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From: General Secretariat of the Council

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Subject: Fifteenth Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition - (2013/I)

Delegations will find enclosed the Fifteenth Progress Report on the implementation of the EU Strategy to combat Illicit Accumulation and Trafficking of Small Arms and Light Weapons (SALW) and their Ammunition (2013/I), as endorsed by the Foreign Affairs Council on 19 May 2014.

**Fifteenth Progress Report on the implementation of the EU Strategy to
Combat Illicit Accumulation and Trafficking of SALW and their Ammunition - (2013/I)**

I. INTRODUCTION

The fifteenth progress report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of Small Arms and Light Weapons (SALW) and their Ammunition covers EU activities during the first half of 2013 (from 1 January 2013 until 30 June 2013). The report was prepared by the EEAS Division for Weapons of Mass Destruction, Conventional Weapons and Space in cooperation with other relevant EEAS and European Commission services. During the reporting period, the EU continued to promote the issues related to SALW and their ammunition in all multilateral fora as well as in its political dialogue with third countries in the context of relevant international instruments, such as the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA). In particular, the EU actively participated in the final UN diplomatic conference on the ATT (18-28 March 2013, New York) and welcomed the adoption of the ATT by the UN General Assembly on 2 April 2013. Over the period, the EU also continued the implementation of a wide range of projects on combating or preventing the illicit trade and excessive accumulation of SALW and their ammunition, and started the elaboration of new initiatives to be further developed over the next months.

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

II.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 in All Its Aspects

In the framework of the Council Decision in support of activities of the UN Office for Disarmament Affairs (UNODA) to implement the PoA (Council Decision 2011/428/CFSP of 18 July 2011), a regional meeting on the implementation of the PoA was organized jointly with the League of Arab States (LAS) Secretariat from 10-11 June 2013 in Cairo for Member States of the LAS.

This meeting was the first regional meeting on the implementation of the PoA to be undertaken after the 2012 Review Conference, where all UN Member States agreed, by consensus, on an Outcome Document to strengthen the full and effective implementation of the PoA in the future. Discussions on the results of the Review Conference represented a significant part of the meeting in Cairo. A number of LAS States also expressed an eagerness to receive training in ammunition management and welcomed the fact that the International Ammunition Technical Guidelines (IATG) has been translated into Arabic as part of the implementation of activities under the Council Decision. The UN SaferGuard IATG software, which was also developed with EU support for UNODA activities in order to provide an accurate and efficient way for experts in the field to implement the IATG ammunition safety standards, was also well-received by LAS Member States (see <http://www.un.org/disarmament/un-safeguard/>).

In the first half of 2013, further important strides forward with regard to the implementation of Council Decision 2011/428/CFSP have also been taken in setting up weapons-marking machines in three African countries. On the basis of extensive consultations, relevant authorities in Burkina Faso and Togo, and, significantly, Mali, made the request to receive these marking machines. Mali is in the process of consolidating its armed forces (with assistance from the French Government) and is expected to launch a major procurement initiative in the coming months. Its reform efforts would potentially align well with a marking programme. UNODA is working with all three countries on the formalization of the provision of the marking machines, which will be a focus of the implementation of the Council Decision in the coming months. At the same time, given the successful completion of the UN SaferGuard IATG and its implementation software, an inaugural meeting of the Technical Review Board under the UN SaferGuard programme will be organized in November 2013 to further take the programme forward.

(b) Arms Trade Treaty

The EU very much welcomes the successful adoption of the Arms Trade Treaty (ATT) and firmly believes that, when widely and effectively implemented, the ATT can make a significant difference in making legal international arms transfers more responsible and transparent, and in combatting the illegal trade in arms. To this regard, the EU intends to support the universalization and full implementation of the Treaty.

The inclusion of SALW in the ATT's provisions was an important step. More stringent controls on legal international transfers of SALW for instance through more robust end-user controls and assurances and diversion mitigation measures can further reduce the risk of those SALW falling into the illegal trafficking. As such, the ATT will complement other relevant UN instruments such as the UN PoA and the UN Firearms Protocol.

The EU actively participated in the final UN diplomatic conference on the ATT (18-28 March 2013, New York) in line with its UN observer status. For lack of consensus and the opposition of only three UN States (Syria, DPRK and Iran), the draft Treaty text elaborated by the conference was taken up by the UN General Assembly which adopted it by vote on 2 April. All EU Member States have signed the Arms Trade Treaty since it was opened for signature on 3 June and ratification is now underway, depending on the relevant EU and national procedural requirements.

