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"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	14633/14
Subject:	Draft Action Plan on illicit trafficking in firearms between the EU and the South East Europe region (2015-2019)

1. On 5-6 November 2012, during the EU-Western Balkans Ministerial Forum on Justice and Home Affairs, the Ministers of the Western Balkans agreed on a Joint Declaration on Enhancing the Fight Against Illicit Trafficking of Firearms and Ammunition in the Western Balkans (doc. 15897/12).
2. The Operational Action Plan related to the EU crime priority "Firearms" (doc. 16726/3/13 REV 3 RESTREINT UE/EU RESTRICTED) in the context of the EU Policy Cycle contains actions that coincide with the measures set out in the aforementioned Joint Declaration.
3. Under the Hellenic Presidency, in the context of discussions on firearms and internal security, the COSI Support Group agreed on 14 June 2014 to invite the European Firearms Experts network (EFE) to explore the possibilities to cooperate with the regional experts network in the Western Balkans (doc. 5195/7/14, point 4) as foreseen in the OAP "Firearms".

4. On this basis, the draft Action Plan on illicit trafficking in firearms between the EU and South East Europe region (2015-2019), as set out in the Annex, was discussed and agreed at the first meeting of the Joint Committee between European Union Firearms Experts and South East Europe Countries Firearms Experts, held in Brussels on 23 October 2014.
 5. The LEWP discussed this draft Action Plan at its meeting on 6-7 November 2014, which was subsequently agreed by COSI at its meeting on 10 November 2014.
 6. On this basis, COREPER is requested to invite the Council to approve the draft Action Plan on illicit trafficking in firearms between the EU and South East Europe region (2015-2019), as set out in the Annex.
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Draft Action Plan on illicit trafficking in firearms between the EU and the South East Europe region (2015-2019)

I. Introduction

The EU and South East Europe region have a shared interest in enhancing their cooperation to address common threats of illicit trafficking in firearms which is underpinned by the shared perspective of European integration of the region.

On 5-6 November 2012 the Ministers of the South East Europe region, on the occasion of the EU-Western Balkans Ministerial Forum on Justice and Home Affairs in Tirana, acknowledged the need to enhance efforts to counteract the illicit trafficking and accumulation of firearms, their parts and essential components and ammunition in the South East Europe region, as well as their wish to work together with EU partners towards a joint solution for the whole region.

The Ministers identified and committed themselves to implement the following measures:

- Enhance the exchange of criminal information and intelligence at regional level and with EU Member States, involving Europol, on the production, stockpiling and trafficking of firearms and ammunition, aiming also to develop more effective investigative and intelligence standards;
- Enhance operational law enforcement co-operation at regional level and with EU Member States and Europol to control the production, stockpiling and trafficking of firearms and ammunition;
- Improve the collection and exchange of statistics concerning the production, stockpiling and trafficking of firearms and ammunition;
- Promote networking at all levels, exchange of best practices and joint training among experts in the South East Europe region;
- Harmonise national legislation on firearms with EU and international standards.

Senior officials of the South East Europe partners will regularly report to the European Commission on implementation of the above mentioned actions so as to allow the EU Member States make the best use of this information in the context of the framework of the EU Policy Cycle.

On 19-20 December 2013, in Budva, Montenegro, the Ministers confirmed these political engagements and decided to set up a network of experts in firearms trafficking.

Having regard to the European perspective, the EU has repeatedly confirmed its support the whole South East European region, in order to enhance respect for human rights, democratic principles, and the rule of law as key elements of modern societies.

II. Aim

The Action Plan addresses the need to reduce the risks associated with firearms for European citizens including combating illicit trafficking in firearms.

The Action Plan aims to provide a coherent framework for cooperation between the European Union and the South East Europe region.

Through the new Action Plan between the EU and South East Europe region, the EU intends to intensify the cooperation with the countries of the region according to their specific needs, requirements and performance.

In line with the EU Firearms Strategy, this Action Plan has a comprehensive and multidisciplinary character. It is based on the respect for international law, encouraging the respect for and observance of human rights and fundamental freedoms.

