



Annex A (Informative) Terms and definitions

A.1.1

ammunition

See **munition**

A.1.2

explosives

a substance or mixture of substances, which, under external influences, is capable of rapidly releasing energy in the form of gases and heat. [AAP-6]

A.1.3

munition

a complete device charged with **explosives**, propellants, pyrotechnics, initiating composition, or nuclear, biological or chemical material for use in military operations, including **demolitions**. [AAP-6].

Note: In common usage, “munitions” (plural) can be military weapons, ammunition and equipment.

A.1.4

micro-disarmament

the collection, control and disposal of small arms, ammunition, explosives, light and heavy weapons of combatants and often also of the civilian population. It includes the development of responsible arms management programmes.

A.1.5

national authority

the government department(s), organisation(s) or institution(s) in a country charged with the regulation, management and coordination of **SALW** activities.

A.1.6

Small Arms and Light Weapons (SALW)

all lethal conventional munitions that can be carried by an individual combatant or a light vehicle, that also do not require a substantial logistic and maintenance capability.

Note: There are a variety of definitions for SALW circulating and international consensus on a “correct” definition has yet to be agreed. For the purposes of this RMDS the above definition will be used.

A.1.7

Small Arms Capacity Survey (SACS)

the component of SALW survey that collects data on the indigenous resources available to respond to the SALW problem.

A.1.8

Small Arms Distribution Survey (SADS)

the component of SALW survey that collects data on the type, quantity, ownership, distribution and movement of SALW within the country or region.

A.1.9

Small Arms Impact Survey (SAIS)

the component of SALW survey that collects data on the impact of SALW on the community and social and economic development.

A.1.10

Small Arms Perception Survey (SAPS)

the component of SALW survey that collects qualitative and quantitative information, via focus groups, interviews, and household surveys, on the attitudes of the local community to SALW and possible interventions.

A.1.11

standard

a standard is a documented agreement containing technical specifications or other precise criteria to be used consistently as rules, guidelines, or definitions of characteristics to ensure that materials, products, processes and services are fit for their purpose.

Note: RMDS aim to improve safety and efficiency in micro-disarmament by promoting the preferred procedures and practices at both headquarters and field level. To be effective, the standards should be definable, measurable, achievable and verifiable.

A.1.12

survey (SALW Survey)

a systematic and logical process to determine the nature and extent of SALW proliferation and impact within a region, nation or community in order to provide accurate data and information for a safe, effective and efficient intervention by an appropriate organisation.

A.1.13

Weapons in Competition for Development (WCD) concept

the direct linkage between the voluntary surrender of small arms and light weapons by competing communities in exchange for an agreed proportion of small-scale infrastructure development by the legal government, an international organisation or NGO.

A.1.14

Weapons in Exchange for Development (WED) (WFD) concept

the indirect linkage between the voluntary surrender of small arms and light weapons by the community as a whole in exchange for the provision of sustainable infrastructure development by the legal government, an international organisation or NGO.

A.1.15

Weapons in Exchange for Incentives (WEI) concept

the direct linkage between the voluntary surrender of small arms and light weapons by individuals in exchange for the provision of appropriate materials by the legal government, an international organisation or NGO.

A.1.16

Weapons Linked to Development (WLD) concept

the direct linkage between the voluntary surrender of small arms and light weapons by the community as a whole in return for an increase in ongoing development assistance by the legal government, an international organisation or NGO.



Annex B
(Informative)
Stability Pact Regional Implementation Plan

**Combating the Proliferation of
Small Arms and Light Weapons
Stability Pact Regional Implementation Plan
For South East Europe**

**Final
28 November 2001**

Executive Summary

The proliferation of Small Arms and Light Weapons (SALW) has in recent years become recognized as a principal element of ongoing regional instability in various parts of the world. The recent conflicts in South East Europe are no exception as they have been fuelled and exacerbated by a plentiful supply of illicit arms and ammunition. In addition, easy access to SALW has further destabilized this corner of Europe region by contributing to organized crime activities such as trafficking and has the potential to support terrorism.

A number of international and regional agreements have recently been concluded that seek to define the problem and provide international, national and nongovernmental actors with a roadmap for addressing it. The Stability Pact's Regional Implementation Plan aims to take that process a step further by providing a specific framework for next steps, the regional mechanisms for carrying them out and the donor resources required for comprehensive implementation. The Plan does not seek to compete or contradict existing agreements and arrangements but to build upon them in the most practical way possible.

At its core, the Plan seeks to enhance regional cooperation in this critical area, providing both information sharing and local standard setting geared toward direct project formulation and implementation. The Plan envisions the establishment of a Regional Clearinghouse for SALW Reduction in Belgrade under UNDP auspices that would supply the wide range of regional actors with targeted advice on formulating and implementing project proposals while at the same time serving as a forum for information sharing. South East European governments would agree to establish a Regional Steering Group (RSG) consisting of "national focal points," to ensure the relevance, consistency and regional ownership of the work of the Clearinghouse. To support the results of these activities, donors will establish a "Set Aside" fund of financial resources dedicated to project fulfillment.

The emphasis of this program is on moving forward with tangible projects resulting in a lasting reduction of Small Arms and Light Weapons in South East Europe, not on setting up new international structures and obligations.

I. The Challenge

Introduction

The problem of the destabilising accumulation and uncontrolled spread of Small Arms and Light Weapons (SALW) has gained prominence on the international agenda over recent years as the serious implications of these accumulations become apparent. These specific implications include: the pervasive regional instability such as the escalating, intensifying or prolonging of conflicts; impeding of humanitarian assistance; obstruction of post-conflict reconstruction and development; and contribution to organized crime and human trafficking. These implications must be addressed through the establishment of a sturdy and reliable framework to address the problem, coupled with the implementation of a range of measures, both operative and normative. Global and national action are important, along with well-coordinated regional follow through.

Global initiatives have also been pursued. In the United Nations, sets of recommendations for measures to prevent and reduce small arms proliferation were endorsed by the UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects in July 2001.

National governments and local communities in South East Europe have pursued measures aimed at reducing the existing and potential supply of SALW. Nationally, some states have adopted countrywide measures, such as strengthened export controls on small arms, others have embarked on programs to collect and destroy illicit and surplus small arms.

At the other end, the complexity of the issue and the array of individual factors at work in different countries and regions does not allow for a quick or easy consensus on measures to take at the international level. Nonetheless, a number of organisations in the Americas, Africa and Europe have developed regional initiatives to prevent the proliferation and misuse of small arms and light weapons. In Europe, the OSCE last year produced a document on the widespread availability and proliferation of SALW, which addressed directly the illicit trade in weapons and formulated a regional consensus around issues such as marking, stockpile management, destruction of excess and criteria for transfers.

NGOs have been very active in building a regional consensus for action. An informal dialogue conducted under the auspices of the Szeged Small Arms Process has allowed for a wide-ranging dialogue and placed national and international policymakers in contact with academic and technical experts.

The Stability Pact's role is to translate this excellent body of knowledge about the nature and scope of the problem at all levels into an implementation plan that can be adopted by the countries of South East Europe and supported by international organizations and bilateral donors. The Stability Pact's goal is to define a framework for implementation of the political will and commitment exhibited in larger regional and global fora.

The Scourge of Small Arms and Light Weapons in South East Europe

Stability Pact regional countries recognize that:

- The proliferation and illicit trafficking of small arms is causing human suffering, fuelling crime, exacerbating conflict undermining reconciliation and peace-building efforts, and obstructing economic and social development in South Eastern Europe;
- Economic and social development, the rule of law, and democratic governance are essential for long term solutions to small arms problems;
- Although the wide availability and diffusion of small arms is a concern throughout the region, the problems are particularly acute in certain areas;
- Local populations are deeply affected by the problems associated with small arms, and efforts to tackle these problems should involve close cooperation with civil society.
- The drive for solutions should come primarily from the governments and societies of South Eastern Europe. However, the international community (including governments, international organisations and NGOs) have an important role to play in facilitating and supporting local, national and regional initiatives
- Many of the problems associated with SALW proliferation – conflict, insecurity and crime – are regional in scope. Accordingly, a regional focus is required to tackle the problem.

II. Existing International Framework

A substantial international track record on tackling the proliferation of SALW has been established in recent years. Internationally and regionally, a number of agreements and fora for substantial dialogue have been established. In addition, a number of specific projects have been undertaken on an ad hoc basis by donors and beneficiary countries.

A. Current Transnational Agreements

The countries of South East Europe have agreed to tackle the proliferation of SALW throughout the region under the umbrella of an array of international agreements sponsored by the UN, OSCE, NATO EAPC and the EU.

The momentum for shared regional action against SALW proliferation within South East Europe has been most recently and profoundly shaped by the UN Programme of Action agreed to in New York on July 21, 2001 and the OSCE Document on SALW adopted on November 24, 2000.

1. UN Programme of Action

The UN Programme envisions spheres of action against SALW at the international, regional, national and local levels. It calls for close cooperation among states to reach stated goals, including information sharing, assistance and standard setting and highlights the role of regional organisations in fostering this cooperation.

2. OSCE Document

The OSCE Document on SALW recognizes the contribution destabilizing accumulations of SALW have made to recent regional conflicts. It divides the tasks for combating the proliferation and spreading of SALW into several baskets of norms and measures, and envisages a potential role for its missions and field offices in implementation. These baskets encompass:

- a. National regulations on SALW, including controls over manufacturing, marking and record-keeping
- b. Monitoring and regulation of international trade in SALW, including brokering regulation, common export criteria and transfer controls and information exchange.
- c. Weapons Collection, stockpile management and surplus disposal – crucial to the reduction of destabilizing accumulations and the uncontrolled spread of small arms and the prevention of illicit trafficking.

3. Regional

An integral element to these and other international pledges made by the nations of South East Europe over the past year has been to support a strong regional identity in the fight against the proliferation of SALW.

The UN Programme of Action sets out a regional role encompassing the development, where appropriate, of legally binding instruments aimed at combating the illicit trade in SALW. Additionally, the UN foresees regional mechanisms to reinforce trans-border customs cooperation and networks for information sharing among law enforcement, border and customs control agencies as well as for strengthened legislative frameworks and capable stockpile management. The OSCE Document fulfills many of the UN's goals aimed at establishing a set of regional standards and implementation guidelines.

4. NGO Partnership and the Szeged Small Arms Process

A key factor in any successful regional approach to SALW has to involve international, regional and local NGOs. A conference in Belgrade in early June, sponsored by a coalition of local and international NGOs along with the Yugoslav government, demonstrated the critical role NGOs can and must play in developing a sustainable regional approach to controlling SALW. The Hungarian co-chairmanship of Working Table III proposes to establish a follow up program in the context of the 'Szeged Small Arms Process' which was launched last year. The 'Szeged Small Arms Process' will provide much-needed input on the framework approach as well as serving as an independent monitor of national capacity building effort throughout the region. Other NGO involvement will be welcome and encouraged throughout the implementation process.

