

2 Country assessments

This report presents progress towards the Regional Implementation Plan (RIP) by country. Each country sub-section includes two background sections: 'Small Arms Problem', which details the SALW-related problems in each country, and 'Small Arms Policy and Practice', which gives an overview of current policy and practice on SALW.

These two sections are followed by a third section, 'Small Arms Progress', which gives a detailed assessment of progress made to date. In order to facilitate analysis of the wide-ranging areas in which progress towards the RIP and combating SALW proliferation has been made, a number of sub-sections have been used to categorise and present information for each country (largely based on the functional areas defined by SEESAC). These sub-sections of SALW control activities are:

- Legislative and regulatory issues – this section details countries' current legislative and regulatory control measures and progress made in the context of other agreements on arms control, such as the 2000 OSCE Document on Small Arms, 2001 UN Programme of Action, etc. (For more detail, see Annex H). In order to ensure consistency, all analysis and referencing of legislation in the report is based on English language translations of laws obtained from SEESAC.
- SALW transfers – this section provides an overview of each country's current and recent SALW transfers (exports, imports, transit, transshipment and re-export), focusing on exports, in as far as public information is available, and also details available information on SALW trafficking.
- SALW collection programmes and capacities – this section provides an overview of SALW collection initiatives in each country.
- SALW destruction programmes and capacities – this section provides details of SALW and SALW ammunition destruction projects in each country.
- SALW stockpile management programmes and capacities – this section provides an overview of the stockpile security and management situation in each country.
- SALW awareness activities – this section presents the awareness-raising activities and public information campaigns implemented in each country. (Seminars, conferences and other meetings are not generally included in this section, which concentrates on direct SALW awareness-raising or information campaigns).
- SALW survey activities – this section presents the results of any SALW or related survey conducted in each country. (Research reports, policy reports, needs assessments, small-scale surveys, opinion polls, etc, have not been included in this section as they do not fully correspond with a 'SALW Survey' as defined by SEESAC's regional standards).
- Civil society involvement in SALW interventions – this section provides an overview of civil society and NGO activities on SALW in each country, including a brief note on overall capacity.
- Cross-border SALW control initiatives – this section provides an overview of the situation in terms of border control and cross-border co-operation on SALW trafficking in each country.

- SALW management information and exchange systems and protocols – this section provides an overview of SALW-relevant information systems, both public and confidential; it should be noted that it is not possible to make any assessment of the value and efficacy of confidential information exchange mechanisms.
- Additional SALW-related activities – this section presents any additional activities that may be relevant to a country's efforts to combat SALW, for example, community-based policing initiatives or the development of national SALW action plans.

Romania



Small Arms problem

The SALW problem in Romania is quite different from that of countries in the Western Balkans where recent conflicts, insecurity and gun cultures have contributed to the large availability and circulation of weapons within society. Romania's political and security situation is stable and there has never been a gun culture. However, Romania is an important producer and exporter of SALW and, like in other arms manufacturing and former communist countries, the debate about the small arms problem often revolves around the key issues of managing a defence industry in transition and ensuring compliance with arms export controls.

Although the Romanian arms industry is being de-emphasised and the Government is deeply engaged in addressing the outstanding issues posed by the transformation of the industry, providing attainable long-term restructuring opportunities for defence producers remains a challenge. There is a strong belief within the Romanian export control community that the historic low-point in the value of Romanian defence exports in 2001⁸⁴⁰ was the price paid for conducting a stringent and responsible policy of avoiding transfers to countries at risk of diversion.⁸⁴¹ However, at a time when Romania continues to face economic hardship, the incentives to export arms to maintain jobs and keep arms production lines open remain strong.⁸⁴² In this context, it is crucial for Romania now to consolidate the recognisable progress it has made to date.

Although the authorities consider the involvement of organised crime in trafficking of firearms in Romania limited,⁸⁴³ the threat remains.⁸⁴⁴ According to the European Commission, Romania has made substantial legal progress in the field of international police co-operation and the fight against organised crime and corruption, but there remain some challenges. In particular, Romania's law enforcement capacity remains weak, while the level of co-operation with police services in neighbouring countries is

840 Romania's 2001 arms exports were US\$24.5 million. 'Tough line on embargoes hits Romanian exports', Radu Tudor, Jane's Defence Weekly, 23 October 2002.

841 'We have always observed embargoes and placed Romania's security and image interests above economic interests. That compliance, however has a price'. HE Mrs Nineta Barbuțescu, President of ANCESIAC, Foreword of the Report on Arms Export Controls 2000-2001, ANCESIAC, http://www.ancex.ro/raport_arme/arms_rep.pdf.

842 'Managing Defence Industries in Transition: Ensuring Compliance with Export Controls', a presentation by Bernardo Mariani, Saferworld, at the Fifth International Conference on Export Controls, held in Budapest, Hungary, on 15 - 17 September 2003.

843 According to Romanian intelligence sources, it is unlikely that Romania will become a hub for illegal SALW trafficking. 'Short mission report - SEESAC Consultation in Romania, 15 - 16 July 2002', <http://www.seesac.org/about/romania.htm>.

844 With the number of organised criminal groups in Europe rising by a third from 2002 to 2003, Europol describes organised criminal groups from Romania as extremely dynamic. In outlining priorities for combating trans-national crime in the context of EU enlargement, Europol further states that Romanian, along with Bulgarian criminal groups, 'currently pose one of the main threats to the EU'. '2003 European Union Organised Crime Report', Europol, <http://www.europol.eu.int/publications/EUOrganisedCrimeSitRep/EUOrganisedCrimeSitRep2003.pdf>, p 17.

still low. The European Commission draws the significant conclusion that 'a strategic and coherent approach against organised crime is still lacking',⁸⁴⁵ and calls for improvements in the operational capacity of the police, better co-operation between law-enforcement bodies (both within Romania and in neighbouring countries) and the integration of policing and judicial systems (in relation to the current low conviction rate).⁸⁴⁶

The restructuring of the Romanian armed forces and its defence system in line with the country's European and NATO integration processes have generated significant quantities of redundant arms and ammunition, including SALW.⁸⁴⁷ A US/Norwegian funded project for the destruction of around 200,000 SALW is currently being implemented. However, it is clear that more resources and international assistance are required to dispose of the additional SALW surpluses that will be created in the coming years.

Small Arms policy and practice

The strategic priority to join the European Union in 2007 and sustained efforts in preparing for NATO membership,⁸⁴⁸ have had a dramatic impact on Romania's foreign and security policy. These clear objectives have helped to bring the country more into line with the non-proliferation policies of EU and NATO countries. They have also acted as a stimulus for greater emphasis on Romania's need to fulfil arms control commitments, in order to boost its credentials as a reliable producer and exporter of arms.

