

South East Europe Regional Implementation Plan

Combating the Proliferation and Impact of Small Arms and Light Weapons

2014 Revision

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Executive Summary

The proliferation of small arms and light weapons (SALW) has been identified as a serious threat to international peace and security. For over a decade it has been high on the agenda of the international community due to the serious implications of the accumulation, misuse, and trafficking of SALW which often result in the destabilization of states – exacerbating conflict and creating instability. SALW proliferation leads to protracted conflicts, intensified armed violence, undermined respect for the Rule of Law and the institutions that work to uphold it, aiding of terrorism and illegal armed groups, impeding post-conflict reconstruction, humanitarian, and development assistance processes, and facilitating increasing levels of transnational organized crime.

In the past two decades, a number of international and regional agreements have been put into force seeking to address SALW proliferation and provide international, national, and non-governmental actors with roadmaps for addressing the issue. The **South East Europe Regional Implementation Plan** (SEE RIP) aims to take that process a step further. The Plan, devised and implemented under the framework of the Regional Cooperation Council (RCC), does not seek to subsume or contradict existing agreements and arrangements but rather to build upon them in the most practical way possible. The SEE RIP takes as its starting-point the achievements of the Stability Pact's RIP, adopted in 2001 and revised in 2006,¹ but also acknowledges that the evolved context calls for an updated strategic and operational framework. Effective, sustainable SALW control is not a short-term issue and requires local ownership. Hence, continuing the work performed under the previous versions of the SEE RIP this 2014 revised document will cement the gains and ensure long-lasting impact.

At its core, the SEE Regional Implementation Plan seeks to provide insight into the ways and means through which the enhancement of regional cooperation in this critical area will be sustained, providing both information-sharing and local (national or regional) standard-setting which will be materialized through direct project formulation and implementation. Therefore, the goal of the revised SEE RIP is to ensure that the structural change which has been achieved in the previous decade is sustained. The RIP provides a specific overarching framework defining next steps, supporting and coordinating with the regional mechanisms needed for carrying out these steps – while recognizing progress and efforts vested in this field.

The purpose of this SEE RIP is to provide necessary impetus through tangible activities and indicators which will demonstrate a lasting reduction of SALW in SEE, without setting up new international structures and obligations. The SEE RIP re-confirms SEESAC's role as the SEE SALW *focal point* and envisions continued SEESAC support to South East European SALW programmes. The SEE RIP recommends that SEE governments continue to ensure the relevance, consistency, and regional influence of the work of SEESAC through the Regional Steering Group (RSG) consisting of National Focal Points. To support these activities, donors will continue to consider the provision of appropriate resources, but increased contribution of the SEE states will also be necessary.

¹ For a better insight and an overview of the development of this document see: 'Combating the Proliferation and Impact of Small Arms and Light Weapons', Stability Pact for South Eastern Europe Regional Implementation Plan approved at the Stability Pact SALW Regional Steering Group on 28 November 2001 and 'Combating the Proliferation and Impact of Small Arms and Light Weapons', Stability Pact for South Eastern Europe Regional Implementation Plan approved at the Stability Pact SALW Regional Steering Group meeting in Belgrade on 16 May 2006.

1. Introduction

The problem of the destabilizing accumulation and uncontrolled spread of Small Arms and Light Weapons (SALW) has been firmly established on the international agenda over recent years, as the serious implications of these accumulations and proliferation become apparent. These specific implications include: pervasive regional instabilities such as the escalating, intensifying or prolonging of conflicts; impeding of humanitarian assistance; obstruction of post-conflict reconstruction and development; new threats from international terrorism; and fostering of organized crime. These implications have been addressed through a wide range of international and national activities aiming at the establishment of a legal and institutional framework in order to address the problem.

The stockpiles of inadequately stored and improperly secured firearms and ammunition in conjunction with easy access to SALW continue to be an important source of concern and potential for destabilizing SEE. The brunt of SALW originating from this part of Europe fuels arms trafficking and contributes significantly to an entire spectrum of criminal activities, including terrorism.

Against that background, the Regional Cooperation Council participants recognize that:

- ☐ The proliferation and illicit trafficking of SALW cause human suffering, fuelling crime, exacerbating conflict and gender-based violence, undermining reconciliation and peace-building efforts, obstructing the Rule of Law as well as the economic and social development in South East Europe;
- ☐ Although the wide availability and diffusion of SALW is a concern throughout the region, the problems are particularly acute in certain areas;
- ☐ Local populations are deeply affected by the problems associated with SALW, and efforts to tackle these problems should involve close co-operation between all relevant institutions;
- ☐ The drive for solutions should come primarily from the governments and societies of South East Europe. However, the international community (including governments, international organisations and NGOs) has an important role to play in facilitating and supporting local, national, and regional initiatives;
- ☐ Many of the problems associated with SALW proliferation – conflict, insecurity and crime – are regional in scope. Accordingly, a regional focus is required to tackle the problem.

In the past few years, a number of important steps have been taken by the governments of the region in order to tackle the various issues related to SALW proliferation. Measures such as strengthened export controls on SALW, and programmes to collect and destroy illicit and surplus firearms and ammunition have been implemented with success. However, problems ranging from stockpile security to stockpile stability and reduction; as well as the widespread availability of SALW to a more regulated and enforced environment of SALW control throughout the region remain.