B. Successful Implementation Examples

- Croatian Weapons Collection and Destruction - During 'gun amnesty' periods in Croatia from 1992 to 2000, 27,024 weapons, 1,603,022 pieces of explosive ordnance and 2,778,952 rounds of ammunition were handed in (and a further 57,673 weapons were legalised). The Government of Croatia financed the program for approximately DM 8 million.
- Trilateral Albania Project – US, German, and Norwegian contribution on destruction of nearly 100,000 SALW and ammunition. The project was completed in October, 2001. A valuable feature of the project was that it left behind a national capacity for continued indigenous destruction efforts.
- US project in Yugoslavia – Signed September 30, the \$390,000 agreement finances the destruction of over 50,000 small arms and light weapons by the Technical Repair Bureau in Cacak. Completion expected by the end of 2001.
- Norway/UNMIK Project in Kosovo - Norway backing up KFOR Arms Collection efforts with conversion of a former factory into a destruction facility. UNMIK complemented with enhanced security atmosphere and weapons collection amnesty.
- US project in Bulgaria – The U.S. will subsidise the destruction of weapons scrapped by the Bulgarian army at a cost of 600,000. This initiative tries to curb the resale of weapons in war zones in the Balkans. In all 77,000 light weapons will be destroyed by the Bulgarian company Terem, 70% of which before the end of the year.
- UNDP Program in Albania – Initially a pilot project covering the Districts of Gramsh and later Diber and Elbasan, funded in part by the Government of Canada, the program was geared to linking progress in voluntary surrender of SALW to development assistance. Resulting in the destruction of over 14,000 weapons along with several tons of ammunition, the project has now been extended to the entire country and seeks to complement and enlarge upon donor efforts described above.

III. Goals

The aim of the Stability Pact is to “strengthen countries in South East Europe in their efforts to foster peace, democracy, respect for human rights and economic prosperity in order to achieve stability in the whole region”.

This implementation plan will make a significant contribution towards the aim of the Stability Pact. Its core objective is:

to develop a strong regional framework by which donors can work closely with countries in South East Europe on joint programmes to implement the UN Programme of Action, OSCE Document on Small Arms and other European and international commitments and standards in the fight against the proliferation of SALW.

This rationale – that is, the link between the objectives of the implementation plan and the Stability Pact, and the reference to European standards – implies that measures to reduce existing and future destabilizing accumulations of SALW must pay full respect to the principles of the rule of law, democracy and human rights as these are the very values that this plan will help protect. In the final analysis, the success of this plan is to be determined by its impact on the lives of people in South East Europe.

The implementation plan is thus aimed at inducing structural change. Such a process requires time and ownership to ensure sustainability. However, it should be possible to achieve tangible results with a lasting impact within a period of four years.

A. Overall strategy

In order to meet the above objectives:

- Governments agree to develop and implement a coordinated national approach to tackle SALW proliferation. Such approaches should contain measures to address the dimensions of supply, availability and demand. They should be designed to contribute to the reduction of illicit trade in SALW and the rule of law, democracy and human rights in the region.
- Governments of the region pledge to work together to share information and best practices to shape a comprehensive regional approach to combating SALW proliferation. This approach should ideally be developed within the context of existing bilateral consultative opportunities as well as through the SP Regional Clearinghouse to be established in Belgrade.
- Governments should base their approaches on a continuous assessment of the SALW situation and of best practices and new methods and technologies used to combat and prevent diffusion of SALW. Results of such analyses should systematically be fed back into the approach and subsequent policies and be shared regionally and internationally.
- Governments should designate a national-level entity to provide policy advice and coordinate and monitor the implementation of policies and strategies.
- Donors should consider funding specific projects on a bilateral or collaborative basis.
- The Stability Pact will facilitate the process, including information sharing and regional standard setting, through the spotlighting of ongoing efforts and the establishment of a Regional Clearinghouse for SALW Reduction and Regional Steering Group for project proposal and consideration.

B. National Undertakings

South East European nations, in line with international agreements and obligations and seeking opportunities to further regional collaboration, commit to continued tangible progress in the following areas:

- National policies and strategies to combat illicit trafficking and to prevent destabilizing accumulations of SALW should be adopted and implemented by the Governments of the region. These should include measures to

address the supply, availability and demand for SALW, with a particular focus on enhancing border monitoring and control capacity.

- National focal points should be established as part of multi-disciplinary national coordinating mechanisms within each country in the region.
- Legislation and regulatory frameworks should be strengthened in line with European and international standards on the possession, manufacturing, marking, record keeping, storage, destruction and transfers of SALW.
- A review of existing holdings of SALW, ammunition and associated equipment should be undertaken, enabling the identification of (a) reliable data on the number and regional distribution of SALW and (b) any surplus stocks in national inventories.
- Significant amounts of illicit and surplus SALW should be collected and destroyed.
- Regional and international cooperation should be strengthened. This will be reflected in the endorsement of relevant European and international norms and standards (for example, the EU Code of Conduct on Arms Exports, OSCE CAT policy); enhanced information sharing and regional standard setting; reinforced trans-border cooperation among law enforcement, border and customs control agencies; and increased cooperation between government agencies and civil society.
- Public awareness of the problems and consequences of SALW proliferation and of the need for inclusive strategies to combat such problems should be significantly enhanced.
- A Stability Pact Regional Clearinghouse for SALW Reduction should be established in Belgrade to facilitate regional cooperation and implementation of the plan.
- Regional efforts to fulfill agreed upon domestic measures should be stepped up. These measures include:
 - Co-operating to strengthen end use controls, and the establishment of agreed minimum standards in this area
 - Developing effective systems of marking and tracing
 - Enhancing information exchange and transparency
 - Strengthening national and regional co-operation amongst police, customs, border authorities, and other relevant enforcement agencies and officials
 - Strengthening government control on all manufacturing of arms, ammunition and associated materials
 - Raising awareness and conducting public education programmes, for example promoting community support for weapons reduction and control.

C. Specific Measures

Such policies and strategies should be designed with a view toward elaborating integrated project proposals encompassing one or more of the following categories:

Preventing and Combating Illicit Trafficking

- Promotion and development of local, national and regional agreements for cooperation in preventing illicit weapons trafficking.
- Enhanced institutional capability to detect and interdict illicit flows of arms across regional boundaries and borders.
- Development and strict implementation of existing agreements on illicit weapons trafficking – notably the UN Firearms Protocol, the OSCE Document on Small Arms and the UN Programme of Action.
- Adoption of practical control measures at national and regional levels, such as strengthened police and customs cooperation and improved border controls.
- Implementation of a comprehensive framework for regulating and monitoring arms brokers.
- Development of a “lessons learned” on illicit arms trafficking including available details of illicit arms seized, stored and destroyed.

Disarmament, Demobilisation and Reintegration

- Development and implementation of effective disarmament, demobilization and reintegration programmes and strategies, where needed and appropriate
- Development and implementation of measures to provide former combatants with alternative and productive sources of employment

Security Sector Weapons Management

- Enhancement of the Security Sector, including but not limited to the Armed Forces and police, capacity to collect, account for, store and dispose of excess SALW.
- Management of Security Sector weapons stockpiles, including physical security, record keeping, inventory management and adequate staff training, as well as destruction or disposal of any surplus.

Transparency and Accountability

- Development and implementation of measures to promote transparency in all decisions on small arms at all levels of government.
- Information exchange between governments on holdings and production of SALW.
- Support universal marking of arms to enhance capacity to trace and monitor arms flows.

Public Awareness

- Development and implementation of regional public awareness and confidence building programmes on the problems and consequences of the proliferation of Small Arms and Light Weapons.
- Development and implementation of specific national and community-based public information and awareness campaigns on the issues, especially security, surrounding the uncontrolled proliferation of Small Arms and Light Weapons
- Engage the capabilities and resources of local nongovernmental organisations in the formulation and execution of the national and regional implementation processes.

Legislative and Administrative Capacity

- Development of a legislative and regulatory framework at the national level for Small Arms and Light Weapons manufacturing, distribution and brokering, including marking and tracing, registration, and licensing regimes as well as the full criminalization of illegal activities.
- Ability to enforce existing laws and, where appropriate, develop procedures governing civilian possession of SALW.
- Capacity for accelerated adoption and implementation of the UN Firearms Protocol, UN Program of Action for SALW and OSCE SALW Document.
- Capacity to maintain comprehensive and adequate records on the manufacture, holding and transfer of Small Arms and Light Weapons.
- Enhancement of the capacity of law enforcement authorities, including police, customs and border control, to prevent and combat illicit trafficking, combined with inter-state cooperation in this regard.
- Establishment and maintenance of an effective system of export , including re-export, and import licensing or authorisation for the transfer of all categories of Small Arms and Light Weapons, including development of an effective system of end-use controls and strengthened controls on transshipments of arms through the region.

Collection, Storage and Disposal Programs

- Provide support to appropriate national authorities to establish and implement a comprehensive Small Arms and Light Weapons collection program based on voluntary public surrender.
- Setting up of national programs for the management, accounting, storage and transfer of collected weapons in a secure and effective manner.
- Implementation of a program of destruction of Small Arms and Light Weapons in a verifiable and sustainable fashion.

IV. Implementation

The primary responsibility for the implementation of this plan rests with the countries of the region. In fact, many of these strategies and related activities are already being implanted by the Governments of the region with or without international assistance.

Obviously, not all of the measures proposed above are appropriate to the same extent to all countries, and not all of them can be carried out at the same time or within the timeframe of this plan. Country-specific measures and priorities will need to be developed.

This approach not only requires a clear commitment of the countries of the region but also of the international community. The partners of the Stability Pact will need to provide support through two types of measures:

- Technical assistance programmes to strengthen policies, institutional structures and capacities as well as legislation to combat and prevent illicit trafficking and destabilizing accumulations of SALW.
- Measures and mechanisms to promote operational cooperation between law enforcement and arms control agencies of the countries of the region as well as with other partners of the Stability Pact.

A. Implementation Mechanisms

The present plan will build on ongoing initiatives, programmes and activities and existing structures as much as possible. It leaves sufficient flexibility in the design of technical assistance programmes while providing an overall framework with agreed upon objectives as well as specific mechanisms to ensure coordination, monitoring and review of progress.

The specific mechanisms are:

Regional Clearinghouse

A Stability Pact Regional Clearinghouse for SALW Reduction will be established in Belgrade under the auspices of the United Nations Development Programme. The Clearinghouse will seek to follow through on project development and implementation and building off the consultation process. It will draw from a range of experience and lessons learned from both within and outside the region. The primary responsibilities of the clearinghouse will be:

- Collection and dissemination of information on progress in the implementation of the international commitments and the Regional Implementation Plan.
- Assist regional countries in the development of project proposals within and beyond the implementation framework outlined above
- Assist in the matching of donors with identified needs of the recipients.
- Provide a focal point for linkage with the other relevant regional initiatives as described in Section D below.
- Assist in assessment formulation and strategy development. Provide impetus for national coordination and implementation.

- Assist in development and implementation of regional public awareness and education work, and a training and capacity building programmes for national security/police officials
- Facilitating co-ordination on small arms amongst governments, NGOs and other actors, as well as effective coordination between security and police forces.
- Technical assistance for development of programmes (e.g. on weapons collection, legislative harmonisation etc. etc. – which makes links with UNDP’s work elsewhere).
- Monitoring and reporting progress on addressing small arms, including to meet ongoing resource mobilisation needs by the region on this issue.

Regional Steering Group

The Regional Steering Group (RSG) will have the following functions:

- Monitor progress in the implementation of the plan in the form of a peer review, and report progress to Working Table III
- Review priorities for action to be taken in different countries
- Coordinate planned and ongoing projects and other measures
- Promote operational cooperation between countries

The Regional Steering Group (RSG) will meet semi-annually and be chaired by the regional co-chair of Working Table III or other appropriate designee.

The Clearinghouse will serve as a small secretariat for the Regional Steering Group (RSG). The Szeged Small Arms Process will form the basis for an Advisory Group to provide the RSG with guidance and suggestions for priority areas of consideration or activity.

National Focal Point

In each country and area of the region, the Government will appoint a “national focal point.” This focal point will be responsible for the implementation of the plan in cooperation with key law enforcement and arms control authorities, thus ensuring a multi-disciplinary approach.