Cooperation will be based on the following:

- Respect for international law, human rights and fundamental freedoms;
- The orientations set in the EU Firearms Strategy and the EU Firearms Operational Action Plans;
- The existing Stabilisation and Association Agreements between the EU and the South East Europe region;
- An integrated and balanced approach based on partnership;
- European Union support to the South East Europe partners in meeting the commitments they have made to combat firearms trafficking;
- Council Decision of 15 February 2007 to combat in an effective way organised forms of criminality through Europol with Albania, Bosnia and Herzegovina, Croatia, former Yugoslavia Republic of Macedonia, Serbia and Montenegro and the establishment of a Firearms Focal Point in Europol for facilitating the exchange of information on firearms.

III. Activities

A deeper regional cooperation is essential to better counteracting the transnational dimension of illicit trafficking in firearms across the region. Regional coordination in this field should therefore be encouraged, bearing in mind the need to avoid duplication of efforts and to ensure coherence and coordination with existing initiatives supported or funded by the EU.

Ownership by countries of the region and by the region as a whole is a key to the success of any initiative in this field.

Activities under this Action Plan will include the following operational actions that will be carried out during the period 2015-2019 as the way to reach the different strategic goals:

Goal 1

To modernise the law enforcement agencies and their operating methods by improving the strategic and operational analysis of information, with particular regard to risk analysis, investigative procedures, data collection, exchange, dissemination and use of information. A uniform statistics model to combat illicit trafficking in firearms should be also developed.

Action 1

Every partner in the South East Europe region would create a Firearms Focal Point in correspondence with Europol.

In order to improve the collection of information, a template with minimum standard intelligence requirements will be drafted in line with other similar initiatives (European Regional Initiatives, Interpol, UNODC).

Action 2

A Pilot Project on data collection will be tested by using the proposed template within the South East Europe regions.

Action 3

Launch a study on exchange information systems in order to collect information to improve the strategic and operational analysis of information.

Goal 2

To enhance mutual trust among law enforcement agencies of the South East Europe region and the authorities in the other EU Member States. This will be achieved by promoting inter-regional cooperation of law enforcement agencies of the South East Europe region, among themselves and with the EU Member States' authorities. These EU Member States' authorities will also work closely at the operational level with law enforcement agencies of the South East Europe region by exchanging information. To promote inter-regional cooperation between law enforcement agencies, including the exchange of information and operational cooperation. The newly created Firearms Focal Points in the South East Europe region will enhance the operational cooperation, as well as contact points with the EU countries through Europol.

Action 1

To call for regular joint meetings of firearms experts from the established groups and networks in the region to assess ways to exchange information, evaluate joint initiatives aiming at improving cooperation and reducing the risk of overlaps among different actions in this field.

Action 2

To carry out joint operations focused on the illicit trafficking in firearms, components and ammunition with a regional approach (e.g. fast parcels, postal services, borders). Those operations will be conducted using intelligence and information from relevant partners

Goal 3

To enhance capacity building for the prevention of illicit trafficking in firearms by raising awareness, cooperation and sharing of best practices and expertise amongst all stakeholders. Particular emphasis should be given to training activities and enhancing the use of existing mechanisms and tools at national, EU and international level.

Action 1

Organization of training activities related to illicit trafficking in firearms.

Activities under this Action Plan will include support, as necessary, in the following areas:

- *Assist government institutions, in coordination with other players in the region, in the development and implementation of national strategic master plans and action plans covering illicit trafficking in firearms ; existing strategies need to be implemented;*
- *Assist governments in collecting information on the relevant existing national strategies in the fight against illicit trafficking in firearms;*
- *Assist governments in the setting up or further strengthening of horizontal firearms coordinating bodies;*
- *Assist government institutions, in coordination with other players in the region, in the development and implementation of an overall regional strategy; appropriate benchmarks and indicators could be set up in order to monitor and to assess the level of regional cooperation progress;*
- *Organise systematically, with EU support, as appropriate, joint meetings of anti-firearms trafficking agencies/national co-ordinators from the region, among themselves and also with relevant bodies of the EU, such as the EU-South East Europe Expert Groups;*
- *Continue helping in bringing legislation up to EU standards and implementing it;*
- *Assist in the implementation of relevant UN Conventions, including the UN Firearms Protocol.*