transfer of the items between at least two States to qualify as illicit trafficking under your country’s legal framework (art. 5 para. 1 (b), in conjunction with art. 3 subpara. (e))?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If your answer to question 14 is “Yes, in part” or “No”, please explain on a voluntary basis and cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for the offence of **domestic trafficking**, and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence.
2. **Criminal offences related to the marking of firearms (art. 5 para. 1 (c))**
3. Is the act of falsifying or illicitly obliterating, removing or altering the marking(s) on firearms, when committed intentionally, criminalized under your country’s legal framework according to art. 5 para. 1 (c) in conjunction with art. 8?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).

(b) If the answer to the question is “Yes, in part” or “No”, please explain how the falsifying, obliterating, removing or altering of required marking(s) on firearms, is treated in your country’s legal framework.

1. **Ancillary offences (art. 5 para. 2 (a) and (b))**
2. Subject to the basic concepts of its legal system, does your country’s legal framework criminalize the following ancillary offences:
3. Attempting to commit any of the offences referred to in section II. A., B. and C. (art. 5 para. 2 (a))?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer is “Yes, in part” or “No”, please explain how the attempt to commit these offences is treated in your country’s legal framework.
3. Participating as an accomplice in any of the offences referred to in section II., A., B., and C. (art. 5 para. 2 (a))?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases, and judgments of the successful implementation and enforcement of this offence(s).
2. If the answer is “Yes, in part” or “No”, please explain how the participation as an accomplice in the above referred to offences is treated in your country’s legal framework.
3. Organizing, directing, aiding, abetting, facilitating or counselling the commission of any of the offences referred to in section II. A., B. and C. (art. 5 para. 2 (b))?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please indicate, which of the following actions are included in your country’s legal framework:

[ ]  Organizing;

[ ]  Directing;

[ ]  Aiding;

[ ]  Abetting;

[ ]  Facilitating;

[ ]  Counselling

of any of the offences referred to in section II. A., B. and C. (art. 5 para. 2 (b))

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases and judgments of their successful implementation and enforcement.

(iii) If the answer is “Yes, in part” or “No”, please explain how organizing, directing, aiding, abetting, facilitating or counselling the commission of the offences referred to in section II. A., B. and C. is treated in your country’s legal framework

1. **Additional criminal offences established to facilitate the implementation of the Firearms Protocol**
2. States are invited, on a voluntary basis, to provide any information on any additional criminal offences that may be established under their country’s legal framework, to enforce the provisions of the Firearms Protocol (art. 34 para. 3 of the United Nations Convention against Transnational Organized Crime, in conjunction with art. 1 para. 2, of the Firearms Protocol):
3. 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, when committed intentionally (art. 7 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement.

(ii) If the answer is “Yes, in part” or “No”, please explain how the non-compliance with the record keeping requirements in accordance with art. 7 of the Firearms Protocol is treated in your country’s legal framework.

1. Criminalization of acts of intentionally 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 and components or ammunition or for actions referred to under art. 3 subpara. (e) of the Firearms Protocol, including, when requested by law, end-use or end user certificates?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement.

(ii) If the answer is “Yes, in part” or “No”, please explain how the intentional provision of false or misleading information related to the issuance of the above referred to authorizations or licenses is treated in your country’s legal framework.

1. Criminalization of acts related to the intentional 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 for actions referred to under art. 3 subpara. (e) of the Firearms Protocol, including, when requested by law, end-use or end user certificates?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement.

(ii) If the answer is “Yes, in part” or “No”, please explain how the falsification or misuse of documents related to the issuance of the above referred to licenses and authorizations are treated in your country’s legal framework.

1. Criminalization of the acts related to the intentional possession or use of fraudulent licences or authorizations in relation to the manufacture or assembly of firearms, their parts and components or ammunition or for actions referred to under art. 3 subpara. (e) of the Firearms Protocol, including, when requested by law, fraudulent end-use or end user certificates?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement.
2. If the answer is “Yes, in part” or “No”, please explain how the possession or use of the above referred to fraudulent licenses or authorizations are treated in your country’s legal framework.
3. Criminalization of intentional acts related to the illicit reactivation of deactivated firearms, consistent with article 9 (a) – (c) of the Firearms Protocol

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement.
2. If the answer is “Yes, in part” or “No”, please explain how the possession or use of the above referred to fraudulent licenses or authorizations are treated in your country’s legal framework.
3. Criminalization of illicit brokering of firearms, their parts and components or ammunition and failure to provide required information about brokerage activities (see art. 15)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement.
2. If the answer is “Yes, in part” or “No”, please explain how brokers and brokering activities are treated in your country’s legal framework.
3. Other(s)? (Please specify)
4. **Preventive Measures**
5. **Manufacturing**
6. Are any of these items legally manufactured in your country?

[ ]  Firearms

[ ]  Parts and components

[ ]  Ammunition

Please provide further details.