B. Implementation Process

The implementation of this plan is to be initiated through the following steps:

1. National focal points, in cooperation with key law enforcement and arms control authorities and using a multi-disciplinary approach, will be responsible for implementation of the plan
2. A review of existing information on SALW and measures to counter illicit trafficking of SALW will be made and - with the support of experts made available by other members of the Regional Steering Group and Regional Clearinghouse - additional needs assessments will take place as needed;

3. Priorities will be:
 - a. A comprehensive review of existing holdings of arms, ammunition and associated equipment in order to establish detailed data on national inventories and to identify surplus stocks;
 - b. Security arrangements for existing stocks of weapons, both within storage facilities and equipment held by police, armed forces and other authorized personnel;
 - c. Laws, regulations and administrative procedures to prevent or combat illicit arms trafficking, with particular attention to exploring programmes for accelerated adoption and implementation of the UN Firearms Protocol and other good practices relating to marking, record-keeping and tracing of SALW.
4. The adoption of this Regional Implementation Plan will be accompanied by a systematic and widespread consultation with wide range of regional and international players through the Szeged Small Arms process and other regional fora. The aim of this consultation process will be to further elaborate the precise nature of possible assistance projects and provide additional direction to countries in the region on implementation responsibilities and required measures. The effectiveness of the plan is dependent on the full engagement of all stakeholders.
5. On the basis of these reviews and needs assessments country-specific and regional priorities, workplans and technical assistance programmes, as well as measures to promote regional cooperation will be formulated.
6. The Regional Steering Group, meeting at least semi-annually, will review, coordinate and monitor the implementation of these workplans, measures and programmes and will report to Working Table III.

These steps may take time for completion. However, this should not prevent projects for which sufficient information is already available for which arrangements are in place to start as soon as possible in the spirit of this plan.

C. Funding Requirements

The principal function of the Implementation Plan is to apply donor resources in the most effective manner. Adequate donor funding will be critical both to the process and the outcome of the Plan. Initial seed financing for the Implementation Plan, including the operations of the Clearinghouse will be provided by the UN Development Program. Donor funds will be sought for further operational funding, in-kind contributions and advance allocation of project funding resources.

Operational

Rendering the implementation plan operational will require some initial funding. Financing for the first few months of Clearinghouse operations, including support for three international staff members, office space and operations will be provided by the UNDP from its Small Arms Trust Fund and donor support will be sought for the remainder of the initial year. Specific budgetary details are pending, but an annual budget of close to \$1 million seems realistic.

The Set-Aside Fund


The real challenge will be securing funding from donors to carry out projects vetted by the Clearinghouse. Therefore, to display visible support for the Program and projects established under it, a core group of donors will be needed to demonstrate an upfront resource commitment to the complex task of controlling illicit small arms and light weapons. Accordingly, a set-aside fund will be established to channel donor funding quickly and effectively in support of Clearinghouse-approved projects. It will have two sub-components:

- **Direct Fund**
Donors who are able to make an actual disbursement to support the Regional Implementation Program can contribute to a special “window” within the UNDP Small Arms Trust Fund. These funds will be used directly to support fulfillment of Clearinghouse-vetted projects. Donors will be kept informed of the use of their funds and can provide limited guidance.
- **Indirect Fund**
For donors unable or unwilling to make a disbursement of project support funding, the Clearinghouse will also establish a specific framework for pledged resources. Donors will make an initial pledge of funds for a specified period of time, but maintain actual control over the money until they determine a suitable project has been developed. Upon agreement to fund a particular project, donors will agree to provide the actual funding on a fast track basis. Beneficiaries will still, through this mechanism, possess a degree of confidence that proposed projects will be able to access an identified resource stream. The Regional Clearinghouse will aim to maintain an inventory of Set-Aside Fund allocations and requests.

D. Linkage to Other Initiatives

As part of the follow up process to this implementation programme there will be specific and regular consultations with other initiatives under the Stability Pact, including:

- Initiative to Fight Organized Crime (SPOC) – trade in illicit weapons is a financial and operational mainstay for organized crime groups in South East Europe. Tangible progress will require action on multiple fronts
- Task Force to Fight Trafficking in Human Beings – flows of illicit Small Arms and Light Weapons are closely linked to trafficking in human beings. Easy availability of weapons facilitates efforts to procure and move trafficked women and children without hindrance.
- RACVIAC - Regional Verification Centre in Zagreb. The Centre holds training programmes on the verification of arms control and confidence building regimes in South-Eastern Europe, and has recently added implementation of the OSCE Document to its programme.
- Working Group on Regional Civilian Police Training in South East Europe. Establish an element in the Regional Civilian Police Training courses covering the unique challenges of identifying and stopping illicit traffic in SALW. This would be incorporated into the short-term, mid-term and long-term police training courses, including especially those for border guards, which will be carried out in co-operation with the Association of European Police Colleges (AEPC), the Central European Police Academy and the Nordic Baltic Police Academy.
- Security Sector Reform – Ongoing international and national efforts to address the challenges of reforming the security sectors of South East European nations should factor in progress on this plan. In turn, developments under the Regional Implementation Plan need to take into account the overarching framework provided by security sector reform efforts.



Annex C
(Informative)
**SECI SALW Task Force ‘Operation
Ploughshares’ Seizure Report November 2002
to May 2003**

Seizure Report from OCU – Bucharest/Romania
November 2002 – May 2003
‘Ploughshare Operation’

Small Arms and Light Weapons, Ammunition and Explosives

Note 1 – The report contains details of all reported seizures during the above time period.


Note 2 – Report condensed by Monitor author for inclusion in Annex.

National Unique Crime Case Reference ALBANIA / TURKEY / MACEDONIA / MOLDOVA
/ HUNGARY / BULGARIA / ROMANIA

WEAPON TYPE	QUANTITY	PLACE OF SEIZURE / ARREST	DATE	LAW ENFORCEMENT AGENCY	UNIQUE IDENTIFIER (SERIAL NUMBER &/OR)	MAKE	MODEL	CALIBRE	COUNTRY OF MANUFACTURE	ATTEMPT TO REMOVE TO IDENTIFYING MARKS (YES/NO)
<i>Small Arms</i>										
Revolvers	24	Albania	Nov 02	Police	Various recorded		Beretta / Magnum / Zastava / TT /	7.62mm / 9 mm	Italian / USA / Yugoslavia / AI (Russian)	No
Pistols	65	Albania	Dec 02 / Mar 03	Police	Various recorded		TT / Beretta / Zastava / Colt /	7.62 mm / 9 mm / 11.7 mm	AI (1997) / Italy / USA / Yugoslavia / Czech Rep.	No
Rifles / Carbines / SMG / Automatic / Assault Rifles / LMG	186	Albania	Nov 02 / Mar 03	Police	Various recorded		Scorpion / M 56 / AK 47 / M 63 / Zastava / Dragunov / Shars	7.62 mm	Albania / Yugoslavia / Russia / Germany	No
Pistols	46	Bulgaria	Feb 03	Police	No serial number / deleted serial number		Makarov	9 mm		Yes
Hunting Guns / Assault Rifles	63	Bulgaria	2002 / Feb 03	Police	Without serial number (one item)		AK 47	7.62 mm	Bulgaria	
Improvised Weapons	10	Bulgaria	2002	Police						
Revolvers	18	FYRoM	Dec. 02 / Feb 03	MOI	Various recorded		PHP / M 5 / Baskija / C.12329 / Parabellum / Magnum / Bajkl / Erma-sr	7.62mm / 9 mm / 12.7 mm / 22 mm	Croatia / Hungary / Germany / Czech Rep.	No
Rifles / Carbines / SMG	14	FYRoM	Nov 02 to Feb 03	Police / Customs	Various recorded		AK 47 / Cifsan	7.62 mm	Chinese / Turkey	No

Rifles / Carbines / SMG / Hunting Rifles	64	Moldova	Nov to Dec 02	DPCCO	Various recorded		Mosinan 1891/ AKM / TOZ / MP 12 / SAIGA / MERCHES / MOSBERG/ MY-2112 / MT-2001	4.5 mm 5.56 mm 7.62 mm 9 mm 12.7 mm 20mm	Russia / Turkey	
SMG / Assault Rifles	3	Turkey	Nov 02	Customs / Police			AK 47	0.30 in	Russia	
Light Weapons										
Grenade Launchers / HMG	2	Albania	Jan to Feb 03	MOPO				69mm to 175 mm	Albanian 1997	
RPG	3	Bulgaria	2002	Police						
HMG / Grenade Launchers	54	Moldova	Nov 02	DPCCO	Various references		CPTV / GP 25	14.5 mm to 40 mm	USSR / Artizanate (Handcraft)	
HMG / Grenade Launchers	3	Turkey	Nov 02	Customs & Police			BCK / AK 47 + Launcher	0.30 in Launcher 40 mm	Russia	
Ammunition and explosives										
SAA Cartridges	16,404 rounds	Albania	Nov 02 / Mar 03	MOPO			AK 47	7.62 mm	Albania	
Shells for Heavy-Gun	27	Albania	Feb 03	MOPO			175 mm		Albania 1997	
Missiles / AA and ATK Rounds	13	Albania	Mar 03	Police			RPG	40 mm	Albania	
AP and ATK Grenades	102 rounds	Albania	Nov / Dec 02	MOPO			M 56			

WEAPON TYPE	QUANTITY	PLACE OF SEIZURE / ARREST	DATE	LAW ENFORCEMENT AGENCY	UNIQUE IDENTIFIER (SERIAL NUMBER &/OR)	MAKE	MODEL	CALIBRE	COUNTRY OF MANUFACTURE	ATTEMPT TO REMOVE IDENTIFYING MARKS (YES/NO)
Mines and Explosives	6 kg / 31 rounds	Albania	Nov 02 / Mar 03	Police			TNT		Albania 97	
SAA Cartridges	4,984 rounds	Bulgaria	2002 / Feb 03	Police				Various Calibres	Bulgaria	
AP and ATK Grenades	19 rounds	Bulgaria	2002	MOPO					Bulgaria	
Mines and Explosives	15.9 kg / 442 rounds	Bulgaria	2002	Police					Including hand made explosive devices	
Mines and Explosives	25 rounds	FYRoM	Nov 02	MOI		MKTV G18-79			China	
Mines and Explosives	41 rounds	Moldova	Nov 02	DPCCO	TM-62				URSS	
SAA Cartridges	3255 355 3960	Turkey	Nov 02	Customs & Police				.22 cal .30 cal .30 cal	Russia	
SALW Ammo	12	Turkey	Nov 02	Customs & Police				RPG 7 ammun	Russia	
Missiles / AA and ATK Rounds	107	Turkey	Nov 02	Customs & Police				SA - 7 Rocket	Russia	
AP and ATK Grenades	10 12	Turkey	Nov 02	Customs & Police				Hand grenade & launcher grenade	Russia	
Mines and Explosives	78	Turkey	Nov 02	Customs & Police				TNT	Russia	
								29 Kg 200 gr	Russia	



Annex D (Informative)

Conclusions of the SEESAC Arms Law Roundtable, November 2003

SEESAC Arms Law Roundtable
Belgrade
29 November 2002

On the 29th November 2002, 31 representatives from the governments of Albania, Bosnia Herzegovina, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Romania and Serbia and Montenegro gathered at a roundtable in Belgrade to discuss improvement and strengthening of arms law across the region.

Organised by the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), the meeting was opened and chaired by H.E. Ambassador P Davinic, SCG coordinator of the Stability Pact Working Table III. Mr Francis M O'Donnell, UNDP Resident Representative/Resident Coordinator, and Brigadier General (Retired) H J van der Graaf, SEESAC Team Leader, also spoke. Alongside SEESAC staff, observers were present from the OSCE, OHR, RAVIAC, UNMIK and the South Eastern Europe Co-operative Initiative (SECI) Regional Centre for Combating Trans-border Crime.

