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THIRD ANNUAL REPORT

on the implementation of the EU Joint Action of 12 July 2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP)

(2003/C 312/01)

INTRODUCTION

1. On 26 June 1997 the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms was adopted by the General Affairs Council of the European Union, and on 12 July 2002 the European Council adopted a Joint Action on the European Union's contribution to combating the destabilising accumulation and uncontrolled spread of small arms and light weapons repealing Joint Action 1999/34/CFSP.

2. The Associated Countries of Central and Eastern Europe, Cyprus, Malta and Turkey as well as the EFTA countries members of the EEA have aligned themselves with this programme and the joint action.

3. In pursuing the objectives of the Joint Action, the EU played an active role at the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 9 to 20 July 2001), ending with the adoption of a UN Programme of Action, as well as in the negotiations of the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition supplementing the United Nations Convention Against Transnational Organised Crime, adopted by the UN General Assembly on 31 May 2001.

4. In 2002 the European Union started elaborating a common position on arms brokering (finalised in June 2003), requiring Member States to introduce ad hoc legislation in order to effectively control the activities of brokers.

5. This report is structured in three parts. Part I covers the national efforts to address the problems related to small arms in the Member States, such as inter-agency cooperation, newly enacted legislation and support for relevant research. Part II deals with international measures, such as assistance to projects conducted by international or regional organisations, or non-governmental organisations, assistance to affected states, and organising international conferences. EU

cooperation with other states is also included in Part II. Finally, in Part III the priorities for a more systematic approach to EU assistance in the field of small arms and light weapons (SALW) are discussed, as well as the lessons learnt from the experience already accumulated by the EU and its Member States in this field.

6. The report covers the Joint Action as well as the Programme. Its scope is, in principle, limited to the year 2001. Information on prior activities of the EU in application of the joint action and the EU Programme can be found in the First and Second Annual Report, as well as in the EU Commission's publication 'Small Arms and Light Weapons: the Response of the European Union'.

7. SALW-related projects under the Council Joint Action are financed through the CFSP-budget under a specific article 'non-proliferation and disarmament'. The implementation of CFSP-projects is carried out by the European Commission. Potential applicants, etc. should address the European Commission for guidance or other information on procedures for SALW-related projects through the CFSP budget or address the national contact points. Attention is drawn to the attached annex in which SALW contact points within the EU are contained.

I. NATIONAL IMPLEMENTATION EFFORTS DURING 2002

I.A. Cooperation, coordination and exchange of information between administrative and law enforcement agencies

8. In Italy, the ad hoc working group on small arms and light weapons — established in Italy since June 2000 under the coordination of the Ministry of Foreign Affairs, and which includes representatives of relevant ministries, law enforcement administrations and interested national industrial associations — met three times in 2002. Discussions were mainly focussed

on the future entry into force of the UN Protocol on Firearms and its impact on the relevant national legislation. Due consideration was also given to the issue of brokering activities, not regulated until now by the Italian law. Updates of initiatives carried out in relevant international fora (European Union, United Nations, OSCE, Wassenaar Arrangement) on aspects related to small arms and light weapons were also provided.

9. The Netherlands held bilateral consultations with Romania and Slovakia about possible assistance of these two countries in the field of arms export controls and legislation. The consultations have led to fruitful working visits of Romanian and Slovakian experts to the Netherlands in 2003.

10. Through the United Kingdom Global Conflict Prevention Pool, the United Kingdom has provided support to a number of governments to develop national action plans on SALW, including drafting new appropriate national legislation on domestic manufacture, production, export, import and transfer of SALW, and to prevent diversion. In 2002/3, United Kingdom customs have attended seminars between the EU and the accessionary and associate countries in Sofia and Prague and the licensing and enforcement experts meeting of the Wassenaar Arrangement in June 2002. Customs have also continued to conduct a series of export control awareness raising visits to export control staff at ports and airports and were involved in a number of seminars arranged by the United Kingdom Defence Manufacturer's Association relating to the new provisions in the Export Control Act 2002.

I.B. Newly enacted legislation, reviews of the practical functioning of existing legislation

11. In the context of the international fight against terrorism Austria adopted a federal law amending the criminal law (Strafrechtsänderungsgesetz, Federal Gazette I Nr. 134/2002) which also addressed issues regarding illicit arms. Furthermore, the Austrian government concluded agreements on police cooperation with the governments of Bulgaria and Uzbekistan. These agreements include provisions regarding the fight against illicit trafficking in arms.

12. Belgium enacted the form of the law of 27 June 2002 concerning the profession of dealer/intermediary in the legal trade in small arms. Article 10 of that law, amending the law of 5 August 1991 on the importation, exportation and transit of weapons, states that 'no Belgian or foreigner residing or trading in Belgium may ... , negotiate, export or supply abroad or hold for that purpose, weapons, munitions or material specifically intended for military use or related technology, or act as intermediary in such transactions, without holding a licence for that purpose issued by the

Minister for Justice. An intermediary shall be considered to be any person who, for payment or free of charge, sets up conditions with a view to the conclusion of a contract for the purpose of negotiating, exporting or supplying abroad, or holding for that purpose, weapons, munitions or material specifically intended for military use or related technology, whatever the origin or destination of the goods and irrespective of whether or not they enter Belgian territory, or any person who concludes such a contract where the transport is carried out by a third party'.

13. However, a link must be established between the legal or natural person of the trafficker and Belgium, in the form either of a national link or of residence. Breaches or attempted breaches of this law are punishable by one month to five years' imprisonment as well as a fine ranging from EUR 10 000 to one million, or by one of these penalties. Moreover, the Belgian courts are competent to rule on breaches of the law which are committed outside the territory if the defendant is found in Belgium, even if the Belgian authorities have received no complaint or official request from foreign authorities and the offence is not punishable in the country where it was committed.

14. In Denmark, no new legislation on small arms was adopted in 2002.

15. A proposition concerning legislation on firearm amnesty is presently under preparation in Finland. The legislation — prepared together with the Ministry of the Interior, Ministry of Defence, the Ministry of Justice and the Ministry of Trade and Industry — would come into force in autumn 2003 and be established on a permanent basis. The purpose of the project would be to decrease the number of illegal and unregistered weapons in Finland and thereby increase public order and security. Firearm amnesty project would make it possible to surrender illegal small arms, ammunition and explosives to the police without any punishment, provided that relevant small arms have not been used in criminal acts. Owner of an illegal firearm could also apply for a licence and keep the gun. He/she could also convey the firearm to another licence holder through the police within three months. Other possibilities for action after small arms rendering would be its deactivation or its re-rendering to the state. Illegal firearms will be sold by the police in official public auction on behalf of the owner to the collectors and other licensed arms holders. All illegal firearms will be registered.

16. Rules concerning arms brokering were included to the Finnish Act on the Export and Transit of Defence Materiel in December 2002. The legislation was prepared and drafted by the Ministry of Defence. The new legislation includes the following elements:

— Brokering controls shall cover all defence materiel, as defined in the act. The concept of defence materiel is basically identical to the coverage of the Wassenaar munitions' list as well as the EU common list of military equipment, with one exception. In Finland, the civilian firearms and ammunition (i.e. hunting and sporting weapons and ammunition) are controlled in a different legislative framework (Firearms Act, 1/1998) and come with the competence of the Ministry of Interior.

— The guiding principle in the law drafting process was that same controls shall apply to brokering as to export and transit of defence materiel. This means that each individual brokering transaction is subject to a brokering licence. The competent licensing authority is the Ministry of Defence and the Ministry for Foreign Affairs is responsible for foreign and security policy considerations, as in the export licensing cases. Export or brokering licence shall not be granted if it jeopardises Finland's security or is contradiction with Finland's foreign policy. The licensing criteria are the same: the national criteria, the EU Code of Conduct on Arms Exports as well as the OSCE Guidelines — both included as annexes in the Finnish national guidelines — the relevant international treaties and principles and, of course, international arms embargoes will have to be applied.

17. The end-use controls shall also be the same. In general, Finland applies a fairly strict policy in this respect; an end-user certificate is basically a mandatory prerequisite for granting an export or a brokering licence in all cases and to all destinations. Also the sanctions shall be the same: the penalties range from fines to four years of imprisonment. It was one of Finland's priorities last year in the field of export control legislation to introduce a legal framework for controlling arms brokering. The main reason for this was the fact that lacking brokering controls were seen as a loophole in the legislation of Finland. It was also regarded as a matter of priority to implement the provision of the UN Firearms Protocol and the OSCE Document on Small Arms and Light Weapons.

18. Definitions in the new legislation are mainly based on the work of the EU Council Working Group, COARM, and on the work of the Wassenaar Arrangement. A free translation of the term brokering could be as follows: 'activities where the parties are brought in contact with each other with a view to concluding a contract involving export or transfer of defence materiel'. The travaux préparatoires describe the brokering as 'buying and selling, where the products enter into the legal possession of the broker' and 'mediating without direct acquisition of property'. The broker, on the other hand, is described as 'a private person or a legal entity negotiating or arranging a contract that involve the export or transfer of

defence materiel from a third country to another'. Third countries cover here both the EU Member States and other foreign countries.