1. Does your country’s legal framework require manufacturers to hold a licence (e.g. for private manufacturers) or other authorization (e.g. for state-owned or state-controlled manufacturers) to manufacture firearms, their parts and components and ammunition (art. 5 para. 1 (a) and art. 3 subpara. (d)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the relevant law(s) and regulations and/or other measures. Please provide details on conditions, legal requirements and process established for obtaining such licences or authorizations, as well as the duration and conditions for suspension or revocation of the licence
2. If the answer is “Yes, in part” or “No”, please explain how the manufacturing or assembling of firearms, parts and components and ammunition are regulated in your country’s legal framework.
3. Does your country’s legal framework allow to address **new and emerging forms** of illicit manufacturing such as through additive manufacturing, or similar?

 [ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please provide details and cite the applicable law(s) and regulation(s), and provide examples of its implementation.
2. If the answer is “Yes, in part” or “No”, please explain if these forms of illicit manufacturing are treated under your country’s legal framework.
3. **Record-keeping (art. 7 of the Firearms Protocol)**
4. Has your country’s legal framework established measures **requiring recording and maintaining of information** in relation to firearms, and where appropriate and feasible their parts and components and ammunition for the purpose of tracing and identifying those items in accordance with art. 7 of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, does your country’s record-keeping requirements relate to:

[ ]  Firearms

[ ]  Parts and components

[ ]  Ammunition

[ ]  Other (please specify)

1. If the answer to question 21 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s) in place.
2. If the answer to question 21 is “Yes, in part” or “No”, please explain how information and records related to firearms their parts and components, and ammunition are treated in your country’s legal framework.
3. If the answer to question 21 is “Yes” or “Yes, in part”, please specify, if your country’s legal framework establishes any minimum duration for this information to be kept (art. 7 para. (1) of the Firearms Protocol):

[ ]  Less than ten years

[ ]  At least ten years

[ ]  Other

Please explain if needed

1. If the answer to question 21 is “Yes” or “Yes, in part”, does the recorded information allow to identify and trace firearms, and where appropriate and feasible also their parts and components and ammunition which are illicitly manufactured or trafficked and to prevent and detect such activities (art. 7 para. 1 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

Please provide details

1. Please specify if the required **records also provide for the following information** (art. 7 subpara. (a) and (b), and art. 15 para. (1) (c) of the Firearms Protocol):
2. Markings of firearms as required by Article 8 of the Firearms Protocol;

[ ]  Yes [ ]  Yes, in part [ ]  No

1. Information related to the transfer of these items, including: Issuance and expiration date of transfer licence or authorization;

[ ]  Yes [ ]  Yes, in part [ ]  No

1. Countries, where appropriate, involved in a transfer (export, import, transit countries);

[ ]  Yes [ ]  Yes, in part [ ]  No

1. Final recipient of transferred items;

[ ]  Yes [ ]  Yes, in part [ ]  No

1. [Name and location of brokers involved in the transaction (art. 15);

[ ]  Yes [ ]  Yes, in part [ ]  No]

[DELETE: Japan; RETAIN ORIGINAL: EU]

1. Description and quantity of transferred items;

[ ]  Yes [ ]  Yes, in part [ ]  No

Other relevant information, please specify below:

1. If the answers to any of the questions 21 (f) (i) – (vi) is “Yes, in part” or “No”, please explain
2. States are invited, on a voluntary basis, to provide additional details on their domestic record-keeping system, such as (a) on how information is maintained (eg. manually or digitalized; in a centralized system or divided among different institutions); (b) which entity(ies) have the legal obligation to ensure that information on firearms, and where possible and feasible, on parts and components and ammunition, is maintained:
3. **Marking (art. 8 of the Firearms Protocol)**
4. Does your country’s legal framework require the **unique marking of firearms at the time of manufacturing** in accordance with art. 8 para. 1 (a) of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please specify if the marking applied in your country provide for the following information:

[ ]  Name of manufacturer

[ ]  Country or place of manufacture

[ ]  Serial number

[ ]  Simple geometric symbols in combination with numeric and/or alphanumeric codes

[ ]  Other (such as model and calibre), please specify:

1. If the answer to question 22 is “Yes” or “Yes, in part”, please cite the applicable, law(s) and regulations and/or other measure(s):
2. If the answer to question 21 is “Yes, in part” or “No”, please explain how marking of firearms is treated in your country’s legal framework:
3. States are invited, on a voluntary basis, to describe the **method(s) and criteria applied for marking,** and which part(s) of the firearms have to be marked, and to provide examples and pictures of such marking(s).
4. States are invited, on a voluntary basis, to describe their **experience, lessons learned** and examples of implementation of this provision.
5. Does your country’s legal framework require a simple **marking on each imported firearm** in order to enable competent authorities to identify and trace the firearm (art. 8 para. 1 (b))?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please specify if the import markings applied in your country provide for the following information:

[ ]  Country of import

[ ]  Year of import, where possible

[ ]  Unique marking (if the firearm does not already bear such marking)

[ ]  Other (please specify)

