

## Executive Summary

Despite much progress over recent years, the proliferation and illicit trafficking of small arms and light weapons (SALW) still remains a major issue in South Eastern Europe (SEE), fuelling crime, generating insecurity and undermining conflict prevention and peace building efforts. The states of the region are now at a crossroads and renewed efforts to implement regional and international SALW control commitments in a strategic and planned way will assist greatly in speeding their integration into European structures. However, a failure to invest significant political capital in addressing remaining SALW problems will jeopardise attempts to improve security and governance across the region in the future.

Since the turn of the century a number of international and regional SALW control initiatives, such as the OSCE Document on SALW and the UN Programme of Action have provided valuable momentum for efforts to control SALW. One such initiative, the Stability Pact for South Eastern Europe's (SCSP) Regional Implementation Plan for Combating the Proliferation of SALW, provides a particularly relevant framework for the implementation of various measures to more effectively control SALW. Agreed in November 2001, and updated in May 2006, the RIP involves SEE governments in priority setting and decision-making in region-wide efforts to tackle SALW proliferation and misuse. Eight South Eastern European states have declared their support for the plan,<sup>1</sup> which is overseen by a Regional Steering Group (RSG) composed of representatives from all governments involved (National Focal Points), and observers from key organisations or agencies. The RSG also oversees the work of the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), which was established in May 2002 to facilitate and inform activities under the framework of the Plan. SEESAC, which is a joint project of the SCSP and the United Nations Development Programme (UNDP), is based in Belgrade and has the mandate to provide technical support, strategic guidance, develop best practice on SALW control, and mobilise resources for projects in the region.

As the states of SEE move towards integration with European structures and the outstanding territorial and constitutional dilemmas in territories such as Macedonia, Kosovo and Serbia and Montenegro have come to be addressed, it becomes increasingly important to monitor states' progress towards their regional and international SALW control commitments. This report, which has been written by Saferworld and funded by SEESAC, provides an overview of how the countries of South Eastern Europe (SEE) have progressed over the past year towards fulfilling their commitments on SALW control, including specifically the RIP. It does not represent a technical verification system or a formal inspection report – its purpose is to collect and present relevant information to facilitate monitoring, discussion and assessment of progress towards effective SALW control.

The report is an independent and objective assessment of SEE states' responses to SALW problems within the Regional Implementation Plan framework. This third edition builds on previous research carried out in 2003/4 and 2004/5. However, this year it concentrates on identifying the unresolved problems facing SEE countries, and detailing any concrete SALW control measures taken since the 2005 edition of the SALW Monitor.

The report assesses progress across the region in specific thematic areas of SALW control as well as on a geographic basis. It contains a detailed assessment of progress over the

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<sup>1</sup> Albania, Bosnia and Herzegovina (BiH), Bulgaria, Croatia, Macedonia, Moldova, Montenegro, Romania and Serbia. (Montenegro declared its independence from the State Union of Serbia and Montenegro (SCG) on 04 June 2006 after an independence referendum on 21 May 2006.

past year in each of the states that are committed to the Regional Implementation Plan. Whilst the current situation in each country is different, there are a number of detectable trends that are indicative of the progress of change and which can be summarised as follows:

**Transfer controls:** Little progress has occurred in this area during 2005 - 2006. Common challenges include a lack of end-use monitoring and verification of transfers; legislative omissions regarding transit, trans-shipment, re-export, licensing of production overseas and arms brokering; a poor institutional basis for case-by-case risk assessment of arms transfer licence applications; and often very poor transparency in all areas of designing and enforcing transfer control policy.

**Domestic possession and use:** Whilst legislation regulating civilian possession exists, enforcement is too often poor. During 2005 - 2006, only Bulgaria and Kosovo reported amendments to their legislation and regulations in this area, though the Government of Macedonia is preparing for the introduction of new legislation in early January 2007.

**SALW Destruction programmes and capacities:** Destruction of SALW and ammunition has been most rapid during 2005 - 2006 in Albania and BiH. Although all countries in the region are committed under the UN PoA and OSCE Document on SALW to dispose of surplus SALW by destruction, it appears that in many cases surplus stocks are being held for long periods, often in the hope of sales to foreign buyers.