Romania's arms export control policy is based on a number of international control regimes and regional and international commitments. Some of these agreements focus specifically on the problem of SALW. Others apply to the whole range of conventional arms, including SALW. Romania has made firm commitments to national, regional and global efforts to combat the proliferation and misuse of SALW in line with the actions undertaken by the UN, OSCE, EU, NATO/EAPC and the Stability Pact for South East Europe. Recognising the importance of SALW, Romania has called for a comprehensive approach to the problem which includes national and regional strategies on public awareness and prevention, law enforcement and prosecution, as well as a joint effort to control production and transfer of small arms.⁸⁴⁹ Romanian policy prohibits exports of SALW to regions of conflict, states that support terrorism and destinations that raise proliferation concerns.⁸⁵⁰

During the Cold War, Romania developed an almost self-sufficient arms industry and in the 1980s, the country ranked 9th amongst the largest arms manufacturers in the

845 '2003 Regular Report on Romania's progress towards accession', European Commission, pp 20-21, http://europa.eu.int/comm/enlargement/report_2003/pdf/rr_ro_final.pdf.

846 *Ibid*, pp 105-107.

847 *Op cit*, 'Short mission report - SEESAC Consultation in Romania, 15 - 16 July 2002'.

848 In 1994, Romania was the first country to sign up for PfP status and since then it has pursued a policy of interoperability with NATO, including bi-lateral co-operation programmes with NATO countries and the modernisation of the armed forces. Romania was officially invited to join NATO at the Prague Summit, on 21 November 2002. On 26 March 2003, Romania, together with Lithuania, Estonia, Latvia, Bulgaria, Slovakia and Slovenia, signed its NATO membership agreement at a ceremony in Brussels. The seven are set to join the organisation in 2004.

849 Statement by HE Mrs Nineta Barbuлесcu, Secretary of State, President of the National Agency for the Control of Strategic Exports and of Prohibition of Chemical Weapons, at the United Nations Conference on Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 11 July 2001.

850 *Ibid*

world.⁸⁵¹ After the end of communism, Romania held on to its still-profitable arms industry as the country faced serious economic problems throughout the 1990s. Following a steady decline in this period, in 2001 Romanian exports reached their lowest level for 12 years due to the loss of traditional markets, a reduction in state orders and the country's adherence to arms embargoes.⁸⁵² Today, Romania maintains the capability to develop major weaponry, but the country's main defence items are in low-technology areas,⁸⁵³ in particular SALW, which in 2000 accounted for more than half of all defence exports.⁸⁵⁴ Romania's 35,000-strong defence industry workforce⁸⁵⁵ is only a small proportion of the 200,000 defence workers who were employed at the beginning of the 1990s.⁸⁵⁶ Described by Jane's Defence Weekly as 'a group of unwieldy state-owned companies',⁸⁵⁷ the defence industry earned US\$43.8 million in 2002,⁸⁵⁸ a tiny proportion of Romania's total exports, which reached US\$13.9 billion in the same year.⁸⁵⁹ During 2002, SALW, components for SALW and ammunition represented 58% of the total exports of military goods.⁸⁶⁰

Often accused during the 1990s of lax export controls,⁸⁶¹ in recent years, the Romanian Government has taken important initiatives to adopt more stringent norms and regulations, align the country with regional and international arms control initiatives and improve transparency. Supervision and control over the illegal trade in arms and ammunition on the border have also strengthened through new legislative measures. The Government Emergency Ordinance No 104/2001, which became law in 2002, ensures physical control at the border check points of imports and exports of strategic goods. The Romanian Border Police (RBP) enforces the law, and has responsibility for identifying groups involved in illegal activities, including trafficking in SALW, that violate the state border regime.⁸⁶² In 2003, Romania also adopted a Strategy for the Integrated Management of the State Border covering the period 2003 – 2006 and in March 2003 the Customs Administration agreed a co-operation protocol with the General Inspectorate of Border Police covering joint actions to combat smuggling. As, reported by the EU Commission, co-operation between the Customs Administration and the other enforcement bodies continues to improve.⁸⁶³ Finally, there have been improvements in border infrastructure and the modernisation of equipment continues. The Romanian Government has allocated more than 22 million for the procurement of modern border policing equipment and the creation of a computerised system to link its network together.⁸⁶⁴

851 'Arms Production, exports and decision-making in Central and Eastern Europe', Bernardo Mariani and Chrissie Hirst, Saferworld, June 2002, p 142.

852 Romania's 2001 arms exports were worth US\$24.5 million, down from US\$800 million between 1985 and 1989. Op cit, 'Tough line on embargoes hits Romanian exports'.

853 'Due to the Romanian defence industry's technology, this is the level and the type of production that we can afford', HE Mrs Nineta Barbulescu, State Secretary, MFA, President of ANCEX, interviewed in ibid.

854 Op cit, 'Report on Arms Export Controls 2000-2001', pp 34-35.

855 Interview with Gen Ion-Eftimie Sandu, Deputy Chief of Armaments Department, Ministry of National Defence, Bucharest, 04 February 2004.

856 Op cit, 'Tough line on embargoes hits Romanian exports'.

857 'Interview: Ion Iliescu, President of Romania', Jane's Defence Weekly, 09 May 2001.

858 Interview with Paul Pasnicu, Director, Conventional Arms Division, ANCEX, Bucharest, 04 February 2004.

859 'Romania your business partner - 2003', The Agency for Governmental Strategies, Romania, p 84.

860 Interview with Paul Pasnicu, Director, Conventional Arms Division, ANCEX, Bucharest, 04 February 2004.

861 This includes a number of cases where arms, especially SALW, released for export or sale found their way to countries in conflict, especially in sub-Saharan Africa. Op cit, 'Arms production, exports and decision making in Central and Eastern Europe', pp 150-153.

862 Report on the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (SALW) in all its Aspects, June 2003 (hereafter 'Romania UN PoA report 2003').

863 Op cit, '2003 Regular Report on Romania's progress towards accession', p 109.

864 'Romania on its way to NATO', Ministry of Public Information, p 157.

