

QUESTIONNAIRE FOR

**INFORMATION EXCHANGE WITH REGARD TO
OSCE PRINCIPLES ON THE CONTROL OF BROKERING IN
SMALL ARMS AND LIGHT WEAPONS**

By 30 June 2011

(in accordance with FSC Decision 17/10)

	Sources	Question	YES	NO
Laws, regulations and administrative procedures				
1	PoA II.14	Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?	☐	☐
2		List laws and/or administrative procedures regulating SALW brokering in your country. 		
3	GGE Report para 63(i)	Are those laws and procedures part of the national export control system?	☐	☐
		Comments 		
4	FSC.DEC/8/04	Does your country have a definition of brokering activities of persons and entities?	☐	☐
4a		If yes, please provide 		
5		Does your country require brokers to register before they can apply for brokering licenses.	☐	☐
		Comments 		
6		Does your country require a license to engage in brokering activities?	☐	☐
		Comments 		

7		Does your country make a background check on past involvement in illicit activities before registering a broker or issuing brokering licenses?	☐	☐
		Comments 		
8	PoA II.14	Does your country keep a register of SALW brokers/traders?	☐	☐
		Comments 		
9	FSC.DEC/8/04	Does your country require a licence for SALW brokering activities on the territory of your country regardless of the nationality of the brokers?	☐	☐
		Comments 		
10		Does your country control brokering activities outside your territory carried out by brokers of your country's nationality?	☐	☐
		Comments 		
11		Does your country control brokering activities outside your territory carried out by non-citizen residents who are established in your country's territory?	☐	☐
		Comments 		
12	BPG, Brokering, V (1)	What is the policy on deciding which State's jurisdiction is appropriate for each brokering transaction?		

13	BPG, Brokering, V (5(i))	Does your country have requirements for end-use documentation before authorizing each brokering activity?	☐	☐
13a		If so, describe 		
14	PoA II.14	Does your country require a licence, permit or other authorization for each brokering transaction?	☐	☐
		Comments 		
15	GGE Report para 44	Are such applications for a licence, permit or other authorization considered for approval on a case-by-case basis?	☐	☐
		Comments 		
16		Are there exceptions to the requirement to hold a licence or authorization for a brokering transaction?	☐	☐
16a		Details (e.g. if the transaction is on behalf of the police or armed forces or other government officials) 		
17		What are the criteria for granting a licence, permit or other authorization? 		
18	BPG, Brokering, V (3)	Is ex post facto licensing possible?	☐	☐
18a		If yes, under which conditions? 		

19		Does your country have measures to validate the authenticity of documentation submitted by the broker?	☐	☐
19a		Describe those measures 		
20		Does your country keep records of all issued licences or written authorizations?	☐	☐
20a	FSC.DEC/8/04	If yes, how long are the records kept for?		
		a) 10 years	☐	
		b) Indefinitely	☐	
		c) Other	☐	
21	BPG, Brokering, V (4(ii))	Does your country require brokers to report regularly on their activities?	☐	☐
21a		If so, describe 		
22	PoA II.3	Is it a criminal offence to engage in a SALW brokering transaction without a licence or authorization in your country?	☐	☐
		Comments 		
23		Does your country share with other States such information as the disbarment of brokers and revocation of registration?	☐	☐
		Comments 		

24		Does your country regulate activities that are closely associated with the brokering of SALW?	☐ ☐
24a		If so which of the following activities are regulated (check relevant boxes)?	
		a) acting as dealers or agents in SALW	☐
		b) Providing for technical assistance	☐
		c) Training	☐
		d) Transport	☐
		e) Freight forwarding	☐
		f) Storage	☐
		g) Finance	☐
		h) Insurance	☐
		i) Maintenance	☐
		j) Security	☐
		k) Other services	☐
		Comments	
25		Are these activities regulated by legislation on brokering or any other legislation?	☐ ☐

26	PoA II.14	What penalties or sanctions does your country impose for illegal brokering activities?		
International Assistance				
27	PoA II.14	If the answer to Question 1 is 'no', does your country wish to request assistance in developing laws, regulations and/or administrative procedures to regulate SALW brokering?	☐	☐
28		What kind of assistance do you require?		
29		Has your country developed a project proposal for assistance?	☐	☐
29a		Does your country require training on controlling brokering activities in SALW?	☐	☐
Actions taken during the reporting period				
30	PoA II.6	During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)?	☐	☐
30a		Details.		
31		Is your country content for these replies to be published on the OSCE website ?	☐	☐