1. If the answer to question 23 is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s)
2. If the answer to question 23 is “Yes, in part” or “No”, please explain
3. States are invited, on a voluntary basis, to describe their experience, lessons learned and examples of implementation of this provision and where possible pictures of such import marking(s).
4. If the answer to question 23 is “Yes” or “Yes, in part”, States are invited to indicate whether import marking is also required for **temporarily imported** firearms (art. 8 para. 1 (b) in conjunction with article 10 para. 6 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s) and provide details of the marking applied for such temporarily imported firearms.
2. If the answer is “Yes, in part” or “No”, please explain how temporary imports of firearms are treated under your country’s legal framework.
3. Does your country’s legal framework require the **marking of firearms** that are **transferred from government stocks** to permanent civilian use (art. 8 para. 1 (c) of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s).
2. If the answer is “Yes, in part” or “No”, please explain how transfers of firearms from government stock to permanent civilian use are treated in your country’s legal framework.
3. If the answer to question 25 is “Yes” or “Yes, in part”, Sates are invited, on a voluntary basis, to provide details on the marking applied for firearms that are transferred from government stock to permanent civilian use and to describe their experience, lessons learned and examples of successful implementation of this provision.
4. Has your country [established measures or encouraged (Spain) (Japan)] the manufacturing industry to develop **measures against the removal or alteration of firearm marking** (art. 8 para. 2 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please describe those measure(s) and provide examples of their implementation.

(b) If the answer is “No”, please explain how your country deals with removed or altered marking.

1. States are invited, on a voluntary basis, to indicate whether their legal framework stipulates more strict or severe measures with regard to marking (in accordance with art. 1 para. 2 of the Firearms Protocol and art. 34 para. 3, of the Organized Crime Convention), such as:

[ ]  Requirement to apply additional markings (e.g. security markings, proof marks);

[ ]  Requirement to mark parts and components;

[ ]  Requirement to mark ammunition.

1. If yes, please specify if the offences referred to in questions 9, 12 and 15 also **apply to the above cases (art. 34 para. 3, of the Organized Crime Convention**, and art. 1 para. 2, of the Firearms Protocol).

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s) including the applicable sanctions for this offence(s), and provide, if possible, examples, recent cases or judgments, of their successful implementation and enforcement:
2. **Deactivation of firearms (art. 9 of the Firearms Protocol)**
3. Has your country taken legislative or other measures, including the establishment of specific offences, to [**regulate the deactivation** of firearms] [DELETE: Japan; RETAIN ORIGINAL: EU] and prevent the illicit reactivation of [these items] [deactivated firearms consistent with the general principle of deactivation] (Addition to Japanese proposal: Chair) (art. 9 subpara. (a) – (c))?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. Does your country’s legal framework recognize deactivated firearms as firearms?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer to question 28 is “Yes”, or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s) including possible offence(s) and their applicable sanctions, and provide, if possible, examples of recent cases or judgments of successful implementation and enforcement of this offence(s).
2. If the answer to question 28 is “Yes, in part” or “No”, please explain how deactivated firearms are treated in your country’s legal framework.
3. If the answer to question 28 is “Yes” or “Yes, in part”, does your country’s legal framework require that deactivated firearms be rendered **permanently inoperable and incapable of removal, replacement or modification,** in a manner that would permit the firearm to be reactivated in any way(art. 9 subpara. (a) of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s), and describe the specific criteria adopted by your country to regulate the deactivation of firearms and to prevent their illicit reactivation.
2. If the answer is “Yes, in part” or “No” please explain how deactivation of firearms is treated under your national legal framework.
3. If the answer to question 28 is “Yes” or “Yes, in part”, does your country’s legal framework require a **verification** of the deactivation process by a competent authority (art. 9 subpara. (b) of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s).
2. Please describe the specific criteria adopted by your country’s legal framework to verify the deactivation process and identify the responsible competent authority. Please provide examples of the successful implementation of this provision and attach an example of the certificate or record issued by the competent authority upon successful verification of the deactivation (art. 9 subpara. (c) of the Firearms Protocol).
3. If the answer to question 30 is “Yes, in part” or “No”, please explain how non-compliance with the deactivation requirements and illicit reactivation of deactivated firearms are treated in your country's legal framework.
4. **Import, export and transit controls systems (art. 10 of the Firearms Protocol)**
5. Does your country have an effective system of export and import licensing or authorization, as well as measures on international transit for the transfers of firearms, parts and components and ammunition in place, according to art. 10 para. 1 of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes, in part” or “No” , please explain which aspects of such transfer control system are not in place and explain how international transfer and transit of firearms, parts and components and ammunition are treated under your country’s national legislation.
2. If the answer is “Yes” or “Yes, in part”, does this system apply to:

[ ]  Firearms

[ ]  Parts and components

[ ]  Ammunition

Please explain, if needed

1. If the answer is “Yes” or “Yes, in part”, does this system apply to:
2. Exports

[ ]  Yes [ ]  No

1. Imports

[ ]  Yes [ ]  No

1. International transits of:
* Firearms

[ ]  Yes [ ]  No

* Parts and Components

[ ]  Yes [ ]  No

* Ammunition

[ ]  Yes [ ]  No

1. If the answers to any of the questions under 31 (b) and (c) are “Yes”, please cite the applicable law(s) and regulations and/or other measure(s) and provide examples of its effectiveness, experience and lessons learned with the transfer control system in place in your country.
2. If the answer to any of the questions under 30 (b) and (c) are “Yes”, please describe your transfer control system and the requirements in place for the issuance of the import or export licence or authorization, and for the international transit authorization.
3. If your country is part of any other international regime with common measures for import export and transit licensing procedures, based on a customs union and an area without internal frontiers in which the free movement of goods is ensured, please explain how transfer of firearms, parts and components and ammunition are regulated within this space by your country’s legal framework.
4. If the answer to question 31 is “Yes”, does the transfer control system of your country comply with the following requirements?