19. The territorial scope is rather wide. Licensing requirement applies to brokering activities taking place in the Finnish territory. However, when the products are transferred through the Finnish territory, the 'traditional' import, export and transit controls apply instead. In addition, there is an extraterritorial scope of application: when the brokering transaction takes place outside the Finnish territory, licensing requirement applies whenever the broker is a Finnish citizen, Finnish legal entity or a Finnish resident. The Ministry of Defence keeps a database of all licences granted. These licences are public documents in Finland, as the export and transit licences, and available for reading or photocopying at the MoD registry. The MoD will also publish detailed statistics of all licences granted on an annual basis. Finland is also planning to set up a register of arms brokers. The relevant legislation is under preparation by the competent authorities.

20. The Ministry of Interior in Finland is also presently preparing the implementation of the UN Firearms Protocol. A motion to issue provisions on arms brokering concerning civil firearms and ammunitions is currently under preparation.

21. In France, identification and repression of arms trafficking are among the tasks of police, gendarmerie and customs services. To this end, France established a centralised inter-agency body ('Central Office for Repression of Arms, Explosives and Sensitive Goods Trafficking' — OCRTAEMS) at the Central Department and judiciary police. Those structures were strengthened in April 2002.

22. According to a regulation adopted in January 2002, brokering activities related to military goods are included in the framework of trade operations, thus requiring the issuance of an authorisation prior to production and trade of concerned goods. Brokers operating in France are obliged to be registered and have to keep records of all their brokering activities.

23. France supports Ecowas Moratorium on import, export and production of SALW, decided by Heads of States and Governments in October 1998 and renewed in 2001, and respects its provisions requiring the issuance of export authorisations to be conditioned to the presentation, by the buyer, of an exemption certificat issued by the Ecowas Executive Secretariat.

24. Germany participated in the negotiations of the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms,

Their Parts and Components and Ammunition, supplementing the United Nations Convention Against Transnational Organized Crime (Firearms Protocol). The process of ratification of the Firearms Protocol has been initiated.

25. Germany fully supports and implements in her national export control the following decisions:

- UN Security Council resolutions regarding export of sensitive goods to countries subject to an (arms) embargo,
- Council Joint Action 2002/589/CFSP of 12 July 2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons and repealing Joint Action 1999/34/CFSP,
- EU common positions regarding the export of sensitive goods to specific destinations,
- Germany also respects regional moratoria, such as the Ecomoratorium on importation, exportation and manufacture of light weapons, adopted in Abuja on 31 October 1998, as renewed, and is interested in a close cooperation with countries to implement that Moratorium in the framework of the Wassenaar Arrangement.

26. In Germany, both media and the educational system take due note not only of the problems of illicit trade in SALW, but also of the developmental impacts connected with SALW in particular. It would not seem unjustified to assume that the interested public, in fact, does have a certain degree of awareness. Against this background, two specific efforts deserve to be underscored:

- at prime time, national television showed the destruction of SALW stocks declared as surplus by the federal armed forces,
- Unicef's endeavors to abolish the abuse of children and minors as soldiers are broadly and repeatedly covered in national media.

27. Both in her national decision-making process related to all export and brokering control matters and in the practice of her courts, Germany fully supports and implements arms embargoes decided by the UN Security Council in accordance with the UN Charter. The competent authorities will inevitably

dismiss license applications, if there is ground to believe, in the individual case, that the envisaged activity would violate an arms embargo imposed by the UN Security Council in accordance with the UN Charter. While arms embargoes, in principle, do not require transformation into municipal law, more comprehensive arrangements are in a number of cases applied and implemented in accordance with relevant Council regulations. The terms and provisions of the relevant embargo are transposed into practice by turning down any license applications concerning the export of such goods to embargoed destinations. In Germany, contravening embargoes imposed by the United Nations Security Council — for instance by exporting SALW to embargoed destinations, is considered a serious crime and thus consistently prosecuted. Illegal trade in SALW violating such an arms embargo yields imprisonment not shorter than two years. In minor (less serious) cases, the custodial sanction may range between three months and five years.

28. Technical information in English on the German system of marking of arms and weapons as well as detailed information on SALW confiscated or destroyed both within the German jurisdiction and, with the assistance of the Federal Armed Forces, in the context of peace-keeping missions overseas are part of the annual information exchange pursuant to the OSCE Document on Small Arms and Light Weapons and are available on internet at:
www.auswaertiges-amt.de/www/de/infoservice/download/pdf/friedenspolitik/abruestung/kleinw_2002.pdf

29. In Greece, competent ministries are considering the amendment of the legislation on arms exports in order to regulate arms brokerage and to revise certain provisions of the respective laws and related regulations. Taking into account the threats posed by the excessive accumulation of SALW in South Eastern Europe, Greek administrative and law enforcement agencies have developed a strict border control regime. The adopted measures led to a considerable increase (21 %) in the number of illicitly trafficked SALW which were confiscated during 2002.

30. In line with the increasing focus on the importance of strengthening strategic export control rules, Ireland (which does not manufacture small arms or light weapons) is taking steps to ensure that its export controls conform to the highest international standards. In this context, the Department of Enterprise, Trade and Employment has commissioned a review of Ireland's strategic controls systems with a view to recommending how best we can modernise and strengthen them, address identified gaps (e.g. arms brokering) and ensure full compliance with Ireland's international obligations. Under

current Irish legislation, the import and export of small arms to EU countries must be licensed in accordance with the Firearms Acts, 1925 and 1964 and the EC (acquisition and possession of) Weapons and Ammunition Regulations, 1993. Exports of firearms to all countries are also subject to the control of Exports Act, 1983 and orders made thereunder, and to the international obligations and responsibilities derived from membership of the UN, EU, OSCE and other entities which involve regulation of exports such as the Wassenaar Arrangement.

31. As in Italy no new legislation was passed in 2002 on small arms and light weapons, relevant national law continues to divide them into two categories:

- weapons for military use, regulated by law 185/1990 (authorisations for import, export or transit of military weapons are issued by the Ministry of Foreign Affairs, acting in agreement with the Ministry of Defence),
- common firearms, regulated by law 110/1975 (authorisations for import, export or transit of common firearms are issued by the Ministry of Interior).

32. As no new legislation was introduced in 2002 in Luxembourg, the law of 15 March 1983 on arms and munitions and the Grand-Ducal regulation of 31 October 1995 on the importation, exportation and transit of weapons, munitions and material specifically intended for military use and related technology constitute the relevant legal basis. They are published in the memorial (Luxembourg Official Gazette). The existing legislation is still being revised. To guarantee international coordination on small arms and light weapons, the Ministry of Foreign Affairs has been given responsibility for liaising with other states and organisations.

33. In the Netherlands, the new licensing system for transit of military goods has entered into force as of 1 January 2002. Transit of goods through the Netherlands is covered by the Import and Export Act and by the Arms and Ammunition Act. Both laws have been amended in 2001 in order to improve the control of transit of military goods. The Import and Export Act has been made applicable to the transit of military goods (all items on the WA list) to non-EU countries. The amended arms and ammunition law regulates the transit of 'arms and ammunition' to EU Member States. Under the amended Import and Export Act and its operative secondary legislation it is obligatory to notify the Dutch authorities of consignments of

certain types of arms. These are the categories of small arms and light weapons as set out in the Joint Action on combating destabilising accumulations and proliferation of small arms and light weapons.

34. The new Netherlands transit regulation imposes a generic mandatory licence for cases where military goods in transit remain in the Netherlands for an extended period of time or where they undergo some processing operation in the course of the transit. In addition, the possibility was created for the imposition of an ad hoc mandatory licence for transit consignments of military goods. This latter possibility will be used in particular where there are indications that consignments are not already subject to the effective export control of the country of origin or where it would appear that, in the course of their transit through Netherlands territory, consignments are redirected to a destination other than that intended upon the issuance of an export licence. The amended Arms and Ammunition Act has been made applicable to export or transit of 'arms and ammunition' to EU Member States, and continues to be applicable to import of these goods. A license is required for such export, transit or import. In case of export or transit a license will be refused if the applicant cannot prove that the competent authorities of the EU Member State for which the arms or ammunition are destined do not object against the presence of these goods on their territory.

35. In 2002, new legislation has been drafted in Spain, regulating the foreign trade in defense and dual use goods. This new regulation is expected to be approved during the second semester of 2003. The new rules make it necessary for all exports of defense and dual use goods to have as a final destination a public institution (armed forces and public security bodies) when there exists a danger of deviation of final destination. Likewise, the competent authorities could deny authorization for transactions of defense and security material if there are enough reasons to believe that this material can be used to violate human rights or in any form contrary to the inherent dignity of the human being. In this connection, a document of control will be required, specifying the accomplishment of all the legal conditions for the goods to be exported. Apart from that, a double control is established implemented by the customs authorities and the central inspection for arms and explosives.

