

MINUTES

1st Regional Meeting of SALW Commissions

13 February, 2014

Belgrade, Serbia

I. OPENING REMARKS AND AIM OF THE REGIONAL MEETING OF SALW COMMISSIONS

On 13 February 2014 the First Formal Regional Meeting of SALW Commissions took place in Belgrade, Serbia. The initiative is implemented under the **EU Support of SEESAC Disarmament and Arms Control Activities in South East Europe (EUSAC)** project's component dedicated to Improved Regional Cooperation on Awareness-Raising, Information Sharing and Knowledge Transfer (See ANNEX I – Agenda).

The meeting was attended by representatives of the SALW Commissions of Albania, Croatia, Kosovo*, Moldova, Montenegro and the former Yugoslav Republic of Macedonia (See ANNEX II – List of Participants).

The main goal of this preliminary meeting was to initiate the process and establish a non-exhaustive list of topics SALW Commissions wish to discuss at regional level, therefore setting the agenda for future meetings.

These meetings would be an opportunity for participants to share the problems the Commissions and institutions they represent are facing, present the achievements made, and learn from each other's experiences. Six meetings are planned over the next three years period, the first of which will take place in June-July 2014.

Dr. Ivan Zveržhanovski, SEESAC Coordinator, opened the meeting explaining the purpose of the new initiative, which is to foster cooperation, knowledge transfer, and exchange of good practices across South Eastern Europe (SEE). He informed participants of the intention to develop targeted knowledge products – primarily to collect and publish a new *South Eastern Europe Regional Arms Law Compendium* given that the previous version is outdated. Also, through the last component of the EUSAC project, SEESAC will be assisting national collection campaigns, which was identified as one of the main topics that should be discussed at future SALW Commissions meetings.

NEXT STEPS:

- SALW Commissions will assist SEESAC in compiling the new *South Eastern Europe Regional Arms Law Compendium* which will provide not only an overview of the legislation regulating this topic but also present the existing gaps. Participants agreed to collect and forward to SEESAC all SALW national legislation.
- Lessons learned from previously conducted collection campaigns in the region will be shared and discussed at one of the next SALW Commission meetings as way of assisting the implementation of the upcoming campaigns.

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

- National SALW destruction events should be planned to take place simultaneously throughout South East Europe, on International Gun Destruction Day (9 July) – as a part of a regional awareness-raising effort. This should take place in 2015 or 2016.
- The next Regional Meeting of SALW Commissions is planned to take place in June-July.

II. OVERVIEW OF SALW COMMISSION ACTIVITIES – PRESENTATIONS BY COMMISSIONS REPRESENTATIVES

Following the introduction to the project and future activities, Dr. Zveržhanovski opened the floor for the Commissions' representatives to present their respective Commission's structure, scope of work, achievements, and points of interest which should be further discussed at future meetings. The representatives presented the structure and jurisdiction of their SALW Commissions in detail.

Ms. Žunec Brandt, SALW Focal Point, Republic of Croatia, presented the progress in Croatia to date and future plans. Ms. Žunec Brandt recognized the benefits of the Regional SALW Commissions Meetings as they give the opportunity for insight into regional efforts, as well as for meeting important partners.

Ms. Žunec Brandt explained that although Croatia has become a fully fledged member of the European Union, it attaches great importance to the regional processes in the Western Balkans and SEE, and uses its participation at EU forums to present the developments in the WB region. For that reason, Ms. Žunec Brandt explained, Croatian authorities will make every effort to continue participating in all regional processes.

Among other things, Ms. Žunec Brandt also noted that the SALW Commission has been functioning in Croatia since 2009 and that its permanent members are the Ministry of Foreign Affairs (MFA), Ministry of Economy (MoE), Ministry of Interior (MoI), Ministry of Justice (MoJ), and Ministry of Finance/Customs. She also mentioned a study evaluating illegal possession of SALW in Croatia which is to be published during 2014.

Mr. Luis Vorfi, SALW Focal Point, Republic of Albania, presented the efforts of the Albanian Government to comply with international commitments in this area, one of the most recent ones being the ratification of the Arms Trade Treaty. The Albanian Government is in the process of creating a SALW Commission, Mr. Vorfi explained. Nevertheless, certain aspects of its structure and responsibility are known. For instance, the Commission will, among others, consist of representatives of the MFA, MOI, Armed Forces, and State Export Control and Authority (AKSHE), and will be making the decisions on sales and the destruction of SALW. Mr. Vorfi reiterated the positive effects of the regional meetings and the determination of the institutions of Albania to contribute to the process.