(i) Before issuing an export licence or authorization for shipments of firearms, their parts and components and ammunition, verification that the importing State has issued an import licence or authorization (art. 10 para. 2 (a) of the Firearms Protocol)

[ ]  Yes [ ]  Yes, in part [ ]  No

(ii) Before issuing an export licence or authorization for shipments of firearms, their parts and components and ammunition, verification that the transit States have, at a minimum, given notice in writing, prior to shipment, that they have no objection to the transit (art. 10 para. 2 (b) of the Firearms Protocol)

[ ]  Yes [ ]  Yes, in part [ ]  No

(a) If the answer to any of the questions 31 (i) or (ii) is “Yes, in part” or “No”, please explain:

(b) Please cite the applicable law(s) and regulations and/or other measure(s), and provide examples of successful implementation of these provisions.

1. If your answer to question 31 is “Yes“ or “Yes, in part”, does the import or export licence or authorization and accompanying documentation together, include, at a minimum, the following type of information (art. 10 para. 3 of the Firearms Protocol)?

[ ]  Place and date of issuance [ ]  Date of expiration

[ ]  Country of export [ ]  Country of import

[ ]  Country of transit (if applicable) [[ ]  Name and location of involved brokers (art. 15 para. 2)]

[DELETE: Japan, US; RETAIN ORIGINAL: EU]

[ ]  Final recipient [ ]  Description of the items

[ ]  Quantity of firearms, their parts and components and ammunition

[ ]  Other (such as export license authorization, end user certificate and marking data), please specify:

1. What kind of measures and procedures has your country adopted to ensure the security of the license or authorization procedures and that the authenticity of the license or authorization documents can be verified or validated (art. 10 para. 5 of the Firearms Protocol)?

[ ]  Requirement to provide the information contained in the import license in advance to the transit country (art. 10 para. 3 of the Firearms Protocol);

[ ]  Requirement for importing countries upon request to inform your country of the receipt of the dispatched shipment (art. 10 para. 4 of the Firearms Protocol);

[ ]  Use of end-use and end user certificates or other means of verification to ensure the security of its transfers.

1. States may also wish to inform, on a voluntary basis, about any other security measure or procedure in place:
2. Please cite the applicable, law(s) and regulations and/or other measure(s) and provide examples of the successful implementation of such measures.
3. If any of the above applies, please explain.
4. Please explain on a voluntary basis, whether your country’s legal framework has adopted **simplified procedures for the temporary import and export and the transit** of firearms, their parts and components and ammunition for verifiable lawful purposes (art. 10 para. 6 of the Firearms Protocol).

 [ ]  Yes [ ]  Yes, in part [ ]  No

(a) If the answer is “No”, please explain how temporary imports, exports and transits are treated under your country’s legal framework.

1. If the answer is “Yes” or “Yes, in part”, which of the following are considered by your national legal framework **verifiable lawful purposes**?

[ ]  Hunting [ ]  Sports shooting [ ]  Repairs

[ ]  Evaluation [ ]  Exhibitions [ ]  Other

Please explain if needed

(c) Please cite the applicable law(s) and regulations and/or other measure(s) and provide examples of the implementation of simplified procedures in your country:

1. **Security and preventive measures (art. 11 subpara. (a) of the Firearms Protocol)**
2. Has your country taken **measure(s) to require the security of firearms, their parts and components and ammunition** at the time of manufacture, import, export and transit through its territory (art. 11 subpara. (a), of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes”, has your country adopted specific measures with regard to the security of those items **at the time of manufacture**?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please describe the most relevant and successful measures. Please cite also the applicable law(s) and regulations and provide examples of its successful implementation.
2. Has your country adopted measures with regard to the security of those items **at the time of import, export or transit** **through its territory?**

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part” please describe the most relevant and successful measures taken**.** Please cite the applicable, law(s) and regulations and provide examples of its successful implementation.
2. Has your country adopted measures and good practices in the area of **stockpile** securityof:
3. **State-held** firearms, parts and components and ammunition.

[ ]  Yes [ ]  Yes, in part [ ]  No

If the answer is “Yes” or “Yes, in part”, please provide details and cite the applicable policy or policies, law(s) and regulations and/or measure(s) and provide examples of its successful implementation.

1. **Civilian-held** firearms, parts and components and ammunition**.**

[ ]  Yes [ ]  Yes, in part [ ]  No

If the answer is “Yes” or “Yes, in part”, please provide details and cite the applicable policy or policies, law(s) and regulations and/or measure(s) and provide examples of its successful implementation.

1. If the answer to any of the above questions (a), (b) and (c) is “Yes, in part” or “No”, please explain how your country’s competent authorities detect, prevent and eliminate the theft, loss or diversion of firearms, their parts and components and ammunition[] (US)
2. **Information on brokers and brokering activities (art. 15 para. 1 (a)-(c) of the Firearms Protocol)**
3. Has your country established a system for regulating the activities of those who engage in brokering (art. 15 para. 1 of the Firearms Protocol)?

