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COVER NOTE

from : General Secretariat

to : Delegations

Subject : First Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition

Delegations will find attached the First Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition, which was endorsed by the General Affairs and External Relation Council on 12-13 June 2006.

First Progress Report
on the implementation of the EU Strategy to Combat Illicit
Accumulation and Trafficking of SALW and their Ammunition¹

I. INTRODUCTION

The European Council adopted on 15-16 December 2005 an EU Strategy to combat illicit accumulation and trafficking of Small Arms and Light Weapons and their ammunition. Linked to the 2003 EU Security Strategy, this Strategy builds upon existing EU policies and actions in the area of SALW and serves as political guidance for all EU activities through various instruments in this field, underlining the need for an integrated approach to combat the illicit trade of SALW. It also contains an Action Plan which calls for continuous monitoring by means of an interim report on its implementation every six months. This first interim report covers EU activities in the first half of 2006 and has been prepared by the General Secretariat of the Council/Office of the Personal Representative of the High Representative on non-proliferation in cooperation with the European Commission services.

II. IMPLEMENTATION OF THE ACTION PLAN

II.1 Effective multilateralism to develop universal, regional and national mechanisms to counter the supply and destabilising spread of SALW and their ammunition.

II.1.1 International

a) Implementation of the 2001 UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons

¹ Council document 5319/06

- With the Review Conference of the UN PoA ahead, the Presidency carried out 42 demarches to present EU's views and approach towards a successful Review Conference. Furthermore, SALW have been given appropriate attention on the agenda of a number of meetings with some of those countries at different levels (from expert level to Foreign Ministers meetings). In the view of the European Union, the Review Conference should focus on crucial areas where significant obstacles to full implementation of the UN PoA persist. The EU has stressed that those areas are transfer controls, marking and tracing, brokering regulations, ammunition and the integration of small arms and light weapons measures into development assistance.

- The Presidency has been actively engaged in the efforts of the President-Designate to the Review Conference, Ambassador Kariyawasan, to produce a final document. The EU has provided him with written comments on all sections of the draft document in a timely and constructive manner.

- The EU Presidency introduced the EU SALW Strategy at the Preparatory Committee for the UN Conference to Review Progress in the Implementation of the SALW PoA, which took place in New York from 9 to 20 January 2006.

b) Export controls

- The EU and Member States continue to support the strengthening of export controls and the promotion of the principles and criteria of the Code of Conduct on Arms Exports among third countries through technical and practical assistance inter alia in drafting national legislation and in interpreting and applying the criteria of the Code, and by promoting measures to improve coherence and transparency.

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- = The seminar launching the second EC Pilot Project on conventional weapons export control in South East Europe took place in Belgrade on 6-8 February 2006. The project is implemented by SEESAC and the UNDP. The European Commission chaired the seminar.

- = The Austrian Presidency (in cooperation with SIPRI) organised a one-day seminar in Vienna on the implementation of the Code of Conduct for the Western Balkans countries (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, FYROM) on 4 May.

- = On 22-23 May 2006 an export control seminar (dual use items and conventional arms) on industry outreach was held in Sofia under the Joint Action Plan of Bulgaria and Hungary in the context of the Australia Group outreach programme for the Western Balkans countries (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and FYROM).

II.1.2 Regional

- The Presidency, the Office of the Personal Representative of the High Representative on non-proliferation and the European Commission presented jointly at the 479th **OSCE Forum for Security Cooperation (FSC) in Vienna on 29 March 2006 the EU SALW Strategy as well as other activities of the** European Union with regard to Small Arms and Light Weapons (SALW) and explosive remnants of war.

- The European Commission and the OSCE agreed to have a joint high level and a technical assessment mission to Novobohdanivka ammunition depots area (Ukraine) to take place in the second half of the year, in view of possible support.
- The Personal Representative of the High Representative on Non-Proliferation presented the EU SALW Strategy at the **EU-ACP Joint Parliamentary Assembly** which took place in Brussels at the ACP House on 23 February 2006. The European Commission presented the rationale for its SALW assistance programs in developing countries, contributing to global development efforts through security prerequisites.
- The implementation of the decision adopted by the Council in December 2004 with a view to an EU contribution to **ECOWAS** in the context of the moratorium on small arms and light weapons started in 2005 and continued during 2006. This project aims at the transformation of the Moratorium into the ECOWAS Convention on Small Arms and Light Weapons.
- The European Development Fund, administered by the Commission, supports the UNDP-implemented ECOWAS Small Arms Control program (ECOSAP), which focuses on the establishment and strengthening of National small arms Commissions.
- The EC through the third Pilot Project, helps UNDP and SEESAC establish the EU Western Balkans SALW Control Support Plan. This includes the drafting of national strategies, support to civil society and SALW-targeted regulatory measures.
- The EC supports *Saferworld* to engage civil society in decision-making on SALW control and community safety in South East Europe.

II.1.3 SALW In the framework of political dialogue

- SALW was included in the agenda of a number of EU's structured political dialogues with countries which are major exporters of SALW, and especially with countries holding surplus stocks of SALW left over from the Cold War, in particular in Eastern Europe and South-Eastern Europe. The EU has delivered a clear message on its engagement for a successful outcome of the Review Conference of the UN Programme of Action.
- SALW has been included in the EU's Action Plans for Ukraine and Moldova under the EC neighbourhood policy.

