

(Acts adopted pursuant to Title V of the Treaty on European Union)

EU programme for preventing and combating illicit trafficking in conventional arms

Second annual report

(2000/C 15/01)

INTRODUCTION

The EU programme for preventing and combating illicit trafficking in conventional arms was adopted by the General Affairs Council on 26 June 1997.

The programme seeks to address the problem of illicit trafficking in conventional arms, particularly small arms, both within the EU and in countries affected by illicit trafficking in small arms. The programme is split into three main parts. The first part suggests the fostering of enhanced law enforcement cooperation and improving information exchange on illicit trafficking. The second part encourages the Community and its Member States to assist other countries in preventing and combating illicit trafficking of arms by, for example strengthening laws and administration measures for regulating and monitoring the transfer of arms, and providing an adequate number of appropriately trained police and customs officials for the enforcement of national arms export control legislation. The third part of the programme outlines ways for the Community and its Member States to assist affected countries, especially in post-conflict situations, in suppressing the illicit circulation and trafficking of arms by, for example setting up weapons collection, buy-back and destruction programmes, setting up educational programmes to promote awareness among the local population of the negative consequences of illicit trafficking in small arms.

During the second year of its application the Member States of the European Union have been actively engaged in the implementation of the guidelines of the EU programme for preventing and combating illicit trafficking in conventional arms and the dissemination of its principles.

The associated countries of central and eastern Europe, Cyprus and the EFTA countries members of the EEA have aligned themselves with this programme.

The following actions have been undertaken by the European Union and the Member States during the second year of the programme:

1. Combating illicit trafficking of arms within and into the EU

- In order to enhance national coordination and information exchange in the field of illicit trafficking of conventional arms, Belgium set up an interdepartmental committee that has now become fully operational. The most important items on their agenda are the problems relating to the control of intra-Community transfers of military material, competency problems between departments concerning the handling of illegal transfers, possibility of fraudulent activities in the area of export licences and certificates and the creation of a protocol concerning information exchange between the different services.
- Sweden also has in place an ad hoc group consisting of representatives of different authorities active in the field of arms transfers; the Board of Customs, the Security Service (Police), Military Intelligence and the National Defence Radio Institute. The group meets regularly on a monthly basis in order to discuss matters of common interest and enhance cooperation between them.
- The Netherlands established an interagency working group on preventing and combating illicit trafficking in conventional arms, following a recommendation to this effect in the EU programme. This working group consists of representatives from the Ministries of Justice, Home Affairs, Defence, Trade and Foreign Affairs. The main objectives of the group are to create a network of responsible officials, to promote the exchange of information and to coordinate the Dutch position in various international forums dealing with illicit arms trafficking.

- France has set up a working group dealing with light weapons and small arms. This working group consists of representatives of the Ministries of the Interior, Defence, Foreign Affairs, Justice and Finance as well as the General Secretariat of National Defence (SGDN). The group tackles the issue with a broad perspective, in particular to combat illicit trafficking. This group meets regularly and has started to cooperate with French non-governmental organisations (NGO) that are members of the International Action Network on Small Arms (IANSA).
- Finland has been training customs officers of the neighbouring areas to develop their administrative practices and knowledge on the procedures relating to transfers of arms and border control.
- The EU Police Cooperation working group endorsed a route policing project for combating illicit trafficking of firearms within the Member States. It is based on a pilot project of the Schengen Firearms and Ammunition working group.
- The EU Development Council Resolution on small arms and light weapons, adopted on 21 May 1999, recommends that the Community and the EU Member States devote particular attention to combating the illicit trafficking of small arms also in the field of development cooperation.
- Sweden and Finland among others have given financial aid to the UN Institute for Disarmament Research in Geneva and to the Monterey Institute for International Studies (California) for a preparatory committee for a global campaign on small arms and light weapons. Belgium and the Netherlands have also given financial assistance to the latter.
- The United Kingdom has provided financial assistance to the South African NGO Institute for Security Studies for a project to prepare legislation for South Africa as a result of the Vienna discussions on illicit arms trafficking. The Netherlands has also donated funds to this institute and their 'Towards Implementation Programme'.

2. Combating illicit trafficking of arms in other regions

The Council working group on exports of conventional arms (COARM) had agreed that Member States would concentrate the second and third parts of the programme initially on southern Africa. However other problem regions have been included in the assistance given by the Member States.

- Bearing in mind UN Security Council Resolution 1209 (1998) on the situation in Africa, illicit arms flows to and in Africa and recalling the EU code of conduct on arms exports and the EU Joint Action on small arms, the Presidency of the EU issued a Declaration on 18 June 1998 on behalf of the EU on the arms trade to and within the Great Lakes Region. In the declaration the EU expressed its concern over arms flows to the region and its commitment to conflict resolution and peacekeeping efforts underlining that in the search for a long-term solution for conflicts, high priority should be given to measures which curb arms supplies, their illicit circulation and the illicit trafficking which finances them.
- The Member States of the European Union have co-sponsored UN General Assembly Resolutions 53/77E 'to convene an international conference on the illicit arms trade in all its aspects no later than 2001' (to which they have also provided a common reply) and 53/77T on illicit traffic in small arms.
- The Netherlands and Belgium are funding a long-term NGO-tabled project on 'Tackling the spread of light weapons: deepening collaboration between EU Member States and associate countries'.
- The EU members have welcomed the moratorium on the import, export and manufacture of light weapons by the economic community of western African States (ECOWAS) and many partners including Belgium, the Netherlands, the United Kingdom, Sweden and France have given economic support to the moratorium. The United Kingdom is assisting in the development of capacity within the ECOWAS secretariat to administer the moratorium. The UK also funded a series of seminars to spread the 'Mali message' in the region and run a number of projects aimed at peace-building and conflict prevention in West Africa. To help the States of this sub-region France conducts a cooperation programme aiming at combating trafficking and trans-border criminality in West Africa.
- Portugal co-funded a seminar in Libreville in June 1998 on peace consolidation through the means of disarmament.
- Sweden has provided financial aid for the United Nations Lima Regional Centre for disarmament in support of national and international institutions in that area to combat illicit trafficking, to strengthen