The period after 2001 – when the first Regional Implementation Plan was adopted – has witnessed significantly enhanced regional cooperation through information sharing, knowledge transfer and best-practice exchange in the area of SALW control. Several processes are afoot in conformity with international standards – supporting national and international stakeholders to reduce the threat posed by the widespread availability of SALW. Progress and important achievements have been made on:

- ☐ Increased cooperation within the region;
- ☐ Improved legislative frameworks, policies and practices;

- ☐ Improved security of stockpiles through infrastructure upgrades;
- ☐ Reduction of stockpiles of SALW and ammunition;
- ☐ Increased transparency of arms transfers;
- ☐ Improved marking, tracing and record-keeping systems and practices; and
- ☐ Increased capacity through training, knowledge sharing.

At the global level, the United Nations made two important steps. The first took place in 2012 when the UN Programme of Action, adopted in 2001, was reviewed in order to acknowledge the success achieved, proposing new sets of recommendations for measures to prevent and reduce small arms proliferation. The second took place in 2013, when the General Assembly adopted the landmark Arms Trade Treaty (ATT), regulating the international trade in conventional arms, from small arms to battle tanks, combat aircraft and warships. More than 100 states have signed the newly adopted Arms Trade Treaty, among which are all the countries of the SEE region. The next step would be the swift ratification and implementation of the regulations of the Treaty. However, similarly to the legislation coming from the EU, the ATT poses questions before the regional governments, and further cooperation and experience sharing is needed to address those issues.

At the European level, the EU adopted the EU Common Position on Arms Exports in 2008, which is a successor to the 1998 EU Code of Conduct on Arms Exports. The two documents are aimed at harmonizing EU member states' arms export policies in line with agreed common standards. They create mechanisms of consultation and information exchange in order to achieve a common interpretation of agreed criteria for assessing arms transfers. Of particular importance to the South East European beneficiaries are the EU's outreach activities to promote the control of arms exports and the principles and criteria of the Common Position 2008/944/CFSP among third countries. The practical implementation of those regulations in domestic laws and practices is a difficult but necessary step towards ensuring the achievement of sustainable human security.

An important challenge for the beneficiaries is the practical implementation of their legal and political commitments in the area of SALW control, including the UN Programme of Action on SALW and the International Tracing Instrument (ITI). Consequently, in order to minimize the risk of the proliferation of SALW, it is crucial to increase the security and safety of existing SALW and ammunition stockpiles, improve stockpile management practices, destroy surpluses, and establish more stringent controls on SALW – including through implementing the ITI and improving the registration processes at the regional level.

2. Goals

Through a regionally owned and led framework, the Regional Cooperation Council focuses on the promotion and enhancement of regional cooperation in SEE and supports European and Euro-Atlantic integration of the aspiring beneficiaries. In that respect, this revised SEE RIP will:

- ❑ **Continue the development of a comprehensive and coherent approach** towards the harmonization with international regimes and EU security policies in the field of SALW, thus preparing the South East European beneficiaries for EU membership;
- ❑ **Aim to provide for sustainable change**, as progress achieved so far, although remarkable, is still fragile and more efforts are needed to reach further tangible results and long-lasting impact. Moreover, the trend of increased and intensified regional cooperation, including information exchange and knowledge transfer as well as experience-sharing, needs to be sustained and further enhanced;
- ❑ **Provide support to the institutions of the region** to bolster the positive developments and efforts vested in the safe management and secure administering of stockpiles, knowledge enhancement, increased accountability and transparency, diligent enforcement of norms and legislation, and cross-border cooperation; and
- ❑ **Continue to foster knowledge and advance good practices** for the benefit of South East European beneficiaries in accordance with EU standards.

The goal of the revised SEE RIP is ensuring that the structural change which has been achieved in the previous decade is sustained. Effective, sustainable SALW control is not a short-term issue and requires local ownership. Therefore, continuing the work performed under the previous versions of the RIP since 2001, will cement the gains and ensure long-lasting impact.

3. Overall Strategy

In order to meet the above goals, the following objectives will be pursued:

- ☐ Governments agree to continue with the development, implementation and monitoring of national SALW strategies. Such strategies should be based on the established SEE Regional Micro Disarmament Standards and Guidelines (RMDS/G) and the emerging International Small Arms Control Standards (ISACS);
- ☐ Governments of the region will continue to work together to increase transparency on national SALW policies and share information and best practices to shape a comprehensive regional approach to further reducing SALW proliferation;
- ☐ Governments should base their strategies on a continuous assessment of the SALW situation and of best practices and new methods and technologies used to combat and prevent the proliferation and diffusion of SALW. Results of such analyses should systematically be fed back into subsequent policies, and be shared regionally and internationally;
- ☐ Governments should designate and support a national-level entity to provide policy advice and coordinate and monitor the implementation of policies and strategies, or continue supporting the already established ones;
- ☐ SEESAC and the Regional Cooperation Council will continue to encourage donors to consider funding specific projects on a bilateral or collaborative basis;
- ☐ The Regional Cooperation Council will facilitate the processes, including through information sharing and regional standard setting, through the spotlighting of on-going efforts, and through continued support to SEESAC and the Regional Steering Group (RSG); and
- ☐ Particular attention will be paid to integrate the gender perspective in all activities.

A. National Undertakings

(i) As the South East European beneficiaries are either members of the EU or aspire to join, assistance needs to be focused on supporting their national capacities to comply and abide by the EU *acquis communautaires*. Applicant and candidate countries are required to progressively align with EU legislation and to apply sanctions and restrictive measures when and where required.