36. Spain has implemented all embargoes in force within the framework of United Nations, the EU and the OSCE and fully respected all the commitments assumed in international fora on arms control and non-proliferation. Thus, in accordance with the small arms Moratorium of the Ecomas (Community of States of Western Africa) Spain did not authorize any export of defense material during 2002 with final destination to any country of this community, except for three vision and orientation equipments to Ghana, to be used by the United Nations peace forces. Finally, Spain has supported all initiatives presented in international fora aimed at attaining more transparency and a better control in the trade of this kind of arms.

37. In Sweden, no new legislation regarding small arms and light weapons was passed in 2002.

38. In July 2002, the United Kingdom published its Fifth Annual Report on Strategic Export Controls, covering calendar year 2001. This publication now has command paper status which is a requirement by law under the Export Control Act. The Export Control Act received royal assent in July 2002. Under draft implementing legislation, SALW trafficking and brokering activities that take place partly or wholly in the United Kingdom will require a licence. Full extra territorial controls will be introduced on United Kingdom persons whose activities facilitate the supply of military equipment to embargoed destinations. The Export Control Act will also be used to introduce new controls on the transfer abroad of military technology by electronic means and the transfer of technology by any means or the provision of technical assistance overseas which is or may be intended for use in connection with a weapons of mass destruction programme. United Kingdom Customs are tightening up their controls of registered firearms dealers following a major review and frontier controls continue to be more effectively targeted on illicit goods using high quality intelligence and risk assessment techniques.

I.C. Training of administration, law enforcement agencies, judicial organs

39. Different courses and seminars were organized in Spain in order to disseminate the legal treatment for preventing and combating illicit trafficking in arms all through the year. These activities are oriented to public officers and agencies with a view to disseminate the rules regulating this matter.

40. The Swedish National Defence College conducts a broad programme on disarmament, demobilisation and reintegration (DDR), which includes both national and international training.

I.D. Other initiatives or activities

41. In Italy, the following small arms and light weapons, identified as surplus, were destroyed in 2002:

- three revolvers and self loading pistols (beretta m51),
- 1 071 rifles and carabines garand (t2).

Italian security forces also seized, in the Italian territory, additional 8 365 firearms of different models.

II. INTERNATIONAL IMPLEMENTATION EFFORTS DURING 2002

II.A. Measures to combat the accumulation and spread of small arms and light weapons, and to prevent illicit trafficking in conventional arms

II.A.1. Financial, technical and other assistance given to relevant programmes and projects conducted by the UN, ICRC and other international or regional organisations and NGOs

II.A.1.1. Actions and projects supported by the European Union

42. On 11 November 2002 the Council adopted Council Decision 2002/904/CFSP with a view to the continuation of the European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Cambodia. This decision provides a further EU funding of EUR 1 568 000 for the continuation and expansion of this ongoing project, fully designed and managed by the EU and that started in 1999.

43. On 21 October 2002 the Council adopted Council Decision 2002/842/CFSP granting an EU contribution of EUR 200 000 to the running costs of the 'Stability pact/UNDP Regional Clearinghouse on Small Arms and Light Weapons' in Belgrade.

II.A.1.2. EU cooperation with other states

44. At the EU-US Summit of 17 December 1999, it was decided to establish a Working Group on SALW for regular exchanges at expert level with a view to increasing cooperation and information sharing and evaluate progress achieved by the EU and the US on small arms issues. The Group meets at least once during each EU Presidency. At its meetings in 2002, it focused on preparations for the 2003 First Biennial Meeting of States Parties to the UN Programme of Action Against the Illicit Trafficking of SALW and on ways forward to cooperate in implementing the Programme of Action. It also updated the Joint EU-US Declaration on SALW and discussed the possibility

of adopting common standards for the Annual Report to the UN on SALW-related issues. Information were provided on projects financed by the EU and the US in affected countries.

45. Following the EU-Canada Summit Declaration on the Establishment of a Joint Working Group on Small Arms of 16 December 1999, the Working Group has met every six months. At its meetings in 2002, the Group discussed the prospects of the 2003 First Biennial Meeting of States Parties to the UN Programme of Action Against the Illicit Trafficking of SALW and reviewed the status of implementation of assistance projects financed worldwide by the EU and Canada. Specific attention was given to the ammunition destruction project in Albania.

46. In 1998, the EU and the Southern African Development Community (SADC) adopted the Regional Action Programme on Light Arms and Illicit Trafficking, providing a framework for action as regards, inter alia, illicit trafficking, strengthening of legal controls of arms transfers, removal of arms from society and enhancing transparency. In 1999, an EU-SADC Working Group on Small Arms was established. In 2002, the Working Group focussed on areas of possible bilateral cooperation. Some of them were also discussed at the seminar 'Advancing the Implementation of the SADC Firearms Protocol: Deepening SADC-EU Cooperation', held in Brussels in November 2002. Due consideration was also given to preparations of the 2003 First Biennial Meeting of States Parties to the UN Programme of Action Against the Illicit Trafficking of SALW. Information were provided on the implementation of the Programme of Action both in Southern Africa and in Europe.

II.A.1.3. Cooperation provided by EU Member States

47. Belgium supported the Unidir project 'Human Security and Small Arms in West Africa — Enhancing the Role of Civil Society'. This project places emphasis on human security, peace building and practical disarmament, from the particular perspective of the SALW issue.

48. Belgium has also supported the 'Small Arms Survey' dealing with the small arms issue proposed by the programme for Strategic and International Security Studies of the Graduate Institute of International Studies in Geneva. This project seeks

to set up a network of impartial and public information on the proliferation of small arms and light weapons.

49. Denmark continued its support for the UNDP pilot project for collection of illicit arms and support for sustainable development of the N'Guigmi administrative district in Niger, with a contribution of EUR 135 000.

50. Finland supported financially the Biting the Bullet project, which is set out as a five-year project leading up to the first review conference in 2006. The Biting the Bullet project is lead by international non-governmental organisations such as Basic, International Alert and Saferworld. The Btb-project organises an informal international 'Small Arms Consultative Group' process to examine the issues of (1) transfers of SALW to non-state actors and (2) guidelines on existing responsibilities under international law for transfers of SALW. Finland finds it important to facilitate international discussion and to develop innovative and practical policy recommendations to enhance international cooperation and control on these critical issue areas. The contribution was EUR 10 000 EUR.

51. Finland also supported financially the Arms Management programme implemented by Institute for Security Studies in South Africa in 2002. Finnish contribution was EUR 30 000. Finland is considering the extension of the support for the year 2003.

52. Finland contributed to the success of the UN-led interagency training programme in Central Asia. Finland supported the OSCE training module both by providing financial support as well as one border management expert trainer to the project. The training enhanced the practical implementation of the OSCE Document on SALW and focused on combating trafficking of small arms. The OSCE Expert Team conducted a two week pilot project at the Uzbek-Afghan border crossing point. This Termez-Hayraton training initiative was intended to enhance the capacity of the local border guards and customs officials to interdict illegal arms shipments. Other training modules were presented to the border officials by a number of UN agencies UNDP, ODCCP, UNHCR, Unesco, Unicef, WFP, and OCHA as well as other partners. Finland continues to support this training initiative by seconding an expert to the OSCE mission in Central Asia.

53. Through the support for the UN Regional Centre for Peace and Disarmament in Africa, Finland is contributing financially to the Small Arms Transparency and Control Regime (Satcra) programme in Africa. The objectives of this programme are: (a) establishment of a SALW register for Africa; (b) promoting state capacity in the management of stockpiles, filing and storing legally owned arms and ammunition; (c) marking and tracing of weapons; (d) harmonisation of national legal rules that regulate the transfer

of SALW; (e) promote dialogue with the armament industry; (f) inventory of local arms manufactures; (g) monitoring and verification provision to ensure compliance; and (h) awareness raising. The Finnish contribution for the project is EUR 500 000 for years 2003 to 2005.

54. Finland supports the UNDP arms control project in Albania financially and has also seconded a Finnish small arms expert as international technical expert for the project for two years. The components of SALW control programme are: (a) public awareness and information; (b) development projects; (c) logistic support to weapons collection teams; (d) pilot database project for weapons control; and (e) assistance and advisory. The project provides support for SALW control, but with the added feature of placing these efforts within the broader context of promoting human security. Human development, economic and social investments and sustainable economic growth cannot materialise in a state of insecurity. Sources on insecurity in Albania are numerous and pervasive. The inability of state and civil society to ensure the rule of law is possibly the main underlying cause of insecurity. The contribution for the project was EUR 1 150 000 for years 2001 to 2003.