II.1.4 Within the Union

- The financial agreement between the European Commission and NAMSA for the implementation of the Council decision on an EU contribution to the destruction of SALW and their ammunition in Ukraine was signed. The EU is contributing to combating the destabilising accumulation and spread of small arms and light weapons in Cambodia under Council Joint Action 2002/589/CFSP. This programme is entering its final year of implementation. It has been carried out since the beginning, in 2000, by EU experts, in cooperation with the Royal Cambodian Armed Forces. No decisions implementing Council Joint Action 2002/589/CFSP have been taken during the first half of 2006.
- The European Commission is launching a twinning program (EC funding) to combat trafficking in firearms, ammunition and explosives in Croatia. This initiative aims at developing law enforcement measures enhancing the ability of the Ministry of Interior to prevent and combat illicit manufacturing of firearms for criminal purposes.
- The European Commission has put forward a draft revised Directive EU Directive on control of the acquisition and possession of weapons (Directive 91/477/EEC). Its technical modifications, currently being discussed by the Council competent bodies, aim to integrate the appropriate provisions required by the Firearms Protocol as regards intra-Community transfers of weapons concerned by the Directive.

- The Office of the Personal Representative and the European Commission presented the EU SALW Strategy and EU action in the area of SALW to the **Parliamentary Forum on Small Arms and Light Weapons** at an informal meeting held at the European Parliament on 19 April.

II.2. An effective response to the accumulation and the problems posed by the availability of existing stocks

- The Working Party on Global Disarmament and Arms Control has been considering a number of initiatives in order to respond to the challenges posed by the accumulation of SALW with a view to implement fully the EU SALW Strategy. These initiatives are at an early stage of development.

1. **Fighting against the illicit trafficking of SALW in Africa**. This initiative, which has been presented jointly by the Office of the PR and the Policy Unit (Africa Desk), would allow for a joint implementation of both the EU SALW and Africa Strategies. Following a concrete assessment, prepared by the SitCen, of the situation concerning the illicit trafficking of SALW in Africa in its various dimensions, including an analysis on violations of UN embargoes, a Joint Action could be defined to encompass projects which might vary in nature (arms collection, stockpiles management and security, technical assistance in legislation, export controls) and address different regions (Great Lakes, Horn of Africa).
2. **Fighting against the illicit trafficking of SALW by air-transport**. Most trafficking of illicit SALW is done by air transport. This initiative would aim at using existing legislation (European, national) to identify ways to fight against the use of EU Member States air space and airports by air-companies for illicit purposes in relation with SALW transfers.

3. SALW management and destruction in Latin America. The EU has already contributed twice to the UN-LiREC project which contributes to combating the destabilising accumulation and spread of small arms and light weapons in Latin America. The discussion on whether the final phase of the project should also be financed is on-going.

- At the June meeting of the Working Party on Global Disarmament and Arms Control dedicated fully to SALW, Member States looked thoroughly into these initiatives with a view to translating them into concrete projects from the second half of 2006 onwards.
- A request for further support for the destruction of SALW and their ammunition was put forward by the Ukrainian Ministry of Defence to the HR's Personal Representative. The project proposal concerns the destruction of 32.000 units of SALW (including 101 thousand units of ammunition) and 15 thousand tons of old conventional ammunition (rounds for grenade launchers mostly) for a total cost of €10 million.
- The EC is contributing to the funding of an emergency demobilisation and reintegration support program targeting 200.000 former combatants in Eritrea, planned to end in 2006.
- In Tanzania, the European Development Fund, administered by the Commission, supports the implementation of the National action plan for small arms management and reduction. This project was initially planned to end in July 2006.

III. OTHER RELEVANT INFORMATION

- From 2005 to June 2006, the European Commission is supporting a wide-ranging research effort on “Strengthening European Action on Small Arms and Light Weapons and Explosive Remnants of War”. This study, carried out under UNIDIR responsibility, includes the widest assessment exercise conducted within the EU covering SALW and ERW related activities funded under different institutional architectures. Under the above project scheme, in the first months of 2006, two training seminars have taken place in Northern Africa with six Northern African countries on the illicit trade in SALW and related border management capacity.

In addition to the above mentioned activities, it is recalled that within the context of EC programmes, support and financial resources have been given to organisations such as UNICEF for data collection on the impact of armed conflict on children, displacement and recruitment of children. This programme is being implemented in Angola, Colombia, DRC and Sri Lanka.

- Further EC support is being given to strengthen the protection of children and women in emergencies, notably via the UN Interagency Guiding Disarmament, Demobilisation and Reintegration System (Children and DDR).
- ICRC also benefits from EC funds to carry out a program for the protection of civilians in armed conflicts, including ICRC's protection activities for victims of armed conflicts and other situations of violence and actions against children's recruitment.

IV. CONCLUSIONS

The EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition (EU SALW Strategy) is becoming an important milestone in the definition of the EU's role as a major player in the fight against the accumulation and trafficking of SALW and their ammunition.

The Strategy has brought a clear identification of priorities and objectives which ought to be followed by the EU as a whole and its Member States when addressing SALW related problems. The EU SALW Strategy calls for consistency and complementarity between Council decisions in the CFSP framework and those actions implemented by the European Commission through Community funds. The Strategy contributes to the way the EU is perceived by third countries (recipients and other donors) and helps to strengthen the position of the EU not only as donor but also as a credible SALW policy advocate.µ