Priorities for SEE should therefore be:

- ☐ Continuous improvement of legislation and monitoring of the implementation of legislation for external transfers (import, export, transit etc.) of weapons and ammunition, in line with the EU standards on arms transfers and the EU Code of Conduct;
- ☐ Development, adoption, and effective implementation of a national SALW Control strategy;
- ☐ A functioning national commission or authority to develop, adopt, or effectively implement a national SALW Control strategy; and
- ☐ Adopt, implement, monitor, and report on law enforcement and judicial measures designed to successfully combat, prosecute, and adjudicate SALW misuse, trafficking, and unauthorized reactivation.

(ii) The beneficiaries in South East Europe should further develop their capacity for implementing the EU SALW Strategy and in doing so successfully communicate results and challenges with relevant regional and EU counterparts. The initial step will be to present an effective response to the accumulation and the problems posed by the availability of existing stocks.

Priorities should therefore be:

- ☐ Agreement by all beneficiaries to only import and retain SALW to meet their legitimate security needs, at a level appropriate for their legitimate needs for self-defence and security, including ensuring their ability to participate in United Nations or other regional peace support operations (PSO);
- ☐ Creation and maintaining of national inventories of arms legally held by the national authorities and civilians alike;
- ☐ Drawing up and/or implementing of restrictive national legislation providing in particular for criminal sanctions and effective administrative control;
- ☐ Participate in and contribute to the efforts to reduce surplus stocks of SALW;
- ☐ Promote public education and awareness campaigns to address the impact of SALW, armed violence, and gender-based violence;
- ☐ Contribute with data, information, and practical cooperation to the actions and plans made by the relevant EU bodies as sources of standards, monitoring, and enforcement of security measures, including SALW; and
- ☐ In accordance with the EUROPOL guidance and EU member states' practices identify, monitor, and increase pressure on the criminal markets through intensified cooperation, controls on sale and illegal manufacture of firearms.

B. Specific Measures

Such policies and strategies should be the basis for integrated projects encompassing one or more of the following categories:

Cross Border Controls

- ☐ Strengthening cross border police and customs co-operation through regional information exchange and joint exercises;
- ☐ Promoting and developing local, national and regional programmes for cooperation in preventing illicit weapons trafficking;
- ☐ Enhanced institutional capability to detect and interdict illicit flows of arms across regional boundaries and borders; and
- ☐ Enhanced regional cohesion, joint planning of border control strategies, sharing of technology and information at both the micro and macro levels and to create an environment conducive to improving law enforcement operations.

SALW Management

- ☐ Improved inventory management policies and capacities for weapons and ammunition stockpiles based on international best practices and methodologies;² and
- ☐ Improving security of stockpile storages in order to successfully combat the proliferation of SALW.

Legislative and Administrative Capacity

- ☐ Establishment and maintenance of an effective system of export controls, including re-export, and import licensing or authorisation for the transfer of all categories of SALW;
- ☐ Development of an effective system of end-use(r) controls and strengthened controls on trans-shipments of arms in compliance with the EU Code of Conduct on Arms Exports;
- ☐ Ability to enforce existing laws and, where appropriate, develop procedures governing civilian possession of SALW;
- ☐ Capacity to maintain comprehensive and adequate records on the manufacture, holding and transfer of SALW;
- ☐ Enhancement of the capacity of law enforcement authorities, including police, customs and border control, to prevent and combat illicit trafficking, combined with inter-state cooperation in this regard;
- ☐ Full criminalization of illegal activities violating the manufacturing, distribution, registration, and licensing regimes; and
- ☐ Develop or enhance national mechanisms for data collection, analysis, and dissemination on armed violence.

SALW Collection Programmes

- ☐ Provide support to national amnesty initiatives, utilizing the operational techniques advised in the SEE RMDS/G³ and ISACS; and
- ☐ Setting up of national programs for the management, accounting, storage and transfer of collected weapons in a secure and effective manner.

SALW Destruction Programmes

- ☐ Implementation of programmes of destruction of recovered or surplus weapons, ammunition and explosives in accordance with international best practices, and with consideration of environmental concerns; and
- ☐ Adoption of national policies for determining surpluses of weapons, ammunition and explosives.

Regional cooperation on arms transfers

² These include the NATO AASPT 1 and 2, OSCE Best Practice Guides and the SEE RMDS/G.

³ RMDS/G 05.10

Considering the importance of cooperation, coordination and information-sharing among actors in addressing threats to international peace and security posed by the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons SEESAC will continue to provide support to the national authorities in the following national undertakings:

- ☐ The Regional Information Exchange Process (RIEP);
- ☐ Further enhancement of the Brokers Database created under the auspices of RIEP;
- ☐ Assisting the authorities of the WB in capacity building, as requested, to implement commitments under the existing global and regional arms control regimes; and
- ☐ Reaching full compliance with the UN Arms Trade Treaty.

Transparency and Accountability

- ☐ Publishing of national Annual Arms Exports Reports in accordance with international best practices;
- ☐ Publishing of regional Annual Arms Exports Report in accordance with the EU approach;
- ☐ Information exchange between governments on holdings, production and trafficking of SALW; and
- ☐ Development and implementation of measures to promote transparency in all decisions on small arms at all levels of government.