Mr. Driton Gashi, President of the SALW Commission, Kosovo*, expressed the readiness of Kosovo* to take on the responsibility to address the issues related to SALW and comply with all relevant international procedures, legislation, and standards. Mr. Gashi further stressed the fact that Kosovo* has gained significant experience through its close interaction with the international community which it is glad to share with colleagues in the region. As far as its SALW Commission is concerned, the Ministry of Interior is the lead ministry.

Mr. Gashi proposed that information about detected routes used for firearms trafficking, including trends and tendencies, should be discussed at future meetings. Moreover, Mr. Gashi suggested that an analysis of firearms coming back from the Arab Spring be conducted.

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

Mr. Duško Ivanov, SALW Focal Point, **the former Yugoslav Republic of Macedonia**, offered an overview of the steps taken so far with regards to the SALW control in the FYR of Macedonia. He explained how, with the help of UNDP, the National Strategy on SALW Control, and the respective Action Plan were formulated and adopted in June 2005 and the SALW Commission established. The SALW Commission in the former Yugoslav Republic of Macedonia counts among its members a number of ministries, representatives of UNDP, and various NGOs. Mr. Ivanov elaborated on how complex it was to have a number of different institutions work together on the topic of SALW, and how the Commission tackled that challenge with the promulgation of the Rules of Procedure (See ANNEX III). Mr. Ivanov recognized SEESAC's difficult task in organizing and coordinating the meetings, but stressed the benefits of bringing together representatives from across the region to discuss regional problems.

Mr. Mladen Marković, President of the SALW Commission, **Montenegro**, made concrete requests for assistance to the Montenegrin SALW Commission and other relevant institutions in Montenegro. The Ministry of Interior of Montenegro needs assistance on its work on upgrading storage sites, police deposits, and evidence rooms. Furthermore, Montenegro aims to pass a new Law on Arms during 2014, probably during the 2nd quarter. Subsequently, the authorities are planning to launch a collection and awareness-raising campaign during the second half of the year. In order to do so, Mr. Marković stressed that the authorities of Montenegro need support and advice in developing and executing such a campaign, since previous campaigns have failed to reach the desired results.

LTC Andrei Camerzan, Deputy Head of the Armament Department at the National Army, **Republic of Moldova**, explained that there are currently two Commissions working in Moldova. Neither is working primarily on SALW, but rather on dangerous goods. Moldova is ready to share its experience as it has gained substantial technical expertise, namely in installing security doors, weapons destruction, and experience in coordinating work with different institutions domestically as well as internationally.

Due to the fact that Mr. Mladen Čavar, President of the **Bosnia and Herzegovina (BiH)** SALW Coordination Board, was unable to attend the meeting due to the recent events in BiH, a representative of **UNDP Bosnia and Herzegovina** presented the structure and the jurisdiction of the Board. The Board was established in BiH in 2005 and is comprised of representatives of several entities: the Ministry of Foreign Affairs, the Ministry of Security (Office for Cooperation with Interpol, State Border Service, State Investigation and Protection Agency), the Ministry of Defense, the Ministry of Foreign Trade and Economic Affairs, the Indirect Taxation Authority, the Ministry of Internal Affairs of Republic Srpska and the Ministry of Internal Affairs of FBiH. One of the biggest challenges in the work of this body is the situation of overlapping competencies of different bodies in BiH. In terms of legislation, BiH has 12 laws on weapons. A current initiative calls for the consolidation of those laws. In 2013, the Coordination Board adopted the Strategic Plan 2014 – 2016 providing the framework for SALW control over a three-year period. At the moment, 9 out of more than 30 projects are being implemented.

As a response to the national interests expressed during their presentations, the following activities will be considered:

- The exchange of information on the efforts made and results achieved in countering the illicit flows of firearms, and the identification of new trends and tendencies in the smuggling of firearms and ammunition should be taken into consideration at the next meeting;
- The organization of workshops designed for the development of practical skills (collection/awareness-raising campaign, legislation, reporting, stockpile management, etc.) should be further considered and discussed;
- Where applicable, expertise from the region should be utilized for the building of national capacities, rather than relying on international experts who are often unaware of the national and regional context;

- SEESAC will designate a space on its website for members of SALW Commissions, where relevant documentation, such as legislation, strategies, Commission structure and dynamics, and best practices will be shared.

III. WAY FORWARD: IDENTIFICATION OF COMMON CONCERNS AND TOPICS FOR FUTURE MEETINGS

In order to provide a contribution to the regional approach to SALW Control, it was proposed that the International Small Arms Control Standard (ISACS) be contextualized to the region with a particular focus on:

- Categorization of SALW;
- Punitive measures;
- Definition of SALW;
- Licensing procedures.