[ ]  Yes **[ ]** Yes, in part [ ]  No

1. If the answer is “No”, has your country considered establishing such a system? Please explain.

[ ]  Yes [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please explain if such system includes:

(i) The registration of brokers operating within their territory.

[ ]  Yes [ ]  Yes, in part [ ]  No

(ii) The licensing or authorization of brokering.

[ ]  Yes [ ]  Yes, in part [ ]  No

(iii) The disclosure on import and export licences or authorizations, or accompanying documents, of the names and locations of brokers involved in the transaction (art. 15 para. 1 (c) in conjunction with art. 10).

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer to any of these questions is “Yes, in part”, or “No”, please explain.

If the answer to any of these questions is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s) and provide examples of the successful implementation of measures adopted to comply with this provision and related court or other cases, including examples of any investigation or prosecution or convictions/acquittals related to the implementation of this article.

1. States are invited to highlight, on a voluntary basis, one or more practices that they consider to be good practices in the implementation of broker control regimes, and which might be consistent with the Firearms Protocol.
2. If your country has established a system of authorization of brokers, is the information on brokers and brokering activities included:

(a) As part of the records retained in accordance with art. 7 of the Firearms Protocol (art. 15 para. 2 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

(b) As part of the exchange of information established under art. 12 of the Firearms Protocol (art. 15 para. 2 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer to (a) or (b) is “Yes, in part”, or “No”, please explain.

(ii) Please cite the applicable policy or policies, law(s) and regulations and/or other measure(s) and provide examples of the successful implementation of measures adopted, related court or other cases, including examples of investigations, prosecutions or convictions/acquittals related to the implementation of this article.

1. **Other measures to prevent the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition**
2. States are invited, on a voluntary basis, to inform if their country has implemented any other measure(s) or programme(s) to prevent the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, such as:

[ ]  Adoption of more strict or severe measures than those provided for by the Firearms Protocol (art. 34 para. 3 of the Organized Crime Convention);

[ ]  Evaluation of national projects (art. 31 para. 1 of the Organized Crime Convention);

[ ]  Establishment and promotion of best practices and policies (art. 31 para. 1 of the Organized Crime Convention);

[ ]  Periodic evaluation of legal instruments and administrative practices, policy(ies), action plans and other measures relating to firearms control, with a view to detecting their vulnerability to misuse by organized criminal groups (art. 31 para. 4 of the Organized Crime Convention);

[ ]  Promotion of public awareness regarding the existence, causes and gravity of and the threat posed by illicit manufacturing of and trafficking in firearms (art. 31 para. 5 of the Organized Crime Convention);

[ ]  Arms collection or voluntary surrender/buy-back campaigns;

[ ]  Public destruction of obsolete, collected and/or confiscated weapons;

[ ]  Conducting firearms surveys;

[ ]  Collecting, exchanging and analysing data and information on the nature of organized crime and of illicit trafficking flows, their routes and patterns (art. 28 of the Organized Crime Convention);

[ ]  Other measure (please specify):

1. If you have selected one or more of the above, please describe the concrete measure(s) taken and cite the applicable policy(ies) or law(s) and regulations, and provide examples of their successful implementation.
2. **Law enforcement including border control, and other criminal justice measures (art. 6 para. 1 and 2 and art. 11 subpara. (b) of the Firearms Protocol)**
3. **Confiscation, Seizure and Disposal[[2]](#footnote-2) (art. 6 of the Firearms Protocol)**
4. Notwithstanding the implementation of art. 12 of Organized Crime Convention, has your country adopted legislative or other administrative measures to enable the **seizure** of firearms, their parts and components and ammunition [~~suspected of~~ that have been (Japan)] being illicitly manufactured and trafficked (art. 6 para. 2 of the Firearms Protocol in conjunction with art. 2 (f) of Organized Crime Convention)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes, in part” or “No”, please explain.
2. If the answer is “Yes” or “Yes, in part”, please cite and attach the applicable law(s) and regulations and/or other measure(s).
3. Please explain the applicable procedure and the relevant authorities that are enabled by your country’s legal system to order or carry out such seizures.
4. Please provide examples of the implementation of this provision, including if possible, details on the number and type of cases, and on the amount and type of material that were seized in the past three years. Please provide figures for each year.
5. States are invited to provide further information as to whether their country maintain **records** of seized firearms, parts and components and ammunition?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes, in part” or “No”, please provide details on the type of records that are kept, and which ones are not maintained.

1. If the answer is “Yes” or “Yes, in part”, please explain if these are data kept centrally, by which authority(ies), and what type of information is kept.
2. Does your country’s legal framework **enable the confiscation** of firearms, their parts and components and ammunition that have been illicitly manufactured or trafficked (art. 6 para. 1 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes, in part” or “No”, please explain.
2. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s).
3. Please explain the applicable procedure and the relevant authorities that are enabled by your country’s legal system to order or carry out such confiscations.
4. Please provide examples of the implementation of this provision, including, if possible, on a voluntary basis, details on the number and type of cases, and on the amount and type of material that were confiscated in the past three years. Please provide figures for each year.
5. States are invited[, on a voluntary basis, (Japan)] to provide further information as to whether their country maintain **records** of confiscated firearms, parts and components and ammunition?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes, in part” or “No”, please provide details on the type of records that are kept, and which ones are not maintained.