SALW Awareness and Communications Strategy

- ☐ Development of co-operation and co-ordination between all actors involved in SALW issues within South East Europe, thereby ensuring harmonized approaches when disseminating core messages on SALW;
- ☐ Development and implementation of specific national and community-based public information and awareness campaigns on the issues, especially security, surrounding the uncontrolled proliferation and the misuse of SALW;
- ☐ Engage the capabilities and resources of local non-governmental organisations (NGOs) in the formulation and execution of national and regional implementation processes; and
- ☐ Investigate further the impact of SALW on sexual based violence and gender-based violence.

Gender mainstreaming

- ☐ Take further measures to advocate for and facilitate women's full and meaningful participation in all SALW policymaking, planning and implementation processes;
- ☐ Invest particular effort to mitigate the impact of SALW on domestic- and gender-based violence;
- ☐ Develop and implement specific policies to address the gender aspects of SALW; and

- ☐ Enhance and promote gender awareness among the relevant institutions and the general population.

4. Implementation

The implementation of the SEE RIP will take place under the framework of the Regional Cooperation Council (RCC) as the successor of the Stability Pact for South Eastern Europe. The RCC functions as a focal point for regional cooperation in SEE and its key role is to generate and coordinate developmental projects of a wider, regional character – to the benefit of each individual participant – and create an appropriate political climate susceptible to their implementation. One of the main focus areas of the RCC is to provide for parliamentary and security cooperation.

The RCC has adopted its 2014-2016 Strategy and Work Programme in which the main sectoral priorities for the new period have been outlined. The priorities include increasing the value of regional cooperation and strengthening the capacities of its main stakeholders. This Strategy is designed to be a platform for supporting the emergence and implementation of future strategies and has in mind the horizon 2020 by which time the beneficiaries in the region should be sufficiently prepared for EU accession.

The primary responsibility for the implementation of this revised SEE RIP rests with the beneficiaries of the region. It is noted that many of these strategies and related activities are already being implemented by the Governments of the region, both with and without international assistance.

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

This approach not only requires a clear commitment of the beneficiaries of the region but also of the international community. The Regional Cooperation Council participants will need to provide support through two types of measures:

- ☐ Technical assistance programmes to strengthen comprehensive and integrated policies, institutional structures, and capacities as well as legislation to combat and prevent the illicit trafficking and destabilizing accumulation of SALW; and
- ☐ Measures and mechanisms to promote operational cooperation between law enforcement and arms control agencies of the region as well as with other partners of the RCC.

A. Implementation Mechanisms

The revised SEE RIP builds on on-going initiatives, programmes, and activities, as well as existing structures as much as possible. It retains sufficient flexibility in the design of technical assistance programmes while providing an overall framework with agreed upon objectives and specific mechanisms to ensure coordination, monitoring and review of progress.

The specific mechanisms are:

SEESAC

The South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) was launched in May 2002 in Belgrade under the auspices of the United Nations Development Programme (UNDP). SEESAC was initially established as an 'information clearinghouse', but has responded in line with the changing operational and security dynamics and is now an organization capable of providing project development support, technical support, and knowledge generation and management.

The different pace towards EU membership among the beneficiaries in South East Europe and the overall stabilization of the region has had an impact on the donor community. The EU has effectively taken the lead in terms of financial support to SALW interventions within the region, while the overall donor landscape has been diminishing. This requires recognition of the continued role of SEESAC in the process of implementing the SEE SALW RIP, but may at the same time require the defining of new areas of engagement in order to utilize SEESAC's capacities, the existing donor resources and their policies, all with the view of meeting national needs and priorities.

The primary responsibilities of SEESAC are:

- ☐ Collection and dissemination of information on the progress towards implementing the revised Regional Implementation Plan and other international commitments;
- ☐ Assist beneficiaries in the region, and other appropriate stakeholders with the development of project proposals within and beyond the implementation framework outlined above;
- ☐ Assist in the matching of donors with identified needs of the recipients;
- ☐ Serve as a focal point for linkage and cooperation with the other relevant regional initiatives as described in the Annex below;
- ☐ Assist in assessment formulation and strategy development;
- ☐ Provide impetus for national coordination and implementation;
- ☐ Assist in the development and implementation of regional SALW awareness, including risk education work, training and capacity-building programmes for national security/police officials;
- ☐ Facilitating coordination on SALW issues amongst governments, NGOs and other stakeholders, as well as contributing to coordination between security and police forces;
- ☐ Technical assistance for the development and implementation of SALW Control programmes ⁴ (e.g. weapons collection, legislative harmonisation etc.). This should contribute to the global UNDP knowledge management process;
- ☐ Monitoring and reporting progress on addressing the SALW issue, including the identification of on-going resource mobilization needs by the region;
- ☐ Mobilize and make increased use of technical expertise and financial resources from those SEE beneficiaries which have progressed most on SALW programmes;
- ☐ Provide project development, technical advisory, project monitoring and evaluation support to the EU, UNDP, OSCE and other stakeholders within South East and Eastern Europe on request; and
- ☐ Facilitate the identification, systematic organization and sharing of know-how from the SEE region towards other regions.