Following the completion of Council Decision 2010/336/CFSP of 14 June 2010, promoting the ATT process through the organization of a series of world-wide regional seminars, Council Decision 2013/43/CFSP was adopted on 22 January 2013 in order to continue the EU support in this area. Two seminars took place in Geneva in March and June 2013 and gathered most relevant stakeholders, respectively in preparation of the March diplomatic conference and in assessing the future implementation challenges.

(c) Implementation of the United Nations Convention against Transnational Organised Crime (UNTOC) Protocol against the Illicit Manufacturing of and Trafficking in Firearms

A draft Council Decision for the Conclusion of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Firearms Protocol), supplementing the United Nations Convention Against Transnational Organized Crime, was adopted on 22 March 2013 and it is expected that the Council, with the consent of the European Parliament, will adopt it by the end of the year. The legislative proposal is aimed at finalizing the process of transposition into EU legislation of the provisions of the Firearms Protocol. The conclusion of the Firearms Protocol by the EU is still pending and represents an international commitment for the EU.

Through the Instrument for Stability (IfS) long-term component, a three-year (March 2011-February 2014) project to prevent and counter trans-national illicit trade in firearms by promoting the ratification and implementation of the Firearms Protocol continued in the first half of 2013. The geographical scope of the project encompasses West Africa (Benin, Burkina Faso, Gambia, Ghana, Mali, Mauritania, Senegal, Togo), South America (Argentina, Bolivia, Brazil, Chile, Paraguay, Uruguay) and the Caribbean (Jamaica). Targeted technical assistance continued to be provided on legislative harmonization and capacity-building on SALW management in line with the aim of promoting the ratification and implementation of the Firearms Protocol in Latin America, the Caribbean and West Africa. The project also raises awareness on SALW issues to enhance civil society participation and oversight in this area. Further foreseen activities include the conduct of a study on trans-regional trafficking of firearms which will provide partner countries with evidence to support policy making. The project is implemented by the United Nations Office on Drugs and Crime (UNODC).

In the framework of the IfS long-term component, the EU is also providing financial assistance to INTERPOL for the development and roll out of a database for tracking and tracing lost, stolen, trafficked and smuggled firearms (iARMS) via the Interpol I24/7 system in order to facilitate regional and trans-regional information exchange and investigative cooperation between law enforcement agencies. The pilot roll out (2011-2012) focused also on West Africa (Benin, Burkina Faso, Gambia, Ghana, Mali, Mauritania, Senegal, Togo), South America (Argentina, Bolivia, Brazil, Chile, Paraguay, Uruguay) and the Caribbean (Jamaica) and also included additional European countries (Czech Republic, Croatia, Portugal, Spain). The contract for the second phase of IfS long-term support to Interpol's iARMS system commenced in January 2013 (2013-2014). The second phase aims at enhancing the functionality of the system and at making iARMS available to all 190 INTERPOL members. The project also foresees related capacity-building, training and criminal intelligence services on combating firearms-related crime.

In order to further strengthen the EU's approach to the issue of firearms, the Commission (DG Home) is currently developing a Communication for October 2013 to identify areas for further legislative and operational action. The Communication will take stock, from a law enforcement perspective, of existing EU actions to reduce trafficking of firearms and present how the Commission sees future steps in this area. The Commission is also in the process of defining a relevant "2015 Firearms Package," possibly including legislative proposals, firstly on firearms deactivation and marking proceedings and secondly on approximating criminal sanctions against illicit trafficking in firearms.

A Commission Decision establishing a Commission expert group on firearms trafficking has also been adopted in March 2013 and the first meeting of the Group of Experts is scheduled for the end of 2013. The Group should be composed of experts from the internal security field, including producers of firearms and researchers and any other individuals who, in the Commission's view, offer valuable expertise which may assist the Commission with possible drafting of legislative proposals and policy initiatives to improve measures against this illicit trafficking in firearms to safeguard the EU's internal security.

The Council has also included the strategic goal of reducing the risk to citizens of firearms among the crime priorities of the 2014-17 policy cycle. It is important for the EU to take the operational lead in supporting international standards by tackling the persistent and intractable problem of illegal trafficking in firearms. The decision to include firearms in the next policy cycle is an ideal opportunity to provide the necessary spur to action on the part of the Member States and Europol.