55. France supports, in post conflict situations, appropriate programmes related to DD&R of ex-combatants and promoted by relevant regional and international organisations, especially in Africa (bilateral action), former Yugoslavia (ONU and NATO framework) and Asia (support to the EU-ASAC programme in Cambodia). France has already provided a contribution of EUR 457 357 to the implementation of Ecowas Moratorium, and announced the renewal of its contribution, worth EUR 200 000.

56. France is also actively involved in international programmes of coordination in the fight against illicit trafficking of SALW, in the framework of ONU and NATO (such as, for instance, in Kosovo, with arms collection and training of civil and military police).

57. Germany contributes to the multi-donor demobilization and reintegration programme, and has provided EUR 2 million to the multi-donor trust fund. For related programmes in that region an additional EUR 18 million are provided bilaterally.

58. The Federal Government is supporting the East African community in reforming and harmonizing the policies towards small arms control. Part of this support is the organization of training for security personnel, members of civil society, members of the East African legislative assembly, members of the EAC-Secretariat, religious groups as well as representatives

of the media. These trainings serve to create a critical awareness on the dangers of uncontrolled small arms proliferation. To this end, a liaison office will be established within the Nairobi Secretariat. Likewise, the Federal Government supports the Southern African Development Community in harmonizing their policies on the basis of the SADC Protocol on the Control of Firearms, Ammunition and Other Related Material adopted 14 August 2001.

59. In Angola, the Federal Government has supported a local project implemented by the Angolan non-governmental organization 'Angola 2000' in cooperation with SaferAfrica. This project aims at raising the awareness of the necessity to reduce the negative effects of small arms availability in society. The following activities have been undertaken thus far:

- training of local actors for weapons management and practical disarmament,
- training of local actors in survey techniques and quantitative data analysis,
- conducting a survey on human security in selected areas,
- a seminar for the distribution of the findings,
- advocacy work at the national level for the creation of a national plan of action.

60. In Cambodia, Germany supported the DD&R process through its 'Support for the Cambodian Veterans Assistance Programme' (CVAP). During its last phase, the main focus of the project was levelled at the reintegration of veterans in the provinces of Kampot and Kampong Thom. The programme was designed to support the nationwide integration of soldiers, to strengthen the management capabilities of the Secretariat-General of the programme and to help in the elaboration of a national reintegration strategy. Its activities encompassed:

- a survey on the needs of future veterans in two provinces,
- the setting up the infrastructure of discharge centers,
- the provision of logistics of discharge centers,

- procurement and distribution of household kits for 1 500 veterans (in cooperation with the Cambodian Red Cross),
- the organization of skills training courses for veterans and family members of veterans in two provinces,
- the organization of agricultural training courses and distribution of seed packages,
- the setting up of provincial CVAP offices,
- support and training for veterans' committees in two provinces, and
- training and support for referral services.

61. In Cambodia, Germany also supported the local non-governmental organization 'Working Group for Weapons Reduction', which endeavors to train other local non-governmental organizations in awareness-raising campaigns.

The following activities have been undertaken thus far:

- needs assessment in the Kampong Thom non-governmental organizations community,
- conducting training manual workshops,
- drafting of a handbook and training manuals to support local non governmental organizations work on small arms,
- financial support and promoting local non-governmental organizations in working on small arms and running of further workshops,
- evaluation of the pilot project.

62. In Uganda, the Federal Government supports a peace education programme implemented by the local non-governmental organization 'Borrow a Youth'. It aims at the recognition, by schools as well as Ugandan youth organizations and local non-governmental organizations, of the danger of small arms within their surroundings and at measures to be taken in order to reduce this danger.

Activities undertaken so far encompass:

- the production of education material,
- training of trainers, and
- a campaign against small arms through drama groups, radio broadcast, etc.

63. Germany supported, and continues to support, a range of SALW-related activities such as:

- the World Bank trust fund for the national demobilization programme in Sierra Leone, supplemented by bilateral projects for the re-integration of former combattants in Sierra Leone,
- various SALW projects (co-) sponsored by the group of interested states on practical disarmament, mainly in sub-Saharan Africa,
- the re-integration of former combatants and internally displaced persons in Angola,
- supporting the UNDP project on the destruction of SALW in Niger.

64. All German support decisions have in common that priority was given to projects enhancing, in the receiving countries in question, implementation abilities as to control of the flow of weapons (export and import control, tracing ability) and to collection and destruction programmes in post conflict situations. The 'SALW help desk', established at the Bonn International Conversion Center, supports practical disarmament measures and extends its expertise when SALW-related projects are defined and planned. The help desk has established a wide-ranging network of contacts with prominent experts in the field of small arms and light weapons. In order to underscore the importance that the Federal Government attaches to facilitating and enhancing greater awareness of the problems associated with SALW, it has initiated a broad dialog and regular exchange of information with national non-governmental organizations.

65. In the framework of NATO, Greece participates as the lead nation in a project of a feasibility study for the destruction of 1,5 million SALW and 133 000 tons of munitions in Ukraine. In 2002, Greece donated EUR 50 000 to that project. In 2002 Greece contributed EUR 86 000 to the NAMSA programme for the destruction of SALW and munitions stockpiles in Albania. Greece is committed to a further annual contribution of EUR 50 000 up to the year

2006. In addition, the Ministry of Public Order provided logistical and technical support to the Albanian police and organized seminars for its staff. The seminars included topics on SALW and arms export control. Greece has also donated EUR 50 000 to the SEEI trust fund for the destruction of SALW in Serbia and Montenegro.

66. Ireland contributed EUR 83 000 to the SaferAfrica project for technical assistance to the SADC. Ireland also contributed EUR 100 000 to a Canadian-led project to destroy SALW ammunition in Albania and has pledged EUR 30 000 to a Netherlands-led project in Serbia and Montenegro.

67. Luxembourg, acting in its national capacity, contributed to the project for the destruction of light weapons in Albania (EUR 43 660) under the NATO Partnership for Peace programme.

68. In 2001 the Netherlands established a special fund for SALW projects with the specific aim to support implementation of international programmes and declarations such as the United Nations Programme of Action, the OSCE Document on SALW and other regional declarations against the illicit trade in SALW. Furthermore, the fund is meant to support projects aimed at collection and destruction of weapons and munitions, as well as awareness programmes and research. Examples of projects carried out in 2002 with financial assistance of this fund are:

- the small arms programmes by UNDP in the Great Lakes region and South East Europe through the UNDP trustfund on SALW,
- the UN-LiREC Regional Clearinghouse Programme on Firearms Ammunitions and Explosives in Latin America and the Caribbean,
- assistance to SALW destruction in Kosovo through the funding of a destruction oven which was used by KFOR,
- contribution to SaferAfrica 'Arms Management and Disarmament Proposal: Initiatives to Reduce Proliferation of Illicit Small Arms and Light Weapons', creating e.g. national action plans in Uganda, Namibia and Mozambique, including the setting up of national focal points,
- 'Biting the Bullet II', a project by Saferworld, International Alert and Basic,
- contribution to the small arms programme of ISS.

69. Sweden granted financial assistance to the following multilateral projects and NGOs:

- weapons collection Tsikanvali-South Ossetia (SEK 200 000),
- support to the Small Arms and Light Weapons Administration System (SALSA), UN-LiREC, Peru (SEK 200 000),
- small arms transparency and control regime in Africa, UNREC, Togo (SEK 200 000),
- DD&R programme Sierra Leone, World Bank (SEK 2 million),
- conflict prevention, including SALW activities, CIVIS, in Colombia, 2002 to 2003 (SEK 13,1 million),
- DD&R child soldiers in South Sudan, Save the Children, Sweden 2002 to 2003 (SEK 7 million),
- various SALW-activities Latin America, Arias Foundation 2002 to 2004 (SEK 7 million),
- preventing recruitment of child soldiers, Unicef (SEK 4 million),
- DD&R programme Congo-Brazzaville, UNDP (SEK 5 million),
- regional framework for DD&R processes Great Lakes region, World Bank (SEK 20 million),
- various SALW-activities in Latin America, including an inter-parliamentarian exchange between Sweden, Spain and Central America, Swefor, 2002 to 2003 (SEK 4,4 million),
- re-integration of ex-soldiers Sri Lanka, Association of Disabled Ex-Service Personnel (SEK 400 000),

- DD&R programme Guinea Bissau, coordinator Correia — Government of Guinea Bissau, 2002 to 2003 (SEK 20 million),
- conflict resolution, including DD&R, Mozambique, Diakonia (SEK 300 000),
- support to UN SRSG for children of armed conflicts (SEK 700 000),
- 'Study of Child Soldiers: Preventing Child and Youth Recruitment', Uppsala University (SEK 200 000),
- support for the small arms survey, Graduate Institute of International Studies (SEK 200 000).

70. The United Kingdom funded 10 projects from the Global Conflict Prevention Pool. The main aims of the projects is capacity building, consensus building and research and analysis. In 2002, the Small Arms Destruction Fund (SADF) funded projects for the destruction of small arms in Botswana, Kenya and Cambodia.

