



Small arms and light weapons

The response of the European Union



EUROPEAN COMMISSION

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Foreword



Christopher Patten

European
Commissioner
responsible for
external relations

More than 3 million people have been killed in conflicts fought with small arms and light weapons during the past decade. Most of the victims are civilians, yet relatively little attention is paid to this deadly category of weaponry.

Small arms are cheap and readily available to those who wish to acquire them, legally or illegally. They are difficult to track, easily transferable from one conflict to another and frequently diverted to criminal activities. Their deadly effect and their damage to society is often felt long after the conflict they were originally acquired for is over.

Anna Lindh

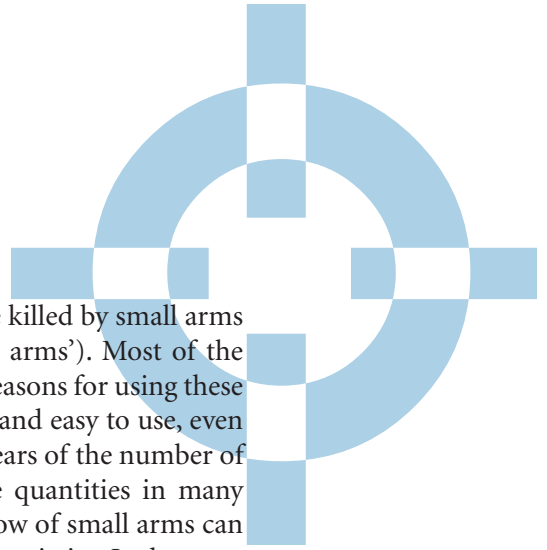
Swedish Minister
for Foreign Affairs

The European Union (EU) is committed to work against the spread of small arms around the world. In a 1998 joint action, we pledged to work towards reducing the destabilising accumulation of these weapons to levels consistent with the legitimate security needs of countries. Furthermore we agreed to promote the principle that arms would only be supplied to governments in accordance with restrictive export criteria. Since then, we have funded a number of projects around the world aimed at the collection and destruction of weapons in countries emerging out of conflict.

This summer's 'United Nations Conference on the Illicit Trade of Small Arms and Light Weapons in all its Aspects' will play a vital role in raising awareness of the damage caused to individual life and social tissue by these weapons and in focusing international efforts on addressing this problem. The EU will do its utmost to ensure that the conference leads to early and concrete action both at a national level and on a regional basis as well as to further international cooperation in this field.



The problem



Most victims in armed conflicts in recent years are killed by small arms and light weapons (hereafter referred to as ‘small arms’). Most of the victims are civilians, many of them children. The reasons for using these weapons are clear. Small arms are relatively cheap and easy to use, even by children: hence the marked increase in recent years of the number of child soldiers. They are readily available in large quantities in many parts of the world. The rapid accumulation and flow of small arms can alter military balances and destabilise regions and societies. It also contributes to the outbreak of armed conflict and intensifies and prolongs violence. Second-hand weapons are often recycled both legally and illegally from one conflict area to another and across national borders.

The widespread availability, rapid accumulation and easy flow of small arms have led to great human suffering, losses in economic development and increased poverty around the world in recent years. The EU is committed to combating the destabilising accumulation and misuse of small arms around the world. However, even when well coordinated, EU efforts can only form part of a wider international response to the suffering and insecurity caused by small arms.

There is no single approach which can tackle all aspects of the problem. Many factors must be taken into account, including international and internal security, trade, civil–military relations and the role of weapons in society. A comprehensive approach is therefore required, which combines ‘demand’ and ‘supply’ side strategies and measures to prevent the recirculation of small arms and to dispose of the large existing surplus stocks.

These measures have to form part of a broad strategy combining a range of instruments, both long term and short term, which include confidence building, disarmament, demobilisation and reintegration of ex-combatants into civil society, and development. The primary aim of such measures must be to restore confidence within the international community that a solution can be achieved and to provide a framework for assistance to affected countries. In this respect, the EU welcomes the

unique opportunity to reach international agreement on action offered by the 2001 'United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects'.