The roundtable was the first event in an 18-month regional Arms Law Process that will see identification, development and drafting of tangible legal and regulatory materials, as well as pro-forma enforcement procedures and documents. The emphasis will be on each country maintaining its individual particularity and legal traditions and system, while the aim of the process is to ensure that arms laws reflect common principles and standards, as well as the means for effective enforcement. Those objectives require this be a practical process working through existing laws, regulations and procedures as it arrives at texts and forms both relevant and useful.

The meeting began with a morning of plenary discussion of the progress made in the area of arms legislation and control mechanisms and the challenges facing the countries of the region. The discussion centred on laws for civilian acquisition, possession and use of arms, and on laws governing arms exports. The theme of the meeting, for both areas of law, was enforcement.

A number of countries in the region have recently amended their legislation and enforcement mechanisms and the majority are at a re-drafting and review stage. Recognising the need for common principles and standards in the region, participants were unanimous in agreeing that there was a need for action and progress in these areas now.

The need to incorporate international and regional standards into both legislative and enforcement mechanisms was noted, and representatives were unanimous in their support of adoption of legislation reflecting the standards outlined in documents such as the EU Code of Conduct, EU Joint Action on SALW and the OSCE Document on SALW.

These were considered to be particularly relevant issues in the evolving European consensus. However, participants also agreed on the need to respect the integrity of national legislation and procedures.

Priority concerns varied for each country according to particular levels of industrial capacity and SALW proliferation. However, participants agreed that both legislative areas need to be addressed by all countries of the region as they cover cross-cutting issues which are relevant to all states.



Annex E **(Informative)** **Ohrid Common Platform**

Common Platform of the Ohrid Regional Conference on Border Security and Management

22/23 May 2003

Following a NATO initiative, the EU, NATO, the OSCE and the Stability Pact have been working jointly within a Consultative Group, under the umbrella of the Stability Pact, to develop a coherent and concerted approach to the border security and management issue in the region of Western Balkans, especially in the parts of the region where for exceptional reasons and on a temporary basis military units are involved in border control and smuggling interdiction operations during a transitional period (ie before full military withdrawal in the framework of the security sector reform, and until border control is entirely under the responsibility of specialised professional police services, in accordance with European standards). They consulted with the countries of the region and took into account their remarks.

In order to promote local and regional ownership, the four Partner Organisations (NATO, the EU, the OSCE and the Stability Pact) have agreed upon common political goals, objectives, principles and instruments to which they propose that the Western Balkan countries subscribe at the Ohrid Conference. The present Common Platform contains the guidelines for the commitment of the four Partner Organisations and the countries of the region.

A Way Forward Document, identifying concrete and specific measures necessary to achieve these objectives, should be developed jointly by the countries of the region and the four Partner Organisations at the Ohrid Conference. Together with the Common Platform, it should take into account some requirements in the specific parts of the region where military units are involved during a transitional period. The ultimate aim remains border control services being put entirely under the responsibility of appropriate civilian (ie police) authorities, in accordance with European standards as soon as possible.

The four Partner Organisations reaffirm their offer to assist committed Western Balkans countries in the development of policies and strategies aiming at the achievement of the proposed goals and objectives.

Guidelines for Commitment

Political Goals and Objectives

Three key political goals should be pursued to achieve effective border security and management:

Establish open but controlled and secure borders in the entire region, in accordance with European standards and initiatives. This goes through the facilitation of border crossing for legitimate purposes, especially by the inhabitants of border areas, and through the effective prevention and prosecution of all illegal cross-border activities, in particular those that support terrorism and organised crime and endanger regional security (especially trafficking of weapons, human beings and drugs).

This goal should be achieved through the implementation of the following objectives:

- Improvement of efficient border management systems in accordance with European standards at the regional level.
- Close co-ordination between border control police units and military units, where and when necessary, during the transitional period.
- Promote further stabilisation, which will pave the way for a closer relationship of the countries of the region with Europe and for their perspective membership in the European Union, by strengthening the rule of law, institutional capacity and by regional co-operation.
- Take advantage of advice and support in military issues in specific parts of the region within the overall framework of security sector reform, in the field of border security and smuggling interdiction.

Principles

The professional policing of borders should be based on the principles of democratic control, efficiency and proper implementation.

Democratic control

- Any military involvement in border management to be ensured through legislation.
- Civilian authorities, assisted by civilian/military co-ordinating bodies where necessary, to have overall control and command of units involved in border control.
- Use of military units to be limited in scope and scale, to be on a case-by case basis, to respect police authority and not to include autonomy of action.

Efficiency

- Development of national strategies of integrated border management to outline the overall long-term perspective including any transitional arrangements.
- Integrated border management to rely on full professionalism and inter-institutional co-ordination.

Proper Implementation

- Respective powers, functional responsibilities, roles and missions of police, customs authorities and military to be clearly defined, as well as the conditions for the transfer of responsibilities from the military to the civilian authority as soon as the situation permits.
- Exchange of liaison officers, where deemed appropriate, between border police services and armed forces.
- Enhancement or establishment of appropriate mechanisms for regular exchange and joint assessment of information at bi-lateral and regional levels.

Instruments

In order to achieve the goals and objectives described above, the four Partner Organisations suggest that countries in the Western Balkans, especially those where the military is temporarily involved in border control and smuggling interdiction operations, enhance or develop the following instruments:

- risk assessment instruments (joint collection, storage and analysis of data; common definition and analysis of threats, joint development of risk indicators, etc);
- joint operating procedures (legal framework, civilian control on military activities, command and control arrangements, rules of engagement, common training and working procedures, military-to-civilian reporting procedures);
- joint operational arrangements delineating clearly respective tasks between civilian services and military units;
- regular assessment of military contribution to border surveillance in support of police units (reporting, lessons learned);
- inter-operable national mechanisms and procedures for the exchange of information (strategic intelligence, operational information, inter-service communications, liaison officers);
- agreements, mechanisms and procedures, including legal instruments, for joint threat/risk assessment, information and intelligence sharing, conduct of co-ordinated and joint operations.

Support

On their side, the four Partner Organisations reaffirm their readiness to continue to support the committed countries' efforts to achieve the goals and objectives described above. To that end, they offer to provide specific assistance, within their respective means and capabilities, as follows:

- The European Union will continue to support the development of integrated border management in each country and the build-up of regional co-operation mechanisms. Through the main instrument of the CARDS Programme¹³³⁵ and in accordance with EU standards for border management, a national integrated border management should be implemented following a step-by-step approach on the basis of established timelines. Where and when deemed necessary it will be co-ordinated with the contribution of military capabilities. Regionally the European Community assistance process will contribute to a better understanding of the EU standards and best practices. In each country it will also directly support the development of a national strategy and corresponding action plans. It will support the implementation of the latter. Indirectly it will enhance co-operation and networking. The EU will also endeavour to provide support within ESDP, notably the EU military operation in the Host Country and the EU Police Mission (EUPM) in Bosnia and Herzegovina.
- Acknowledging that border security and management issues must be addressed in their regional dimension, in close co-operation with other international organisations involved, NATO will focus its support to the parts of the region where for exceptional reasons and on a temporary basis military units are involved in border control and smuggling interdiction activities during a transitional period. KFOR will remain actively engaged in border control and smuggling interdiction activities and operations, in close co-ordination with UNMIK in accordance with agreed Temporary Operating Procedures. NATO, through its Senior Civilian Representative and Civilian Liaison Office in Skopje, and through Senior Military Representatives and HQs in Tirana and Skopje, will provide advice to the relevant authorities on the military aspects of reforming and restructuring border security. NATO will assist these countries inter alia through SEEGROUP in the co-ordination of bi-lateral and multi-lateral initiatives to encourage unity of effort with the international community.
- OSCE's comprehensive concept of security and its expertise in the field provide the Organisation with both the conceptual basis and the practical experience to contribute to the aims of the Ohrid conference. OSCE's practical contribution in this area could focus on civilian aspects of:
 - training of and advice to border police (possibly through a new regional training initiative);
 - assistance to and facilitation of institution building, in particular of national and regional co-ordinating bodies;
 - promotion of regional co-operation, in particular cross-border bi-lateral cooperation.

¹³³⁵ The EU adopted on 22 October 2001 the "CARDS Regional Strategy Paper" that provides a strategic framework for programming the regional envelope of the European Community's CARDS assistance programme for the Western Balkans in the period 2002-2006. CARDS supports the participation of five countries of the Stabilisation and Association process (SAP) which is the cornerstone of the EU's policy in the region. Among four areas of support, the CARDS Regional Strategy Paper identifies integrated border management to help to tackle cross-border crime, to facilitate trade across borders and to stabilise the border regions themselves.

Any additional OSCE role in support of border management will need to be practically oriented and fit in with other existing policies, for instance the Integrated Border Management Concept of the EU and NATO's role in border control and smuggling interdiction.

- The Stability Pact will offer its auspices for the continuation of the work of the Consultative Group in close co-ordination with the countries of the region. This Group will concentrate on civilian-military co-operation with possible assistance of RACVIAC¹³³⁶ in Zagreb. The newly created working groups on border and visa issues under the MARRI (Migration, Asylum, Regional Return Initiative) Chair will aim to assist countries both in line with their efforts vis-à-vis their SAP obligations and also to foster bi-lateral and regional co-operation in broader spectrum. The Special Co-ordinator of the Stability Pact will, in his role as SEC¹³³⁷ Co-ordinator, invite the Bucharest Center for Combating Trans-Border Crime to fully support this initiative. The four Partner Organisations agree that good co-ordination between international organisations is essential and that UNMIK should be associated.

Way ahead/Short-term objectives

Achievement of the political goals and objectives depends on the successful implementation of initial practical short-term measures. The four Partner Organisations invite the countries of the region to commit themselves to achieve the following short-term objectives, if possible before the end of 2004. They see these short-term objectives as first steps in a longer-term joint effort aiming at enhancing significantly border management and security in the whole region.

Initial development of national instruments

- Definition of national policy and strategy on integrated border management followed by corresponding national action plans.
- Establishment of national co-ordinating structures and procedures.
- In the region, where and when required, Command and Control (C2) arrangements will be identified through appropriate civilian channels.

Initial development of specific co-operation instruments

- Establishment of internal, bi-lateral and multi-lateral mechanisms and procedures for the exchange of information on border and trafficking issues.
- Training and certification of all military personnel directly involved in border control and anti-trafficking activities.

1336 Regional Arms Control, Verification and Implementation Assistance Center.

1337 South East European Co-operative Initiative.

Way Forward Document

The Way Forward Document, identifying concrete and specific measures necessary to achieve these objectives should be developed on the basis of the proceedings and conclusions of the technical session of the Ohrid Conference. This document will be developed jointly by the countries of the region concerned and the four Partner Organisations.

Review mechanisms

- The Consultative Group of the four Partner Organisations, together with the committed countries of the region, will keep under review the concrete implementation of the Common Platform.
- The Way Forward Document will specify modalities of co-ordination of this review.
- Each of the four Partner Organisations will make full use of its existing review mechanisms to ensure follow up and internal co-ordination.
- Regular review meetings to assess achievements on short-term objectives and consider further steps.



Annex F (Informative) Ohrid Way Forward Document

Way Forward Document of the Ohrid Regional Conference on Border Security and Management

22/23 May 2003

Introduction

On 22 May 2003, at the Ohrid Regional Conference on Border Security and Management, the Western Balkans countries agreed to the Common Platform proposed by the four Partner Organisations (NATO, the EU, the OSCE and the Stability Pact), which contains the guidelines - political goals and objectives, principles, instruments, support, way forward and short term objectives - for the commitment of the four Partner Organisations and the countries concerned.