The Romanian armed forces, whose authorised active strength has been reduced from more than 300,000 to 110,000 personnel⁸⁶⁵ as a result of the country's roadmap to NATO membership, will undergo further cuts over the next few years.⁸⁶⁶ The new force structure, known as the Objective Force, envisages an authorised peacetime strength of 90,000 personnel (75,000 military and 15,000 civilians) by the end of 2007.⁸⁶⁷ The process of reforming and restructuring the Romanian armed forces will generate redundant equipment, including SALW.⁸⁶⁸ The reorganisation process within the Ministry of the Interior has also generated surplus stocks of SALW.⁸⁶⁹ In particular, technological changes and the restructuring programmes of the police, border police and gendarmerie have created surpluses, which will either be distributed amongst other public institutions, or destroyed.⁸⁷⁰

Table 33 – Romania's commitments to arms or SALW control agreements

ARMS OR SALW CONTROL AGREEMENT	ROMANIA'S COMMITMENTS
Stability Pact Regional Implementation Plan on SALW	November 2001
UN Programme of Action	July 2001 Letter Report in 2003
UN Firearms Protocol	February 2004 ⁸⁷¹
OSCE Document on Small Arms	November 2000
OSCE Document on Stockpiles of Conventional Ammunition	December 2003
EU Code of Conduct	July 1998
EU Joint Action on SALW	December 1998
Wassenaar Arrangement	April 1996 ⁸⁷²

865 Interview with Gen Ion-Eftimie Sandu, Deputy Chief of Armaments Department, Ministry of National Defence, Bucharest, 04 February 2004.

866 'Romania on its way to NATO', Ministry of Public Information, p 54.

867 Ibid

868 Interview with Gen Ion-Eftimie Sandu, Deputy Chief of Armaments Department, Ministry of National Defence, Bucharest, 04 February 2004.

869 In 2001, 12,839 SALW were identified as surplus by the Mol. 'Disposal of surplus small arms - a survey of policies and practices in OSCE countries', a joint publication by BICC, British American Security Information Council, Saferworld and SAS, January 2004, p 90.

870 Romania UN PoA report 2003.

871 The ratification law was adopted by the Romanian Parliament on 20 February 2004 (Law No 9/2004) and ANCEX has been designated as the national focal point for the Protocol.

872 Romania became a founding member of the WA in April 1996.

Small Arms progress

Legislative and regulatory issues

The import/export control regime of conventional arms is governed by:⁸⁷³

- Government Ordinance (GO) No 158/1999 on the control of imports and exports of strategic goods;⁸⁷⁴
- Government Decision (GD) No 844/2001 on the list of weapons, ammunition and other military items subject to the import and export control regime;
- Law 387/2003 which lays out the export control regime for dual-use goods and technologies.⁸⁷⁵

Significantly, Romanian legislation contains provisions to control international arms brokering.⁸⁷⁶ Any Romanian citizen, wherever located and any company incorporated in Romania that engages in brokering activities involving military goods must first obtain an authorisation from the Romanian National Agency for Export Controls (ANCEX, previously called ANCESIAC⁸⁷⁷). All transactions, including those arranged through third-countries without the weapons touching Romanian soil, require an individual licence.⁸⁷⁸

The control of strategic exports is co-ordinated by ANCEX. As an agency subordinated to the Ministry of Foreign Affairs, ANCEX has legal authority to authorise all trade operations with strategic goods, including SALW and ammunition. ANCEX has established a Control Team comprising in-house specialists and often experts from outside. The main responsibilities of ANCEX are as follows:⁸⁷⁹

- Authorisation, licensing and permit issuing;⁸⁸⁰
- Enforcement;⁸⁸¹
- Drawing up regulations, mechanisms, procedures and instructions specific to the export control system;
- Romania's representation at international non-proliferation and export control regimes meetings.⁸⁸²

⁸⁷³ Interview with Paul Pasnicu, Director, Conventional Arms Division, National Agency for Export Control (ANCEX), Bucharest, 04 February 2004. Also see Romania UN PoA report 2003.

⁸⁷⁴ The legal framework set forth by GO No 158/1999 ensures an effective control over the export, re-export, import, international transit, transshipment and other commercial and non-commercial operations of permanent or temporary transfer of SALW'. Romania UN PoA report 2003.

⁸⁷⁵ The new Law incorporates the EU provisions in the area of dual-use goods and technologies, represented by Regulation 1334/2000 and Common Position 401/2000.

⁸⁷⁶ Interview with Paul Pasnicu, Director, Conventional Arms Division, National Agency for Export Control (ANCEX), Bucharest, 04 February 2004.

⁸⁷⁷ As of 29 June 2003, the National Agency for the Control of Strategic Exports and the Prohibition of Chemical Weapons (ANCESIAC), changed its name to the National Agency for Export Control (ANCEX), <http://www.ancex.ro>.

⁸⁷⁸ Art 1 par c, Art 2 par 2-3 and Art 3 par 3, GO No 158/1999 on imports and exports control of strategic goods.

⁸⁷⁹ <http://www.ancex.ro/about.htm>

⁸⁸⁰ This includes: authorisations to undertake foreign trade operations in strategic goods; licensing of foreign trade transactions; permit issuing for international transits through Romanian territory and transshipments inside the territory of Romania.

⁸⁸¹ Including on-site controls of any company undertaking transactions with strategic items, in any stage of the authorisation, licensing and post-delivery process.

⁸⁸² Together with the Ministry of Foreign Affairs, ANCEX represents Romania in international non-proliferation and export control regimes.

ANCEX examines the legality of the export, including the regularity of the original International Import Certificate (IIC), or any other equivalent document (end-use certificate) issued by the authorised body in the importer's country. These documents, which are a mandatory condition for the approval of an export licence application, should contain, inter alia, the commitment of the importer not to re-export the goods without prior approval of the competent Romanian authority. The factors taken into account in the assessment of export licence applications include:⁸⁸³

- The resolutions of the UN Security Council; Joint actions and common positions of the EU;⁸⁸⁴ OSCE decisions;
- Political, economic and security interests of Romania;
- The export criteria set forth in the EU Code of Conduct on arms exports;⁸⁸⁵
- The guidelines of the international non-proliferation and export control regimes;
- The conduct of the exporter, importer, transporter and end-user.

ANCEX submits the licence to the Inter-ministerial Council for Export Control,⁸⁸⁶ whose advice allows the ANCEX President, who chairs the Council,⁸⁸⁷ to approve or reject the licence application.⁸⁸⁸ Therefore, the final decision on the approval of an import/export application rests with the President of ANCEX. Procedures and regulations on the export control regime of strategic goods (secondary legislation) are approved by Executive Orders of the President of ANCEX.⁸⁸⁹

Two types of licence are set out in the export and import control regime: individual and general.⁸⁹⁰ An individual licence allows a certain exporter to trade in one or more goods with a single foreign partner. A general licence allows a certain exporter to trade in one or more goods with one or several foreign partners. To date, however, the Romanian authorities have only issued individual licences.⁸⁹¹

The Romanian system of export control provides for post-delivery controls. Government Ordinance No 158/1999 stipulates the obligation for the exporter to obtain from its foreign partner a delivery control certificate which proves that the exported goods have reached the intended recipients in compliance with the licence application. The original copy of this document must be submitted to ANCEX within four months of delivery.⁸⁹² Supported by substantial fines in case of non-compliance, the post-delivery control

883 Op cit, 'Report on Arms Export Control 2000-2001', pp 14 and 21. See also: Romania UN PoA report 2003.

884 The Office for Non-proliferation and Arms Control (DNCA) within the MFA informs on a regular basis ANCEX of all the changes occurring in the sanctions and/or embargoes regimes adopted by the UNSC, the OSCE and the EU. Romania UN PoA report 2003.