Regional Steering Group

The Regional Steering Group (RSG) is co-chaired by the RCC and UNDP and consists of representatives (National Focal Points) of the concerned RCC participants. Additional states,

⁴ Including armed violence prevention initiatives, where appropriate.

interested international organizations and civil society representatives are encouraged to contribute as observers. Observers will be included in all discussions of the RSG. There are no formal voting rights; decisions are to be reached by consensus as determined by the Chair. The RSG has the following functions:

- ☐ Monitoring progress in the implementation of the revised SEE RIP in the form of peer reviews;
- ☐ Reporting progress to the RCC, through the Chair of the RSG or the SEESAC Coordinator;
- ☐ Promoting operational cooperation between countries; and
- ☐ Providing strategic advice for the implementation of SEESAC operational activities within SEE.
- ☐ The RSG meets annually.
- ☐ SEESAC acts as RSG Secretariat.

National Focal Points

The Government of each country has appointed a National Focal Point (NFP). The NFP stimulates the implementation in their own country of the revised SEE RIP, in cooperation with key law enforcement and arms control authorities and agencies. The NFP is the main point of contact for SEESAC as well as other entities working on SALW.

B. Implementation Process

The implementation of the revised SEE RIP is to be initiated through the following steps:

- ☐ SEE governments through National Focal Points, in cooperation with all relevant authorities (including key law enforcement and arms control agencies), will be responsible for implementing the SEE RIP within their own countries; and
- ☐ SEESAC will on request provide project development, technical advisory, and project monitoring and evaluation support in order to ensure compliance with established international 'best practices' in SALW Control interventions.

C. Funding Requirements

Donor funding has emerged as an important tool in support of the implementation of the SEE SALW RIP. The revised Regional Implementation Plan aims to encourage the application of donor resources in the most effective manner. At the same time, there is a need to further increase co-funding of initiatives by the beneficiary states in order to meet all priorities of, and achieve the goals set-out in, the RIP.

D. Linkages to other Initiatives

The implementation of the RIP will be based on the principles of coordination and cooperation. The underlying logic will be one of seeking synergies and pooling resources. Specific and regular consultations will take place with all relevant regional initiatives under the RCC framework, including:

- ❑ **Southeast Europe Defence Ministerial (SEDM):** The South-Eastern Europe Defence Ministerial (SEDM) is an initiative launched in 1996 for the purpose of boosting the cooperation of the South East Europe beneficiaries. The aim of the SEDM meeting is to analyse existing mechanisms of the defence regional cooperation and to synchronize regional initiatives in South East Europe in order to increase efficiency and save resources;
- ❑ **The South East Europe Regional Approach to Stockpile Reduction (RASR):** The South East Europe Regional Approach to Stockpile Reduction (RASR) was launched in 2009 during a workshop in Zagreb, Croatia, hosted by the United Nations. RASR encourages affected governments to develop a pro-active, coordinated, regional approach to secure and destroy SALW, by building local capacity, sharing best practices and lessons learned, and pooling resources in order to maximize their efficiency. The ultimate aim of the RASR initiative is to prevent disastrous explosions or destabilizing diversions of conventional weapons and munitions; and
- ❑ **RACVIAC:** The mission of the Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC) is to foster dialogue and cooperation on security matters in South East Europe through a partnership between the beneficiaries of the region and their international partners. In 2007, the Centre underwent a transformation which was concluded by the signing of the new Agreement on RACVIAC in 2010 and followed by the endorsement of the new Strategy in 2011. With the new Agreement, ratified in December 2011, the Centre has obtained the status of a regionally owned international organization and was renamed RACVIAC - Centre for Security Cooperation.

Furthermore, when necessary, specific and targeted coordination should take place with:

- ❑ **Forum for Western Balkans Defence Cooperation (SEEC):** The aim of SEEC is to coordinate efforts of allied and friendly nations offering assistance to NATO candidates and PfP aspiring beneficiaries in the region thereby avoiding duplication, optimizing limited resources and synchronizing efforts, while achieving shared goals;
- ❑ **South East Europe Police Chiefs Association (SEPCA):** The Association promotes police transformation into an effective and democratic police service for the benefit of the entire population;
- ❑ **Southeast European Law Enforcement Center (SELEC):** The objective of SELEC, within the framework of cooperation among Competent Authorities, is to provide support for Member States and enhance coordination in preventing and combating crime, including serious and organized crime, where such crime involves or appears to involve an element of trans-border activity;
- ❑ **The Migration, Asylum, Refugees, Regional Initiative (MARRI):** The focus of the organization is migration management, integrated approach to illegal and legal migration, asylum, border management, visa policies and consular cooperation as well as refugee return;
- ❑ **Treptower Group:** To address the lack of coordination at the level of project implementation in the field of police cooperation, the RCC Secretariat actively contributed to the establishment, under the auspices of the German Federal Police, of the Western Balkan Network on the Police Developmental Aid Treptower Group, which has a coordination role on non-operative police development aid. Interpol became a member of the Group in 2012; and

- ❑ **Non-governmental Partnerships:** NGOs and civil society have taken interest in the activities related to the non-proliferation of SALW in the past and their active participation is encouraged and would be welcomed in the future.

ANNEX 1 - Existing International Framework

A substantial international track record on tackling the proliferation of SALW has been established in recent years. Internationally and regionally, a number of agreements and fora for substantial dialogue have been established. In addition, donors and beneficiary countries have undertaken a number of specific projects. The beneficiaries of South East Europe have agreed to tackle the proliferation of SALW throughout the region under the umbrella of an array of international agreements sponsored by the EU, NATO, the OSCE, and the UN.

A. United Nations (UN) Initiatives

The United Nations has provided the main international forum for the development and adoption of common understandings and standards to combat the proliferation and destabilizing accumulation of SALW since the mid-1990s.