Within the framework of the subscribed Common Platform, and on the basis of the proceedings and conclusions of the working session of the Ohrid Conference, the present Way Forward Document has been developed jointly by the countries of the region concerned and the four Partner Organisations. This document identifies concrete and specific measures necessary to achieve agreed objectives, taking into account some specific requirements in the parts of the region where, for exceptional reasons and on a temporary basis, military units are involved in border control and smuggling interdiction operations during a transitional period (i.e. before full military withdrawal in the framework of the security sector reform, and until border control is entirely under the responsibility of specialised professional police services, in accordance with European standards).

The Way Forward Document focuses on initial practical short-term measures aimed at achieving the short-term objectives identified in the Common Platform, if possible before the end of 2004. These short-term objectives must be seen as first steps in a longer-term joint effort aiming at enhancing significantly border management and security in the whole region, in accordance with the Ohrid Common Platform.

1. Integrated Border Management as the long term overarching objective

In the framework of the preparation of the Western Balkan countries for future integration to the European Union, all these countries have initiated reforms in order to achieve a high level of external border management in line with the European standards.

On the basis of the European border model, the Western Balkan countries undertake the commitment to develop an Integrated Border Security approach, which covers all aspects of border policy and aims at promoting internal security, combating illegal immigration, preventing the trafficking of human beings and economic exploitation of migrants. The implementation of the whole system requires the allocation of high-level professional staff (for the relevant agencies and border management bodies), dealing under the auspices of civil authorities (a Ministry working in the field of Justice and Home Affairs). Such an allocation will be organised and implemented in a progressive way starting from now.

Concerning border control, the Integrated Border Management concept covers both surveillance of borders and checks. In order to achieve a high level of border security, it is essential to ensure a high level of co-operation and coordination between all national authorities working in the field of border security (including police, customs and the law enforcement services). As regards specific surveillance aspects military bodies may be entrusted with specific complementary tasks under the control of the civilian authorities. This involvement of the military is an additional element in the strategy towards achieving the overall objective of a global security concept.

The four Partner Organisations reaffirm their offer to assist committed Western Balkans countries in the development of policies and strategies aiming at the achievement of a high level Border Security system.

Bearing in mind the ongoing initiatives taken by all Western Balkan countries for the establishment of an Integrated Border Management System, and during a transitional period from 2004 to 2006 before the full implementation of scheduled measures, the four Partner Organisations consider it necessary to define mechanism and structures for tackling immediate specific needs at the borders and to prevent illegal activities.

On the basis of the approach agreed in the Common Platform, the involvement of military bodies in border management activities could be envisaged for ensuring specific tasks defined through legislation. Adopted short term measures should fully take into account their experience on the ground, extend the current implication of military bodies for a temporary, transitional period ensuring complementary role that could enhance the effective border security, and contribute to a further stabilisation of the area.

2. Common short-term objectives

The following short-term objectives have been identified in the Common Platform:

Initial development of national instruments

- Definition of national policies and strategies on integrated border management, followed by corresponding national action plans.
- Establishment of national co-ordinating structures and procedures.
- Where and when required, identification of Command and Control (C2) arrangements through appropriate channels.

Initial development of regional co-operation instruments:

- Establishment of internal, bilateral and multilateral mechanisms and procedures for the exchange of information on border and trafficking issues.
- Where required, training and certification of all military personnel directly involved in border control and anti-trafficking activities.

The achievement of these short-term objectives must be seen as a first step in a longer-term joint effort aiming at enhancing significantly border management and security in the whole region.

The longer-term objective is the full implementation of Integrated Border Management, as defined in paragraph 1.

The Conference proposed the following short-term measures:

- According to the Schengen catalogue of best practices, and in the short-term, allow the military of the countries in the region an auxiliary role of supporting police services by completing surveillance and force protection tasks without any use of personal data, making searches in confidential registers or taking decisions that interfere with an individual's physical integrity or freedom.
- On the model of EU regular meetings of the Heads of border services and of the networks of liaison officers develop a regional networking to exchange information and develop common or joint solutions to address common issues. Associate such a network to the review mechanisms.

3. Country specific measures

In order to achieve the short-term objectives of the Common Platform, if possible before the end of 2004, the relevant government bodies and agencies in each capital of the five Western Balkans countries have identified the following specific practical short-term measures:

Tirana

Tirana has approved "The Strategy on Border Control and its Integrated Management" by the decision of the Council of Ministers No. 118 dated 27.02.2003.

This Strategy expresses the commitment of the government and specialized structures in the field of border control and its integrated management.

The goal of the Strategy is, through real indicators and concrete deadlines, to further enhance the functioning of national bodies dealing with border security. Border police itself should be at the level of a contemporary police, to be able to carry out the task and the same time to accomplish the formula of its mission, where the reason of its existence is defined.

The Strategy is focused on the following areas:

- To complete the necessary legal framework to regulate and establish the basis for the activity of the border police in conformity with EU standards.
- Strong organisation and leadership, improvement of Command and Control (C2) structures.
- To strengthen the specific directions of guarding the border, provide training personnel.
- Logistical and infrastructure support system (amount to +7 million dollars).
- Harmonised land and sea border surveillance practices.
- Efficient risk assessment techniques and criminal investigation and intelligence gathering capabilities.
- Co-operation between national agencies (Customs, Ministry of Foreign Affairs, Armed Forces, State Intelligence Service, Local Government Bodies).
- International co-operation: regional co-operation, co-operation with the international organisations and international police organisations, and the CARDS programme.

The implementation of the Strategy will be carried out in two phases between 2003 and 2006.

The first phase: (January - December 2003) to include the study of the situation at the state border, analysing of data and comparing them with the requirements of the Schengen agreements, the legal, structural and functional restructuring of Border Police.

The second phase: (2004 to 2006) to aim at implementation of the new structure, supporting the modernisation of the border police infrastructure, improving qualifications and training of all Border Police personnel skills and judicial procedures.

The Strategy foresees the financial means for its accomplishment. The support of four Partner Organisations (EU, NATO, OSCE and Stability Pact) is critical for the implementation of the specific aspects, actions and projects of the above Strategy.

Sarajevo

The State Border Police (SBS) is in charge of the civilian aspects of border protection. According to the Law on State Border Service, the SBS is in charge of state border crossing control and surveillance of green and blue borders. From June 2000 until now, the SBS has undertaken surveillance and control of all border and security tasks in four international airports in BiH. According to new legislation, the SBS is under the authority of the Ministry of Security as an independent operational organisation.

Activities to be taken by Sarajevo by the end of 2004:

- Implementation of a Single Information System with data bases and SIS;
- Development of a radio network connected with Cantonal Police;
- Implementation of crime investigation activity in a Central Crime Investigation Unit (CIU);
- Equip all SBS Stations with adequate equipment;
- Implementation of TWINNING Projects;
- Harmonisation of current legislation with EU standards;
- Drafting of protocols on co-operation with Customs, Police and Interpol;
- Signing Agreements on co-operation with neighbouring Police services;
- Readmission agreements;
- Establishing a new training course for management;
- Building of new adequate facilities for SBS.

Belgrade (State Union)

By the adoption of the Constitutional Charter and the Law on Implementation of the Constitutional Charter of the state Union of Serbia and Montenegro, the Federal Ministry of Internal Affairs no longer exists.

The Supreme Defence Council at its Ninth session held on 27.11.2002 considered transferring of authority concerning state border security and concluded that this can be realised after the adoption of legal acts on the state border, in accordance with the Constitutional Charter of the Union and the Constitutional Law on its implementation. The Federal Ministry of Defence is in charge of the development of a common expert team with experts from Belgrade's Ministry of Interior, Podgorica's Ministry of Interior and Army, in order to draft a law on state border and a project on transfer of authority concerning state border security.

Belgrade (Republic)

At the beginning of 2002, the Working Group for reform in the key-field of work "State Border and Foreigners" has been established within the Department of Border Police, Aliens and Administrative Affairs of the Ministry of Interior and its purpose is:

Establishing an efficient and complete control system and securing the state border, enabling as quickly as possible a flow of people and goods, preventing and curbing uncontrolled migration, trans-national organised crime and terrorism, control of foreigners' movement and residence. A special organisational unit within the Ministry of Interior, namely, the border police, is responsible for functioning of the system;

Establishing integrated border control system and border security based on EU and Schengen principles, as one of the pre-conditions for reaching the status of candidate-country for membership in the EU;

- To authorise the Border Police of the Republic within the Ministry of Interior, to operate on the whole territory of the state, with clearly defined rights and responsibility for implementation of its tasks and jurisdiction;
- Centralised and efficient organisation, logistically and financially independent as much as possible;
- Automation of work and unique information system and data basis;
- Legal framework for work and proceedings conducted by the Border Police members, in accordance with the European Union and Schengen standards;
- Area of education and training of the Border Police members, in accordance with the European Union and Schengen standards;
- Methodology and recruitment programme for the Border Police personnel and their motivation for work, in accordance with the European Union and Schengen standards.

Concrete activities:

During the last year-and-a-half, the Working Group launched a number of activities with regard to reform of the border police:

- A working group has been founded for creating a plan of action and methodology in taking over jurisdiction over protection of Green and Blue borders from the Army. A working group has been established for making new legislation in border and foreigners matters.
- A working group has been established for making a proposal of new training and advanced skills programme.
- At the level of the Ministry of Interior, a working group has been established to work on a project of new ID documentation (passports, ID cards, driving licenses), fully brought into line with Schengen standards and protection, and following higher standards than current ones. The project is in its third phase, the technical documentation is ready, and equipment for making ID documentation has been acquired.
- Intense co-operation has been established with border services (police) in neighbouring and other countries, with regard to all professional segments. Co-operation with foreign liaison officers is especially significant for exchange of information in preventing uncontrolled migration and all forms of organized crime and terrorism.
- In terms of fighting trafficking, the Border Police representatives take an active role in all relevant activities: in forming a special police team, in participation in training and courses organised by the OSCE, the Stability Pact and NGOs. A border police member has been appointed as national coordinator in the fight against trafficking.
- An initiative has been launched for harmonisation of our visa regime with the Schengen standard, and a working group has been established at the level of responsible ministries, with participation of the Border Police Management representatives.

- There are a few big trial-projects for which donations have been made, aiming at the international community support in technical and infrastructure assistance and providing equipment for the Border Police.
- As a result of all of these activities, some strategic documents were prepared and verified by the Minister of the Interior and the Government in February 2003. These documents include:
 - Analysis of human resource situation and technical/infrastructure equipment at border-crossings,
 - Border Police Vision and Mission Paper,
 - Border Police Working Strategy,
 - Action Plan for Taking Over and Securing Green and Blue Borders from the Army.

All strategic documents and projects are prepared in co-operation with specialists from the most developed border management services in Europe, experts from international organisations (including OSCE, DCAF, EAR, and Stability Pact). These documents are highly valued by the above-mentioned specialists. In 2003, the following Border Police Management activities are due to be completed:

- Implementation of investment projects presented.
- Creation of the Border Police organisational scheme as a part of the Ministry of Interior, as well as job systematisation.
- Obtaining analysis and evaluation of human resources, construction facilities and equipment at the Green and Blue Border.
- Making and signing of agreements with customs and other state agencies and services, concerning state border control and surveillance.
- Signing of agreements on co-operation with border services (policies) of countries in the region.
- Active participation at all workshops, roundtables and courses concerning borders and foreigners.
- Providing an official TWINNING partner by the EU in order to launch legislation and other strategic projects.

In 2004, the Ministry of Interior's Border Police Department plans to undertake the following activities:

- Continued implementation of long-term investment projects that were launched in 2003 and developing new investment projects.
- Creation and implementation of TWINNING projects.
- Distribution and phasing-in of border police employees along the Green and Blue borders and in accordance with an evaluation and action plan.
- Adopting plans and programmes of basic training and courses for achieving advanced skills, which encompass the border police members at all levels of responsibility.
- Opening a training centre for the border police members.
- Issuing new travel and other ID documents with protective marks, according to EU standards.
- Continued international co-operation in all forms, including professional, educational and other relevant areas.