Finally, a Euro Barometer Survey is being prepared to gauge views on the EU's role in tackling the risk of firearms, with the intention of reaching a wider range of stakeholders, including victims organizations and other civil society organizations.

(d) Export controls

Arms export control outreach activities have been further sustained with the adoption of Council Decision 2012/711/CFSP foreseeing a new series of activities in support of third countries, including regional seminars, study visits, staff exchanges, and individual assistance. The implementation of the Council Decision started early in 2013 with a legal review of the Montenegrin draft export control law (March 2013), a regional workshop on end-use controls in Skopje for South Eastern European countries (June 2013) and a study visit hosted by Sweden for officials of Georgia, Azerbaijan and Belarus (June 2013).

Political dialogues on arms export controls issues took place with Norway and Ukraine in the first semester of 2013.

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

SALW issues were included in the agenda of a number of the EU's regular **political dialogues with third countries** and cooperation with regional organizations. Political dialogue meetings on non-proliferation, disarmament and arms control issues at working group level were organised with Russia (Moscow, 4 March 2013) and Ukraine (Brussels, 15 May 2013). Furthermore, the newly-appointed Principal Advisor and Special Envoy for Non-Proliferation and Disarmament held a number of informal consultations with various actors in the margins of important events, including the ATT Conference held in March 2013 in New York (including Algeria, Brazil, Egypt, India, NATO, Nigeria, Mexico, Pakistan, United States, Venezuela, UNODA, Vietnam, Indonesia, Kazakhstan, Peru, Russia, Singapore, South Africa, Thailand), the Second NPT PrepCom held in April-May 2013 in Geneva (including Egypt, the League of Arab States, South Africa, Peru), and the Third CWC Review Conference held in April 2013 in The Hague (including the OPCW and the United States).

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, SALW elements are currently being negotiated with Afghanistan, Australia, Brunei, Canada, Japan, Kazakhstan, Malaysia, Mercosur, New Zealand, and Singapore for inclusion in their respective agreements with the EU.

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

(a) Western Balkans

I. On 1 April 2013, a follow-up programme started to continue to improve, through the Instrument for Stability (IfS) short-term component, the security, safety and development perspectives for the individuals and the local communities that would be affected by accidental explosions at ammunition storage sites in Bosnia and Herzegovina (BiH). The programme will focus solely on high hazardous and unstable ammunition that is declared for destruction due to its poor conditions and improve safety standards of ammunition storage depots. The latter part will be implemented in partnership with the OSCE Mission to BIH. The programme will also provide assistance to improve the ammunition inspection and verification mechanisms of the BiH Government and to enhance legal and administrative expertise and good practice within the authorities.

II. Following the commitments expressed in Tirana Declaration on fight against illicit arms Trafficking in Western Balkans, the EUD/EUSR in BiH closely cooperated with the UNDP during the organisation and implementation of the ministerial conference on "Arms Control in the context of EU enlargement" which took place from 18 to 19 June 2013. The conference targeted high level representatives of BiH authorities dealing with the area of arms control as well as international organisations involved in this topic. Effective fight against the illicit arms trafficking and the collection of the illegal weapons across the entire territory of BiH were two main areas discussed at the conference. The EUD/EUSR in BiH liaised with EUROPOL facilitating their presentations at the conference dedicated to the impact of illicit arms trafficked from Western Balkans countries in the EU. In addition, the EUD/EUSR chaired the panel on illicit arms trafficking and also delivered presentation on main EU requirements and standards in this field. BiH authorities were invited to consider transposing relevant provisions of the Council Directive 91/477/EEC on control of the acquisition and possession of weapons and Directive 2008/51/EC amending Council Directive 91/477/EEC into national legislation pertaining to definitions, categorisation, marking system as well as the enhanced cooperation in the field of illicit arms trafficking. The participants at the conference concluded that stronger law enforcement cooperation, information and intelligence exchange as well as further approximation of the legislative framework with international and EU standards is necessary to counter the illicit arms trafficking. It was also recognised that a campaign to collect illegal weapons in BiH should be implemented in a time-coordinated manner across the entire country and pursuant to the international standards for small arms control.

III. The EU is currently also considering to continue its previous support to the South Eastern and Eastern Europe Clearinghouse for the Control of SALW (SEESAC) in order to further reduce the threat of the illicit trafficking of SALW in South East Europe. Building upon the successful implementation of Council Decision 2010/179/CFSP, a possible follow-up project could expand its scope to include the Republic of Moldova and Kosovo* while at the same time strengthening the regional cooperation aspect as the most efficient vehicle for ensuring long term impact and sustainability.

