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NOTE

from :	General Secretariat
to :	Delegations
Subject :	Ninth Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition
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Delegations will find enclosed the Ninth Progress Report on the implementation of the EU Strategy to combat Illicit Accumulation and Trafficking of SALW and their Ammunition (2010/I), as endorsed by the Council on 14 June 2010.

**Ninth Progress Report on the implementation of the EU Strategy to Combat Illicit
Accumulation and Trafficking of SALW and their Ammunition - (2010/I)
as endorsed by the Council on 14 June 2010**

I. EXECUTIVE SUMMARY

During the first half of 2010, the EU continued to promote the issue of Small Arms and Light Weapons in all multilateral fora and in its political dialogue within the framework of relevant international instruments, such as the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms.

The EU constructively participated in the Biennial Meeting of States on the UN Programme of Action (UN PoA), held in New York on 14-18 June 2010. The EU welcomed the adoption of the report of the meeting, setting the priorities for the works of the 2012 Review Conference. As part of its general support to the UN PoA and with a view to the 2012 Review Conference of the Programme, the EU continued the preparation of a new Council Decision in support of the UN PoA to be adopted in Summer 2010. The Council aims at promoting the regional implementation of the UN PoA, International Marking and Tracing Instrument (ITI), and the UN technical guidelines for ammunition stockpile management.

The EU also remains fully committed to the Arms Trade Treaty (ATT) process. With a view to the first sessions of the Preparatory Committee on ATT (12-23 July 2010 in New York), the first half of 2010, the EU focused its work on internal coordination and extensive consultations with third countries, as well as with Chairman of the PrepCom, Ambassador Garcia Moritàn. The commitment of the European Union to promoting a future ATT vis-à-vis third states was also testified by the completion of the outreach seminars foreseen by the Council Decision 2009/42/CFSP promoting the process leading towards an Arms Trade Treaty among third countries and the adoption, in June 2010, of a new Council Decision in support of the ATT process, consisting of seven additional regional seminars, focusing on the political aspects of an ATT and on the technical features of export control systems on conventional arms.

The EU continued to support demilitarization efforts in the field of SALW, in particular through the adoption in March 2010 of a Council Decision in support of SEESAC activities in the Western Balkans, and the continuous implementation of the 2005 Council Decision on SALW destruction in Ukraine.

During the first semester of 2010, the EU has continued to implement its initiative to hinder illicit trafficking of small arms and light weapons by air transport and prepared a new Council Decision on EU action to counter the illicit trade of SALW by air to be adopted during Summer 2010. The Council aims at improving tools and techniques for international and national actors to effectively screen and target suspect aircrafts likely to be involved in illicit trade of SALW.

Furthermore, in addition to ongoing projects in the field of SALW in support of certain Regional Economic Communities in Africa (Economic Community of West African States, the Economic Community of Central African States or the East African Community), the European Union launched on 1st of March 2010 an ambitious project, in the framework of the Africa-EU strategic partnership on Peace and Security, to support the fight against the illicit accumulation and trafficking of firearms in Africa, through the Regional Centre on Small Arms and Light Weapons (RECSA) located in Nairobi.

In the framework of the 10th European Development Fund (EDF) country strategic paper (CSP) for Nigeria, signed on 19th of November 2009, the European Union envisages to support measures to upgrade the technical competence of the specialised agencies dealing with organised crime and small arms issues and strengthening the investigative and forensic capacity of the ordinary police in order, inter alia, to reduce the illicit flow of small arms in the country and in the region.

The EU continued to support the fight against the illicit trafficking of firearms and ammunition in Central America with a contribution to a project of the Central American Small and Light Weapons Control Programme (CASAC) which started on 1st of March 2009

The EU continued to support the African Union's initiative to develop an African Union Small Arms and Light Weapons Strategy (AU SALW Strategy) for a possible formal adoption in the course of 2010. Such a document could strongly enhance the efforts of the AU to fight against the illicit accumulation and trafficking of SALW.

The first meeting of the EU-China dialogue on SALW was held in June 2010. Discussions focused on the implementation of relevant international instruments, on possible joint projects in Africa, and on preparation to the negotiations of an Arms Trade Treaty.

The EU has also strengthened its cooperation with the OSCE, including through participation in several OSCE Forum for Security Cooperation meetings devoted to conventional arms, where presentation on specific EU policies and initiatives were delivered.

In line with the relevant Council Conclusions adopted in December 2008, a SALW element was successfully negotiated in the framework of ongoing negotiations with China, Libya, Mongolia and Philippines.

During the first six months of 2010, agreement was also found on the need to include a SALW element in the planning and mandate of future CSDP missions. The Political and Security Committee of the Council of the EU has tasked relevant Council bodies to ensure that SALW aspects are taken into account when planning CSDP missions, and, where appropriate, a SALW element is included in the mandates to be fulfilled.

