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From :	General Secretariat
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Subject :	Fifth Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition - (2008/I)

Delegations will find enclosed the updated Fifth Progress Report on the implementation of the EU Strategy to combat Illicit Accumulation and Trafficking of SALW and their Ammunition (2008/I), as endorsed by the Council on 16 June 2008.

Fifth Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition - (2008/I)

I. EXECUTIVE SUMMARY

During the first half of 2008 the EU continued to promote the issue of Small Arms and Light Weapons in all multilateral fora and in its political dialogue with third countries. The preparation for the Biannual Meeting of States to the 2001 UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms was high on the agenda. An EU common reply to UNGA Resolution 61/77 on “Transparency in Armaments” was prepared.

Lithuanian Ambassador Cekuolis, chairman-designate, briefed CODUN delegations on the preparation of the UN SALW PoA Biannual Meeting of States Parties to be held in New York on 14-18 July 2008.

As usual the Working Party on Global Disarmament and Arms Controls held a specific session dedicated to Small Arms and Light Weapons, in which progress on on-going projects was assessed, including presentations from the implementing agencies. Delegations also exchanged views on future projects and the way forward.

Within the framework of two on-going Joint Actions:

- Three regional seminars took place in Africa (Lome), South East Asia (Seoul) and Latin America (Brazil) to promote the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.
- The first seminar under Joint Action 2008/230/CFSP promoting the control of exports of conventional arms and the principles of the EU Code of Conduct on Arms Exports was organised by the Slovenian presidency in Ljubljana from 4-6 May 2008; it was attended by government officials involved in the arms export licensing process from the six South East European countries.

II. INTRODUCTION

This fifth progress report on the implementation of the SALW Strategy covers EU activities during the first half of 2008. Like previous ones, it has been prepared by the General Secretariat of the Council/Office of the HR's Personal Representative on non-proliferation, in cooperation with the European Commission services.

During the Slovenian Presidency a specific meeting of the Working Party on Global Disarmament and Arms Controls (CODUN) focused on the issue of SALW and their ammunition. This meeting, held in June, allowed for better coordination and coherence with regard, in particular, to project work and technical cooperation under the various EU funding instruments. Representatives from NAMSA and SEESAC informed Member States on the latest developments concerning their projects and exchanged views on prospects for future cooperation.

III. IMPLEMENTATION OF THE ACTION PLAN CONTAINED IN THE STRATEGY

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

III.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

- The EU continued its support for the implementation of the UN Programme of Action on SALW which remains the basis for efforts undertaken at the global level. The preparation of the Biannual Meeting of States to be held in New York in July figured high on the agenda of the Slovenian Presidency and was discussed with relevant partners during Troika meetings. EU statements were delivered during consultations and preparatory meetings held by President Designate Ambassador Cekuolis and at the open debate on SALW of the UN Security Council.

- The EU continued its support for the process leading to an Arms Trade Treaty building on efforts to secure common standards on the export, import and transshipment of small arms and light weapons. The preparation of a draft Council Joint Action in support of the ATT through regional outreach activities also started during the reported period.
- A EU common reply to UNGA Resolution 61/77 on “Transparency in Armaments” was prepared.
- The Working Group on Global Disarmament and Arms Control considered the possibility of supporting financially the work of SEESAC in South East Asia.

(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, as well as by promoting measures to improve coherence and transparency.
- On 17 March 2008 the Council adopted Joint Action 2008/230/CFSP on support for EU activities in order to promote the control of arms exports and the principles and criteria of the EU Code of Conduct on Arms Exports among third countries. The Joint Action allots EUR 500.500 from the EU budget to fund seminars, organised by the Presidency (with the assistance of the Council Secretariat/OPR for non-proliferation), bringing together experts in the control of arms exports from EU Member States and interested third parties, especially near neighbours. Beneficiaries will include the countries of South Eastern Europe, North African and Mediterranean partners and Eastern European Caucasian partners of the European Neighbourhood Policy. The objectives of the seminars include promotion of the criteria and principles of the EU Code of Conduct on Arms Exports, assistance in drafting and implementing legislation to ensure effective control of arms exports, and encouraging third countries to support the United Nations process aiming at the adoption of a legally binding Arms Trade Treaty (ATT).

- The first seminar under the above Joint Action, entitled "Regional Seminar on Arms Export Control", was organised by the Slovenian presidency in Ljubljana from 4-6 May 2008 and attended by government officials involved in the arms export licensing process from the six South East European countries.
- ATT: EU Member States are closely following the work of the Group of Governmental Experts established by the United Nations Secretary General (of which seven EU member States are members), and continue to engage and encourage third countries to support the process.