1. Has your country’s legal framework adopted policy(ies) or measures to enable the **disposal** **of** **confiscated** firearms, parts and components and ammunition that have been illicitly trafficked and manufactured (art. 6 para. 2 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable law(s) and regulations and/or other measure(s) in place with regard to the disposal of such items, and provide, if possible, examples, including recent cases or judgments, of their concrete application.
2. If the answer is “Yes, in part” or “No”, please explain how your country’s legal framework treats these confiscated items.
3. If the answer to question 42 is “Yes” or “Yes, in part”, does your country’s legal framework provide for the **destruction** **of** confiscated firearms, their parts and components and ammunition that have been illicitly manufactured or trafficked (art. 6 para. 2 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, States are invited, on a voluntary basis, to provide additional information on the **destruction method(s)** applied by their country to illicitly manufactured or trafficked firearms, their parts and components and ammunition:

[ ]  Burning [ ]  Cement [ ]  Cutting

[ ]  Deep sea dumping [ ]  Shredding [ ]  Detonation

[ ]  Smelting and recycling [ ]  Other

1. Does your country keep records of the destroyed firearms, parts and components and ammunition?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes”, please provide information on the number and type of firearms, parts and components and ammunition that have been destroyed in the last three years and by which method. Please provide figures for each year.

1. If the answer to question 43 is “No” or “Yes, in part”, please explain what other measures your country has taken to prevent confiscated firearms, parts and components and ammunition from being diverted or falling into the hands of unauthorized persons (art. 6 para. 2 of the Firearms Protocol).
2. If the answer to question 43 is “Yes” or “Yes, in part”, please specify[, on a voluntary basis, (Japan)] what **disposal method(s), other than destruction,** are officially authorized by your country’s legal framework, for confiscated firearms, their parts and components and ammunition. Please explain, if possible, also what their respective legal requirement(s) are (art. 6 para. 2 of the Firearms Protocol):

[ ]  Assigned to national institution(s) (e.g. police forces, customs, military, etc.)

[ ]  Assigned to public official(s) that are allowed under national legislation to carry a firearm for their personal security

[ ]  Sale, donation or transfer to another country

[ ]  Sale or transfer for permanent civilian use

[ ]  Other

Please provide details

1. [If other methods of disposal for confiscated firearms, their parts and components, and ammunition are applied, are these subject to any of the below requirements? (art. 6 para. 2 of the Firearms Protocol)] (REPHRASE: Japan)

[ ]  The method of disposal has been officially authorized

[ ]  The confiscated firearms have been marked

[ ]  The marking and the method of disposal of those firearms and ammunition have been recorded

Please provide details and examples of the successful implementation of these measure(s), including where possible pictures of the marking applied to those firearms.

1. **Measures to increase the effectiveness of transfer and border controls (art. 11 subpara. (b) of the Firearms Protocol)**
2. Has your country adopted any **measure(s) [(DELETE: Japan; RETAIN ORIGINAL: EU, Mexico)] to increase the effectiveness of import, export and transit controls, including, border control and/or transborder cooperation** to prevent and combat illicit firearms manufacturing and trafficking offences (art. 1 subpara.1 (b) of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “No”, please explain.
2. If the answer is “Yes” or “Yes, in part”, please explain what measures your country has adopted to increase the effectiveness of import, export and transit controls? Please summarize the measures, cite the relevant law(s) and regulations or policy and provide examples of their successful implementation.
3. If the answer is “Yes” or “Yes, in part”, please explain what measures your country has adopted to increase the effectiveness of border controls and the transborder cooperation between your police and customs agencies and that of other States? Please summarize the measures, cite the relevant law(s) and regulations or policy and provide examples of their successful implementation.
4. **Cooperation**
5. **Information exchange (art. 12 of the Firearms Protocol)**
6. Consistent with your country’s legal framework, has your country adopted measure(s) to exchange information with other States or Organizations to implement the provisions set forth in art. 12 of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “No” or “Yes, in part”, please explain.
2. If the answer is “Yes” or “Yes, in part”, does this exchange include relevant information on matters like:

(i) Case-specific information on authorized producers, dealers, importers, exporters, carriers of firearms, their parts and components and ammunition (art. 12 para. 1 of the Firearms Protocol);

[ ]  Yes [ ]  No

(ii) Organized criminal groups known to take part or suspected of taking part in the illicit manufacturing of or trafficking in firearms, their parts and components and ammunition (art. 12 para. 2 (a) of the Firearms Protocol);

[ ]  Yes [ ]  No

(iii) The means of concealment used in the illicit manufacturing of or trafficking in firearms, their parts and components and ammunition, and ways of detecting them (art. 12 para. 2 (b) of the Firearms Protocol);

[ ]  Yes [ ]  No

(iv) Methods and means, points of dispatch and destination and routes customarily used by organized criminal groups engaged in illicit trafficking in firearms, their parts and components and ammunition (art. 12 para. 2 (c) of the Firearms Protocol);

[ ]  Yes [ ]  No

(v) Legislative experiences and practices and measures to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition (art. 12 para. 2 (d) of the Firearms Protocol).

