

14th REGIONAL MEETING OF SALW COMMISSIONS 12-13 October 2021, (Hybrid setup)

Minutes

BACKGROUND INFORMATION

The Fourteenth Regional Meeting of Small Arms and Light Weapons (SALW) Commissions was held on 12-13, October 2021. The meeting took place in a Hybrid setup. The meeting was attended by representatives of the SALW Commissions or the relevant responsible bodies for SALW control from Albania, Belarus, Bosnia and Herzegovina, Kosovo*, Republic of Moldova, Montenegro, North Macedonia, Serbia, Ukraine, as well as the representatives of the European Union. Guest speakers included representatives of EEAS, EUROPOL, Geneva International Centre for Humanitarian Demining, UNODC Global Firearms Programme, the Flemish Peace Institute and UNLIREC (List of Participants attached).

DAY 1 - Tuesday, 12 October 2021

Opening Session

The 14th Regional Meeting of SALW Commissions was opened by **Ms. Bojana Balon, Head of SEESAC**. Ms. Balon congratulated SALW Commissions for their commitment and excellent cooperation in the implementation of small arms and light weapons control efforts.

Ms. Lene L. Hove Rietveld, Policy Adviser at the European External Action Service (EEAS), noted that regional cooperation in area of SALW Control in South East Europe serves as an inspiration and good practice followed by other regions. She highlighted the EU's increasing support to the region's efforts to reduce proliferation of firearms, ammunition, and explosives, nearing currently approximately 20 million EUR. She noted that the EU and its partners from the Western Balkans can prevent and counter threats from the proliferation and misuse of firearm only through close coordination and cooperation. Ms. Rietveld commended the representatives of SALW Commissions for their serious engagement, excellent cooperation and achieved results in the area of SALW control despite the Covid-19 pandemic.

Mr. Amer Kapetanović, Head of Political Department at the Regional Cooperation Council (RCC), expressed RCC's gratitude to the participants for their dedication to SALW control and thanked the EU and other donors for supporting the partners in their SALW control endeavors. Mr. Kapetanović presented RCC's upcoming security related activities, including the Annual Security Conference co-organized with the French Government and planned for December 6th, the Second Security Balkan Barometer, and an online webinar on the current situation in Afghanistan. He also presented the recent data from the Armed Violence Monitoring Platform and drew particular

* References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

attention to the surge of firearms related incidents in celebratory shootings which took place over the summer season. He stressed the need for increased efforts in awareness raising of general population on the firearms associated risks.

Session I – Arms control legal and policy framework

This session provided information on the new EU legal and policy framework on firearms, ammunition and explosives.

Chaired by Ms. Juliana Buzi, Regional Cooperation Specialist, SEESAC

In the first part of the session, **Mr. Michal Adamowicz, Policy Officer, Conventional Arms Export Control, EEAS**, presented the update on EU's new [Council Decision 2021/38](#) on establishing a common approach on the elements of end-user certificates in the context of the export of SALW and their ammunition. He noted that the Decision shall enter into force on December 31st of this year and stressed its contributions to reduction of risk of arms diversion and creation of a level-playing field and increased clarity for defense industry in the EU and its clients. Furthermore, Mr. Adamowicz mentioned that this Decision will apply only to permanent exports to non-EU countries. He presented the list of essential and optional elements that will be included in the end-user certificate. He also gave an overview of the issuing process of the military equipment export licenses in the EU member states as well as the overview of procedures for the control of export and transit of arms. Mr. Adamowicz explained the role of national legislation in the control of export and transit of arms, as well as that of EU Common Position 2008/944/CFSP and the Arms Trade Treaty. He also noted that the information on arms exports from EU member states is publicly available in the Council's Annual Report and that EEAS have recently launched a searchable online database that contains arms export data of all EU members.

Comments & questions:

The delegation from Belgrade described Serbia's practice in the area of arms export control and issuance of end-user certificates and noted that the EU Common Position 2008/944/CFSP and its amendments have been fully harmonized with Serbia's national legislation. Furthermore, the delegation noted that the national annual report on arms exports is identical to that of the EU in terms of structure and methodology and inquired on the availability of the EU's data on denied applications for permits. The delegation stressed Serbia's interest to gain access to the COARM database and share its data on denied applications and reasons for denial. The delegation also highlighted the need for the improvement of the level of accountability of the importing states due to the diversions that take place without the consent of the exporting state and inquired about the reasons behind a decision to have only categories ML1, ML2, ML3 and ML4 of the Common Military List of the EU covered by the new Council Decision 2021/38. Mr. Adamowicz noted that over 200 licenses were denied in 2020 by the EU member states following the case-by-case assessments of license applications. He also explained the COARM database is currently accessible only to the EU member states and it is up to them to decide whether non-EU MS will be allowed to have access.