Countries with high levels of insecurity or violence cannot make effective use of development assistance. Therefore, assistance to conflict-prone countries or regions should be provided in order to promote security, disarmament and demobilisation as well as reintegration of ex-combatants into civil society, as an integrated part of social and economic development programmes.

Efforts to address these problems must be seen as part of a long-term process. The EU has already contributed to the eradication of problems caused by the destabilising and uncontrolled spread of small arms. A number of actions have already been taken in this regard. Our objectives are:

- to reduce the unregulated availability of small arms in areas of conflict or potential conflict by promoting strict export control and safe and environmentally responsible destruction of surplus weapons;
- to promote a series of measures which will limit the demand for the illegal use of small arms in areas of conflict;
- to help affected governments deal with all aspects of the problem.

Small arms proliferation is to a great extent driven by demand for weapons in regions of conflict and tension. Thus while outside assistance is important our main goal is to assist affected countries in tackling the problem themselves. Additional measures will be taken at EU level, national level and through the appropriate regional and global institutions.

The increasing international attention to the issue of small arms, especially that generated by the forthcoming 'United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects', presents new opportunities for the EU to act. By pursuing a coherent and active policy in this area the EU can make an important contribution to the solution of problems which cause immense human suffering, instability and conflict in different parts of the world. In so doing we can also, in the final analysis, improve our own security.

EU achievements



EU programme for preventing and combating illicit trafficking in conventional arms

This programme was agreed in June 1997 (Council document 9057/97, 20.6.1997) and calls upon EU Member States to strengthen their efforts against the illicit trafficking in arms, particularly small arms, on and through their territories. Furthermore the EU and its Member States pledge to assist other countries in this field. Such assistance could promote cooperation and coordination among intelligence, customs and other law-enforcement agencies, both at the national and international levels, and improve exchange of information and data on illicit trafficking of arms. It also calls upon the EU and its Member States to assist third countries through legal and administrative assistance, police and customs training, adoption of anti-corruption measures, promotion of regional, sub-regional and national cooperation amongst police forces, customs authorities and intelligence services, use of international databases, etc. Special attention is reserved for countries in post-conflict situations and in situations of low security and instability, including appropriate measures during peace-keeping operations in cooperation with the United Nations, weapons collection and destruction, and setting up of education and reintegration programmes.





EU code of conduct on arms exports

The General Affairs Council adopted the EU code of conduct on arms exports on 8 June 1998 (Council document 8675/2/98 Rev. 2, 8.6.1998). The code is a political agreement with the aim of setting high common standards for the management of conventional arms transfers. It also encourages greater transparency through enhanced information exchange. The ultimate responsibility for arms exports remains with Member States. They assess export licence applications on a case-by-case basis, judging them against the provisions of the code.

The code consists of two parts. The first part builds on the eight common criteria on arms exports adopted by the European Council in 1991 and 1992 which should govern all arms exports by EU Member States. These are as follows.

1. Respect for the international commitments of Member States, in particular the sanctions decreed by the UN Security Council and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations.
2. Respect of human rights in the country of final destination.
3. The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.
4. Preservation of regional peace, security and stability.
5. The national security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

6. The behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.
7. The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.
8. The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that States should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources.

The second part puts forward a number of operative provisions for notification and consultation among Member States prior to granting export licences. The main provisions are as follows.

(a) EU Member States circulate through diplomatic channels details of export licences which have been refused. Any EU Member State, which decides to grant a licence, which has been denied by another Member State should consult the partner, which has issued the original denial. If following such consultations it nevertheless decides to grant the licence it should provide a detailed explanation of its reasoning to the Member State which has issued the denial. During the first two years of the code's operation there has been a considerable increase in the number of notified denials and consultations. This evolution serves as evidence of Member States' resolve to introduce a new form of transparency in arms export control and to act in greater concert in this area.

