



General Assembly

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Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime

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Agenda item 5

**Finalization and approval of the additional international legal instrument
against illicit manufacturing of and trafficking in firearms,
their parts and components and ammunition**

Proposals and contributions

Recommendations of the Chairman of the informal working group on articles 2 and 5 of the revised draft 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

Article 2: Definitions

Paragraph (b)

1. Subparagraph (b) (ii) should be deleted.

Article 5: Criminalization

Paragraph 1

2. Subparagraph (d) should be amended to read:

“(d) Importing, exporting, and manufacturing of destructive devices as understood in the context of domestic law without a licence or authorization from a competent authority of the State Party, provided such items are portable;”

New paragraph

3. A new paragraph should be added after paragraph 3 to read:

“(...) States Parties may, with agreement between them, apply other provisions of this Protocol to the items mentioned in subparagraph (d) above.”

4. The following note should be added in the *travaux préparatoires*:
“The term ‘destructive devices’ is intended to apply to portable weapons such as grenades, rockets, and rocket launchers. States Parties to the OAS Convention noted that in that Convention destructive devices are included in the definition of firearms.”
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