The delegation from Tirana informed on Albania's practice regarding the issuance of end-user certificates and noted that re-export of arms exported from Albania is prohibited by law.

The delegation from Sarajevo expressed concern about the current situation in Afghanistan and the possibility of the diversion of arms from that country. The delegation further inquired about the appearance of the end-user certificate that will be issued by EU member states. Mr. Adamowicz noted that the aim of the Council Decision was to create a common ground and reach an agreement on common elements among the EU member states regarding the end-user certificates, implying that there are different systems established in the EU member states. Ms. Buzi noted that SEESAC is available to collect all the remaining questions from participants regarding this topic and send them in writing to EEAS.

In the second part of the session, **Mr. Alain Lapon, Chief Technical Advisor, SEESAC**, shared a presentation on progress and challenges of the harmonization of the Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosive precursors. He outlined the objectives of the regulation of explosives precursors and presented the process of licensing and prohibition of the precursors in the EU member states. Mr. Lapon also thanked the SALW Commissions for the work done regarding laws on weapons and laws on civil use of explosives and expressed SEESAC's readiness to provide further support to the jurisdictions regarding the explosive precursors regulation.

Comments & questions:

The delegation from Sarajevo inquired about the recommendations for the establishment of an efficient mechanism for supervision of the explosive precursors in Bosnia and Herzegovina. Mr. Lapon noted that it is important to firstly analyze whether the substances are already regulated, and which institutions are currently in charge. He also noted that it is up to the jurisdiction to decide on the format of the mechanism that would oversee the explosive precursors and highlighted that one central point of reporting is important as it allows streamlining of information flow.

The delegation from Belgrade described Serbia's practice of licensing of precursors and inquired about the regulation of the online sale of precursors in the EU member states.

The delegation from Tirana expressed concerns regarding explosive precursors and inquired about the possibility for the organization of specific trainings for investigators and establishment of network of experts in the region to increase knowledge and exchange of information about precursors.

The delegation from Podgorica informed on the current situation regarding explosive precursors in Montenegro and noted that further support is needed, both regarding the drafting of relevant legislation as well as capacity building for its future implementation.

The delegation from Pristina noted that precursors are currently not covered within legislation in Kosovo.

The delegation from Skopje highlighted the importance of the discussed topic and proposed that a specific workshop on precursors is organized in the near future. Mr. Lapon noted that SEESAC is implementing a pilot activity in North Macedonia, that includes assessment of the legislation regarding precursors and further analysis of the implementation of the legislation

In the third part of the session, **Mr. Leon Kersbergen, EUROPOL**, shared a presentation on findings on countering the threat of trafficking and misuse of explosive materials (including hand grenades) in EU and the Western Balkans. In his presentation, Mr. Kersbergen outlined the key threats regarding weapons and explosives within the EU. He provided an in-depth analysis of hand grenades usage in the EU, with a particular focus on their main destinations (Sweden, Netherlands and Belgium) and main source (Western Balkans, and in particular Serbia and Bosnia and Herzegovina). Mr. Kersbergen concluded by stressing the importance of close cooperation and increased information sharing among the EU member states and the jurisdictions in the Western Balkans in the fight against illegal trafficking of hand grenades. Ms. Buzi added that SEESAC's [Armed Violence Monitoring Platform](#) (AVMP) also includes information on incidents with hand grenades and announced that the next issue of *In Focus - Armed Violence Monitor for South-East Europe* will be focused on the usage of explosives in the region in 2020.

The delegation from Sarajevo inquired about the methodology used to obtain the data on hand grenades usage as well as the sources from which the hand grenades were coming from. Mr. Kersbergen noted that the data was collected by EUROPOL from its member states as well as through scientific studies done by universities and institutes such as the Flemish Peace Institute. These hand grenades were mostly produced before or during the armed conflict in the former Yugoslavia, thus likely present a military reserves surplus from the conflict period.

The delegation from Belgrade noted that these hand grenades were indeed manufactured mainly in Serbia and possibly in Bosnia and Herzegovina but were stored throughout the former Yugoslavia during the conflict in the 1990s, thus their diversion could take place in any of the jurisdictions in the Western Balkans. The delegation also noted that defence industry factories in Serbia were destroyed during the NATO bombing of Yugoslavia in 1999, thus many records on produced and exported items prior to 2000 are non-existent.

Session II – Safe and secure management of ammunition stockpiles

This session provided an overview of challenges and good practices on ensuring secure, safe and sustainable management of ammunition stockpile.

