



South Eastern Europe 2nd Regional Arms Laws Roundtable

In association with the Stockholm International Peace Research Institute Peace (SIPRI)

Belgrade, 25-26 May 2004

SUMMARY OF CONCLUSIONS

EXPORT CONTROLS

Agreement was recorded to:

- ❑ Recognize the essential character of export control systems and importance of enforcement;
- ❑ Exchange information on end-use/end-user certificates (EUCs) validation and copies of related documentation;
- ❑ Accord priority to transparency and place that in context of the EU Common Military List;
- ❑ Accept the EU Annual Report on Arms Exports as representing a “level of transparency which they would work to achieve on a national level;”
- ❑ Apply “extreme caution” on export licenses, transit or trans-shipment permits for MANPADS (Man-Portable Air Defence Systems); and
- ❑ Increase information exchange “between themselves” on export legislation and systems and further strengthen their co-operation in the future.

DOMESTIC POSSESSION

The following recommendations were cited:

- ❑ Emphasize the principle of ‘legitimate justification’ as first criterion for authorizing citizens to carry arms;
- ❑ Ensure that applicants for arms licenses meet all required conditions;
- ❑ Share the aim of harmonizing national legislation with existing European norms and standards;
- ❑ Emphasize that national legislation cover in a balanced manner all types of SALW;
- ❑ Ensure that legislation covers different situations related to holding, carrying, transporting and using SALW;
- ❑ Address specific use of hunting and sport shooting in national legislation;



- ❑ Cover, when appropriate in different laws, all situations in which individuals are authorized to carry arms, in particular use of SALW in a professional context by State agencies, private firms and armed forces;
- ❑ Retain national amnesty laws as an essential tool to reduce illegally held SALW among civilians;
- ❑ Underscore that in development of laws, it should be standard practice to consult with and be advised by those involved in implementation;
- ❑ Recognize that consultation with neighbouring countries will bring benefits of increased harmonization;
- ❑ Agree that the timing and timeliness of amnesty laws, and interaction with standard possession legislation, are core elements for success;
- ❑ Concur that amnesty laws should have sufficient flexibility so that citizens are without fear of prosecution and have increased confidence in public security capacity;
- ❑ Maintain arms surrender possibility in 'good faith' as key, but criminal sanctions be applied and persons not be given indefinite unauthorized possession;
- ❑ Ensure both public and law enforcement agencies are fully aware of rights and obligations under possession laws;
- ❑ Underscore importance of national comprehensive SALW databases, including, e.g. private, state, manufactured, exported, and involved in investigations; and
- ❑ Promote penalties strong enough to deter law breaking but not so severe that enforcement authorities renounce for practical and equity reasons.

LINKAGES BETWEEN EXPORT AND DOMESTIC POSSESSION CONTROLS

The following were identified:

- ❑ Recognize that effectiveness of amnesty laws bears consequences on cross-border trafficking;
- ❑ Advocate that the differences between existing penalties for illegal exports and illegal possession of SALW be fair and appropriately balanced; and
- ❑ Agree the fight at the national level against organized crime and terrorism requires development and implementation of national legislation regarding possession of arms, trafficking and exports; and that coordination of public actions in these areas is essential.

ASSISTANCE

The following points were noted:

- ❑ Emphasize the need for additional resources to further enhance effectiveness of export control systems, and welcome all assistance, (technical and financial);



- Underscore the importance of financial and technical assistance for the establishment of SALW national databases; and
- Urge the donor community to endeavour to be as harmonized and coordinated as possible in providing assistance.



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