national capacity to combat such traffic, and for the evaluation of such actions and for a project aiming at creating a regional 'clearing house' for combating illicit arms trafficking. Sweden has also given financial assistance to a NGO for its activities relating to the implementation of the EU programme for preventing and combating illicit trafficking and the EU code of conduct aiming at strengthening collective efforts by the EU and the associated countries in tackling illicit trafficking in conventional arms in central and eastern Europe.

- In southern Africa, the Institute for Security Studies and a NGO held a conference in May 1998 on 'Developing controls on arms and illicit trafficking' which adopted a regional action programme on small arms and light weapons and illicit arms trafficking. The EU-SADC ministerial conference held in Vienna in November 1998 endorsed the conclusions of the conference and the follow up action.
- The EU supports increased transparency in international arms transfers, in particular through the submission of returns to the UN register of conventional arms. The EU has undertaken a series of demarches to urge all UN Member States to submit their national data to the register in full and on time.
- The EU has entered into dialogue on small arms with various regions both in view of expanding political support for the key principles and measures that should be pursued through regional and incremental approaches and through global efforts as well as in view of the EU contribution to specific actions on small arms.
- The UN Disarmament Commission, in May 1996, adopted 'Guidelines for international arms transfers' that were the first efforts to contribute to solving the problem of illicit arms trade and approach the problem in a comprehensive manner and encourage further international initiatives. The EU also welcomes the adoption at the UNDC in April this year of guidelines on conventional arms control and limitation and disarmament with particular emphasis on the consolidation of peace.

3. Seminars held in the context of the EU programme on illicit trafficking

- The Brussels Conference on sustainable disarmament for sustainable development held in October 1998

calls for an international programme of action on practical disarmament and peace-building to, *inter alia*, integrate measures to combat illicit arms trafficking in all its aspects (the Brussels call for action). Sweden and the Netherlands financed a NGO meeting in conjunction with this event.

- The Ministry of Foreign Affairs of Finland organised a workshop in December 1998 on small arms and light weapons where the problem of illicit trafficking and proliferation of conventional weapons was widely discussed putting the emphasis on the problems encountered in the Third World especially in Africa.
- Belgium hosted from 30 November to 1 December a seminar on the EU programme on illicit trafficking organised by a NGO. The seminar was organised in two parts. The first concerning illicit trafficking of arms to and from the countries of the European Union and the associated countries. The second was dedicated to the EU actions and help to certain regions strongly affected by this problem.
- The Ministry of Foreign Affairs of Sweden together with the Swedish National Defence College organised a seminar on 'Removal of small arms and light weapons in the context of peace missions' in Stockholm on 11 and 12 March 1999. The objective of the seminar was to provide an opportunity to compile and share experiences, analyses and strategies among a broad range of actors, experts and interested participants from UN agencies, Ministries of Foreign Affairs, Ministries of Defence and Armed Forces, other international and regional organisations, agencies and institutes, and NGOs in order to suggest methods and guidelines for future operations.

CONCLUSIONS

There has been an ever increasing need to deal with the problems relating to illicit trafficking of small arms and their proliferation, especially in areas of regional unrest and post-crisis areas. EU Members have contributed to solving this problem by national projects, EU-led action and policy and also by participating actively in the work of the international organisations and projects such as the United Nations-led action in the former Yugoslavia, the UN's draft firearms protocol and in regional projects, especially in Africa.

The EU Joint Action on small arms adopted in December 1998 provides a comprehensive framework to coordinate and enhance EU policy in the field of small arms. It enumerates a set of principles and measures on preventive and reactive aspects of the issue that the EU Member States shall pursue in relevant international forums and in a regional context.

Close coordination amongst all relevant regulatory and enforcement agencies is essential in combating illicit arms trafficking. The Member States of the European Union have, in addition to their national efforts, moved towards close European cooperation, embodied in the 1998 EU code of conduct on arms exports. This code of conduct establishes criteria of responsibility and restraint for the management of arms

transfers, strengthens the exchange of relevant information and consultations amongst partners and enhances transparency in arms transactions. In the Council working group on conventional arms export many issues relating and contributing to a lessening of the illicit trafficking are being tackled, for example the issue of arms brokerage.

In order to avoid unnecessary duplication of work the different working groups within the EU that deal with the issue of illicit trafficking of small arms, namely CODUN and COARM, should try and find ways to further coordinate their efforts in tackling this difficult global problem. In the future EU Member States could consider combining the annual reports of the EU Joint Action on small arms and the EU programme for combating illicit trafficking into a single document.