Chaired by Ms. Juliana Buzi, Regional Cooperation Specialist, SEESAC

In the first part of the session, **Mr. Benjamin King, Project Manager, Ammunition Management Advisory Team, Geneva International Centre for Humanitarian Demining**, presented the feasibility study on International Arms and Ammunition Management Validation System. Mr. King gave a background on the establishment and mission of the Ammunition Management Advisory Team (AMAT) and noted that the goal of AMAT is to prevent negative impacts of the poor ammunition management. He also presented the jurisdictions in which AMAT was currently present and thoroughly explained AMAT's activity within the implementation of the EU Council Decision (CFSP) 2020/979 that aims to explore the possibility of developing internationally recognized system to validate arms and ammunition management practices and policies against accepted best practices

In the second part of the session, **Ms. Lidija Mojsovska Petrova, National Focal Point, Skopje**, presented a case study on security challenges of ammunition storages in inhabited areas. She provided a situation analysis on firearms, ammunition, and pyrotechnics storages, described the legal framework, and outlined the main challenges regarding this topic. Ms. Mojsovska Petrova also presented the way ahead, in particular regarding the revision of legal framework and capacity building of all institutions and entities that are involved in storage of firearms, ammunition and pyrotechnics.

Comments & questions:

The delegation from Sarajevo noted the progress made in the past decade regarding the storage of firearms and ammunition in Bosnia and Herzegovina that was achieved with the support from SEESAC and inquired about the focus that AMAT puts on the employees that are working in firearms and ammunition storages, given the lack of guidance and instruction on the skills and capacities that necessary to work in SALW and ammunition storages. Mr. King agreed that this topic is key to increased security and safety of firearms and ammunition in storage facilities. He noted that there are several security procedures that could be used, such as vetting procedures to ensure that candidates do not have criminal records

The delegation from Podgorica reported on the current situation regarding storage facilities in Montenegro and informed about the related upcoming activities conducted with international partners.

Session III – Firearms trafficking related trends and threats

This session provided an overview of trends and threats related to firearms trafficking in the South East and East Europe.

Chaired by Ms. Juliana Buzi, Regional Cooperation Specialist, SEESAC

In the first part of the session, **Mr. Alain Lapon, Chief Technical Advisor, SEESAC**, delivered a presentation on trends and threats related to firearms trafficking in the Western Balkans. He presented a situation analysis, new developments in weapon industry as well as new methods of sale of firearms on a global level. The presentation also included overview of conversion of weapons in the Western Balkans, as well as the challenges that law enforcement agencies are currently facing in addressing these threats.

It was jointly agreed that due to lack of time, the remaining presentations of this session would be delivered during Day 2 of the meeting.

DAY 2 - Wednesday, 13 October 2021

Session IV– Compliance of legal framework on firearms, ammunition and explosives with UN Firearms Protocol

This session presented the key findings from gap assessments conducted throughout the region assessing compliance of legal framework related to firearms, ammunition and explosives with the UN Firearms Protocol.

Chaired by Ms. Jelena Bujaković, SALW Project Specialist, SEESAC

Mr. Diman Dimov, Crime Prevention and Criminal Justice Officer, Global Firearms Programme, UNODC, noted that the UN Firearms Protocol has been ratified by 120 U.N. member states, including most of the jurisdictions in the Western Balkans. He further described the process of review of the implementation of the UN Firearms Protocol. In particular, UNODC's focus was on assessing the compliance of Western Balkans jurisdictions in regard to illicit trafficking, illicit manufacturing and falsification of numbers of weapons. Mr. Dimov further elaborated in detail the key findings of the gap assessment for each of the six jurisdictions in the Western Balkans. He noted that the region is on track to make progress towards harmonizing the criminal codes with the criminalization provisions of the UN Firearms Protocol.

Comments & questions:

The delegation from Sarajevo inquired whether all four criminal codes in Bosnia and Herzegovina were covered in UNODC's gap assessment. Furthermore, the delegation inquired whether the numerous cases of plea bargain would be seen as an issue and what would be potential solution for that. Mr. Dimov confirmed that comparative analysis of all four codes was conducted in Bosnia and Herzegovina. Regarding the mentioned plea bargain, Mr. Dimov noted the possibility to consider it as an issue when the agreed sentences are below the legal minimum.

The delegation from Chişinău noted that the Republic of Moldova has ratified the UN Firearms Protocol and inquired whether similar gap assessment would be conducted in the Republic of Moldova. Mr. Dimov noted that the assessment has been conducted in Ukraine and that UNODC intends to follow up with authorities in Chişinău about possibility to initiate the assessment once the project is finalized in Ukraine. The delegation from Chişinău also noted that revision of legislation regarding civil use of firearms and ammunition was initiated and should be sent to the parliament. Furthermore, the delegation reaffirmed full commitment to cooperation with SEESAC in strengthening its SALW control.