[ ]  Yes [ ]  No

1. Please list and describe the most relevant and successful measures and good practices adopted by your country to support the information exchange with regard to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.
2. Please cite the applicable policy or policies, law(s) and regulations, arrangements and/or other measure(s). Please describe your experience, lessons learned and provide some examples of successful implementation of effective information-exchange practices.
3. Has your country shared with other parties or organizations relevant scientific and technological information useful to law enforcement authorities for enhancing each other’s abilities to prevent, detect and investigate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and to prosecute the persons involved in those illicit activities (art. 12 para. 3 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “No”, please explain.
2. If the answer is “Yes” or “Yes, in part”, please provide details, describe the measures and provide examples and cases of their successful implementation.
3. **[Information, cooperation and coordination on firearms (art. (DELETE: Japan; RETAIN: Mexico, EU, US)] 13 of the Firearms Protocol)**
4. Has your country designated a **national body or a single point of contact** pursuant to art. 13 para. 2 of the Firearms Protocol, to act as liaison between your country and other States Parties on matters relating to this Protocol?

[ ]  Yes [ ]  No

1. If the answer is “No”, please explain.
2. If the answer is “Yes”, please provide any available information related to the name, function and address of such designated national body or point of contact.
3. Has your country adopted measure(s) or entered into any **bilateral, regional and international** arrangement for **cooperation** to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition? (art. 13 para. 1 of the Firearms Protocol).

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “No”, please explain.
2. If the answer is “Yes” or “Yes, in part”, please describe those measures and arrangements, and cite the applicable policy or policies, law(s) and regulations and/or other measure(s). Please mention if your country is part of a regional organisation with common measures for import export and transit licensing procedures, based on a customs union and an area without internal frontiers in which the free movement of goods is ensured.
3. In addition to the cooperation against the removal of firearms marking envisaged in art. 8 para. 2 of the Firearms Protocol, has your country established mechanisms or other measures to seek and benefit from the support and the cooperation of manufacturers, dealers, importers, exporters, rokers and commercial carriers of firearms, their parts and components and ammunition, to prevent, combat and eradicate illicit manufacturing and trafficking (art. 13 para. 1 and 3 of the Firearms Protocol)?

[ ]  Yes [ ]  No

1. If the answer is “No”, please explain:

[ ]  Yes [ ]  No

1. If the answer is “Yes”, please describe the type of cooperation that your country has established with any of the actors mentioned above, and cite the applicable policy or policies, law(s) and regulations and/or other measure(s).
2. **Cooperation in tracing (art. 12 para. 4 and 5 of the Firearms Protocol)**
3. Does your country **conduct check against national and international records** of firearms, their parts and components and ammunition that have been seized, found or recovered, and that are suspected or may have been illicitly manufactured or trafficked?

 [ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “No”, please explain.
2. If the answer is “Yes” or “Yes, in part”, please cite the applicable policy(ies), law(s) and regulations and/or other measure(s) and give examples of its application.
3. Please indicate the **competent authority(ies)** and the **legal requirements** and procedure(s) that apply in your country for domestic and international tracing.
4. Does your country maintain **records** of:

[ ]  Incoming tracing requests [ ]  Outgoing tracing requests?

Please provide details:

1. States are invited to provide **examples of successful tracing** and describe lessons learned, including challenges and difficulties encountered in tracing, and assess the effectiveness of their domestic and international tracing practices.
2. States are invited[, on a voluntary basis, (US; Not needed: Mexico, EU)] to provide additional information on the **number and type of traced firearms**, their parts and components and ammunition in your own country, and in other countries, in the past three years. If available, please provide figures for each year.
3. Has your country adopted measure(s) and arrangements to enable it to receive and send requests for **international cooperation for the purpose of tracing** firearms, their parts and components and ammunition that may have been illicitly manufactured or trafficked (art. 18 para. 3 (g) of the Organized Crime Convention and art. 12 para. 4 of the Firearms Protocol)?

[ ]  Yes [ ]  Yes, in part [ ]  No

1. If the answer is “Yes” or “Yes, in part”, please cite the applicable policy(ies), law(s) and regulations and/or other measure(s) adopted to provide for such cooperation and provide examples of its successful implementation.
2. Has your country adopted measures to ensure the provision of prompt responses to requests for assistance in tracing firearms, their parts and components and ammunition that may have been illicitly manufactured or trafficked? (art. 12 para. 4 of the Firearms Protocol).

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes” or “Yes, in part”, please cite the applicable policy(ies), law(s) and regulations and/or other measure(s) and provide examples of its successful implementation

1. Has your country taken measures to guarantee the confidentiality of the information received from another States Party, or to comply with any restrictions on the use of such information, when requested by the State that provided this information, in accordance with art. 12 para. 5 of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

(i) If the answer is “Yes” or “Yes, in part”, please cite the relevant policy(ies), law(s) and regulations and/or measure(s).

(ii) If the answer is “No”, please explain.

1. States are invited to provide additional information[, on a voluntary basis, (US; Not needed: Mexico, EU)] on how many requests for assistance for the purpose of tracing of firearms, parts and components and ammunition has their country received in the past three years, and how many requests has your country submitted to other countries in the past three years?
2. If possible, please inform also about the countries with which your country had most active or passive tracing cooperation over the past five years. Please describe also the channels of cooperation utilized.
3. **Cooperation in Training and Technical assistance (art. 14 of the Firearms Protocol)**
4. Has your country provided to or received from other countries and international organizations training and technical assistance necessary to enhance the ability to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition?