The implementation process depends directly on support from the international community, and the EU in particular. The Government supports all activities of the Department of border police, aliens and administrative affairs and will provide as much as possible means from its budget for this purpose, but one is aware that this is not sufficient. Bearing in mind that all candidate-countries benefited from the European Union's substantial support and assistance, as well as the support by international organisations and TWINNING partners, we consider that the Border Police is entitled to such support.

Podgorica (Republic)

Podgorica has defined its strategic interest for inclusion in the European Union and access to the process of stabilisation and association and stresses its readiness to respect the criteria for accession to the European Union and the process of democratic, economic, political and institutional reforms.

Podgorica will, within the future process of implementation, adhere to European Union standards, and through legislation and institution-building create conditions for inclusion into the European integration processes in the field of border management, and will create conditions for compliance with legislation in these areas.

By the Code of Rules on Organisation and Systematisation of the Ministry of Interior, which was adopted by the Government, the Administration for State Border and Border Affairs was created, with legislative authority for tasks related to border control and surveillance.

The Project on Border Security System of the Republic is being developed, and provides for the transfer of authority related to state border security from the Army, which is taking over the border security tasks, and also provides for demilitarisation with an undertaking by Border Police.

Both state border control and surveillance will be under the authority and responsibility of Podgorica's Border Police (within Ministry of Interior). The Project on Border Security System of the Republic is being developed in accordance with European Union standards and, by its implementation, the conditions for decreasing of all types of cross-border crime will be made (illegal migration, trafficking in human beings, drugs, arms and terrorism).

Since the Administration of the State Border and Border Affairs was created (20.02.2003), the Border Police is responsible for in-depth state border security tasks and for taking over of the physical state border security. During this period significant results were achieved in the area of co-operation with neighbouring police services, information exchange and suppression and detection of illegal trade and other forms of cross-border crime.

During the previous period, since the Administration for State Border and Border Affairs was created, the process of recruitment of personnel and for material-technical capability-building, as well as a personnel training, was achieved. In implementing the Project on Border Security System of the Republic we expect material-technical and expert support, first of all from the four Partner Organisations (EU, OSCE, NATO and Stability Pact). By full implementation of the Project on Border Security System of the Republic, Podgorica will be a partner in suppressing all types of international crime.

Concrete activities:

- Drafting legislation in the area of border security in accordance with generally accepted standards in this area;
- Improve leadership training, control, supervision and direction to enhance professionalism;
- Continue with the process of border police training on basic and advanced levels;
- In accordance with financial resources of the Republic equip border police with contemporary devices for border control and supervision;
- Continue with co-operation with neighbouring border services in terms of information exchange, important for crime suppression;

- Provide integrated border management through joint activities of police services involved in state border crossing control and supervision both on green and blue borders.

Zagreb

Zagreb established its border security system in 1991, shortly following its independence, on the basis of democratic standards and values. From the very beginning, the management of border security fell within the competence of the civilian government structure, which is the Ministry of Internal Affairs, specifically the Police Directorate – Border Police.

Strengthening border security and management is an established priority for the Government. Considering the intensification of trans-national threats throughout Europe, especially with regard to the illegal trafficking of human beings and illegal migration, narcotics smuggling, organised crime, illegal trade in small arms and light weapons, as well as the scourge of global terrorism, fighting illegal cross-border activities in all their aspects is and will continue to be one of Zagreb's policy priorities.

For South Eastern Europe, an important aspect in suppressing and eventually eliminating cross border crime is to have a rapid and permanent exchange of information and data between countries in the region, and with partner countries and organisations throughout Europe. In an effort to expedite this process, Zagreb is ready to explore ways for countries in South Eastern Europe to jointly develop risk indicators and streamline amongst themselves operating procedures, in line with European standards. In this sense, Zagreb hopes that other countries in South Eastern Europe will also work towards establishing operational agreements with EUROPOL, such as through acceding to the Convention on Data Protection and adopting accompanying internal legislation.

The Government submitted its application for European Union membership in February 2003 in Athens. As such, and in accordance with the National Programme for Accession into the European Union, the Government has set for itself the necessary goal, under strict time limits, to reform its national legislation and practice to that of the European Union by 2006. An important part of this Programme includes fulfilling the necessary prerequisites required to become fully compatible with the Schengen Acquis.

With this aim in mind, and with the assistance of partners from the European Commission and its Member States, as well as the Stability Pact for South Eastern Europe, Zagreb is implementing a TWINNING Project on Integrated Border Management. The TWINNING Project's primary aim is to approximate national legislation with that of the EU Acquis, establish equipment and training requirements, institution building needs, and the improvement of national structures according to the EU regulations. Zagreb is also developing a National Border Management Information System under CARDS 2002, which will allow for the centralised control of all border crossings in the country, strengthening not only the country's borders, but those of its neighbours too.

Zagreb is prepared to share its experience in implementing these reforms with other Stabilisation and Association process (SAp) countries, in particular with those with whom we share border, so as to enhance and promote cross-border bilateral co-operation. Zagreb is also prepared to offer its assistance to other SAp countries in areas such as the training of border police in integrated border management, taking into account regional specifics.

Skopje

In accordance with the initial development of its national instruments, the government has undertaken the following endeavours, within the preparations and commitment for transfer of border security responsibility from the Army to the border police:

- Establishment of an interagency group for transformation of border security and management (a Border Security and Management Transformation Strategy is expected to be developed by the end of this year);
- Preparations for the development of a Border Police Law;
- Signing of agreements on co-operation in the sphere of internal affairs with all neighbouring countries.

In the framework of integrated border management, the Government envisages its short-term objectives in direction of:

- Technical equipping of border police units and restoration of border infrastructure;
- Standardisation and improvement of technical and other requirements in order to ensure integrated border management in the countries of the region by means of assistance to be provided by Partner organisations in terms of equal provision of equipment;
- Undertaking measures in accordance with European standards primarily targeted at improved border communication within the region;
- Readiness to develop appropriate legislation on border management;
- Creation and implementation of TWINNING projects within Integrated Border Management;
- Issuing new travel and other ID documents with protective marks, according to EU standards;
- Standard equipment, procedures and co-ordination of border patrols;

Establishment of a regular process of training and education of border police members, which will be viewed, through the assistance by Partners, as a longterm objective or process designed not only for establishment of, but also for functioning of integrated border security.

4. Support by International Organisations:

Contributions from EU, NATO, OSCE and Stability Pact will be important in support of the implementation of national strategies. The four Partner Organisations will provide appropriate support for implementation of identified measures, as described in the preceding paragraphs, as follows:

European Union

The Integrated Border Management (IBM) approach covers 3 aspects:

- Trade facilitation
- Border control
- Border region co-operation

Within the CARDS regional programme the Commission will deliver Community assistance to support the development and follow up of national IBM Strategies and Action Plans. These will be achieved in line with established regional "IBM guidelines/benchmarks", although adapted

to the specific situation in each country. Funding is committed under 2002 and 2003 regional programmes. The implementation of the various IBM projects as identified in these National IBM Strategies and Action Plans, however, will be undertaken through the CARDS National programmes. Commission will deliver the necessary technical assistance mainly to access EU concepts and methodology, provide relevant training and support equipment, especially IT systems, as well as some infrastructure. Yearly funding is committed up to 2004.

The EU will also endeavour to provide support within ESDP, notably the ongoing EU military operation “Concordia” and the EU Police Mission (EUPM) in Bosnia and Herzegovina. The regional CARDS programme would also include specific and concrete regional assessments and studies. It will cover the definition of process of work and of procedures in line with the EU standards as well as the preparation of standard technical specifications for typical equipment for border management.

The Commission assistance will aim at providing the appropriate tools for efficient national systems but also at building sound basis for regional cooperation in the sector of integrated border management. The Commission will co-operate with others by offering access to the EU standards and could consider joint projects.

NATO

Until the responsibility for border security and control is transitioned to the UN Mission for Kosovo (UNMIK) and civil authorities, Kosovo Force (KFOR) will remain actively engaged in border control and smuggling interdiction activities and operations, in close co-ordination with UNMIK and adjacent countries, in accordance with agreed Temporary Operating Procedures (TOPs) and Memoranda of Understanding (MOUs).

Within the context of the NATO Membership Action Plan (MAP) and Partnership for Peace (PfP) programmes and activities, NATO will continue to provide military advice and support, as appropriate,¹³³⁸ to relevant government authorities in the field of border security and smuggling interdiction. NATO will also contribute to regional co-ordinating structures, which will be established in accordance with the objectives of the Common Platform Document, in order to improve the military-civilian interface.

Additionally, NATO intends to create telephone hotlines from neighbouring countries into KFOR Brigade operations centres and to investigate the establishment of Border Security Working groups and the exchange of additional Liaison Officers (LNOs) at the tactical level.

NATO will consider offering centralised military training programmes, within means and capabilities, in the following areas:

- Risk Assessment Instruments
- Joint Operating Procedures
- Assessment of Military Border Surveillance Contributions
- Mechanisms and Procedures for Information and Intelligence Exchange
- Intelligence Training, Standardisation of Reporting and Development of a Common Intelligence Picture

¹³³⁸ It is recognised that not all nations in the region are currently involved in MAP/PfP.

NATO remains committed to regional border security and management through a close working relationship with other members of the international community and the nations of the region. Furthermore, NATO will continue to encourage security sector reform and, in particular, will seek to address military involvement in border management and security through the Partnership Assessment and Review Process (PARP) where appropriate.

OSCE

OSCE's contribution will focus on civilian aspects of (1) training of and advice to border police (2) assistance to and facilitation of institution building and (3) promotion of regional co-operation. Any additional OSCE role in support of border management will need to be practically-oriented and fit in with other existing policies. Any of the following OSCE activities, are subject to approval by the OSCE Permanent Council towards the end of 2003.

OSCE Spillover Monitor Mission to Skopje

In view of the OSCE Mission's involvement in police training, there are a number of possibilities in support of enhanced border management: 1) increased emphasis on border areas and issues in OSCE community policing programmes, 2) expansion of current police training programmes to include specialist training for the National Border Police and if required, other branches of the administration, 3) mutually supporting activities, such as Small Arms and Light Weapons (SALW) reduction, in which the OSCE could assist the relevant authorities.

OSCE Presence in Albania

In addition to providing support for Joint Border Commission (JBC) meetings between Albania and UNMIK, the OSCE Presence can 1) assist the Government of Albania in implementing its Strategic Plan for Border Management, 2) help formulate a joint initiative within the terms of the EU Integrated Border Management System, 3) expand the above-mentioned model of support to other segments of the Albanian border.

OSCE Mission to Serbia and Montenegro

With the newly adopted Constitutional Charter, both Republics are focusing on harmonisation of their border police reform in compliance with the Schengen criteria. The OSCE assists in defining both strategies and fosters cross-border co-operation and exchange of information and experience between the international border police services and the respective Ministries of Interior. On request of the MoI, the OSCE acts as the main co-ordinator of international assistance in the field of police. Recently, the MoI and OSCE undertook an assessment, which resulted in the identification of an equipment package for all border crossings that would allow implementation of the basic identification and safety procedures.

OSCE Mission in Kosovo

The UN Mission in Kosovo and KFOR have an exclusive responsibility in the area of border security. The OSCE Mission facilitates law enforcement and coordination.

More than 5,500 Kosovo Police Service (KPS) cadets have been trained at the OSCE Police Service School (K PSS). At that facility, the Mission is currently also providing training to border police. This training could be expanded.