71. The United Kingdom supported the implementation of regional agreements in Africa to stem the flow of arms into and around the continent. The United Kingdom in 2002 was a main donor to the Nairobi Secretariat, charged with assisting the states to implement commitments made in the Nairobi declaration. The Secretariat has thus far provided training and support to law-enforcement officers in the region, and to the establishment of national focal points in each country. With other G8 partners, the United Kingdom has assisted in establishing continental, regional and sub-regional/national capacities for the implementation of the UN Programme of Action and regional action plans, in particular in East Africa. Support was also provided for implementation of the Ecomog Moratorium and the SADC Regional Action Plan on SALW. The United Kingdom government also assists states in regions from which irresponsible arms exports to Africa have originated in the past to implement responsible export control regimes, through bilateral visits and seminars.

II.A.2. *Financial, technical and other assistance given to other states, especially those in affected regions*

72. Denmark supports de-mining and destruction of APLS with more than EUR 9 million through a six year programme in Mozambique. Destruction of SALW is not part of the terms

of reference of the programme but has occasionally been carried out as a derived activity. Through its participation in peacekeeping operations in the Balkans, Denmark has participated in activities related to repatriation, demobilisation and disarmament of armed forces. Reducing stockpiles of SALW held by civilians forms an integral part of the activities of the Danish forces.

73. Finland together with Canada supports the small arms control programme in Guatemala. The implementing agency for the project is IEPADES — Instituto de enseñanza para el desarrollo sostenible — a non-governmental organization founded in 1990. The project's goal is to consolidate a national programme of arms control with the participation of governmental actors involved in the topic and groups of civil society interested in this subject. Finnish contribution for the programme is EUR 20 000.

74. Finland financed and organised training of two police officers from Nicaragua and Guatemala in Finland in 2002. The training included *inter alia* arms registration, border control, licensing of arms export and arms legislation. Finland has trained two small arms experts on the collection and destruction of SALW and on stockpile management and security of SALW in the Swiss PFP training courses on the collection and destruction of SALW and in Switzerland in June 2002. Finland is willing to participate in international or bilateral projects and workshops requested by the recipient country in the field on arms collection, destruction and stockpile management. Finland offers expert assistance for requesting countries to evaluate their problems in management of SALW. Finnish experiences in arms collection and destruction in peacekeeping operations could be utilised in the cooperation. Finland considers organising expert training courses in Finland dealing with certain technical matters in management of SALW.

75. Finland seconded a Finnish small arms expert for the Graduate Institute's Programme for Strategic and International Security Studies' Small Arms Survey programme and financed the programme for the year 2003, in total EUR 60 000. The objectives of the small arms survey are: (a) to be the principal international source of neutral and public information on all aspects of small arms; (b) to serve as a resource for governments, policy makers, researchers and activists; (c) to be an independent monitor of national and international governmental and non-governmental policy initiatives on small arms; (d) to be a conduit for information and dialogue on small arms issues between the north and south, and east and west; (e) to be the central nodal point for an international network of researchers, research institutes and ngos working on small arms issues; and (f) to be a forum for sharing of information and the dissemination of best practice measures and initiatives dealing with small arms issues.

76. Finland believes in international cooperation and coordination in assisting the countries that require help in implementing the UN Programme of Action and OSCE Document on SALW. Finland places a particular importance on the regional cooperation on the control of trafficking of small arms by enhancing the capacity of border control authorities, customs and police. This involves *inter alia* sharing of information nationally and regionally, training of personnel, assistance for technical equipment, building database for arms registers and improving the quality of stock-pile management. Finland has enhanced cooperation, the exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels.

77. France favours bilateral actions focussing on geographic areas (for instance West Africa) regarded as a political priority. France supports cooperation programmes implemented in the EU framework according to the Joint Action adopted in 1998 and amended in 2002. France is actively involved in promoting a culture of peace keeping and enforcing, throughout the organisation of seminars and assistance missions (expertise mission to assist Ethiopian battalions involved in a peace keeping operation in Burundi, under OAU Aegis).

78. Germany supported the following regional programmes:

- co-financing of the DD&R programme in Rwanda,
- the Saligad small arms project in the Horn of Africa,
- a 'SALW for Community Development' project in Mozambique,
- community policing and conflict prevention in urban areas in South Africa,
- the destruction of small arms in Albania as well as training of personnel in the Albanian organization of destruction,
- the OSCE project on removal and destruction of ammunition in Moldova.

79. With reference also to her project activities in the adjacent fields of DD&R and awareness-raising, Germany

supports bilateral and multilateral projects for enhancing the international commitment to and efficiency regarding export controls. To this end, she exchanges information with other states on a mutual basis. In this field, Germany acts partly on behalf of the European Commission or of international control regimes, partly by seconding experts to participate in projects of others states. In addition, Germany initiates expert meetings and assists other states (such as acceding and candidate states in Central and Eastern Europe) in setting up their national export control systems. In that context, particular attention has been given to the SALW issue, including the elaboration and promulgation of new appropriate laws and the creation of an atmosphere necessary for effective law enforcement. Germany has provided technical and financial aid for the destruction of SALW to other countries and is willing to consider further projects in the future.

80. Detailed analysis and evaluation of criminal activities implying illicit trade in SALW in Germany suggest that the often assumed linkage to drug trafficking, transnational organized crime and terrorism cannot readily be established as to SALW-related crimes committed in Germany. Endeavors made by Germany focus therefore on respective assistance granted to neighbouring European countries. In the framework of the Stability Pact for South Eastern Europe, Germany has engaged in an intensive cooperation, at police and customs level, with different countries in the region, hereby mainly focusing on the training and specialization of border police forces as prime authorities to combat illicit trafficking in SALW. The customs investigation service is, for instance, assisting the authorities in Slovenia in their efforts to combat organized, cross-border crime by initiating investigations targeting members of South Eastern European gangs of arms smugglers resident in Germany.

81. At subregional level, the Federal Customs administration is involved in preventing and combating illicit cross-border trafficking in SALW by carrying out selective checks on flows of goods not motivated by any concrete suspicion. These checks are carried out in particular by the border clearance and surveillance services and the mobile control groups. At regional level, the close cooperation between the Customs Investigation Service and the French Customs administration merits to be highlighted. It includes regular special checks carried out jointly and aimed exclusively at combatting trafficking in SALW. These special checks have proved their worth over a period of many years. The exchange of information between German, French and Austrian Customs authorities is very extensive. The Customs Investigation Services of these countries exchange intelligence on trafficking in SALW. Close cooperation is also maintained with the Slovenian authorities.

82. In a broader sense, Germany has promoted the cause to facilitate legal action against the illicit trade in SALW by

concluding bilateral agreements with a number of countries contain clauses on preventing, combatting and eradicating trafficking of weapons.

II.A.3. Coordination of practical measures with other Member States and with the EU Commission

83. Issues of SALW were discussed in 2002 in the COARM, CODUN and CONOP Troika meetings with the Associated Countries, the EEA-EFTA countries, the Russian Federation, Ukraine, Canada, the United States, China and South Korea as well as in the joint Working Groups on SALW between the EU and the US and Canada.

II.A.4. Participation in, or organisation of international seminars and conferences

84. Austria was a co-sponsor, together with other EU partners, of the Conference on the Implementation of the UN Programme of Action on Small Arms — 'Needs and Partnerships' which was held in Pretoria (South Africa) from March 18 to 21, 2002.

85. Finland together with Canada, Costa Rica and Arias Foundation organized and financed the small arms conference for Central American countries in December 2001. The main purpose of the conference was to follow-up on the UN Programme of Action and it brought together the government representatives and agencies who worked in the field of the proliferation, control and trade of SALW. Finnish contribution was EUR 28 500.

86. A border management training seminar for the Central Asian countries was organized by the Finnish Ministry for Foreign Affairs, in coordination with the OSCE Secretariat, in Helsinki in June 2002. Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan took part in the seminar. The training was addressed to officers from the police, customs, export control and border control authorities. The purpose of the seminar was to assist the Central Asian countries in reinforcing national export control and border security systems in order to reduce illicit trafficking of small arms, drugs and strategic goods. To broaden the concept of effective borders the seminar was partly a follow-up to the OSCE Workshops on Small Arms and Light Weapons held in Central Asia both in the end of 2001 and in May 2002. The Finnish legislation on weapons and arms registers were presented. Issues like export control for defence material, dual use material and nuclear material, equipment and technology were raised as

well as border control for radioactive materials. Also a presentation of the safe storage of surplus weapons and their disposal was given. During the field trip the participants visited also a Finnish army storage area for small weapons and light arms.

87. Finland supported the travel expenses of the participants from the countries that requested financial support through forum of Security Council's Support Unit for the OSCE SALW seminar in Vienna in February 2002. The contribution was EUR 15 000.

88. Germany actively participated in, and in some case cosponsored, OSCE and UN Workshops on SALW in Central Asia and in South Eastern Europe.