The Working Party on Global Disarmament and Arms Controls (CODUN) held a specific session dedicated to Small Arms and Light Weapons. The meeting focused on the preparation of the BMS, on the assessment of on on-going projects and on possible future projects and way forward.

Within the framework of Council Decision 2009/1012/CFSP on support for EU activities in order to promote the EU Common Position 2008/944/CFSP on export controls on conventional arms, two seminars were held in Algiers (March 2010) and Sarajevo (June 2010) to promote arms export controls among North African Mediterranean partners of the European Neighbourhood Policy, and the Western Balkans.

II. INTRODUCTION

The ninth progress report on the implementation of the SALW Strategy covers EU activities during the first half of 2010. As in the past, it has been prepared by the Office of the EU Representative on non-proliferation and disarmament, in cooperation with the European Commission services.

During the first semester of 2010 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 on 176 May 2010, was devoted to the preparation of the Fourth Biennial Meeting of States (BMS) on the UN Programme of Action on SALW. The meeting also allowed for the assessment of on on-going projects and possible future initiatives and way forward.

III. IMPLEMENTATION OF THE ACTION PLAN CONTAINED IN THE EU SALW STRATEGY

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

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 constructively participated in the Fourth Biennial Meeting of States (BMS) on the UN Programme of Action (UN PoA), held in New York on 14-18 June 2010.

As part of its general support to the UN PoA and with a view to the 2012 Review Conference of the Programme, the EU continued preparation for the adoption of a new Council Decision in support of the UN PoA to be adopted in Summer 2010 and to be implemented by the Conventional Branch of UN Office for Disarmament Affairs (ODA). The Council Decision foresees:

- the promotion of the implementation of the UN Programme of Action on SALW both at global and regional levels through the organization of the eight regional seminars between 2010 and 2012;
- the support to the implementation of the International Tracing Instrument (ITI), by providing training-of-trainers courses on the ITI for countries in West Africa, and by setting up marking facility and expertise in countries of the region lacking such equipment;
- the support to the completion of UN technical guidelines for ammunition stockpile management, and their implementation in particular in the Great Lake region and in Latin America.

b) Export controls

The EU continued to give strong encouragement to progress in strengthening controls on the licit transfer of conventional weapons, including SALW and their ammunition. In the context of the Working Party on Conventional Arms Exports, Member States report on how the **Common Position 2008/944/CFSP is implemented in their national legislative frameworks; Bosnia and Herzegovina, Canada, Croatia, Iceland, Montenegro and Norway have officially aligned with the Common Position.**

The European Union also continues to attach great importance to the work in the context of the Wassenaar Arrangement.

The EU and Member States continue to support, through the dedicated **Council Decision 2009/1012/CFSP**, the strengthening of export controls and the promotion of the principles and criteria of the Common Position on Arms among third countries through technical and practical assistance, inter alia in drafting national legislation and in interpreting and applying the criteria of the Common Position, as well as by promoting measures to improve coherence and transparency. In addition to outreach seminars in the beneficiary countries or regions, the new Council Decision provides for staff exchanges of up to one month of officials from beneficiary EU candidate countries to the relevant authorities of EU countries, and visits of officials from EU countries to the relevant authorities of beneficiary countries.

In the first half of 2010, two regional seminars took place respectively in Algier on 23 and 24 March 2010 for North African Mediterranean partners of the European Neighbourhood Policy, and in Sarajevo on 15-16 June 2010 for the Western Balkans countries

c) **ATT**

The EU also remains fully committed to the Arms Trade Treaty (ATT) process that should lead to the conclusion of a legally binding instrument establishing common international standards for the import, export and transfer of conventional arms. Following the adoption in 2009 of the UNGA Resolution A/RES/64/48 on ATT providing a mandate for the 2012 UN Conference to negotiate an Arms Trade Treaty, and with a view to the first sessions of the Preparatory Committee on ATT (12-23 July 2010 in New York), the EU focused its work in the first half of 2010 on extensive consultations with third countries and internal coordination. An ad-hoc sub-group of CODUN and COARM experts on ATT was created and met five times in the first half of 2010. The Chairman of the PrepCom, Ambassador Garcia Moritàn, intervened in the March meeting of the ad-hoc sub-group and exchanged views with delegates on the prospects for the July meeting of the Preparatory Committee. The EU also held specific consultations on ATT with a series of countries, including the US, Russia, China, Egypt and Brazil.