IV. Finally, EUFOR Althea continued to participate in the efforts of the international community to address the issue of surplus stocks of conventional ammunition held by the BiH MoD.

(b) OSCE region

In the framework of Council Decision 2012/662/CFSP in support of activities to reduce the risk of illicit trade in, and excessive accumulation of, Small Arms and Light Weapons in the region covered by the Organisation for Security and Co-operation in Europe (OSCE), the following activities were conducted during the reporting period:

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

An expert level training on enforcement of brokering controls on SALW took place on 24-26 April 2013 in Vienna for 12 countries from South East Europe, Eastern Europe and the Caucasus. The training focused on investigation and prosecution techniques. It was organized by the OSCE together with experts from the United Kingdom and was also conducted with the participation of UNODA, UNODC and the US Export Control and Related Border Security Programme. Participants learned about legislation, procedures and techniques for investigation and prosecution and also engaged in two case studies. Among other things, the training underlined the need for enhancing existing brokering legislation in some countries, especially with regard to their criminal law. Possible follow-up steps are currently being considered on this issue.

Following the presentation of an electronic SALW and ammunition record keeping application to OSCE participating States in Minsk on 28-30 May 2013, a six month testing period has now started with the Ministries of Defence of Albania, Bosnia and Herzegovina, Kazakhstan, Kyrgyzstan, the Republic of Moldova, Montenegro, Serbia, and Tajikistan taking an active part in this process. They received testing laptops with installed software and user manuals. A few other OSCE participating States expressed interest in obtaining additional information on the software with a view to join the project at a later stage. The software will also be translated into English, Serbo-Croatian, and Moldovan.

The Council Decision's activities dedicated to physical security improvements of SALW storages and SALW destruction in Belarus and Kyrgyzstan concentrated on the development of the necessary legal framework and initial planning of further concrete implementation steps.

(c) Africa

I. In the first half of 2013, the implementation of Council Decision 2012/121/CFSP in support of activities to promote EU-China-Africa dialogue and cooperation on conventional arms controls continued. So far, the project has shown some tangible results in terms of developing increased awareness and dialogue amongst civil society, industry, and government representatives of China, the EU, and African States on combating the illicit trade and excessive accumulation of SALW in Africa, especially in Eastern Africa. So far, more than thirty bilateral meetings took place in Africa, China and EU Member States as well as three meetings of the Africa-China-EU Expert Working Group on Conventional Arms (EWG), one study visit to South Sudan, and a Regional Conference on Tackling Illicit SALW and Ammunition in Eastern Africa in Nairobi (2-3 July 2013). The latter was held under the aegis of the EWG and hosted by the Africa Peace Forum and Saferworld, in cooperation with the Kenya National Focal Point on Small Arms (KNFP) and the Regional Centre on Small Arms in the Great Lakes Region the Horn of Africa and Bordering States (RECSA), thus also meaningfully complementing the ongoing IfS support to RECSA (see further below II.).

All these activities have shown an increased engagement from the Chinese side, including from senior military experts. Newspaper articles have started to devote attention to the issue of illicit SALW in Africa and make suggestions on what China should do to address this problem. The seminar in Nairobi also attracted significant media coverage in China. Furthermore, the translation of relevant materials is contributing towards increased awareness and knowledge of the SALW problem in Africa and has created opportunities for dialogue and debate on responsible SALW transfer controls amongst scholars, think tank experts and students.

Good cooperative dynamics have developed amongst the members of the EWG who are engaging together in policy dialogues, holding consultations with officials and civil society representatives, and joining fact-finding visits to the field. Its members hold a substantial and varied set of experiences and networks on which the project is drawing in order to meet its objectives. This includes, but is not limited to, the Chinese military, the Chinese Ministry of Foreign Affairs, the Dutch military, United Nations disarmament missions, United Nations arms embargo investigation teams, the South Sudanese military, the South Sudanese small arms bureau, the Ugandan police, the Ugandan National Focal point on SALW, the Kenyan Ministry of Foreign Affairs, the Nairobi-based Regional Centre on Small Arms (RECSA), several governmental and non-governmental SALW-related field projects and numerous ties to diplomats, officials and civil society representatives across Europe, China and Africa.