Session V – Key aspects of non-regularized firearms

This session focused on key findings from the research related to non-regularized firearms in the European Union.

Chaired by Mr. Alain Lapon, Chief Technical Advisor, SEESAC

Mr. Nils Duquet, Director, Flemish Peace Institute delivered a presentation on key aspects related to non-regularized firearms in the European Union, including characteristics, scope and types of these firearms, their misuse and trafficking as well as recommended policy initiatives to prevent, detect and combat non-regularization, relevant for the region. In particular, Mr. Duquet thoroughly described causes of firearms non-regularization, including as a legacy of armed conflicts, changes in

the legislation and inheritance. He also presented national initiatives to collect non-regularized firearms in Europe, as well as best practices for organizing collection measures.

Day 2 continued with the **presentations by representatives of Minsk, Chişinău and Kiev** on the key trends and threats related to trafficking of firearms in their jurisdictions as well as gaps and challenges in preventing and addressing these threats.

The delegation from Minsk noted that 34 weapons were seized on the Belarus' border with the EU member states in 2020, while this year's number increased to 73 weapons. Regarding the ammunition, Belarus authorities seized 883 pieces of ammunition in 2020 on its border with the EU member states, while this number decreased to 737 in 2021 (until October 1). The delegation also presented the international technical assistance project that was implemented by the State Border Committee through the support from Germany. The project resulted in capacity building and technical improvement of border control, while its activities were implemented both at the central and local level in local units

The delegation from Chişinău noted that law on civil use of small arms and light weapons was adopted by the government and now subject to parliamentary approval. The delegation further presented the activities conducted by the authorities with regards to further strengthening of SALW control and challenges faced in that process.

The delegation from Kiev presented in detail the current situation in Ukraine regarding the surplus of illicit weapons that have been dispersed as the result of the conflict in the eastern part of the country.

Session VI – Roadmap for implementing the Caribbean Priority Actions on the Illicit Proliferation of Firearms and Ammunition

This session informed on the Caribbean Roadmap on Firearms, which was developed and adopted following the approach of the Western Balkans, its key goals and areas covered, challenges in the development and implementation.

Chaired by Ms. Juliana Buzi, Regional Cooperation Specialist, SEESAC

Ms. Mélanie Régimbal, Director, United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, delivered a presentation on the Caribbean Roadmap on Firearms, its development process and implementation. She highlighted the influence of the establishment and the implementation of the Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons SALW and their ammunition in the Western Balkans on the establishment of the Caribbean Roadmap. Ms. Régimbal, noted that the Caribbean Roadmap covers 16 Caribbean states and supports the implementation of the various firearms instruments both at the international level and at the regional level. She also presented the four goals of the Caribbean Roadmap as well as its targets, actions, and key performance indicators.

Prior to the conclusion of the meeting, **Ms. Jelena Bujaković** informed the participants about the new regional project on enhancing the fight against the illegal possession, misuse and trafficking of

small arms and light weapons in the Western Balkans funded by EU through IPA II Multi-Country Action programme 2020. She also briefly reported on the two EU Council Decision (2019/2111 & 2018/1788) and noted that the 2018 Decision will be expiring at the end of this year, with the exception of activities related to the Roadmap coordination and monitoring and the support to the needs assessment in the Republic of Moldova, Belarus and Ukraine. With regards to the new project, Ms. Bujaković noted that its aim is to strengthen the strategic operational capacities of the jurisdictions through the Firearms Focal Points and the enhancing of crime scene investigation capacities as well as support their capacities to counter illegal possession, misuse, and trafficking of firearms. She also outlined the main activities that will be conducted within this three-years long project.

The delegation from Sarajevo inquired whether a regional launch of the new project is envisaged. In addition, the delegation from Sarajevo invited SEESAC to attend the meeting of SALW Coordination Board Meeting planned for October 27th. Ms. Bujaković noted that regional launch is not planned due to COVID19 restrictions. However, she noted that SEESAC will attend the meeting of the SALW Coordination Board and expressed readiness to provide additional information regarding the new project to all interested parties.

At the **conclusion of the meeting**, **Ms. Juliana Buzi** thanked all the guest speakers for useful and insightful presentations, as well as participants for their strong cooperation and active contributions during the meeting. She confirmed that SEESAC team took note of the challenges in several areas, as well as needs and follow ups that came out during the meeting in particular regarding the area of explosives and explosive precursors, as well as in the area of PSSM. Ms. Buzi noted that SEESAC team will also follow up with each jurisdiction in terms of ensuring that further discussions meet the interest of SALW Commissions from the region.