The commitment of the European Union to promoting a future ATT vis-à-vis third states was also testified by the completion of the implementation of the Council Decision 2009/42/CFSP promoting the process leading towards an Arms Trade Treaty among third countries, and implemented by UNIDIR. The last regional seminar for the "Wider Europe" region and the concluding event were held in Vienna on 11-12 February 2010, with a high level of participation from more than 80 UN MS. A final report on the implementation of this first Council Decision was publicly issued by UNIDIR in May 2010. In the first half of 2010, the EU also adopted in June 2010 a new Council Decision in support of the ATT process, consisting of seven additional regional seminars, focusing on the political aspects of an ATT and on the technical features of export control systems on conventional arms.

d) Illicit trafficking of SALW by air transport

During the first semester of 2010, the EU has continued to implement its initiative to hinder illicit trafficking of small arms and light weapons by air transport. On the basis of the reports on SALW proliferation by air produced by SITCEN, a Council Decision on EU action to counter the illicit trade of SALW by air was has been prepared during the first semester of 2010 and is expected to be adopted in Summer 2010. The Council Decision, to be implemented by the Stockholm International Peace Research Institute (SIPRI), aims at improving tools and techniques, at the disposal of relevant crisis management missions, international and third countries' national authorities and EU Member States, to effectively screen and target suspect aircrafts likely to be involved in illicit trade of SALW via air.

e) SALW elements in future CSDP missions

In line with the recommendations contained in the EU SALW Strategy on the need to improve the use of all the tools at disposal of the EU to counter the illicit trade and excessive accumulation of SALW, EU Council bodies found, in the first semester of 2010, an agreement on the need to include a SALW element in the planning of future CSDP missions.

The Political and Security Committee of the Council of the EU tasked relevant Council bodies to ensure that SALW aspects are taken into account within the CSDP context, and reflected in the activities undertaken by future missions. This could cover, *inter alia*, collection and registration of weapons and ammunition, destruction of surpluses, and improvement of stockpile management. When appropriate, one or more of these activities will be included in the mandate of future CSDP missions.

III.2. SALW in the framework of political dialogue with third countries and regional organisations, SALW clauses

SALW was included in the agenda of a number of the EU's regular **political dialogues with third countries** and cooperation with regional organizations, including from Africa, America, Asia, Gulf Middle East, Easter and South-Eastern Europe.

In view of the development of an **African Union Small Arms and Light Weapons Strategy** (AU SALW Strategy), the EU supported the African Union by funding an expert tasked to prepare the basic elements of a draft Strategy. The draft Strategy has been submitted to the ad-hoc Steering Committee of the African Union in November 2009 for discussion with a view to a formal adoption by the African Union in the course of 2010.

During the first half of 2010, the EU continued to develop dialogue and cooperation with China in the field of SALW. The first meeting of the EU-China dialogue on SALW was held in June 2010. Discussions focused on the implementation of relevant international instruments, possible joint projects in Africa, and on the negotiations of an Arms Trade Treaty.

In the first half of 2010 the EU has also strengthened its **cooperation with the OSCE**, including through participation in SALW and conventional arms thematic discussions in relevant OSCE bodies. The Council Secretariat participated already on 22 September 2009 in the OSCE Forum for Security Cooperation meeting on SALW, when a presentation of the EU SALW Strategy was offered to OSCE Participating States. On 10 February 2010, a new presentation on the Arms Trade Treaty process and the EU position vis-à-vis an ATT was delivered by the Council Secretariat at the OSCE FSC meeting. Contacts with the OSCE Conflict Prevention Centre have also been established by the Council Secretariat and the Commission to explore possible future EU-OSCE initiatives in the field of SALW.

In line with the **Council Conclusions on the inclusion of a SALW element in agreements between the EU and third countries** adopted in December 2008, CODUN delegates have been regularly informed about and discussed ongoing negotiations of relevant agreements with Brunei Darussalam, China, Libya, Moldova, Mongolia, Philippines, Russia, Singapore, Thailand and Vietnam, where a SALW element is foreseen. During the first half of 2010, agreement was reached with China, Libya, Mongolia and Philippines on the inclusion of a SALW clause in the respective treaties being negotiated with the EU.

A negotiating mandate for association agreements with Armenia, Azerbaijan and Georgia has been recently adopted and negotiations are planned to start soon. Reference to the SALW element is included in these mandates.

The main elements contained in the reference SALW article have also been included in the relevant parts of political documents such as action plans established between the EU and third countries.

III.3 Specific EU project assistance to Third Countries and Regional Organisations

a) Ukraine

Under **Council Decision 2005/852/CFSP**, the EU committed to providing €1 million to the NATO Maintenance and Supply Agency (NAMSA) for equipment acquisition and SALW destruction in Ukraine, as a contribution during the first phase of a 12-year NATO Partnership for Peace (PfP) project. In the first half of 2010, the EU continued to contribute to the project by financing the destruction of 54,500 SALW in addition to the 130,000 already destroyed to date.

b) Western Balkans

The EU continued to support demilitarization efforts in the field of SALW, in particular through the adoption of a new Council Decision on 11 March in support of **Southern Eastern and Eastern Europe Clearinghouse for the control of SALW (SEESAC)**. The activities foreseen by the Council Decision aim at:

- improving the management and security of unsafe and unstable stockpiles of weapons and ammunition;
- reducing the available stockpiles of weapons and ammunition through destruction activities, and implementing international and national instruments on marking and tracing in the Western Balkan countries, and improving the weapons registration process.