Regional Border Police Joint Training Programme

The OSCE Regional Border Police Joint Training Programme for existing border police officials at all levels will consist of the following elements: (1) Train the Trainer, (2) Command Course, (3) Regional Border Police Course. In a period of half a year, 600 – 800 professional border police officers from the region could attend this tailor-made joint regional training, in addition to their national training programmes. The programme will be based at the Centre for Education of Personnel in the Field of Security (CEPFS) in the host country of the Ohrid Conference. The CEPFS is currently used by the OSCE and the MoI for the joint training of 1000 multiethnic recruits and other training programmes foreseen under the Ohrid Framework Agreement. The immediate goals of the Regional Border Police Joint Training Programme are (1) to develop and strengthen the border policing and management capacity in the region, (2) to promote common operational standards and techniques, and (3) to increase the exchange of information. The regional capacity to train border police does not seek to replace already existing national border police training programmes, but rather build upon these in a complementary way. The curriculum will be developed on the basis of expertise available in the interested participating countries, the OSCE and other organisations, including the European Agency for Reconstruction (EAR) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF).

Stability Pact

Under the auspices of the Stability Pact, a strategy to manage population movements in the Western Balkans was endorsed at the Regional Table in Thessaloniki in December 2002. On the Basis of this strategy, a Programme of Action in the areas of Migration, Asylum and Refugee Return - MARRI - is now in its final stages of development and will be presented in early July 2003 to the MARRI Steering Committee for consideration and endorsement.

The MARRI Programme of Action is supporting of and complementary to the EU CARDS Programme. One, it provides a strategic framework for the management of population movements in the areas of migration, asylum, border management, visa policies and refugee return. Two, it focuses primarily on crossborder/ boundary and/or regional co-operative actions while building on and respecting National Action Plans and States own priorities, essential to promote more effective management of population movements in the interests of both State and Human Security. Three, it offers a platform for co-ordinated action between States in the Western Balkans and States members of the Stability Pact as well as relevant international and non-governmental organisations, active in the areas of migration asylum, border management and refugee return or settlement. It also aims to bring together diverse actors in the fields of foreign, security and development policy as well as justice and home affairs to pursue the dual goal of security and the free flow of people in search of economic and social opportunities.

The Programme of Action will build on as well as fill gaps in action already underway which, at the regional level, is still rather limited. In the area of refugee return, MARRI will further develop and integrate the successful Agenda for Regional Action by reinforcing the focus on necessary action to achieve sustainability and at the same time broadening the regional scope by covering the entire region. Overall, MARRI is focussing primarily on cross-border/regional co-operation in the areas of harmonised legislation, institutional and structural set-up, training and capacity building as well as information exchange.

Border management is the most obvious area in need of an integrated approach as pursued by MARRI. The Working Group on border management under MARRI clearly confirmed that border

management to be truly effective requires, firstly, clear integrated policies and operational responses among other things in the areas of migration asylum and refugee return and training of border officials in those fields; secondly, cross-border/boundary co-operation; and thirdly, coordination among the many states and international organisations supporting States in the Western Balkans in this field.

The MARRI Programme of Action is built on these three commonly agreed principles and approaches.

Other initiatives/contributions

DCAF has initiated a close co-operation with the countries of the Western Balkans aimed at assisting them in the comprehensive reform of their security sector, the drafting of the necessary legislation, and the establishment of governmental, civilian and parliamentary oversight mechanisms over the security sector.

As part of this effort, DCAF has conducted, together with the governments of Western Balkan countries, nine regional workshops to address the strategic needs in the process of creating new, civilian controlled and efficient border security systems built on European standards. They led to each country drafting a strategy paper and implementation plans for the creation of a civilian-led border police. These documents were presented to the EU Commission and should form the nucleus of the further development of modern border police organizations and integrated border management structures in the Western Balkans.

DCAF will, in close co-operation with the EU Commission, based on the standards defined by it, and in view of supporting the Union's SAP process, offer up until early 2006 the following projects:

(1) 10 interactive workshops for senior leaders focusing on: Legal reform; organizational culture and leadership; logistic support; land and sea borders surveillance; training and vocational training; risk assessment techniques; criminal investigation/intelligence gathering; integrating electronic and other technical means into a unified border control system; national and international cooperation. Each of the workshops will lead to the creation of an expert group to achieve concrete progress and to foster the creation of co-operative networks at the regional level. In 2005 two exercises involving all Western Balkan countries are proposed which should put to the test the results achieved. As intermediary steps on that road annual review conferences will be organised in January of 2004 and 2005, followed by a final evaluation in early 2006. They could, if so desired, be expanded into a tool to monitor and measure progress in the implementation of projects lead by NATO, the EU, OSCE and the Stability Pact.

(2) Other training offers will include: (1) An advanced distributed learning course for mid-level border police management that could form the nucleus of a virtual border police academy for the Western Balkans. The e-learning component will be complemented by two field trips of 3 weeks each (to Northern Europe, and respectively to Germany, Hungary, Slovenia and Italy). (2) An annual two-week introductory course at junior level. Any DCAF training activities in this area will be closely co-ordinated with the European Commission and the OSCE.

The main emphasis of DCAF's programme will be on regional co-operation, strengthening transparency, openness, trust, and interoperability, but at the same time also national ownership. DCAF will work in close co-ordination with all other institutions offering assistance to Western-Balkan countries in order to create synergies and avoid duplication.

5. Review process

The Consultative Group of the four Partner Organisations, together with the committed countries of the region, will keep under review the concrete implementation of these measures, as agreed in the Common Platform. Each of the four Partner Organisations will make full use of its existing review mechanisms to ensure follow up and internal co-ordination.

Regular review meetings will be held to assess achievements on short-term objectives and consider further steps, on the basis of an updated inventory of needs and a review of the results of activities undertaken. Having this in mind, a first review meeting, at senior expert level, will take place before the end of 2003.

Annex G **(Informative)** **Szeged Call for Action, November 2002**

The Szeged Call For Action

Szeged, 13 November 2002

On 11th, 12th and 13th November 2002, 30 non-governmental representatives from South East European (SEE) states gathered in Szeged, Hungary with the shared objective of identifying ways for civil society to help stem the proliferation of small arms and light weapons in the region. The seminar was jointly organised by Saferworld (UK) and Szeged Centre for Security Policy (Hungary) as part of the ongoing Szeged Small Arms Process.

All participants noted the excessively high level of small arms diffusion across the SEE region. Given the well-known effects of uncontrolled proliferation of small arms and light weapons locally and internationally, they expressed serious concerns. In a region scarred by war and cultures of violence, they strongly emphasised the need for effective action to combat small arms proliferation in order to ensure that the rejection of armed violence is securely established as a societal norm.

The participants recognised that a broad range of initiatives will be required in the years ahead if this is to be achieved. They agreed that:

- Governments, local authorities, the international community and civil society must work together if efforts to improve the security of communities by stemming small arms proliferation are to be effective, and that additional expertise and resources are especially called for.
- Civil society has a key role to play, in raising public awareness about the dangers of small arms proliferation; in changing attitudes towards possession and use of firearms; in encouraging dialogue and public debate on these issues, and in holding governments to account for their actions to address the problem of small arms diffusion in the region.
- In order to better exchange information and experiences, and in order to co-ordinate and facilitate future common efforts, a regional network of NGOs was now established.

Annex H (Informative)

Legislative and regulatory framework

The 'legislative and regulatory framework' table used to analyse countries' progress in the area of legislation and regulation of SALW, (included in each country chapter within Section 2 of this report), comprises categories of control measures or features prescribed by the various international and regional documents and agreements that SEE governments have made political commitments to implement.¹³³⁹ These documents represent international best practice on different aspects of legislative and regulatory control of SALW (for more information on these agreements, please see Section 1 – Introduction). Each country's individual commitments to the different documents or agreements are detailed in a combined table in the Introduction (Section 1), and in individual tables in the respective country chapter (Section 2).¹³⁴⁰

The following international and regional agreements and documents, all of which have relevance for the South East European countries assessed in this report, are included in this analysis:

- The 1995 Wassenaar Arrangement On Export Controls for Conventional Arms and Dual-use Goods and Technologies
- The 1998 EU Code of Conduct on Arms Exports
- The 1998 Joint Action on the European Union's Contribution to Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons
- The 2000 OSCE Document on Small Arms and Light Weapons
- The 2003 OSCE Document on Stockpiles of Conventional Ammunition
- The 2001 Protocol Against the Illicit Manufacturing of and trafficking in Firearms, Ammunition and Other Related Materials (the 'Firearms Protocol')
- The UN 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects
- The 2001 Regional Implementation Plan 'Combating the Proliferation of Small Arms and Light Weapons' of the Stability Pact for South Eastern Europe

The provisions of the documents and agreements consulted are noted according to legislative or regulatory feature in the tables below, (where no reference has been given for a particular feature, this indicates that there is no specific reference in the relevant document or agreement to the feature).

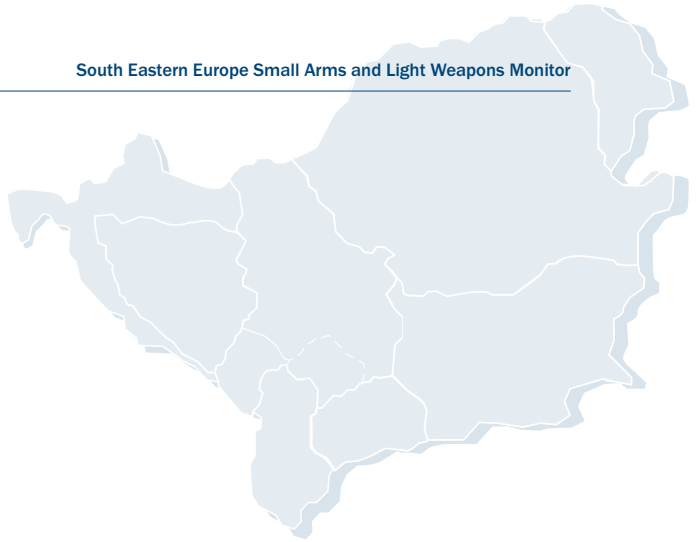
¹³³⁹ The format of the 'legislative and regulatory framework' table used in each country chapter borrows heavily from the table used to reflect national implementation of the United Nations 2001 Programme of Action in the 2003 Biting the Bullet / IANSA publication 'Implementing the Programme of Action 2003: Action by States and Civil Society'.

¹³⁴⁰ In general, in the analysis of each country's legislation, the English language translations published on the SEESAC website have been used (www.seesac.org).