(i) UN Firearms Protocol⁵

This protocol, which supplements the 2001 UN Convention against Trans-national Organised Crime, is the first major policy document on SALW adopted at the UN. Measures stipulated in the UN Firearms Protocol include strengthening national legislation and enhanced information exchange among governments on illicit firearms, their traders, sources and trafficking routes.

(ii) UN Programme of Action on SALW⁶ (UN PoA)

The UN PoA addresses a more comprehensive scope of SALW than the UN Firearms Protocol and also pertains to state-to-state transfers of SALW. It envisions spheres of action against SALW at the international, regional, national and local levels, and calls for close cooperation among states to reach stated goals, including information sharing, assistance and standard setting; and highlights the role of regional organizations in fostering this cooperation. The governments have made the commitment to meet every two years to exchange information on their implementation of the PoA. Biennial meetings of states (BMS) took place in New York in 2003 and 2005. Meetings also took place in 2006, 2008, 2010, 2011 and 2012. These meetings offered governments the opportunity to present reports on their national efforts to pursue the aims of the PoA.

(iii) International Instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons (the International Tracing Instrument)

An open-ended working group (OEWG) on tracing illicit SALW was created to negotiate an international tracing instrument. At its third substantive session in June 2005 the OEWG adopted a draft international instrument to enable states to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. Such tracing aims to systematically track illicit SALW recovered in the context of armed conflict or crime from their point of manufacture or last known point of legal import through their trade chains and up to the point and people who diverted the weapons from the licit into the illicit sphere.

(iv) International Small Arms Control Standards (ISACS)

⁵ Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (the Firearms Protocol). (Entered into Force on 03 July 2005).

⁶ United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. (UN Document A/CONF.192/15). July 2001.

In 2012 the United Nations started developing the International Small Arms Control Standards (ISACS). The standards are in line with the UN Programme of Action, the International Tracing Instrument and the UN Firearms Protocol; and build upon best practices elaborated at regional and sub-regional levels. The aim is to provide clear, practical and comprehensive guidance to practitioners and policymakers on fundamental aspects of small arms and light weapons control.

(v) Millennium Development Goals and post-2015 Development Agenda

Human security is an indigenous part of sustainable development as recognized in the United Nations Millennium Development Goals. They range from halving extreme poverty to halting the spread of HIV/AIDS and providing universal primary education – and have been a milestone in global and national development efforts. Since the adoption of the MDGs, the global experience in the implementation of its mandate has led the UN to take an unprecedented focus on peacebuilding – efforts to reduce a country's risk of lapsing or relapsing into conflict by strengthening national capacities for conflict management, and to lay the foundations for sustainable peace and development. Building lasting peace in war-torn societies is among the most daunting of challenges for global peace and security. The post-2015 Development Agenda stresses that peacebuilding requires sustained international support for national efforts across the broadest range of activities – monitoring ceasefires; demobilizing and reintegrating combatants; assisting the return of refugees and displaced persons; helping organize and monitor elections of a new government; supporting justice and Security Sector Reform; enhancing human rights protections and fostering reconciliation after past atrocities. The United Nations has been at the center of expanding international peacebuilding efforts.

(vi) UNSC Resolution 2117 – the first-ever Security Council Resolution dedicated to the question of Small Arms and Light Weapons

Expressing grave concern that the illicit transfer, destabilizing accumulation and misuse of SALW continued to cause significant loss of life around the world, on 26 September 2013, the UN Security Council adopted Resolution 2117 – the First-Ever Resolution Dedicated to Question of Small Arms, Light Weapons.⁷ The UN Security Council stressed the importance of enhancing stockpile security and management, and implementing national weapons-marking programmes in line with the International Tracing Instrument. Another major issue taken into consideration in UNSCR 2117 is the misuse of SALW that causes serious human rights violations and in particular the disproportionate violence perpetrated against women and girls, exacerbating sexual and gender-based violence.

(vii) Arms Trade Treaty (ATT)

On 3 June 2013, the Arms Trade Treaty was opened for signatures. The first global legally binding treaty on the trade of SALW aims to foster peace and security by putting a stop to destabilizing arms flows to conflict regions; to prevent human rights abusers and violators of the law of war from being supplied with arms; and help keep warlords, pirates, and militants from acquiring illegal arms. All countries of the SEE region have signed the ATT and are preparing for its ratification.

B. Organization for Security and Co-operation in Europe (OSCE) Initiatives

(i) OSCE Document on SALW⁸

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

⁷ SC/11131, 7036th Meeting (PM), 26 September 2013

⁸ OSCE Document on Small Arms and Light Weapons. (FSC.JOUR/314). 24 November 2000, revised OSCE Document on Small Arms and Light Weapons, FSC.DOC/1/00/Rev. 1, 2012.

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

The document was revised in 2012 confirming the need to continue combating the proliferation of SALW and the importance of the proper functioning of the national control bodies, the proper marking of small arms, along with accurate, sustained record-keeping, and regular exchange of information.