(b) In 2000, Member States adopted a list of military equipment to which the code applies.

(c) Each Member State circulates to all partners a confidential annual report on its defence exports and on its implementation of the code. Consolidated reports based on Member State contributions were approved by the General Affairs Council in 1999 and in 2000, and published in the Official Journal. The code has increased mutual understanding of Member State policies, established an efficient consultation mechanism and encouraged dialogue on the implementation of its provisions.

The EU is interested in broadening the implementation of the main principles and procedures contained in the code so as to cover the world's main arms exporters. In the weeks following the adoption of the

code the associated countries of central and eastern Europe and Cyprus plus Iceland and Norway (European Free Trade Association member countries of the European Economic Area), aligned themselves with the criteria and principles contained in the code. Turkey and Malta have since declared that they subscribe to the code's principles and have undertaken to adjust their arms export policies accordingly. Other exporters have subscribed or partially subscribed to the principles and criteria of the code.



EU joint action on small arms and light weapons ⁽¹⁾

The EU adopted a joint action on small arms on 17 December 1998. The joint action proposes objectives, principles and measures combating the destabilising accumulation and spread of small arms, contributing towards the reduction of existing accumulations of these weapons to levels consistent with countries' legitimate security needs, and helping to solve the problems caused by such accumulations.

In order to realise these objectives the EU has pledged to work towards the realisation of a series of principles and measures such as:

- a commitment by all countries to import and hold arms only for their legitimate security needs and by exporting countries to supply arms only to governments, in accordance with appropriate international and regional restrictive arms export criteria, as provided in particular in the EU code of conduct on arms exports. These could include officially authorised end-use certificates or, when appropriate, other relevant information on end-use;
- the establishment and maintenance of national inventories of legally held weapons owned by a country's authorities and the establishment of restrictive national weapons legislation for small arms;
- the establishment of confidence building measures, including measures to promote increased transparency and openness, such as the setting up of regional registers on small arms and regular exchanges of available information on exports, imports, production and holdings of small arms, and on national weapons legislation;
- combating illicit trafficking of small arms through the implementation of effective national controls;
- challenging and reversing cultures of violence by enhancing public involvement through public education and awareness programmes.

⁽¹⁾ Published in the *Official Journal of the European Communities* of 15.1.1999.



Furthermore the EU will aim at building consensus at regional and international levels for a series of measures aimed at reducing existing accumulations of small arms. Such measures could include:

- support for countries seeking to control or eliminate surplus small arms on their territory;
- promotion of confidence-building measures and incentives to encourage the voluntary surrender of surplus or illegally-held weapons, the disarmament and demobilisation of combatants and their subsequent rehabilitation and reintegration;
- the effective removal of surplus small arms to safe storage, as well as their quick and effective destruction, preferably under international supervision;
- the rendering of assistance through appropriate international organisations, programmes and agencies as well as regional arrangements.



In this respect the EU has provided financial and technical assistance as appropriate to programmes and projects contributing to the principles and measures referred to above. These include programmes and projects conducted by the UN and its agencies, the International Committee of the Red Cross, other international organisations, regional arrangements and non-governmental organisations (NGOs). Such projects might include, among other things, weapons collection, security sector reform and demobilisation and reintegration programmes as well as specific victim assistance programmes. Such assistance has up to now drawn exclusively on common foreign and security policy funds.



EU actions or initiatives under way on the basis of the EU joint action

Since the adoption of the joint action in December 1998 the EU has contributed to four specific actions in support of the joint action's objectives and is considering support for another one.