89. Germany has provided financial and expert support to seminars on border security, SALW marking and stockpile management, conducted under the auspices of the OSCE, in Termiz (Uzbekistan) and in Zagreb (Croatia).

90. Italy granted a contribution of EUR 22 000 for the organisation of an OSCE seminar — held in Bucharest in February 2003 — on the regional implementation of the UN Programme of Action on the Illicit Trafficking of Small Arms and Light Weapons.

91. Italy also attended the following international seminars and conferences:

- African conference on the implementation of the UN Programme of Action on the illicit trafficking of small arms and light weapons (Pretoria, 18 to 22 March),

- Third Meeting of EU Member States and Associated Countries on conventional arms exports (Sofia, 10 April),

- Seminar organised by the NGOs coalition and Saferworld on arms export controls in the European Union (Madrid, 10 May),

- Stability Pact Regional Steering Group for the control of small arms and light weapons in South East Europe (Skopje, 30 May),

- Workshop organised by the "World Forum on the Future of Sport Shooting Activities" on export, import and brokering of small arms and light weapons (Naples, 13 to 14 June);

- Regional seminar on implementing the UN Programme of Action on the Illicit Trafficking of Small Arms and Light Weapons (Manila, 9 to 10 July),
- NATO EAPC Workshop on small arms and light weapons (Zagreb, 24 to 25 October),
- Preparatory seminar of the 11th OSCE Economic Forum on National and International Economic Impact of Small Arms and Light Weapons (Sofia, 11 to 12 November),
- South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons Donors' Conference (Geneva, 20 November),
- Informal meeting, organised by the NGO Saferworld on EU arms export controls (Brussels, 3 December).

92. The Netherlands contributed to the organisation and co-funding of the 'Conference on the Implementation of the UN Programme of Action on Small Arms and Light Weapons in Africa — Needs and Partnerships' that took place in Pretoria on 18 to 21 March 2002, and was organised together with Austria, Canada, Kenya, Mali, Nigeria, Norway, South Africa, Switzerland and the United Kingdom.

93. Portugal participated at the African Conference on the Implementation of the UN Programme of Action on Small Arms: Needs and Partnerships (Pretoria, 18 to 21 March 2002).

94. Sweden participated in various international seminars, including seminars on the implementation of the UN Programme of Action on SALW, on illicit brokering and on export control.

95. The United Kingdom was a co-sponsor, together with other EU partners, of the Conference on the Implementation of the UN Programme of Action on Small Arms — 'Needs and Partnerships' which was held in Pretoria (South Africa) from March 18 to 21, 2002.

II.A.5. *Other initiatives*

96. Finland contributes forces to, and has significant coordination responsibilities in, UN-mandated NATO peacekeeping operations in Bosnia and Herzegovina and Kosovo. These operations involve the demobilization of armed groups, monitoring and prevention of criminal activities

(including smuggling of persons, arms, drugs), maintenance of public order and enhancement of security as well as other activities that contribute considerably toward curtailing the security threat posed by small arms in the West Balkans' local communities.

97. France supports actions aimed at re-establishing the rule of law in post conflict situations. France is currently involved in those operations in RDC, Ivory Coast and Kosovo.

98. Germany — as troop contributor to SFOR, KFOR and Harvest, as well as Amber Fox — participated in the collection of SALW in South Eastern Europe. Under the Dayton regulations, it further supported the destruction of mortars of caliber 82 mm in Bosnia and Herzegovina. Prevention of trafficking of civilian firearms and military SALW forms part of integrated border management schemes supported by German police cooperation in the framework of the Stability Pact for South Eastern Europe.

99. Germany is closely cooperating with Interpol for the purpose of identifying those groups and individuals engaged in the illicit trade in SALW, if required in the framework of individual criminal investigations. In one case, the government of another state actively combating illicit handling of SALW has forwarded a voluminous tracing request to Germany directly, and not through Interpol, on the grounds that the request did not emerge from individual criminal investigations. Since its establishment, Germany is an active member of the IWETS Working Group. Together with seven other countries, she will participate in the IWETS pilot project to start mid 2003.

100. Italy's armed forces participated in a number of external operations, during which the following SALW were collected/confiscated and destroyed:

Multi-national brigade sw (Kosovo)

— 310 rifles,

— 100 revolvers,

— 6 machine guns,

— 20 portable launchers of anti-tank missiles,

— 7 rockets,

— 183 grenades,

- 2 780 mines,
- 27 517 ammunitions of various calibres.

Multi-national special unit (Kosovo)

- 86 weapons of various types,
- 16 706 ammunitions of various calibres,
- 135 grenades,
- 1 000 kg of explosives,
- 20 portable launchers of anti-tank rockets.

Multi-national special unit (Bosnia)

- 1 rifle.

101. With other NATO allies, Portugal contributes forces to the UN mandated SFOR and KFOR peacekeeping forces in Bosnia-Herzegovina and in Kosovo. Reducing stockpiles held by civilians forms a part of the activities of Portuguese forces.

102. Together with NATO allies, the United Kingdom contributes forces to the UN mandated SFOR and KFOR peacekeeping forces in Bosnia-Herzegovina and in Kosovo. United Kingdom forces are actively involved with reducing stockpiles held by civilians.

II.B. Participation in the work of international organisations and regional arrangements in the field of conventional arms, especially small arms and light weapons

II.B.1. United Nations

103. Austria has continued its participation in the activities of the UN including seminars and workshops, as well as in national initiatives on problems related to small arms and light weapons.

104. Denmark has continued its participation in the activities of the UN including seminars, workshops and related initiatives concerning SALW.

105. France attended the works of the UN Experts Group tasked to study the feasibility of an international instrument to trace illicit trafficking of SALW (Resolution 56/24 v). France was also member of an UN Experts Group established to study the issue of brokering.

106. On 10 October 2002 Greece signed the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, supplementing the United Nations Convention Against Transnational Organised Crime.

107. Ireland expects to be in a position to sign the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the UN Convention Against Transnational Organised Crime Protocol by the end of 2003.

108. Italy has continued national procedures required for the ratification of the UN Protocol Against the Illicit Manufacturing and Trafficking of Firearms.

109. The Netherlands participated in the UN Expert Group tasked with studying the feasibility of an international instrument to trace illicit trafficking of SALW.

110. Portugal has continued its participation in the activities of the United Nations.

111. On 6 May 2002 the United Kingdom signed the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts, Components and Ammunition. The United Kingdom is encouraging others to sign the protocol and work towards implementing it. The Home Office is actively working with the European Commission, and other Member States, on the implementation of the provisions on marking set out in the UN Protocol on Firearms. This will require marking at the point of first importation into the EU. The United Kingdom was represented on the UN group on governmental experts which carried out a study on the feasibility of marking and tracing.

II.B.2. UNGA First Committee

112. Member States have taken the following positions on the resolutions relating to small arms issues, which were adopted by the 57th UNGA First Committee:

- Resolution 57/65 ('Relationship between disarmament and development'): 13 EU countries voted in favour, two abstained,
- Resolution 57/66 ('National legislation on transfer of arms, military equipment and dual use goods and technology'): tabled by the Netherlands, supported by all EU countries,
- Resolution 57/70 ('Assistance to states for curbing the illicit traffic in small arms and light weapons'): co-sponsored by all EU countries,
- Resolution 57/72 ('The illicit trade in small arms and light weapons'): co-sponsored by all EU countries,
- Resolution 57/75 ('Transparency in armaments'): tabled by the Netherlands, co-sponsored by all EU countries,
- Resolution 57/81 ('Consolidation of peace through practical disarmament measures'): tabled by Germany, co-sponsored by all EU countries.

II.B.3. OSCE

113. Austria is implementing the OSCE Document on Small Arms and Light Weapons and supports the small arms initiatives in the framework of the Stability Pact for South East Europe.

114. Denmark has continued its participation in the activities of OSCE and is implementing the OSCE Document on Small Arms and Light Weapons.

115. Finland has actively supported the implementation of the OSCE's Document on SALW. Finland volunteered to produce the Best Practice Guide on export control of SALW. The practical work was done by the experts from the Finnish MFA supported by the national expert group in which Finland has representatives from all ministries involved in small arms export. The objective of Finland was to introduce an ideal export control system, which takes into account differences in national legislation. The goal was to depict the best possible export control system, which allows for different national procedures and practises. The Guide has been divided into five different chapters. It provides information for developing a national export control system of small arms and light weapons. The Guide introduces relevant international

commitments, lists necessary elements for national legislation, sets out guidelines for the export policy and decision-making, and considers effective enforcement of the export control. The Guide includes also import and transit of small arms and light weapons where appropriate. The Guide includes very comprehensive export control criteria drawn from a number of different sources, including the OSCE Document and the EU Code of Conduct. These criteria would be a useful checklist for states when granting export licences. The Guide also highlights best practice on all elements of a national licensing system, and goes into detail on measures to prevent fraud and diversion through forged end-user certificates. These measures could contribute to the harmonisation of end-user certificates at a high common standard. Some elements and principles from Wassenaar Arrangement and EU's Code of Conduct on Arms Export have been also used in the Best Practice Guide on Arms Export. Finnish financial contribution for drafting the guide was EUR 4 500.