(ii) OSCE Document on Stockpiles of Conventional Ammunition⁹

The OSCE Document on Stockpiles of Conventional Ammunition was adopted in 2003 and complements the OSCE Document on SALW. The agreement encompasses all categories of conventional ammunition, explosive material and detonating devices, including heavy weapons ammunition, all types of mines, missiles and rocket fuel, grenades, and fuses. The document provides practical procedures and mechanisms for the destruction of these surplus stockpiles. The final goal is to enable participating states to strengthen their national capacities so they can deal with specific problems on their own, building wherever possible on their own assets. In 2011 the OSCE reaffirmed its commitment in Decision No 6/11 on SALW and Stockpiles of Conventional Ammunition.¹⁰

(iii) OSCE Decision on Man-Portable Air Defence Systems (MANPADS)¹¹

The OSCE Decision on MANPADS adopts the principles for increased export controls of MANPADS, which have been drawn from the Wassenaar Arrangement's 'Elements for Export Controls of Man-Portable Air Defence Systems'. The OSCE updated the principles in Decision No 5/08 on 26 May 2008.¹²

(iv) OSCE Decision on End User Certificates¹³

This decision reaffirms the commitments of the participating States to observe, as one of the key standards underpinning export documentation, that no export licence is issued without an authenticated end-user certificate, or some other form of official authorization issued by the receiving State. The Decision prescribes the requirements of End User Certificate documentation and mechanisms.

(v) OSCE Decision on Brokering¹⁴

⁹ OSCE Document on Stockpiles of Conventional Ammunition. (FSC.DOC/1/03). 19 November 2003.

¹⁰ OSCE Decision No 6/11 on Small Arms and Light Weapons and Stockpile of Conventional Ammunition, MC.DEC/6/11, 7 December 2011.

¹¹ OSCE Decision on Man-Portable Air Defence Systems. (Decision No. 7/03). (FSC.DEC/07/03). 23 July 2003.

¹² OSCE Decision No 5/08 – Updating the OSCE Principles for Export Controls of Man-Portable Air Defence Systems, FSC.DEC/5/08, 26 May 2008.

¹³ OSCE Decision on End User Certificates and Verification Procedures for SALW Exports. (Decision No. 05/04). (FSC.DEC/5/04). 17 November 2004.

¹⁴ OSCE Decision on Principles for the Control of Brokering in SALW. (Decision No. 08/04). (FSC.DEC/8/04). 24 November 2004.

This decision states the principles agreed by States to control arms brokering in order to avoid circumvention of sanctions adopted by the UN Security Council, decisions taken by the OSCE, including the criteria set forth in Section III A of the OSCE Document on SALW; other agreements on SALW, or other arms control and disarmament agreements, to minimize the risk of diversion of SALW into illegal markets, inter alia, into the hands of terrorists and other criminal groups, and to reinforce the export control of SALW. In order to achieve these objectives, the participating States will endeavour to ensure that their existing or future national legislation on arms brokering is in conformity with provisions contained within the document.

(vi) OSCE Handbook on Best Practices on SALW¹⁵

The Handbook aims at providing a set of best practice guidelines relating to all stages of a gun's life, starting with manufacture and finishing with destruction and disarmament, demobilization and reintegration. It includes chapters on national marking systems; national procedures for the control of manufacture; national export and import policy; national control of brokering activities; national procedures for stockpile management and security; definitions for indicators of a surplus; techniques and procedures for destruction.

C. European Union (EU) Initiatives

(i) EU Joint Action on SALW¹⁶

The EU through its Joint Action on combating the destabilizing accumulation and spread of small arms, provides financial and technical assistance to countries, groups of countries, international organizations and NGOs which request support. Among geographic priorities decided by the European Council, specific attention was given to the destruction of existing stockpiles of SALW in East and South East Europe, and to actions in support of regional moratoriums on small arms in Africa. In 2008, the EU adopted the Council Joint Action 230/CFSP on Support for EU activities in order to promote the control of arms exports and the principles and criteria of the EU Code of Conduct on Arms Exports among third countries.¹⁷

(ii) EU Common Position 2008/944¹⁸

In December 2008, the EU adopted Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment (EU Common Position). The EU Common Position replaced and expanded the 1998 EU Code of Conduct on Arms Exports¹⁹ (EU Code of Conduct). It establishes common criteria for the approval of exports and envisages transparency provisions such as the publication of an Annual Report that provide civil society as well as the official community with the tool to evaluate individual states' performance.

(iii) EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition²⁰

On 16 December 2005, the European Council adopted a Strategy to support the Joint Action on SALW of 2002 (2002/589/CFSP). The Strategy has been written in the framework of the European Security Strategy (2003), as with a similar strategy on Weapons of Mass Destruction in 2003. The aim

¹⁵ OSCE Decision No 5/03 Best Practice Guides on Small Arms and Light Weapons, updated December 2012.

¹⁶ EU Council Joint Action on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons and repealing Joint Action 1999/34/CFSP. (2002/589/CFSP). 12 July 2002.

¹⁷ EU Council Joint Action on Support for EU activities in order to promote the control of arms exports and the principles and criteria of the EU Code of Conduct on Arms Exports among third countries 2008/230/CFSP, 17 March 2008.

¹⁸ Council Common Position 2008/944/CFSP Defining common rules governing control of exports of military technology and equipment, 8 December 2008.

¹⁹ EU Code of Conduct for Arms Exports, 08 June 1998.

²⁰ EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition. Council of the European Union 5319/06 of 13 January 2006. (Adopted 15 - 16 December 2005).

is to develop an “integrated approach and a comprehensive plan of action to combat the illicit trade in SALW and their ammunition”.