Cambodia

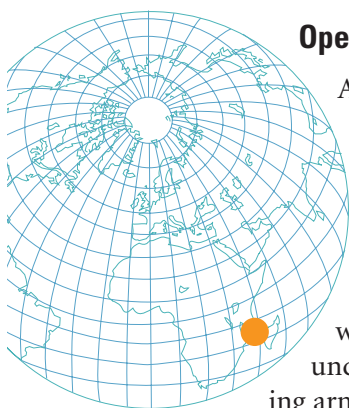
An EU project in Cambodia has been under way since 1999. It consists of four components:

- assistance to the Government of Cambodia in the development of appropriate laws and regulations on the ownership, possession, use, sale and transfer of arms and ammunition;
- assistance to the Government of Cambodia and the police and security forces to develop guidelines for improved record-keeping and security for weapons held by them;
- assistance to the Government of Cambodia and the police and security forces in developing procedures for voluntary surrender of small arms and for identifying and destroying surplus small arms, particularly in connection with planned demobilisation and restructuring of armed forces;
- support to civil society programmes to raise public awareness on problems related to small arms and light weapons and to further develop civil society cooperation with the weapons collection and destruction process, in particular by supporting activities of the NGOs.

The initial budget for the project was fixed at EUR 500 000. Progress during the first year was satisfactory with all four components well



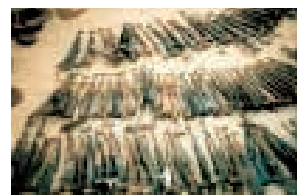
under way and good collaboration with Cambodian authorities. Work on the new arms legislation is progressing well and it is hoped that it will be enacted by Parliament before the end of 2001. As part of a pilot project on record keeping and safe storage of weapons the EU is funding the construction of several weapons and ammunition storage facilities as well as the creation of a computerised system for the registration of arms and ammunition. In order to encourage the voluntary surrender of arms, meetings with the population are organised at village and commune levels and training is provided to local police forces. All weapons collected are destroyed at local level during 'Flame of Peace' ceremonies where piles of arms are set alight in a celebration of peace. The EU collaborates closely with Cambodian national authorities as well as with non-governmental organisations in its effort to build public awareness of the project through the promotion of conferences, workshops, publications, radio programmes, etc. Finally, as part of a weapons-for-development scheme, the EU has offered to finance the arms collection and destruction component and is ready to collaborate with other donors willing to contribute to the development part. The EU has agreed to extend the project for a year beyond its initial expiry date of November 2000 and has committed a further EUR 1.3 million to this effect.



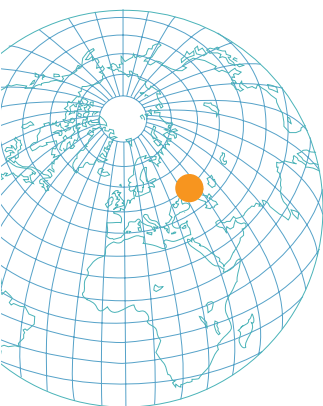
Operation Rachel

At the end of its long conflict, Mozambique was left with large numbers of weapons, many of which were smuggled into South Africa by organised syndicates and sold to criminal elements. In Mozambique, the weapons disrupted rural safety and were a primary cause of violence. A crime combating operation was thus agreed between South Africa and Mozambique, which allows police services of the two countries to undertake joint operations aimed at locating and destroying arms caches within Mozambique territory.

Operation Rachel is intelligence driven, i.e. information gathering about cache locations is followed by joint police operations, which destroy the weapons on site. It was initially funded by South Africa but donor funding later became available. Since its launch in August 1995 and up to December 2000, 12 operations have been carried out. Initially, these were large-scale annual affairs but in 1999 strategy was changed due to financial constraints, and there was a switch to small-scale operations. Operation Rachel is set to continue as long as there are excessive amounts of arms in Mozambique and there are even ideas of elevating

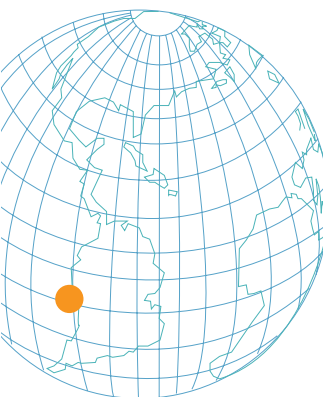


it to a regional plan of action. The EU decided to support Operation Rachel with EUR 200 000 in 2000. EU-financed operations will start in spring 2001.