The Western Balkans countries, in particular Serbia, Croatia, Bosnia and Herzegovina, the Former Yugoslavian Republic of Macedonia, Montenegro, and Albania are the identified beneficiaries of the Council Decision.

The EU supported the deployment for a duration of up to six months of an expert on small arms and light weapons issues in **Kosovo**, through its Technical Assistance and Information Exchange (TAIEX) instrument, with a view to the establishment of a Division on Small Arms for private use within the Ministry of Internal Affairs and the implementation of a law on weapons. The overall objective of this initiative is to strengthen the rule of law in Kosovo by establishing a modern and conformed to EU standards system for use of weapons for non-military purposes.

c) **Africa**

-The EU continued to support certain **Regional Economic Communities** in Africa, through the European Development Fund, in their efforts to fight against the illicit accumulation and trafficking of Small Arms and Light Weapons, including the Economic Community of West African States (i.e. technical assistance to the Small Arms Unit), the Economic Community of Central African States (i.e. technical expertise to develop peace and security capacity of ECCAS, including in the field of SALW) and the East African Community (i.e. to enhance the capacity of states to effectively manage illegal SALW, to tackle cross-border proliferation of SALW based on a regional approach and to ensure overall political oversight and efficient management of legal arms transfers in the sub-region). These projects are financed through the European Development Fund.

On 1st of March 2010, the EU launched a project (€3.3 million, Instrument for Stability) to support the fight against illicit accumulation and trafficking of firearms and ammunition in Africa, through the **Regional Centre on Small Arms and Light Weapons (RECSA)**, for a period of 36 months. This project aims at supporting the Africa-EU strategic partnership in the fight against illicit accumulation and trafficking of firearms and explosive materials by addressing the institutional and law enforcement aspects, targeting the capacity of regional and sub-regional organisations and focusing on effective application of existing instruments. Furthermore, parliamentarians and civil society awareness campaigns will also be carried out in order to sustain governmental and intergovernmental efforts in the process. The specific objectives of the project are to:

- raise awareness and knowledge of relevant institutional and civil society actors on the legislative and institutional aspects of the fight against the illicit accumulation and trafficking of firearms with a view to foster the role, or the establishment where they are not in place, of National Focal Points and to develop and/or implement of National Action Plans (NAPs);
- strengthen the African Regional Police Chiefs Organisations (RPCOs) and the capacity of and cooperation between national, regional and continental law enforcement agencies to fight cross-border illicit trafficking in firearms and ammunition;

- initiate the enabling process for the AU to establish an African Police Coordination body through the RPCOs so as to achieve better crime management in the continent through shared experiences and training.

One of the objectives of the 10th EDF country strategic paper for **Nigeria**, signed on 19th of November 2009, is to assist Nigerian authorities in their efforts to support stability and establish a secure environment both inside and outside the country under the rule of law, within which national, regional and continental development aspirations, including the MDGs, could be attained. In this context, measures to upgrade the technical competence of the specialised agencies dealing with organised crime and small arms issues and strengthening the investigative and forensic capacity of the ordinary police have been included in the CSP (for up to €30 million) in order, inter alia, to reduce the illicit flow and trafficking of small arms. This assistance may be implemented through concrete projects to support national capacity building in areas such as the licensing of gun ownership and manufacture, the development of an arms stockpile management system and awareness raising among customs and other border control agencies. These projects could initially be launched in 2011.

d) Central America

The EU pursued implementation of its project (€1 million, Instrument for Stability) managed by the **Central American Small and Light Weapons Control Programme (CASAC)** to support the fight against the illicit trafficking of firearms and ammunition in Central America and neighbouring countries, including the Caribbean region. The project as such is structured into two levels: on the one hand, it concentrates on Central America including the participation of Mexico and Colombia and, on the other hand, it creates a trans-regional space for the exchange of regional experiences with emphasis on generating information and improving and creating capacities within the border and customs zones. The specific objectives of the project are to:

- Ratify and fully implement international, regional, and trans-regional arms control instruments;

- Build capacities and strengthen national and regional institutions and state agencies responsible for the control of SALW, as well as develop a system for information exchange and improve borders and customs control;
 - Strengthen and increase the capacities of civil society organizations to promote arms control;
 - Strengthen and implement a trans-regional process for SALW controls.
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