The project's policy dialogue and advocacy activities have also been instrumental in the return of the issue of SALW on the agenda of the Forum on China-Africa Co-operation (FOCAC). At the Fifth Ministerial Conference of FOCAC, China committed itself to support African efforts "to combat illegal trade and circulation of small arms and light weapons"(Item 2.6, the Fifth Ministerial Conference of FOCAC, Beijing Action Plan 2013-2015).

II. In the framework of the Instrument for Stability long-term component, the EU continued the implementation of a project to support the fight against the illicit accumulation of and trade in firearms and ammunition in Africa, through the **Regional Centre on Small Arms and Light Weapons (RECSA)**, located in Nairobi. This project contributes to the implementation of the Peace and Security component of the Joint Africa-EU Strategy. Main activities include institutional strengthening of target countries and RECSA, promotion of effective SALW management (arms marking, record keeping, stockpile management and destruction) and information generation on SALW. The current support to RECSA ended in June 2013 after the completion of a study examining the level of implementation of the regional and international SALW commitments of Sub-Saharan countries. A second phase of EU support to RECSA was agreed in December 2012 and commenced in July 2013 upon completion of the project's first phase.

III. On 24 June 2013, the Council adopted Decision 2013/320/CFSP to provide up to 5 million euros in **EU support for assisting the Libyan authorities** in their tremendous task of securing their massive volume of stockpiles in conventional weapons and ammunition. The EU offers this support to help the responsible authorities in Libya stop the further uncontrolled spread of conventional weapons and ammunition, which continues to fuel insecurity in Libya, its neighbouring countries and the broader region. This assistance is part of the EU's comprehensive approach to support the transition process to democracy, sustainable peace and security in Libya. The Council Decision complements the efforts of the EU Border Assistance Mission in Libya to develop Libya's capacity for enhancing the security of their land, sea and air borders in the short term, and to develop a broader Integrated Border Management (IBM) strategy in the long term.

IV. In addition, a joint project by DanChurchAid (DCA) and Danish Refugee Council (DRC), which is funded by the Instrument for Stability short-term component, has been providing risk education on SALW to the civilian population in Libya since September 2012. It aims to help reduce the number of accidents related to, and the visual presence of, SALW. DCA also advocates with local authorities policies on the safe management of SALW to help prevent armed violence. So far, 11 training courses took place for the Ministries of Interior and Defence on the clearance of mines/UXO. In the Tripoli area 96,800 m² of land were cleared. In the Southern Sabha area, an agreement was signed to train explosive ordnance disposal searchers and mine/UXO risk education was delivered to 2,452 people from migrant communities, fire services and schools.

V. Two further projects in African States, which are both funded by the Instrument for Stability short-term component, continue to support assistance (1) to the Government of South Sudan on arms control, in particular through capacity building measures aimed at peacefully reducing the number of uncontrolled SALW in the hands of civilians in South Sudan; and (2) to the Government of Niger in effectively implementing its commitments from the ECOWAS Convention on SALW and the UN PoA. Both projects are being implemented by UNDP.

(d) Central America

I. The EU also continued the implementation of a project supporting the Central American Small Arms and Light Weapons Control Programme (CASAC). Through the Instrument for Stability long-term component, the project, which was previously implemented by UNDP, entered its second phase of support in September 2012 with the Security Commission of the Central American Integration System (SICA) as its implementing partner. The contribution of the EU project to the CASAC initiative aims at establishing the foundation for a regional structure and long-term strategy to fight the illicit trafficking of arms in Central America, both at national and regional level. The project is implemented in Central America and neighbouring countries, including the Caribbean region (particular focus is put on Belize, Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama). Main activities include regional and national public awareness campaigns and conferences, strengthening of national coordination mechanisms and registry systems, and cross-border projects as well as training in various areas.

II. At the same time, the EU is currently also elaborating a possible Council Decision in support of further complementary activities on SALW control in Central America to specifically address CFSP objectives of necessary work to be undertaken jointly by the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC) and CASAC in order to successfully combat the illicit accumulation and trafficking of SALW and ammunition in this region.

III. Moreover, the Instrument for Stability short-term component is also supporting the Instituto de Enseñanza para el Desarrollo Sostenible (IEPADES) in the implementation of SALW related parts of the Central America Security Strategy, notably support to civil society in fighting and preventing crimes related to small arms and light weapons and armed violence.