116. Finland contributed EUR 100 000 for the Rapid Reaction Fund at the OSCE mission to Georgia in 2002. The purpose of this Rapid Reaction Fund is to render assistance to communities that voluntarily hand over arms, in implementation of the OSCE Document on small arms.

117. Finland has seconded the post of FSC support officer on small arms to the Conflict Prevention Center/OSCE since November 2001 with the aim of assisting OSCE participating states in the implementation of the OSCE Document on SALW as well as assisting relevant OSCE missions and field operations on small arms and light weapons related matters. One of the practical tools prepared by the CPC during this time was the OSCE model answer on how to report on the information exchanges, which was also provided to the UN by the OSCE.

118. France actively participated to the exchange of information in the framework of the OSCE Document on SALW.

119. Germany offered draft chapters on surplus and, together with Norway, on brokering for the OSCE Best Practice Guide on Small Arms and Light Weapons and participated actively in the production of an illustrated catalog on SALW destruction.

120. Italy has continued to actively implement the OSCE Document on Small Arms and Light Weapons, adopted in November 2000. In that framework, Italy presented national updates to the information exchange on major aspects of SALW (manufacturing, marking, export controls, brokering,

destruction techniques) established by the above OSCE Document.

121. Luxembourg participates in the work of OSCE.

122. The Netherlands contributed to a follow-up meeting of the OSCE training workshops in Central Asian states on the implementation of the OSCE Document concerning SALW in Almaty in May 2002. As designate CiO of the OSCE in 2003, the Netherlands organised, in preparation of the OSCE Economic Forum in 2003, a seminar on 'Trafficking in SALW' in Sofia in November 2002, in preparation of the OSCE Economic Forum in 2003.

123. The Netherlands participated in the Second OSCE Information Exchange in June 2002. With Canada and the United States the Netherlands prepared the chapter on destruction techniques of SALW for the OSCE Best Practices Guide.

124. In its capacity of Chairman-in-office of the OSCE during 2002, Portugal contributed to promote the adoption of the Charter on Preventing and Combating Terrorism. Participating states expressed, in the Charter, their determination to combat the risk posed by the illicit spread of and access to conventional weapons including small arms and light weapons. Portugal is implementing the OSCE Document on SALW.

125. Spain has continued to actively implement the OSCE Document on Small Arms and Light Weapons. In that framework, Spain presented national updates to the information exchange stated in chapters III (f) (1) and IV (e) (1) of the OSCE Document on SALW. Together with Switzerland and the United Kingdom, Spain has contributed to the preparation of the Best Practices Guide on national procedures for stockpile management and security of SALW, which was ready for publication on 3 March 2003.

126. Sweden participated in the Information Exchange on SALW in the OSCE. Sweden is leading the development of the OSCE 'Best Practises Guide' on SALW in DD&R processes.

127. The United Kingdom is implementing the OSCE Document on Small Arms and Light Weapons. Together with Spain and Switzerland, the United Kingdom has led preparation on the OSCE Best Practices Guide on SALW stockpile management. The United Kingdom is also providing financial support for the publication of OSCE Best Practice guides. The United Kingdom supports the small arms initiative in the framework of the Stability Pact for South East Europe.

II.B.4. NATO

128. Austria has continued its participation in the activities of the EAPC, including seminars and workshops, as well as in national initiatives on problems related to small arms and light weapons.

129. Denmark has continued its participation in the activities EAPC including seminars, workshops and related initiatives concerning SALW.

130. Finland participates regularly in the meetings of, and drafting of reports by, the Euro-Atlantic Partnership Council's Ad hoc Working Group on small arms and light weapons, which has, since 1999, convened at the NATO Headquarters in Brussels, focusing on those areas where the Partnership Council may be in a position to bring value added to the small arms process and attempting to avoid duplication of efforts with other organizations.

131. The Netherlands contributed EUR 700 000 to the Namsa-project for destruction of SALW munitions in Albania. The Netherlands participated actively in the EAPC Working Group on small arms and light weapons.

132. Portugal has continued its participation in the activities of the EAPC.

133. The United Kingdom continued to contribute to and track progress within the Euro-Atlantic Partnership Council Ad hoc Working Group on NATO initiatives to combat the SALW problem.

II.B.5. Ecowas

134. France is a member of the consultative group of PCASED, which is convened on a yearly basis to assess the implementation of the programme and to make recommendations aimed at improving its operations.

135. The United Kingdom has also given financial support to the PCASED programme in support of the Ecowas Moratorium; to the Nairobi Secretariat, which supports the implementation of the Nairobi Declaration, and has also been active in EU moves to bolster the EU-SADC process.

II.B.6. Wassenaar

136. In the framework of the Wassenaar Arrangement, the EU Member States have contributed to the adoption, in December 2002, of 'Best Practices Guidelines' for exports of small arms and light weapons and of a 'Statement of Understanding' on arms brokering activities.

137. Ireland was chair of the General Working Group in 2002.

138. The United Kingdom played an important role in promoting and securing the adoption of the Wassenaar Arrangement, on 11 December 2002, of 'Best Practice Guidelines' on small arms transfers and export controls.

II.B.7. SADC

139. Germany supports the Southern African Development Community (SADC) in harmonizing their policies on the basis of the SADC Protocol on the Control of Firearms, Ammunition and Other Related Material adopted August 14, 2001.

140. The United Kingdom has been active in EU moves to bolster the EU-SADC process. This initiative aims to support the implementation of the OAS Convention on Illicit Trafficking and the CICAD model regulations.

II.B.8. Others

141. France, in cooperation with Switzerland, started in 2000 a reflection aimed at elaborating an international instrument on SALW tracing.

142. At the 2002 G8 Summit in Kananaskis, Italy contributed to the adoption — in the framework of the New Partnership for Africa's Development (NEPAD) — of a G8 Africa Action Plan. The latter aims, *inter alia*, at promoting peace and security through supporting efforts by African countries and the United Nations to better regulate the activities of brokers and traffickers, and to eliminate the flow of illicit weapons to and within Africa.

143. The United Kingdom 'Export Control Outreach Programme' includes training and support on export and

import licensing procedures. Since 2001, over ten governments and their agencies have received support.

III. OTHER COMMENTS, OBSERVATIONS AND RELEVANT INFORMATION

III.A. Criteria for the appreciation of requests for EU funding of SALW projects

III.A.1. Priority guidelines

144. The EU will continue to strive to eradicate the problems caused by destabilising and uncontrolled spread of SALW. As stated in the European Programme for Conflict Prevention endorsed by the European Council (Göteborg, 15 to 16 June 2001), working towards the elimination of this source of destabilisation and conflict will be a great contribution to preventing future conflicts. The actions already taken by the EU represent important steps in this regard and should be followed up by determined efforts in the same direction. The adoption by the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, of a Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects adds to the commitment taken earlier by the EU through its Joint Action on small arms. This commitment would be served by the consideration given at EU level to the possibility of establishing regular funding of projects by the EU in pursuit of the end objectives of the UN Programme of Action.

145. With a view to improving and deepening the implementation of the Joint Action and the Programme, Member States have identified a number of guidelines on issues on which decisions should be taken or to which attention should be given in the near future. These guidelines will obviously be subject to periodical reviews, according to the experience accumulated in the process of implementing EU projects.

III.A.1.1. The need for a comprehensive approach

146. Although there is a wide recognition that further international actions should be taken to deal with the problems of SALW, there are many complex factors and processes that need to be taken into account, such as international and internal security, trade, civil-military relations and the role of weapons in society. These problems cannot be solved by one quick fix. They must be addressed through a comprehensive approach dealing with the different aspects of the problem — which might differ from region to region — and the solutions must be sought through a wide range of

agreed measures. Member States agreed that such efforts should aim both at the reduction of existing destabilising accumulations and at the prevention of further uncontrolled spread of these weapons. Through assistance, local capacities to address these issues can be strengthened.

147. As regards financial support to SALW-related projects, the objective of the EU will be to strengthen the efforts to reduce the availability and supply of SALW to areas of conflict or potential conflict, to help to develop a range of international measures to limit the demand for SALW in such areas, and to help governments to cope with the problems these weapons cause. Such measures will be taken by the EU or at the Member State level, and by acting through the appropriate regional or global institutions. The respective efforts of the Member States and of the Commission will aim for complementarity, and reflect the ambition to deal with the different aspects of the small arms problem at the national, sub-regional, regional and global level.