885 According to the President of ANCEX, the implementation of the EU Code of Conduct has overcome the declaratory phase and 'the whole licensing process is tailored in accordance with the content and export criteria of this very important political document', Statement by HE Mrs Nineta Barbulescu, State Secretary, Ministry of Foreign Affairs, President of the National Agency for Export Controls, at the First Biennial Meeting of States on the Implementation of the Programme of Action of the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, New York, 07 - 11 July 2003 (hereafter 'Barbulescu, UN PoA statement 2003').

886 The Interministerial Council comprises representatives of ANCEX, the MFA, Ministry of Economy and Trade, MoD, Mol, General Customs Directorate, Ministry of Industry and Resources, Romanian Intelligence Service, National Commission for Nuclear Activities Control and the Foreign Intelligence Service. The Council meets on a weekly basis and its decisions are reached by consensus. Romania UN PoA report 2003. Also, Op cit, 'Report on Arms Export Control 2000-2001', p 18.

887 Ibid

888 Interview with Paul Pasnicu, Director, Conventional Arms Division, ANCEX, Bucharest 04 February 2004.

889 Ibid

890 Op cit, 'Report on Arms Export Control 2000-2001', p 18.

891 Interview with Paul Pasnicu, Director, Conventional Arms Division, ANCEX, Bucharest 04 February 2004.

892 Op cit, 'Report on Arms Export Control 2000-2001', p 22.

certificate focuses the Romanian export control system on the need to ensure controls on the end-use and end-users of Romanian defence goods.⁸⁹³

The Ministry of Industry in co-operation with the Romanian Association for Standardization has issued National Standard No SR 13475 on SALW marking. This regulation complies with the recommendations contained in the OSCE Document on SALW.⁸⁹⁴ It is a requirement that all SALW manufactured in and exported by Romania are properly marked with a serial number which enable the identification of the manufacturer and the tracing of each weapon.⁸⁹⁵

The possession of firearms and ammunition is regulated by the following legislation:⁸⁹⁶

- Law No 17/1996 on Firearms and Munitions
- GD No 679/1997 approving the Firearms and Munitions Regulation
- Law No 116/1997 for the ratification of the European Convention on the control of the purchase and possession of by civilians⁸⁹⁷

Civilian possession of firearms is regulated through licensing and the possession of military-style weapons is forbidden.⁸⁹⁸ The legislation prohibits certain categories of persons from owning firearms.⁸⁹⁹ The Ministry of the Interior is currently working on the preparation of a draft law to adapt the national legislation on firearms to bring it into line with EU and international standards. The draft law, which will abrogate Law No 17/1996, encompasses a new definition of firearms that is in line with EU controls⁹⁰⁰ on the acquisition and possession of firearms, as well as the provisions of the UN Firearms Protocol.⁹⁰¹

893 Post-delivery control is seen by the Romanian authorities as a useful tool for keeping the country away from international scandals which are connected to the diversion of arms to proscribed users. Op cit, 'Report on Arms Export Controls 2000-2001', Foreword by HE Mrs Nineta Barbulescu, President of ANCESIAC.

894 Romania UN PoA report 2003.

895 Ibid

896 Ibid

897 The Convention was adopted in Strasbourg on 28 June 1978.

898 Op cit, 'Short mission report - SEESAC Consultation in Romania, 15 - 16 July 2002'.

899 Foreigners who have no residence or domicile in Romania; persons under the age of 18; persons who according to the evidence held by the police or the courts are known to have committed acts of domestic violence; and persons who exhibit antisocial behaviour (alcoholism, begging, etc) according to evidence held by the police, the courts or the prosecution courts. Ryerson University, Toronto, Canada, http://www.research.ryerson.ca/SAFER-Net/regions/Europe/Rom_SR03.html.

900 EU Council Directive No 91/LO/477/EEC.

901 The draft legislation provides for strict conditions to be fulfilled by natural and legal persons in order to possess, hold and use a firearm. Non-observance is subject to revocation or cancellation of the authorisation to possess and hold firearms. The draft law also contains provisions regulating the purchasing of firearms and ammunition from specialised dealers. These are obliged to notify on a monthly basis the competent police unit about all their activities. Such notifications should include the number and type of weapons or ammunition sold, as well as a list of buyers. After being presented for first reading in the Government Meeting of 10 April 2003, the Draft Law is going through the legislative process. See: Romania UN PoA report 2003.

Table 34 – Features of Romania's legislative and regulatory framework

FEATURES OF LEGISLATIVE & REGULATORY FRAMEWORK	ROMANIA
National	
National co-ordinating agency on SALW	No
National point of contact on SALW	Yes ⁹⁰²
Laws & Procedures on Production, Export, Import and Transit	
Legislation	Yes
Production	Yes
Export	Yes
Import	Yes
Transit	Yes
National System of Export & Import Licensing or Authorisation	
System	Yes
Diversion risk	Yes
End-user certificate	Yes, a mandatory condition for the approval of export licences.
Retransfers	Yes ⁹⁰³
Verification (pre/post)	Yes, pre- ⁹⁰⁴ and post-delivery. ⁹⁰⁵
Brokering controls	Yes, including extra-territorial provisions.
Domestic Possession, Stockpiling and Trade	
Legislation	Yes ⁹⁰⁶
Marking and tracing	Yes ⁹⁰⁷
Possession	Yes ⁹⁰⁸
Stockpiling	Yes
Trade	Yes ⁹⁰⁹

902 The national point of contact for the implementation of the UN PoA is the Office for Non-Proliferation and Arms Control within the MFA. Tel: + 40 21 223 01 27; Fax: + 40 21 231 67 86; e-mail: dnca@mae.ro.

903 All re-export operations are subject to the provisions of Government Ordinance 158/1999.

904 The Office for the Control of Imports and Exports of Special Items (OCIEPS) within the MoD exercises control over the imports and exports of military products and technologies in the pre-licensing and licensing phases in order to prevent illicit trafficking in SALW. Romania UN PoA report 2003.

905 A new mechanism of extreme vigilance for SALW destination's control has been introduced in the post-delivery control phase for SALW exports. Barbulescu, UN PoA statement 2003.

906 The Penal Code provides sanctions for the violation of regulations regarding possession, use, production and transportation of firearms by individuals, entities or organisations, as well as other breaches concerning the repair and transfer of SALW and ammunition.