(iv) EU Regulation 258 Implementing Article 10 of the UN Firearms Protocol²¹

In order to facilitate the tracing of firearms and efficiently combat illicit trafficking in firearms, their parts and essential components and ammunition, and to improve the exchange of information between Member States, the EU Parliament and the Council of the EU adopted Regulation 258 that implements Article 10 of the UN Firearms Protocol. The regulation requires parties to put in place or improve administrative procedures or systems to exercise effective control over the manufacturing, marking, import and export of firearms.

(v) EU Bodies Working on SALW

Within the EU, there are several bodies working on SALW-related issues. The European Commission Directorate-General (DG) Justice and the Directorate-General (DG) Home Affairs are committed to increasing cooperation on cross-border issues, such as asylum, migration, border control, organised crime and terrorism.

The European Union is a strong supporter of the UN Programme of Action and wishes to see efforts to control SALW intensified in such crucial areas as transfer controls, marking and tracing, brokering regulations, ammunition and integration of small arms measures into development assistance. The Working Party on Global Disarmament and Arms Controls (CODUN) holds regular meetings dedicated to the issue of SALW and their ammunition to discuss current and future projects and areas of cooperation. Under the Council of Ministers, the Working Group on Conventional Arms (COARM) plays the central role in discussions on arms transfer issues under the Code of Conduct. COARM facilitates information sharing and produces the annual report under provision 8 of the Code of Conduct.

Article 71 of the Treaty on the Functioning of the European Union (TFEU) established a Standing Committee on Internal Security (COSI) within the Council. The Committee’s objective is to facilitate, promote and strengthen the coordination of operational actions of the EU Member States in the field of internal security. In this capacity, it will act in a number of different areas including police and customs co-operation, the protection of external borders and judicial cooperation in criminal matters.

(vi) Instrument for Stability

The primary aim of IfS assistance in the context of stable conditions for cooperation is “to help build capacity both to address specific global and trans-regional threats having a destabilizing effect” (i.e., terrorism, illicit trafficking, organized crime, CBRN risks...) and “to ensure preparedness to address pre- and post-crisis situations”. The EU in IfS has recognized that: “The trafficking and illicit accumulation of firearms and their ammunition also pose a serious threat to peace, security and development.” The Instrument for Stability covers the period 2014-2020 during which further funding for tackling firearms trafficking could be directed towards partner countries, supplemented by assistance from Member States law enforcement. Candidate countries for accession to the EU, meanwhile, are required to align national legislation with existing instruments concerning the export, brokering, acquisition, possession and trafficking of weapons.

(vii) EUROPOL

²¹ EU Regulation No 258/2012 of the European Parliament and of the Council – Implementing Article 10 of the United Nations’ Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition, 14 March 2012.

Europol is the European Union's law enforcement agency. Its mission is to support its Member States in preventing and combating all forms of serious international crime and terrorism, including proliferation of SALW.

D. NATO Activities - Partnership for Peace (PfP) Trust Fund

The Trust Fund is part of NATO's Partnership for Peace programme of practical security cooperation between NATO and individual Partner countries. The Trust Fund policy is a mechanism by which NATO Member and Partner Nations work together to identify and implement projects. Under the expanded policy, the Trust Fund has undertaken projects for the destruction of small arms and light weapons, conventional munitions and rocket fuel oxidiser. Beneficiaries from South East Europe have successfully cooperated within the framework of the Trust Fund ensuring the reduction of the threat from arms and ammunition proliferation.

E. Other International and Regional Initiatives

(i) Wassenaar Arrangement (WA)

The Wassenaar Arrangement has been established in order to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilising accumulations. Some of the SEE beneficiaries have applied for membership to the WA and the Republic of Croatia is already a member. The respective governments are in the process of aligning their domestic legislation with the regulations of the WA.

(ii) INTERPOL

Interpol's aim is to facilitate international police cooperation even where diplomatic relations do not exist between particular countries and to enhance the tools and services in the area of law enforcement training and to raise standards in international policing and security infrastructures. Member States are encouraged to cooperate with relevant international, regional and sub-regional organizations with regard to sharing information for the tracing of illicit weapons and to use the Illicit Arms Records and Tracing Management System of INTERPOL, which is a global firearms database, within their weapons tracing efforts, in addition to the INTERPOL Firearms Trace Request System.

(iii) The Geneva Declaration on Armed Violence and Development

The Geneva Declaration on Armed Violence and Development is a diplomatic initiative aimed at addressing the inter-relationships between armed violence and development. The Geneva Declaration was first adopted by 42 states on 7 June 2006 during a Ministerial Summit in Geneva, to which the Swiss government and UNDP invited high-level representatives from ministries of foreign affairs and development agencies. The Ministerial Summit reflected a strong common political will by both representatives of the donor community and from countries directly affected by armed violence to address the challenge of developing measures to reduce political and criminal armed violence in order to enhance sustainable development at the global, regional, and national level.

(iv) Sarajevo Declaration on Armed Violence and Development

Representatives of 14 States from East and South East Europe and the Caucasus, gathered in Sarajevo on 13 and 14 November 2008 to reaffirm their support for the Geneva Declaration on Armed Violence and Development adopted on 7 June 2006, and to resolve to work towards raising awareness of the importance of the linkage between armed violence and social and economic development in the countries of the region. The Declaration recognizes that development, peace and security, and human rights are linked and mutually reinforcing.

(v) Security Sector Reform

On-going international and national efforts to address the challenges of reforming the security sectors of South East European nations should factor in progress on this SEE RIP. In turn, developments under the SEE RIP need to take into account the overarching framework provided by Security Sector Reform efforts.