**SALW Stockpile Management programmes and practices:** An accidental detonation at an ammunition depot in Albania during the year served once again to highlight the need for improvements in this area. However, in 2005 - 2006 only Macedonia reported upgrades to stockpile management practices or standards.

**Civil society involvement in SALW interventions:** In many respects 2005 - 2006 has been the year of SEE civil society with respect to SALW control. While progress in so many other areas has been slight, the NGO sector has flourished.

**Cross-border SALW Control initiatives:** The challenge of cross-border co-ordination against trafficking continues to be made more difficult by a lack of internal co-ordination between different ministries and departments responsible for border control and security. However, ongoing support by governments and donors for the establishment and operation of integrated border management systems in line with EU practice clearly points the way ahead.

**SALW Management Information and exchange systems and protocols:** Within established international fora such as the UN (UNDDA) and OSCE, information exchange by SEE states has been regular during 2005 - 2006. Outside these established channels, the situation differs markedly. As yet, no governments have full parliamentary oversight of SALW policy development and export licence decision-making, and there is an ongoing need for NGO and parliamentary lobbying for increased transparency on SALW issues.

## Future Priorities

This third strategic assessment of SALW control activities undertaken in SEE suggests that during 2005 - 2006, far too little has been done by the states of the region to meet the full range of commitments made under the original 2001 Stability Pact RIP. Certainly the capacity of SEE governments and civil society organisations to work on SALW has improved over the five-year period, but progress has if anything slowed over the last year, with fewer

practical measures having been implemented. Although the resources available to fund SALW control initiatives could always be greater, a failure of political will is the most obvious explanation for states' inertia. Given the outstanding challenges facing the governments of the region, it is imperative that they collectively refocus their attention on these immediate priorities:

- Destruction of surplus weapons and ammunition at the earliest opportunity, in accordance with commitments made under the OSCE and UN PoA documents;
- The establishment and adoption of mechanisms such as national commissions, strategies and action plans that enhance intra-governmental work on SALW control and provide a means to improve information exchange;
- Full participation in regional and international fora and processes related to SALW control, such as the UN PoA review process;
- Enhancements to governmental transparency in line with EU standards, in particular the publication of regular reports on arms surpluses and transfers;
- Development of the legislative and administrative basis necessary for upholding the highest regional and international standards with respect to arms transfer controls.

Considerable support and encouragement will clearly be needed from civil society and international actors such as the EU if the momentum needed to see through the required changes is to be generated. International actors should work collectively to convey to the governments of the region the message that they will be held to the commitments they have made to enhance SALW control. The international community should continue to support SALW control programmes in the region, but should require that any such programmes meet with the best international practices, represent a well-targeted response to problems, and are supported by a national SALW control strategy that has been prepared with substantial input from national governments.

The increasing support of the EU for SALW control initiatives in the region during 2005 - 2006 is one of the most important developments of the last year. Following the agreement by the Council of the EU of a '*Strategy to combat illicit accumulation and trafficking of SALW and their ammunition*' in December 2005, the EU has taken a number of useful steps to support enhanced SALW control. For example, both from Brussels and in-country Delegation offices, EU/EC representatives have begun to reference SALW-related questions in their Justice and Home Affairs programmes and in political dialogues that occur within the framework of Stabilisation and Association Agreements. The EU should continue, and wherever possible, increase its attention on SALW issues in the future. However, the experience of previous years suggests that 'a one-size fits all' approach will not succeed in encouraging the governments of the region to take action. In both its political and programmatic work in the region on SALW therefore, the EU should look to provide support that is specifically tailored to the circumstances on the ground.

It is also critical that the approach adopted by governments and international actors supporting SALW control in the region keeps pace with the process of transition, changing to match the challenges presented at any given point in time. Accordingly, in order to achieve greater future policy coherence and impact in SEE, it is critical that SALW control as a theme is effectively integrated into broader justice and security sector reform and development planning.