907 Currently Romania does not have a centralised SALW record-keeping system. The Ministry of Industry and Resources keeps records on the production of SALW. The defence and police forces are required to keep their own records on storage and transfers of SALW within Romania. ANCEX keeps records of all arms, including SALW, transfers and re-transfers in and from Romania. However, a new National Register of Firearms to be introduced in 2004 will create uniform record-keeping procedures for all firearms in circulation, in line with EU standards in this area. Romania UN PoA report 2003.

908 Currently, individuals can possess firearms only in their exercise of public authority. Certain private companies carrying out guarding services, such as the Body of Public Guardians, Environment Guards and Financial Guard Commissioners, are also authorised by the police to possess firearms. The following legislation applies in this field: Law 26/1993 on the Organisation and Functioning of the Body of Public Guardians; Order 211/2002 for the Approval of the Regulation on Hunting Permits; and Order 305/2002 on Banning the Use of Automatic Sub-machine Guns. Romania UN PoA report 2003.

909 Individuals and organisations involved in illicit trafficking in firearms are under strict surveillance by specialised bodies within the MoI (the General Directorate of Intelligence and Internal Protection, and the General Directorate for Countering Organised Crime). These bodies keep and maintain, inter alia, records of individuals who are suspected of, or involved, in illicit firearms possession, production, or delivery. Romania UN PoA report 2003.

SALW transfers

In 2000 and 2001, the majority of Romania's arms exports were small arms, light weapons and ammunition.⁹¹⁰ According to the Romanian Government's submission to the 2002 OSCE information exchange on SALW, Romania's SALW exports to OSCE countries were as follows:

Table 35 – SALW Exports to OSCE countries in 2001⁹¹¹

CATEGORY AND SUB-CATEGORY	FINAL IMPORTER STATE	NUMBER OF ITEMS
Small arms		
	US	110,978
Rifles and carbines (semi-automatic rifle WASR 10, AES 10, MIS 10, SAR 1, SAR3, PAR 1, PAR 3, ROMAK 3, PSL 54, PSL 51)	Austria	75
	Slovak Republic	28
	Czech Republic	5
	France	30
Sub-machine guns, of calibre 7.62 mm	France	30
Light machine guns, of calibre 7.92 mm	US	47

No detailed data concerning exports to non-OSCE countries is available. However, there have been media reports that in May 2001 20,000 AK-47s were shipped from Romania to Uganda, from where they allegedly reached rebel forces in the Democratic Republic of Congo.⁹¹² Although there was no official confirmation of this transfer, a Romanian Government official later stated that Uganda had received Romanian arms in 2001.⁹¹³ Since the Uganda deal, there have been no reports of Romanian SALW entering conflict zones in Africa. In keeping with its endeavours towards implementing a responsible arms export policy, in 2002 Romania denied a licence for the export of military goods, including small arms and ammunition to Eritrea, even though the UN arms embargo against that country had been lifted.⁹¹⁴ In what is perceived as a symbolic reward by the international community for Romania's restraint in export policy, in June 2002 Romania received a contract to supply the new Afghan army with 1,000 AK-47 rifles, light weapons and ammunition.⁹¹⁵

Throughout the 1990s, significant quantities of Romanian SALW entered regions of conflict. According to Amnesty International, in 1997 the Rwandan army received 80 tonnes of armaments from Romania, including machine guns and ammunition.⁹¹⁶ In December 2000, the UN Monitoring Mechanism on Angola Sanctions reported that Romania had been one of the main suppliers of SALW to UNITA rebels.⁹¹⁷ From 1996 to 1999, significant quantities of SALW and ammunition were supplied to the West African countries of Togo and Burkina Faso. However, the UN investigation discovered that using a scheme of forged end-use certificates, the arms were later re-exported to UNITA forces in Angola.⁹¹⁸ Foreign middlemen played a crucial role in brokering these

910 70% in 2000 and 63% in 2001. Op cit, 'Report on Arms Export Control 2000-2001' p 34.

911 Op cit, 'Disposal of surplus small arms - a survey of policies and practices in OSCE countries'.

912 'Leftover arms fuel continent's ruinous wars - Cold War surplus wreaks havoc', Paul Salopek, Chicago Tribune, 23 December 2001.

913 Small Arms and Human Rights: The Need for Global Action - A Human Rights Watch Briefing Paper for the UN Biennial Meeting on Small Arms, <http://www.hrw.org/backgrounder/arms/small-arms-070703-03.htm>.

914 'Small Arms Survey 2003', Graduate Institute of International Studies, Oxford/Geneva, 2003, p 110.

915 Ibid

916 'RWANDA - The hidden violence: 'disappearances' and killings continue', Amnesty International, 23 June 1998, p 10.

917 'UN Final Report of the Monitoring Mechanism on Angola Sanctions', UN, S/2000/1225, 21 December 2000.

918 Op cit, 'Arms Production, exports and decision-making in Central and Eastern Europe', p 152.

deals.⁹¹⁹ Romanian officials emphasised that they should not be held responsible for the diversion to unauthorised recipients of arms ostensibly destined for Togo and Burkina Faso.⁹²⁰

SALW collection programmes and capacities

The civilian possession of firearms is regulated through a stringent licensing process and the possession of military-style firearms is forbidden. According to Romanian experts, illicit SALW trafficking in Romania is minimal and often involves only small case smuggling of individual weapons into the country.⁹²¹ Given the relatively small number of weapons in circulation within society, there has been no urgency in developing and launching SALW collection programmes.

SALW destruction programmes and capacities

At the invitation of the Romanian Government, a US–Norwegian team of specialists visited Romania in February 2002 to offer advice on stockpile management and determine the feasibility of destroying surplus SALW and ammunition. Following the visit, the Romanian Ministry of Foreign Affairs presented a National Programme for the destruction of surplus SALW and sought financial assistance for its implementation.⁹²² A total number of 195,510 SALW, including pistols, sub-machine guns, machine guns, grenade launchers and mortars and 36,692,747 rounds of ammunition are being destroyed with the financial support of the United States and Norway.⁹²³ The national company Romarm has been appointed by the Ministry of Defence as the contractor in charge of carrying out the destruction programme.⁹²⁴

Table 36 – Summary of SALW destruction in Romania 2000 – 2004⁹²⁵

DESTRUCTION ACTIVITY	SALW	AMMUNITION (TONNES)	REMARKS
MoD, executed by ROMARM	195,510		Pistols, rifles, assault rifles, sub-machine guns, light machine guns, medium machine guns, light anti-tank weapons, medium anti-tank weapons, various. 1 January 2001 – 31 December 2001.
TOTAL	195,510		

919 Starco Investment and Trade, registered in Israel and East European Shipping Corporation, a firm based in the Bahamas and represented in Europe by Trade Investment International Limited, a UK-based company. 'UN Final Report of the Monitoring Mechanism on Angola Sanctions', UN, S/2000/1225, 21 December 2000, p 15.