148. The projects selected for EU financing should ensure real and tangible benefits for the recipients of the project. An important part of the financing should be targeted at own, carefully designed projects implemented by the EU. Therefore it is imperative that a proper implementing framework has been identified and that the project can function both technically and politically in the planned context. Funding projects — budget permitting — also from a broader range of countries and regions could be considered, bearing in mind the need to optimise the impact and sustainability of EU initiatives and taking the need of 'added value' and tangible benefits from EU funds into account in the light of agreed criteria.

149. Special attention should also be paid to a closer coordination with efforts already carried on at the multilateral level (i.e. UNDP, UN regional centres, NATO, EAPC and others) as well as at the bilateral level looking for synergies.

III.A.1.2. The need for targeted action

150. Countries with high levels of insecurity or violence cannot make effective use of development assistance. Therefore, assistance to conflict-prone countries or regions should be provided to promote security, disarmament, demobilisation and reintegration into the society of ex-combatants as an integrated part of social and economic development programmes.

151. In those cases where the governments are actively concerned with reducing the arms flow into and circulation of SALW within their region, the EU should cooperate with them in this task. In practice, recipient governments may lack the capacity to implement their own control programmes. Therefore, the EU is prepared to consider providing practical support for initiatives such as capacity building and training, awareness raising, etc. Priority should be given to projects enhancing national implementation abilities as to control of the flow of weapons (export/import control, tracing ability) and to collection and destruction programmes in post conflict situations. Given the size of some projects particularly in the field of ammunition destruction for SALW it might be advisable as EU to join forces with non-EU partners (e.g. EAPC projects).

III.B. Lessons learnt

152. Taking past EU actions on SALW into account and drawing from experience in the previous assessments, implementations and evaluations of SALW projects, the following benchmarks should be kept in mind with regard to project identification:

- the holding of biannual CODUN Expert Meetings on SALW issues and projects is a useful exercise and should be continued,
- allocations of funds for the following year must be decided by the autumn SALW CODUN Expert Meeting at the latest in order to allow for a proper preparation of the projects and optimal use of resources in the community budget. The Council Decisions concerning individual projects will be made starting from the beginning of the following year, subject to available appropriations in the budget,
- it is important to receive timely information of future SALW projects — especially those to be financed by CFSP-budget — including indication of general objectives, envisaged activities, expected outcomes and detailed breakdown of estimated costs. Those elements would allow partners to have an in-depth examination and a comprehensive discussion of proposed programmes, whose approval could therefore be facilitated,
- efforts should focus on a limited number of large-scale projects. EU involvement should be better analysed and implemented. When supporting third party projects the

visibility of EU contributions must be ensured,

the police in exchange for community development projects,

- timely and thorough preparation of the ‘action statements’ must be taken into account. The context and content of the underlying project and parts to be financed must be described,
- there should be a clear picture of the implementation modus, including an assessment of the ‘implementing body or agency/NGO’ envisaged for the action, and of their ability to carry out the action in a satisfying way,
- cooperation on projects with non-EU national donors is politically useful, but very difficult to organise in practice due to differing political priorities, budgetary procedures, working methods, etc. Careful attention should be paid to the practical organisation of such cooperation,
- cooperation between the EU and MS national efforts should be enhanced,
- more efforts should be directed towards involving ngo’s as well as the private sector.

- weapons destruction,
- public awareness campaigns,
- a country needs a legal framework that clearly regulates the possession and use of SALW in society. Once an arms law is in place, it is important that police are trained in understanding and applying the law and that the public is informed about the implications of the law. Project assistance is valuable in both drafting and introduction phases,
- support to weapons registration and safe storage helps governments reduce uncertainty about the number, type, location and security of weapons they possess. Experience has shown that, once all weapons in a given military region have been registered, the military authorities can be convinced that they have more weapons than they need and that the surplus can be destroyed. The setting up of safe storage facilities is relatively inexpensive and at the same time particularly important in poor countries with large quantities of arms,

153. Contribution based on EU-ASAC Project

It is essential that the project works in close cooperation with a host state government that is committed to limiting the ownership and use of small arms and light weapons in the society. At the same time, the project should be sufficiently autonomous from the government to be able to pursue the project’s objectives as set in the Council Decision. The project should ideally have an integrated, multi-faceted, approach (‘SALW programme’) where the impact of each programme component individually is strengthened by the implementation of the other components, thereby combining to form a powerful integrated package. Such a programme could include, *inter alia*, the following components (example from the EU-ASAC in Cambodia):

- assistance to drafting and introduction of arms law,
- weapons registration and safe storage,
- ‘weapons for Development’ schemes, where the local population are encouraged to hand in illegal weapons to

- ‘Weapons for Development’ (WfD) projects are likely to be more successful if they include support to improve the performance of the local police. Villagers will not hand in their weapons if they feel that their personal safety is still in danger. The unit cost per one weapon handed in is relatively high, but WfD brings for the communities ‘security value’ which is difficult to measure in monetary terms,
- destruction of illegally-held weapons that have been handed in as well as military and police surplus weapons in ‘flames of peace’ ceremonies may have high symbolic value and give the image of progress towards a more peaceful society. Smaller destruction ceremonies are particularly appropriate in areas where weapons for development projects are being implemented, strengthening confidence that the weapons handed in by the villagers are actually destroyed and not used against them,
- illegal trade of SALW across borders hampers any efforts to tackle the problem of SALW in a given country. Enhancing border controls would be an area to consider in future EU support,

— EU visibility in the field of SALW is increased by implementation of own carefully designed EU projects and not by giving small contributions to projects implemented by other actors,

possible to assess impact of the project. The practical needs of the final beneficiary should be assessed. Results and 'lessons learnt' from past similar experiences taken into account.

III.B.1. *Criteria for allocation of funds*

154. The EU is in the process of developing a more systematic approach of potential projects to support, in particular with regard to project identification and design. The following criteria have been identified against which the EU will make a preliminary assessment of applications:

(a) Assistance by the EU in the field of SALW must be based on a genuine political will in the recipient state. A clear answer should be given to the question: 'is the proposed action an expression of a clear political, thematic or geographical vision or strategy, or is it deliberately and justifiably an ad hoc action serving distinct purposes?'

(b) The proposed projects must enhance either local, national or regional security within the recipient state/region (e.g. contribute to control of small arms, confidence building measures, reconciliation, regional stability). This implies an *ex ante* assessment of the political situation and the effective impact of the project on the envisaged overall objective, such as conflict prevention, creation of a peaceful environment, etc.

(c) Assistance in the field of SALW should be part of an overall development and security strategy with regard to the recipient country. In cases where this is not possible, the project proposal should outline how this activity will contribute to integrating SALW policy into wider security and development policy.

(d) Coherence with past/current/future actions in the same country or in the same region must be assured.

(e) Assistance projects will be based on close cooperation with the authorities in the recipient state and the role of different actors should be defined.

(f) In projects which include a weapons collection component, all weapons collected should, in principle, be destroyed.

(g) For each project, clear objectives will be established and benchmarks and time lines identified, so as to make it

(h) Requests for assistance should clearly state how the proposed project will further the aims and objectives of the EU Joint Action.

(i) Requests for assistance should clearly state how the proposed project would enhance the recipient state's ability to implement existing regional or international commitments.

(j) More efforts should be directed towards involving ngos as well as the private sector, where possible.

(k) The sustainability of the project must be taken into account in the assessment.

(l) Cooperation between EU and Member States' national efforts must be assured.

(m) The abovementioned criteria are for the most part based on the result of evaluations undertaken and expertise gained by the Commission in the implementation of CFSP-budgets.

III.B.2. *The need for thorough assessment and evaluation*

155. It is important that the projects supported by EU funds are thoroughly assessed and evaluated. Measures to achieve this include:

— The implementation of the projects should be according to sound principles of financial management.

— A final report will be submitted at the end of a project, summarising the results achieved.

— An assessment will be made in order to evaluate if its objectives have been reached and if a follow-up is needed. Such an assessment will be made at least towards the end of the project. Projects, which are implemented over a long period of time, or to which the financial contribution of the European Union is important, will be assessed also during the period of implementation.

- The Commission will reflect on setting up comparable templates for evaluation of supported projects as well as for the assessment of new project proposals.
- The assessment will be organised by the Commission within its budgetary implementation competence and carried out by independent expert. It will be presented to the relevant EU Working Group or the Commission in close coordination with the Presidency. Allocation of funds must be decided in a timely fashion for the following year by the autumn SALW CODUN at the latest and additional efforts should be directed to the timely and thorough preparation of the 'action statements' for projects. The allocation of funds is made with the understanding that Council decisions concerning individual projects will be made starting from the beginning of the following year, subject to available appropriations in the community budget.
- The final report and the assessment will also be used to identify lessons to be learned for future projects. It is suggested that the commission provide the assessment on the basis of the above criteria.

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For more comprehensive details of United Kingdom efforts on SALW issues please also see the United Kingdom national SALW returns under the UN Programme of Action at <http://disarmament2.un.org> and also visit <http://www.fco.gov.uk> + 'international security'.