RELEVANT ARMS CONTROL AGREEMENT	WASSENAAR ARRANGEMENT	EU CODE OF CONDUCT	EU JOINT ACTION	OSCE SA DOCUMENT	OSCE CA DOCUMENT	UN FIREARMS PROTOCOL	UN PROGRAMME OF ACTION	STABILITY PACT RIP
National								
National Co-ordinating Agency							UN PoA ¹³⁴¹	Rip ¹³⁴²
National Point of Contact				OSCE SA Doc ¹³⁴³	(Voluntary) OSCE CA Doc ¹³⁴⁴	UN FP ¹³⁴⁵	UN PoA ¹³⁴⁶	Rip ¹³⁴⁷
Laws & Procedures on Production, Export, Import and Transit								
Legislation	WA ¹³⁴⁸	EU Code ¹³⁴⁹	EU JA ¹³⁵⁰	OSCE SA Doc ¹³⁵¹		UN FP ¹³⁵²	UN PoA ¹³⁵³	Rip ¹³⁵⁴
Production			EU JA ¹³⁵⁵	OSCE SA Doc ¹³⁵⁶		UN FP ¹³⁵⁷	See 'Legislation' above	See 'Legislation' above
Export	WA ¹³⁵⁸	EU Code ¹³⁵⁹	EU JA ¹³⁶⁰	OSCE SA Doc ¹³⁶¹		'Legislation' above	'Legislation' above	'Legislation' above
Import			EU JA ¹³⁶²	'Legislation' above		'Legislation' above	'Legislation' above	'Legislation' above
Transit				'Legislation' above		'Legislation' above	'Legislation' above	'Legislation' above

NATIONAL SYSTEM OF EXPORT & IMPORT LICENSING OR AUTHORISATION							
System				'Legislation' above		'Legislation' above	'Legislation' above
Diversion Risk		EU Code ¹³⁶⁴		OSCE SA Doc ¹³⁶⁵		UN PoA ¹³⁶³	UN PoA ¹³⁶⁶
End-User Certificate			EU JA ¹³⁶⁷	OSCE SA Doc ¹³⁶⁸		UN PoA ¹³⁷⁰	UN PoA ¹³⁷⁰
Re-transfers				OSCE SA Doc ¹³⁷²		UN PoA ¹³⁷³	
Verification (pre/post)				OSCE SA Doc ¹³⁷⁴		UN FP ¹³⁷⁵	
Brokering Controls	WA ¹³⁷⁶			OSCE SA Doc ¹³⁷⁷		UN FP ¹³⁷⁸	UN PoA ¹³⁷⁹
Domestic Possession, Trade & Stockpiling							
Legislation			EU JA ¹³⁸⁰	OSCE SA Doc ¹³⁸¹		UN FP ¹³⁸²	UN PoA ¹³⁸³
Manufacture			EU JA ¹³⁸⁴	OSCE SA Doc ¹³⁸⁵			UN PoA ¹³⁸⁶
Marking and tracing	WA ¹³⁸⁸			OSCE SA Doc ¹³⁸⁹		UN FP ¹³⁹⁰	UN PoA ¹³⁹¹
Possession			'Legislation' above				UN PoA ¹³⁹³
Stockpiling				OSCE SA Doc ¹³⁹⁵	OCSE CA Doc ¹³⁹⁶		UN PoA ¹³⁹⁷
Trade				'Export'/'Import' above			UN PoA ¹³⁹⁹
							UN PoA ¹⁴⁰⁰

- 1341 Sub-section 4, Section II, Programme of Action to prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, UN Document A/CONF.192/15 (UN PoA).
- 1342 "Governments should designate a national-level entity to provide policy advice and coordinate and monitor the implementation of policies and strategies". Sub-section A, Section III Goals, Regional Implementation Plan: 'Combating the Proliferation of Small Arms and Light Weapons', Stability Pact for South Eastern Europe, November 2001 (RIP).
- 1343 Section VI: Final Provisions, OSCE Document on Small Arms and Light Weapons, FSC.DOC/1/00, 24 November 2000 (OSCE SA Doc).
- 1344 States can provide National Contact Points on a voluntary basis. Sections VII, OSCE Document on Stockpiles of Conventional Ammunition, FSC.DOC/1/03, 19 November 2003 (OSCE CA Doc).
- 1345 Articles 15 and 18, Revised Draft 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, UN A/AC.254/4/Add.2/Rev.6 (UN FP).
- 1346 Sub-sections 5 and 24, Section II, UN PoA.
- 1347 "National focal points should be established as part of multi-disciplinary national coordinating mechanisms within each country in the region", Sub-section B, Section III Goals, RIP.
- 1348 In general, the WA does not specify particular commitments to legislative or regulatory requirements. It does however, make an assumption of a process of export licensing, Section V. and Appendix I, 'Purposes, Guidelines & Procedures, including the Initial Elements', December 2003. In addition, with specific reference to SALW, participating states agreed in 2003 to "ensure that these principles are reflected, as appropriate, in their national legislation and/or their national policy documents governing the export of conventional arms and related technology"; WA 'Best Practice Guidelines for Exports of SALW' adopted in December 2002 (WA SALW Guidelines), www.wassenaar.org.
- 1349 Adequate and appropriate legislative and regulatory systems would be required if countries were to fulfil their commitment to abide by the criteria laid down in the EU Code of Conduct for Arms Exports, 8 June 1998 (EU Code), and the principles contained in the Joint Action of the 17 December 1998 adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the European Union's contribution to combating the destabilizing accumulation and spread of small arms and light weapons (1999/34/CFSP) (EU JA).
- 1350 See footnote above.
- 1351 (B) Import, export and transit procedures and (C) Import, export and transit documentation, Section III, OSCE SA Doc.
- 1352 Article 11, UN FP.
- 1353 Sub-section 2, Section II, UN PoA.
- 1354 "Legislation and regulatory frameworks should be strengthened in line with European and international standards on the possession, manufacturing, marking, record keeping, storage, destruction and transfers of SALW" ... "This will be reflected in the endorsement of relevant European and international norms and standards (for example, the EU Code of Conduct on Arms Exports, OSCE CAT policy)". In addition, countries are encouraged to elaborate "integrated project proposals encompassing one or more of the following categories.... Preventing and Combating Illicit Trafficking. Development and strict implementation of existing agreements on illicit weapons trafficking - notably the UN Firearms Protocol, the OSCE Document on Small Arms and the UN Programme of Action..., Legislative and Administrative Capacity. Development of a legislative and regulatory framework at the national level for Small Arms and Light Weapons manufacturing, distribution and brokering, including marking and tracing, registration, and licensing regimes as well as the full criminalization of illegal activities. Ability to enforce existing laws ... Establishment and maintenance of an effective system of export, including re-export, and import licensing or authorisation for the transfer of all categories of Small Arms and Light Weapons, including development of an effective system of end-use controls and strengthened controls on transshipments of arms through the region", Sub-sections B and C, Section III Goals, RIP.
- 1355 The EU Joint Action outlines a commitment by countries to produce small arms only for legitimate national security needs or for export in accordance with international arms export criteria, Article 3 (c), EU JA.
- 1356 (i), Section I, OSCE SA Doc.
- 1357 Article 5, UN FP.
- 1358 The WA 'Best Practice Guidelines for Exports of SALW', adopted in December 2002, requires participating states to carefully evaluate SALW exports according to various criteria, including the risk of diversion. Section I, WA SALW Guidelines.
- 1359 Criteria and Operative Provisions, EU Code.
- 1360 Article 3 (b), EU JA.
- 1361 (A) Common Export Criteria, Section III, OSCE SA Doc.
- 1362 The EU Joint Action outlines a commitment by countries to import small arms only for legitimate national security needs, Article 3 (a), EU JA.
- 1363 Sub-section 2, Section II, UN PoA.
- 1364 Criterion 6, EU Code.
- 1365 2. (b) (vii) and (iii), (A) Common Export Criteria, Section III, OSCE SA Doc.
- 1366 Sub-section 11, Section II, UN PoA.
- 1367 The Joint Action includes a commitment to only supply small arms to governments "in accordance with appropriate international and regional restrictive arms export criteria... including officially authorized end-user certificates or, when appropriate, other relevant information on end-use". Article 3 (b), EU JA.
- 1368 States commit to refuse an export licence without "an authenticated end-user certificate, or some other form of official authorization (for example, an International Import Certificate) issued by the receiving State", 1. (C) Import, export and transit documents, Section III, OSCE SA Doc.
- 1369 The UN Firearms Protocol does not specify a requirement that an end-user certificate must be used in exporting firearms, however, it does specify that the "final recipient" must be included in the information contained in the export and import licence or authorization and accompanying documentation. 3., Article 11, UN FP.
- 1370 Sub-section 12, Section II, UN PoA.
- 1371 In addition to reference to RIP on legislation, "Regional efforts to fulfil agreed upon domestic measures should be stepped up. These measures include: Co-operating to strengthen end use controls, and the establishment of agreed minimum standards in this area", Sub-section B, Section III, RIP.
- 1372 2. (b) (vii), (A) Common Export Criteria, and 5. (B) Import, export and transit procedures, Section III, OSCE SA Doc.
- 1373 Sub-section 13, Section II, UN PoA.



1374 6. (B) Import, export and transit procedures, Section III, OSCE SA Doc.

1375 Recipient state to inform exporting state of receipt of shipment on request. 4., Article 11, UN FP.

1376 WA participating states' agreed in 2003 to "strictly control the activities of those who engage in brokering of conventional arms by introducing and implementing adequate laws and regulations"; 'Elements for Effective Legislation on Arms Brokering', 2003 WA plenary. In addition, participating states should "put in place and implement adequate laws or administrative procedures to control strictly the activities of those that engage in the brokering of SALW and ensure appropriate penalties for those who deal illegally in SALW"; Section II, WA SALW Guidelines.

1377 (D) Control over international arms-brokering, Section III, OSCE SA Doc.

1378 Article 18, UN FP.

1379 Sub-section 14, Section II, UN PoA.

1380 The EU Joint Action outlines a commitment by countries to establish "restrictive national weapons legislation for small arms including penal sanctions and effective administrative control". Article 3 (d), EU JA.

1381 3 (i), Section I, OSCE SA Doc.

1382 Under Article 5 of the Firearms Protocol, "Each State shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law the following conduct, when committed internationally: (a) Illicit trafficking in firearms, their parts, components and ammunition; (b) Illicit manufacturing of firearms, their parts and components and ammunition; (d) Falsifying or illicitly obliterating, removing or altering the marking(s) on firearms required by article 9 of this Protocol". UN FP.

1383 Sub-section 3, Section II, UN PoA.

1384 The EU Joint Action outlines a commitment by countries to produce small arms only for legitimate national security needs or for export in accordance with international arms export criteria, Article 3 (c), EU JA.

1385 3 (i) and (iii), Section I, and (A) 1., Section II, OSCE SA Doc.

1386 Sub-section 3, Section II, UN PoA.

1387 "Regional efforts to fulfill agreed upon domestic measures should be stepped up. These measures include: ... Strengthening government control on all manufacturing of arms ammunition and associated materials", Sub-section B; in addition, Section III, RIP.

1388 The WA 'Best Practice Guidelines for Exports of SALW' requires participating states to support provisions concerning small arms marking. Section II, WA SALW Guidelines.

1389 3 (i), Section I, and (B), (C) and (D), Section II, OSCE SA Doc.

1390 Articles 8, 9 and 14, UN FP.

1391 Sub-sections 7 and 8, Section II, UN PoA.

1392 "Regional efforts to fulfill agreed upon domestic measures should be stepped up. These measures include: ... Developing effective systems of marking and tracing"; Sub-section B, Section III, RIP.

1393 Sub-section 3, Section II, UN PoA.

1394 "Such policies and strategies should be designed with a view toward elaborating integrated project proposals encompassing one or more of the following categories... Legislative and Administrative Capacity. Development of a legislative and regulatory framework at the national level for Small Arms and Light Weapons ... registration, and licensing regimes as well as the full criminalization of illegal activities. Ability to enforce existing laws and, where appropriate, develop procedures governing civilian possession of SALW." Sub-section C, Section III, RIP.

1395 Section IV, OSCE SA Doc.

1396 Sections I - IV, OSCE CA Doc.

1397 Sub-section 3, Section II, UN PoA.

1398 "Legislation and regulatory frameworks should be strengthened in line with European and international standards on the ...record keeping, storage, destruction...of SALW". Sub-section B, Section III, RIP.

1399 Sub-section 3, Section II, UN PoA.

1400 Countries are encouraged to elaborate "integrated project proposals encompassing one or more of the following categories... Legislative and Administrative Capacity. Development of a legislative and regulatory framework at the national level for Small Arms and Light Weapons manufacturing, distribution and brokering...". Sub-section C. Specific Measures. Section III, RIP.