III.1.2 Regional

- Under Council Joint Action 2008/113/CFSP, the EU supported financially and politically three regional seminars, organised by ODA, to promote the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. The first seminar took place in Lome (Togo) on 17-18 April. This seminar served to stress the importance of the International and Marking Instrument to fight against the illicit trafficking of SALW and to increase national and regional security, thus making a contribution to international peace and security. The UN-ODA, including through its regional centre in Lome, will follow up further developments. A second seminar was organised for Asian countries in Seoul on 27-28 May and a third one in Brazil for Latin American countries on 17-18 June.
- As foreseen by the Council Joint Action 2007/528/CFSP in support of the CCW and its annexed protocols adopted by the Council in July 2007, the issue of SALW was included in the agenda of the two regional seminars organised for countries from West and East Africa, the Horn of Africa the Great Lakes region and Southern Africa. These two regional seminars were held in Lome on 21-22 and 24-25 April respectively.
- At these seminars presentations on the EU SALW Strategy were delivered by the Office of the Personal Representative for non-proliferation.

III.1.3 SALW in the framework of political dialogue, Strategy papers and Action Plans

- SALW was included in the agenda of a number of the EU's regular political dialogues with third countries, including from Africa, Eastern Europe and South-Eastern Europe.
- During the first six months of 2008, the Working Party on Global Disarmament and Arms Controls (CODUN) also started discussions on the possible inclusion of a SALW element in the political agreements the EU contracts with third parties. Analysis is still ongoing on the actual scope of this SALW element and the form it could take.
- The European Commission has continued to carry out the identification of activities aimed at tackling the illicit trafficking of firearms and explosive materials to be financed under the long-term component of the Instrument for Stability (Article 4 of Regulation EC No 1717/2006 establishing an Instrument for Stability).
- As far as the formulation of Article 3 (2) (i) of the above Regulation, the European Commission adhered to its commitment not to support actions in the field of SALW under the Stability Instrument before the ruling of Court of Justice on Court Case C-91/05. On 20 May the Court delivered the judgment. Its implications are currently being assessed.

III.1.4 EU assistance to Third Countries

Ukraine, implementation of Council Decision 2005/852/CFSP: The European Union is contributing with € 1 000 000 for equipment and the destruction of 20 000 SALW. This one-year project started on 4 August 2006 and is being implemented by the NATO Supply and Maintenance Agency (NAMSA). To-date 17 710 SALW have been destroyed and the target of 22 000 SALW has been increased to 27 750 due to the reduction in direct costs. There seem to be indications that the political problems surrounding the implementation of this project, in particular the destruction of SALW, will be solved in the very near future. This issue figured in the agenda of the CONOP/CODUN Troika meeting with Ukraine in March. A demarche was also carried out in Kiev by the Portuguese Embassy.

Also in **Ukraine** and concerning assistance to overcome the consequences of the Novobohdanivka ammunition depot explosions, the EU committed € 80 000 through Community funds, for measures including development of clearance procedures and training. Through a short-term assistance project, the European Commission (through its Delegation to Ukraine) has been providing technical assistance to the Ministry of Emergency Situations of Ukraine. Assistance is aimed to develop inter alia National Standards for Explosive Ordnance Disposal Clearance Operations in Ukraine, in accordance with Ukraine legislation, international standards and best practices. This project is running smoothly and will be completed in all its components in August. On the basis of the expertise acquired, Ukraine is expected to draft a National Plan specifically devoted to the issue of weapons and explosive ordnance destruction.

Latin America/ Caribbean. The implementation of the last phase of the ‘Training the Trainers and Database’ project in 2007 follows the adoption by the Council of Decision 2006/1000/CFSP, which provided for a final contribution of € 700 000. This one-year project contributes to combating the destabilising accumulation of SALW in Latin America and the Caribbean. The project has so far trained more than 1 340 law enforcement officials in investigative techniques and is expected to train a total of 2 300 officials by the end of the project. In addition, more than 180 parliamentarians and their advisors were also trained in a series of training courses and some installations and facilities are being constructed and refurbished to better coordinate joint activities. In terms of impact, certain countries in the region have officially reported the seizure of firearms, their parts and ammunition and linked them to the capacity-building measures delivered through the courses. The project exit strategy is now being implemented with the aim of fostering ownership on the part of States in the region, local donors and organisations through bilateral funding. The project promotes European Union visibility within its activities and systematically informs the Council of the European Union in Brussels, the European Union Presidency and the European Commission representatives in each country where the activities take place. In December 2007 the duration of contribution agreement was extended until 30 June 2008 in order to allow complete implementation of the joint action.

Colombia. Community funds of € 1.5 million were provided to support for the rehabilitation or victims in the framework of the Disarmament and Demobilisation of paramilitary groups in Colombia.