Georgia/South Ossetia

Since early 2000, under the aegis of the OSCE, the joint peacekeeping forces (JPKFs) have been conducting a programme of voluntary hand-over of small arms in the Tskhinvali region, South Ossetia, Georgia. The programme has targeted the villages in the area of conflict, through the establishment of arms collection points by local authorities. All arms are registered and receipts are given upon delivery. So far the local population has responded positively, and significant numbers of weapons have been collected. Arms collected are subsequently destroyed, starting with weapons stored by the JPKFs. This takes place in the framework of an exchange programme whereby, upon destruction, local authorities will be rewarded in the form of equipment (communication, information, transport, etc.). The programme aims at initiating cooperation between the Georgian and the South Ossetian police, as a confidence building measure under the aegis of the OSCE. If successful it could expand at a later stage to a new phase whereby the voluntary handover of weapons by the local population will be rewarded through the financing of public works, agricultural material, etc. For the first phase, the EU has approved the provision of EUR 90 000 to be used in the purchase of equipment in support of the programme.



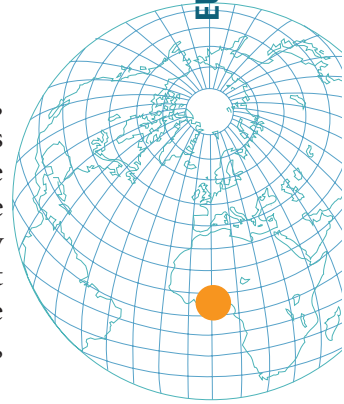
UN Lima Regional Centre

The EU has decided to support the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in Lima, Peru. In this respect the EU will provide financial assistance for two projects within the centre's regional clearing house on firearms, ammunition and explosives. The first project aims at training law-enforcement instructors from police forces, customs authorities and other institutions in providing a wider range of options as part of their national, sub-regional and regional activities. It is carried out in cooperation with the Drug Abuse Control Commission (CICAD) of the Organisation of American States (OAS) and will last for three years. The

second project aims to assist the centre in organising information related to the issue of firearms, ammunition, and explosives in the region. In this respect the centre will be assisted with computerising firearms import/export and transit data, setting up a firearms legal documents database and developing the appropriate software. The EU plans to commit EUR 343 000 in support of the above programmes.

Economic Community Of West African States (Ecowas)

The Ecowas Member States declared a moratorium on the import, export and manufacture of light weapons in November 1998. This was followed by the approval of a code of conduct in December 1999. The EU has on numerous occasions expressed its strong support for the moratorium and the adoption of the code. The Commission already indirectly supports the moratorium through a EUR 1.9 million conflict prevention project approved in 1999. The Commission is also in the process of conducting a study of proposals for further EU actions, which might eventually include financial support to the moratorium.



EU Development Council resolution on small arms

The EU Development Council adopted a resolution on small arms on 21 May 1999. The document reaffirms the Union's determination to combat the excessive and uncontrolled accumulation and spread of small arms around the world. Furthermore, the Council recommends that in the field of development cooperation the Community and the Member States devote particular attention to the following measures:

- inclusion of the small arms issue in the political dialogue with African, Caribbean and Pacific (ACP) States and other development cooperation partner countries of the EU;
- development cooperation support for countries seeking assistance in the control or elimination of surplus small arms, as well as other incentives to encourage the voluntary surrender of small arms and their destruction;
- the combating of illicit trafficking of small arms through the promotion of appropriate measures, including regional and international cooperation and independent monitoring;
- the effective disarmament and demobilisation of combatants and their subsequent rehabilitation and reintegration into civil life; this is an area in which development policy can make an important contribution;

- the challenging and reversing of ‘cultures of violence’ by means of public education and awareness programmes, taking into account the important role of local communities;
- considering support, where necessary, to strengthen appropriate government institutions and legislation to better control small arms.