[ ]  Yes [ ]  No

1. If the answer is “Yes”, please describe briefly the type of assistance that you have provided and to whom or received from.
2. **Difficulties encountered and identification of technical assistance needs**

**A. Difficulties encountered**

1. Does your country encounter difficulties in implementing the provisions of the Firearms Protocol?

[ ]  Yes [ ]  Yes, in part [ ]  No

(a) If the answer is “Yes” or “Yes, in part”, please explain.

1. Has your country **assessed the effectiveness of its measures** against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition?

[ ]  Yes [ ]  No

1. If the answer is “Yes”, please explain and cite any relevant document(s) (e.g. assessments, gap analysis, reports of other international and regional review mechanisms, policy studies, etc.).

1. Has your country a **national strategy** or **action plan** to counter illicit manufacturing of and illicit trafficking in firearms, their parts and components and ammunition or to implement relevant regional or international instruments in this field?

 [ ]  Yes [ ]  No

1. If the answer is “Yes”, please cite the relevant strategy or action plan and provide a short explanation of their scope, and/or measure(s).
2. If your country’s domestic legal framework has not been adapted to the Protocol’s requirements, please specify what steps remain to be taken.
3. Are there any difficulties with regard to the adoption of new or the implementation of national legislation?

[ ]  Yes [ ]  No

(i) If the answer is “Yes”, does any of the below apply?

[ ]  Problems with the formulation of legislation

[ ]  Problems with the implementation of the legislation

[ ]  Need for institutional reforms/establishment of new institutions

[ ]  Need for further implementing legislation (laws, regulations, decrees, etc.)

[ ]  Reluctance of practitioners to use legislation

[ ]  Lack of awareness

[ ]  Lack of inter-agency coordination

[ ]  Specificities of the legal framework

[ ]  Lack of technical knowledge and skills

[ ]  Limited or no cooperation from other States

[ ]  Limited resources for implementation (please specify)

[ ]  Other issues (please specify)

**B. Need for technical assistance**

1. Does your country require technical assistance to overcome difficulties in implementing the Protocol?

 [ ]  Yes [ ]  No

1. If the answer is “Yes”, please explain the type of assistance required.

[ ]  Assessment of criminal justice response to illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and its links to other serious crimes

[ ]  Legal advice or Legislative reforms/regulations

[ ]  Model legislation, regulations or agreements

[ ]  Establishment of competent authorities, national focal points or points of contacts on firearms

[ ]  Institution-building, or the strengthening of existing institutions

[ ]  Development of strategies/policies, including action plans

[ ]  Dissemination of good practices/lessons learned

[ ]  Capacity-building through the training of criminal justice practitioners and/or the training of trainers

[ ]  Prevention and awareness-raising

[ ]  On-site assistance by a mentor or relevant expert

[ ]  Technological assistance and equipment:

[ ]  Marking and record-keeping [ ]  Identification and tracing of firearms

[ ]  Transfer controls [ ]  Collection campaigns

[ ]  Deactivation and destruction [ ]  Stockpile management

[ ]  Border control and risk assessment

[ ]  Standard operating procedures

[ ]  Detection of illicit trafficking flows at border crossings and via postal services or the internet

[ ]  Information exchange

[ ]  Investigation & prosecution

[ ]  Measures to enhance regional and international cooperation

[ ]  Establishment or development of IT infrastructure, such as record keeping systems, digital templates and tools, databases or communication tools

[ ]  Collection and analysis of firearms trafficking data

[ ]  Other areas (please specify)

Please prioritize the technical assistance needs and refer to the specific provisions of the Protocol when providing information.

1. Are you already receiving technical assistance in these areas?

[ ]  Yes [ ]  No

If the answer is “Yes”, please specify the area of assistance and who is providing it.

1. Please describe **practices** in your country, that you consider to be good practices in relation to firearms control, and to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, which might be interesting to other States in their efforts to implement the Firearms Protocol.
2. Please provide any other information you believe is important to consider regarding aspects of or difficulties in implementing the Protocol other than those mentioned above.
1. A convertible weapon is a device capable of being converted to expel a shot, bullet or projectile which has the appearance of a firearm, and, as a result of its construction or the material from which it is made, it can be so converted. Explanation: these weapons primarily include short barrelled weapons (firearms such as pistols and revolvers) built to fire irritant gas ammunition and blank-firing weapons variously referred to as signal, starting and alarm guns as well as some partially deactivated firearms used as props, for example in film production. Another example are air guns, which can be converted to fire cartridges. [↑](#footnote-ref-1)
2. According to art. 2 of the Organized Crime Convention:

(f) “Freezing” or “seizure” shall mean temporarily prohibiting the transfer, conversion, disposition or movement of property or **temporarily** assuming custody or control of property on the basis of an order issued by a court or other competent authority;

(g) “Confiscation”, which includes forfeiture where applicable, shall mean the **permanent** deprivation of property by order of a court or other competent authority. [↑](#footnote-ref-2)