920 'Arms Trade, Human Rights, and European Union Enlargement - The Record of Candidate Countries', Human Rights Watch, 08 October 2002, p 4.

921 Interview with Florin Troasca, Head of Firearms Explosives and Toxic Substances Division, General Inspectorate of the Romanian Police, Bucharest 03 February 2004.

922 Meeting with HE Leif Arne Ulland, Ambassador, Royal Norwegian Embassy, Bucharest, 03 February 2004.

923 Romania UN PoA report 2003.

924 Ibid

925 Statistics taken from the SEESAC SALW Database, www.seesac.org, as referenced 17 February 2004.

SALW stockpile management programmes and capacities

The Ministry of Defence and the Ministry of the Interior are responsible for defining and accounting for surplus SALW and ammunition. Romanian laws and regulations have established adequate and detailed procedures relating to the management and security of SALW stockpiles.⁹²⁶ These cover technical and security requirements for stockpile locations, physical security measures, access control, inventory management, accounting control procedures, personnel training, security of transport and sanctions.⁹²⁷

In its 2002 submission to the OSCE Information Exchange on SALW, Romania emphasised its detailed national stockpile management and security procedures with regard to SALW held by the Ministry of Defence. These cover: stockpile locations; physical security measures; access control measures; inventory management and accounting control; and security in transit.⁹²⁸ Any loss or theft of SALW and ammunition from MoD stockpile facilities must be immediately reported and military law enforcement bodies are responsible for investigating thefts or losses of military arms and pressing any criminal charges.⁹²⁹ There is no available data concerning losses or thefts.

The General Staff within the Ministry of Defence is responsible for identifying surplus SALW. Regular reviews are undertaken to assess surpluses and verify the state of ammunition.⁹³⁰ Within the Ministry of the Interior, definition and identification of surplus stocks is the responsibility of competent administrative and logistical structures that decide whether the surpluses are subject to redistribution or destruction.⁹³¹

No information is currently available on the numbers of SALW held by the Romanian armed forces. However, the process of restructuring and downsizing of the army is likely to result in large quantities of arms surplus to requirements.⁹³² In its 2002 submission to the OSCE information exchange on small arms, the Romanian Government provided a detailed account of SALW held by the Ministry of Defence and identified as surplus in 2001.⁹³³ During the US–Norwegian fact-finding visit in February 2002 (see SALW destruction programmes and capacities), the Romanian Ministry of Defence highlighted that its main concern with regard to stockpile management was with ammunition, especially that which is aged and as such may create risks for the population and the environment.

926 Within the MoD, the following laws and regulations apply: Law 17/1996 on the Firearms and Ammunition Regime; Regulation A 114/1989 on Technical Endowment with Armaments and Ammunition in Peacetime; Order of the Minister of Defence M8/1999 on Inventory Management and Accounting Control; Order of the Minister of Defence M75/2000 for reporting of losses and thefts.

927 Romania UN PoA report 2003.

928 Op cit, 'Disposal of surplus small arms - a survey of policies and practices in OSCE countries', p 93; also Romania UN PoA report 2003.

929 Ibid

930 Interview with Gen Ion-Eftimie Sandu, Deputy Chief of Armaments Department, Ministry of National Defence, Bucharest, 04 February 2004.

931 Romania UN PoA report 2003.

932 Op cit, 'Disposal of surplus small arms - a survey of policies and practices in OSCE countries', p 87.

933 2,314 revolvers and self-loading pistols; 166,637 sub-machine guns; 19,822 light machine guns; 4,144 heavy machine guns. Ibid, p 89.

SALW awareness activities

There have been activities to introduce university students to the problem of small arms proliferation and misuse and the steps being taken to address the problem (see below).

Table 37 – SALW awareness activities

CAMPAIGN AND IMPLEMENTER	DURATION	TARGET GROUP	METHODS	INDICATORS OF SUCCESS	DONOR
EURISC Foundation	1999 - ongoing	University students	lectures	About 900 students have been reached by the campaign, but no evaluation has been carried out.	Project has been carried out by EURISC without external support.

SALW survey activities

No surveys have been conducted on SALW in Romania. Therefore there is no complete picture of the impact of SALW on the country.

Civil Society involvement in SALW interventions

There has been some involvement of local NGOs and civil society in SALW control projects in Romania. This has occurred primarily through collaborative initiatives between Saferworld and the European Institute for Risk Security and Communications Management (EURISC Foundation). A series of roundtable discussions and international seminars held by the two organisations have been instrumental in promoting a culture of government

accountability and public transparency on small arms production and exports. On 20 and 21 April 2001, over 30 NGO delegates from South, Central and Eastern Europe attended an EURISC/Saferworld seminar in Bucharest to discuss campaigning and advocacy priorities to influence the July 2001 UN Conference on the Illicit Trafficking in Small Arms and Light Weapons in All Its Aspects. Participants also shared information on NGO initiatives to increase transparency and accountability in the arms trade and discussed the production of a joint research paper on 'Arms Production, Exports and Decision Making in Central and Eastern Europe'.⁹³⁴



The second meeting of the Central and Eastern European Network on Small Arms took place in Bucharest in April 2001.

The links between SALW and organised crime are felt to be particularly pertinent to Romania and the EURISC Foundation has played a pivotal role in placing these issues on the national agenda. Saferworld and the EURISC Foundation held a seminar

934 'The Second International consultation on enhancing NGO co-operation to tackle the proliferation and misuse of small arms in Central and Eastern Europe', Seminar report, Saferworld, April 2001.

in Bucharest in June 2001⁹³⁵ that brought together national and international law enforcement bodies, academics, government officials and NGOs to develop ideas for strengthening and deepening co-operation between European states and relevant international organisations to combat illicit arms trafficking and other forms of organised crime. An immediate result of this meeting was the decision by the SECI Regional Center to set up a Task Force to combat and prevent illicit trafficking of SALW across South Eastern Europe.

Over the past two years, EURISC has been engaged in raising awareness of small arms and light weapons proliferation issues among university students, through lectures and distribution of relevant documents. Outreach to university students is meant to enhance support to the small arms control agenda in Romania with an appeal to a large cross-section of the population. Crucially, the post-graduate course on NATO and SALW organised by EURISC represents progress in engaging civil society on issues which previously would remain within the Government's remit.⁹³⁶ The SALW problem now constitutes a topic in the final examination for students at the Academy of Economic Studies (Bucharest) undertaking courses in: International Economic Relations (3rd year), Advanced Studies in Geopolitics and Post Graduate Studies in Security Matters.⁹³⁷ The EURISC Foundation intends to develop this awareness project through lectures and training activities, which will involve experts in arms control and individuals who can provide personal testimony of the humanitarian impact of small arms.