Several generic topics for discussion were also proposed:

- Standardization of **Risk Management** processes;
- Providing a **unified definition of SALW**. There are weapons and air bombs for example, which are difficult to categorize as SALW, but still need to be dealt with.
- Awareness-raising regarding the **victims of SALW**: Agencies usually speak in general terms about *victims*. We should consider the need to see how many of *victims* are *victims of SALW*. The purpose would be to raise the overall visibility and relevance of the SALW, not only among the general public but also among decision makers.

The discussion also centered on the specific problems that the region is, or could be, facing. In October 2013, the European Union Commission issued a Blueprint on tackling the issues of the illicit spread of firearms[†], including the Action Plan for 2015-2018, and required all countries to comply. It was suggested to, within the SALW Commissions meetings, take a more detailed look at the EU legislation and the abovementioned Blueprint in order to stay current with EU legislative trends.

A set of issues that are relevant throughout the region and could be useful points of discussion are:

- **IT and statistics systems** - both of which are currently only used to record the legal basis according to which an offence is registered/prosecuted/adjudicated. Guns are only treated as tools for crimes, and not as reasons for criminal investigation in and of themselves;
- **Convertible weapons trafficking**;
- **Physical security of storages**: the stockpiles at munitions sites are often poorly guarded and are in many instances located in close proximity to civilians;
- **Synchronization and de-confliction between different strategies**: a **number of SALW-related strategies** need to be redrafted, streamlined, and coordinated with other strategic documents. For instance, SALW, as a crosscutting issue, relates to a number of concerns such as drug and human trafficking, and is treated by several strategic documents (SALW strategy, Strategy for combating organized crime, Border management strategy, Anti-terrorism strategy, etc.);

[†] European Commission, Communication from the Commission to the Council and the European Parliament, Firearms and the internal security of the EU: protecting citizens and disrupting illegal trafficking, Com (2013) 716 final, 21 Oct. 2013.

- **Education and awareness-raising** have been pointed out and discussed as weak points of the Commissions in the region, even though they are critical for the compliance with the Programme of Action and the Arms Trade Treaty;
- **Law enforcement:** A serious concern is how effective the justice systems in the region are in terms of prosecuting firearms-related cases and the penal policy related to the unlawful position and carrying of firearms;
- **SALW Destructions** are public events. Therefore, there is a need to consider the safety and security implications of the entire process of collection, transportation, and destruction of designated SALW through the development of a proper protocol or procedure;
- **Military Lists:** There are weapons which do not fall under Military List 1, and there is no clear answer as to who is qualified to authorize the transfers of those weapons.

Ms. Žunec Brandt, SALW Focal Point, Croatia, made a remark that this meeting was of great value for the Croatian Commission since, based on the information shared, she would request that additional institutions be included in the work of this body in Croatia. Using the example of the collection campaigns, as they seem to be a major problem for the whole region, Ms. Žunec Brandt noted that the Ministry of Education should be included in the process, and in the work of the Commissions (so far this has been done in Serbia and in the former Yugoslav Republic of Macedonia). This could have implications on the work of the Commissions – not only with respect to general awareness-raising but regarding the greater need to address the problems of Gender-based Violence and human rights, as advocated in the Arms Trade Treaty.

Another issue indicated as important is the methodology used for conducting SALW surveys. There is a need for a new SALW survey to be conducted as the situation has changed significantly since the last one was carried out several years ago.

UNDP Croatia is currently finalizing the consultation process with the relevant institutions in developing a *sui generis* methodology based on different experiences and approaches. At this moment, it is very likely that the authorities will decide to separate the results given by experts from those compiled on the basis of citizens' perceptions, and thus end the practice of providing only the average number reached based on the two parameters combined. However, problems remain concerning the perceptions of citizens as well as the lack of knowledge about which weapons are indeed classified as SALW. The majority of citizens would consider SALW to be weapons in general, even those which are not firearms. There is a clear need to define what goes under the definition of SALW and communicate this to the general public.

IV. PROPOSED NEXT STEPS:

- Members of the SALW Commissions participating in the process are kindly asked by SEESAC to forward all SALW-related legislation, for the purpose of collating a new *South Eastern Europe Regional Arms Law Compendium*;
- SEESAC will dedicate a space for the work of the Regional SALW Commissions on the SEESAC website; this space will also act as a depository for all relevant documents;
- The next regional SALW Commissions meeting will take place in June/July 2014;
- Review in more detail the European Commission Blueprint and consider inviting representatives of EU institutions to present the EU documents to the Commissions;
- Devote a session to discuss and identify good practices from the region that could be shared with the others – especially on SALW collection campaigns;

- Discuss the procedural unification and minimum standards on categorization, penal policy, definitions, and legislation;
- Discuss the issue of methodology for the Regional SALW Survey. For the purposes of regional information-sharing, it was agreed that the Croatian colleagues will present their methodological framework at the next meeting.