A pilot project in co-operation with the Centre for Information on Security Culture was launched by the EURISC Foundation in September 2003. As part of this project, roundtable meetings and discussions on security threats, which will include SALW, will be organised during 2004. Discussions are underway with the Ion Luca Caragiale high-school in Bucharest for setting up a resource centre on security issues for high school students and teachers. The launch of the resource centre is planned to coincide with the announcement of Romania's full NATO membership on 05 April 2004.

Cross-border SALW control initiatives

Romania has made full use of existing bi-lateral, multi-lateral and regional initiatives and mechanisms of co-operation for information-sharing on policies and best practices in cross-border initiatives. Romania has concluded numerous bi-lateral agreements with other European states aimed at enhancing co-operation in countering organised crime, illicit trafficking and terrorism.⁹³⁸ On 2 October 1998 Romania signed an agreement amongst Black Sea Economic Co-operation (BSEC) participating states which prescribes co-operation in combating organised crime, including smuggling of weapons and money laundering. The agreement envisaged the establishment of contact points and possibly the appointment of liaison officers as channels for co-operation, the form of which would include: exchange of information on criminal individuals and groups; exchange of expertise, information and material and technical

935 The seminar entitled 'Improving European Law Enforcement Co-operation to Tackle Corruption and Illicit Firearms Trafficking', was co-hosted by EURISC, Saferworld, the Romanian MFA and the SECI Regional Center for Combating Transborder Crime.

936 Op cit, 'Short mission report - SEESAC Consultation in Romania, 15 - 16 July 2002'.

937 Interview with Dr Liviu Muresan, President of the EURISC Foundation, Bucharest, 04 February 2004.

938 Romania has concluded such agreements with: Hungary (Budapest, 19 February 1997); Trilateral Romania-Bulgaria-Turkey (Antalya, 16 April 1998); Turkey (Antalya, 16 April 1998); Trilateral Romania-Bulgaria-Greece (Sofia, 08 September 1998); Trilateral Romania-Moldova-Ukraine (Kiev, 06 June 1999); Croatia (Zagreb, 30 September 2000); Slovenia (Bucharest, 04 October 2000); Poland (Warsaw, 12 June 2001); Israel (Jerusalem, 17 June 2001); Armenia (Yerevan, 31 October 2001); Czech Republic (Prague, 13 November 2001); Albania (Bucharest, 6 June 2002); Bulgaria (Sofia, 10 June 2002).

support in border controls; meetings of experts in specific fields.⁹³⁹ The agreement was extended with the signing of an Additional Protocol on 15 March 2002, since ratified by Turkey, Bulgaria, Moldova and Romania, which initiated a BSEC Network of Liaison Officers on Combating Crime, and also cemented the agreement by participating states to appoint national points of contact within their law enforcement bodies.⁹⁴⁰

Romanian law enforcement agencies have been active in bi-lateral consultations with counterparts from the US, the UK, Germany, France, Norway, Netherlands,⁹⁴¹ Japan, Poland, Hungary, Bulgaria and Israel.⁹⁴² Ministry of Interior liaison officers and police attachés have been appointed to Romanian Embassies in several EU countries affected by criminality and illegal immigration from Central and Eastern Europe.⁹⁴³

Romania is currently developing proposals for joint projects with its immediate eastern neighbours and Stabilisation and Association Process (SAP) countries that will reinforce border security and customs operations along the future external border of NATO and EU. Romanian proposals focus on the development of the establishments of the following projects:⁹⁴⁴

- Joint training programmes on organised crime at the Romanian Police Academy (Bucharest) for law enforcement officers from Romania, Moldova, Serbia and Montenegro, Albania and Macedonia;
- Joint training programmes for border police officers from Romania, Hungary, Bosnia and Herzegovina in Arad (western Romania);
- Pilot project for joint border monitoring and customs control between Romania, Ukraine and Moldova at Galati (south eastern Romania);
- Technical assistance in drafting legislation and in establishing communication systems for intra- and inter-agency co-operation and exchange of information.

The US Federal Bureau of Investigation (FBI) opened an office in Romania in August 2000 to cooperate with Romanian authorities in fighting cross-border crime. The FBI's Legal Attaché (Legat) office, which has territorial responsibility for Romania and Moldova, responds to the US's domestic and extraterritorial needs through partnerships and co-operation with Romanian and Moldovan law enforcement agencies on every level. The office consists of a Legat, an Assistant Legat, and an Office Assistant. The FBI also has an Advisor to the Romanian Human Trafficking Task Force.⁹⁴⁵

Romania participates in various regional initiatives dealing with issues of cross-border illicit trafficking and organised crime, including Interpol, Europol, the Stability Pact for South-Eastern Europe, BSECO, and the CEI. On 13 May 2003, Romania and Europol

939 'Agreement among the governments of the Black Sea Economic Cooperation participating states on cooperation in combating crime, in particular in its organized forms', Corfu, 2 Oct 1998, <http://www.bsec.gov.tr/cooperation.htm>

940 'Additional protocol to the agreement among the governments of the Black Sea Economic Cooperation participating states on cooperation in combating crime, in particular in its organized forms', 15 March 2002, <http://www.bsec.gov.tr/cooperation.htm>

941 Several programs and projects meant to improve the Romanian-Dutch cooperation in combating crime have discussed during the course of bilateral visits to both countries of experts or high representatives. The visit of a Romanian delegation to the Netherlands in May 2003 included an extensive bilateral agenda, consisting of high-level meetings with the Secretary of State of the Ministry of the Interior and Kingdom Relations, Mr Rob Hessing, the Director of the Immigration and Naturalization Service, Mr Peter Veld, the Queen's Commissioner for Noord-Holland, Mr Harry CJL Borghouts, and the Chief of the Amsterdam Police, Mr E Hoogervorst. A visit to the Amsterdam Police Headquarters was also included. 'Cooperation Agreement between Romania and Europol', Press Release, Romanian Embassy in the Netherlands, 16 May 2003.

942 Barbuлесcu, UN PoA statement 2003.

943 'Romania - Action and Progress in the Fight Against Organised Crime', Presented at the Ministerial Conference on Organised Crime in South East Europe, London, 25 November 2002.

944 Ibid

945 US Embassy in Bucharest, <http://www.usembassy.ro/USEmbassy/FBIJusticeDSS.htm>.

signed a Cooperation Agreement,⁹⁴⁶ which represents an important step towards Romania's integration into the European police structures and provides new impetus to the co-operation between Europol and Romania in combating crime. The agreement allows for a Permanent Police Attaché who will represent Romania at Europol, with observer statute, until the country's accession to the EU.⁹⁴⁷

Romanian law enforcement agencies fully co-operate through different mechanisms, such as information exchange, training and sharing best practices with their counterparts in South Eastern Europe. As a founding member and the host country of the SECI Center for Combating Trans-Border Crime, Romania has initiated a number of operational activities with police and customs agencies in South Eastern Europe. As regards SALW, such co-operation takes place within the framework of the SECI Center's Task Force on SALW, of which Romania is an active member.

SALW management information and exchange systems and protocols

Romania is active in the international and regional systems to which it has made commitments, such as the UN Programme of Action, OSCE and Interpol mechanisms. Romania provides regular information to the UN on imports and exports of major weapon systems for inclusion in the UN Register of Conventional Arms. Romania is also supporting the UN's efforts to obtain the participation of all countries in the Register and is in favour of extending the scope of this reporting instrument.⁹⁴⁸ Romania has consistently fulfilled the information exchange requirements of the WA. These involve notification of arms transfers to non-participating states for the categories of arms included in the UN Register of Conventional Arms. Romania has also 'supported the initiatives regarding the extension of the scope of the specific information exchange, including those on a volunteer basis, in order to include new sub-categories of arms'.⁹⁴⁹ In 2001, as OSCE chair-in-office, Romania took the necessary measures to initiate the notification procedure for information exchange between OSCE member states and the proper use of this information.⁹⁵⁰

Along with the development of the legal basis for arms export controls and the structures responsible for their implementation and enforcement, Romania has increased efforts towards greater dialogue with the defence industry. It has also promoted better understanding of and compliance with the new arms control norms amongst producers, users and exporters of SALW. Government outreach to the industry has become a key tool of the Romanian export control system⁹⁵¹ which aims to help companies plan their activities and avoid situations where a company will engage in negotiations with potential customers only to realise at a later stage that the deal would be in breach of the national export control system and could not be authorised. ANCEX has made available for exporters an export control guide containing primary and secondary legislation, as well as samples of the documentation required during

946 The document was signed on behalf of the Romanian Government by Mr Alexandru Farcas, Secretary of State of the Mol, and Mr Jurgen Storbeck, Director of Europol.

947 'Cooperation Agreement between Romania and Europol', Press Release.

948 Interview with Radu Horumba, Director, Office for Non-proliferation and Arms Control, Ministry of Foreign Affairs, Bucharest 05 February 2004. See also: Op cit, 'Report on Arms Export Control 2000-2001', p. 7

949 Op cit, 'Report on Arms Export Control 2000-2001', p 6.

950 Ibid, p 11.

951 Ibid, p 25.

the licensing process.⁹⁵² The Agency also holds conferences, thematic seminars and workshops to inform and educate authorised companies on arms export control issues and the implementation of the law. Concrete actions have been carried out as part of an outreach programme with the industry called 'Transparency, Cooperation and Communication'. The programme aims 'to strengthen the export control compliance component, to disseminate legislation and licensing procedures, to educate and train the export control teams and companies, and last but not the least to create and maintain an honest image of the country and the companies'.⁹⁵³

In March 2001, ANCESIAC launched its website www.ancesiac.ro which recently became www.ancex.ro. This includes data and information on, amongst other things, arms export legislation, the international obligations and commitments undertaken by Romania, the embargoes on arms, the national authority and the control mechanisms and procedures. The website has an English version and is constantly updated with information and new developments from the export control field.⁹⁵⁴ At the international conference on 10 Years of Export Control in Romania, held in Bucharest in September 2002, ANCESIAC presented the first Romanian annual report on arms export controls.⁹⁵⁵ The report sets out the regional and international arms control regimes of which Romania is a party, the legislation governing arms exports, licensing principles, guidelines and procedures. The report also includes global figures on authorisations granted and deliveries of arms presenting Romania's arms exports during 2000 - 2001 and the main trends within and prospects for the Romanian export control system.⁹⁵⁶

Although no detailed description is supplied on the types, quantities and end-users of military equipment which has been exported or licensed,⁹⁵⁷ the production of this report is a fundamental step towards transparency within Romania's export control regime and public oversight of SALW imports or exports.⁹⁵⁸ As the first government in South Eastern Europe to publish such a report, the Romanian Government has set an important precedent and is committed to best practice in this area by increasing the level of information in future annual reports. The second Romanian annual report covering the year 2002 is due to be published before July 2004 and will be available in both Romanian and English.⁹⁵⁹

952 Interview with Paul Pasnicu, Director, Conventional Arms Division, ANCEX, Bucharest, 04 February 2004.

953 Barbulescu, UN PoA statement 2003.

954 Op cit, 'Report on Arms Export Controls 2000-2001', p 25.

955 Ibid

956 The challenges faced by ANCESIAC in putting this report together and the effort of finding a compromise amongst differing views are made evident by the Agency's President who wrote: 'Building the blocks of this report we faced some challenges, such as the genuine 'confrontation' between the necessity of transparency and the conservative approach of some senior Romanian experts, 'founding members' of the export control community in Romania'. HE Mrs Nineta Barbulescu, President of ANCESIAC, Ibid, Foreword.

957 Saferworld comments on the first annual report 2000-2001 on arms exports of the Romanian National Agency for Export Control (ANCEX, formerly ANCESIAC), October 2003.

958 Such a view is shared by the national export control authority, which believes that the 'Report reflects the new approach of the Romanian Government with regard to the Relationships between government and industry and between government and society, namely that of an increased transparency and communication'. Op cit, 'Report on Arms Export Controls 2000 - 2001', p 2.

959 Interview with HE Mrs Nineta Barbulescu, State Secretary, MFA, President of the ANCEX, Bucharest, 04 February 2004.

Table 38 – Information and exchange progress

INFORMATION AND EXCHANGE SYSTEMS AND PROTOCOLS	ROMANIA
International	
Reporting to the UN DDA on the Programme of Action	Yes ⁹⁶⁰
Reporting to the UN Register of Conventional Arms	Yes ⁹⁶¹
Reporting to other international regimes, if appropriate (eg Wassenaar Arrangement)	Yes
Interpol/Europol	Yes
Regional	
Information exchange with OSCE	Yes ⁹⁶²
Annual reporting to the EU (if relevant)	NA
SECI Regional Center intelligence exchange	Yes
National	
Transparency – on SALW imports, exports and decision-making	Yes, but it needs improvement.
Publication of national reports on arms/SALW transfers	Yes
Publication of SALW national strategy	No

960 In June 2003, Romania presented a detailed report on the implementation of the UN PoA to the UN DDA.

961 The next submission to the UN Register is due in April 2004. Interview with Radu Horumba, Director, Office for Non-proliferation and Arms Control, MFA, Bucharest, 05 February 2004.

962 Pursuant to the OSCE Document on SALW, in June 2004, Romania will present to the OSCE a new report on imports and exports of SALW within the OSCE area. Ibid.