The resolution stresses the need to ensure a coordinated and complementary approach with the guidelines mentioned in the joint action on small arms.



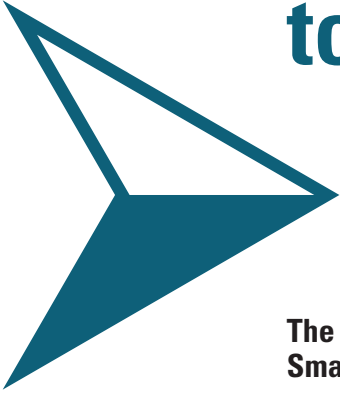
Consensus-building in international forums and collaboration with other countries

The EU has supported a number of important international initiatives concerning small arms over the past few years. The most recent one was the Organisation for Security and Cooperation in Europe (OSCE) document on small arms and light weapons which was adopted by the OSCE Forum for Security Cooperation on 24 November 2000 in Vienna. This important document joins most of the world’s small arms producing countries in pledging to combat the illicit trafficking of small arms through the adoption of national controls, as well as to coordinate and harmonise their policies. It should also be noted that EU Member States have undertaken serious efforts to implement UN Resolution 54/54 R, adopted in December 1999, which calls upon UN Member States to take appropriate measures for the destruction of light weapons which are in surplus, have been confiscated or otherwise collected.

At the December 1999 Summit, the EU and the United States issued a declaration of common principles on small arms and light weapons and an action plan. They pledged to expand their cooperation, support the ‘United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects’, and observe high standards of restraint in the transfer of small arms. Furthermore, they promised to support practical disarmament measures in potential conflict and post-conflict situations, encourage regional initiatives, and uphold UN sanctions.

In September 1999, the EU and Canada issued a joint statement in which they agreed to consult closely during the preparatory process for the ‘United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects’. At the same time, Canada declared that it shares the objectives of the EU joint action on small arms and endorses its principles. At the EU–Canada Summit of December 1999, the two sides established a joint working group on small arms and pledged to work together by supporting the implementation of initiatives and projects in the most affected areas of the world.

More opportunities to act



The 2001 'United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects'

The UN has served as the principal focal point for international efforts aimed at addressing the small arms issue. The United Nations Conference will be held in the summer of 2001. The EU has introduced a number of documents during the preparatory process for the conference ⁽²⁾ and will work towards the adoption of a politically binding programme of action that encompasses all areas of international cooperation in small arms.

The EU wants to promote the following objectives:

- adequate regulation of production, marking, transfer and holdings of small arms as well as measures of transparency and confidence building;
- collection and destruction of all weapons which are not under legal possession or not required for the purposes of national or collective defence or national security;
- strengthening international cooperation among police, intelligence, customs and border control authorities;
- assistance for measures at the national level to strengthen controls of governments on holdings, internal trade and international transfer through improved legal and administrative procedures;
- regional or sub-regional initiatives on small arms;
- international or regional cooperation to support measures for the collection or destruction of small arms in the context of post-conflict demobilisation.

⁽²⁾ A/Conf. 192/PC/21, 28.12.2000 — plan of action, A/Conf. 182/PC/18, 27.7.2000, A/Conf. 182/PC/6, 10.3.2000.

The problems of small arms are complex and cannot be solved quickly. It is thus vital for the conference to agree appropriate mechanisms and timely follow-up to ensure achievement of the desired results.

Looking to the future

The EU is most concerned by the consequences of uncontrolled flows and destabilising accumulations of small arms and light weapons. Over the past years we have intensified our efforts towards finding concrete solutions to the problems caused by these weapons. In this respect we are continuously seeking new ways to implement the objectives of the joint action on small arms. We remain committed to supporting new projects which aim to end the destabilising accumulation and spread of small arms around the world and contribute to the reduction of existing accumulations to levels consistent with countries legitimate security needs. The EU is willing to collaborate within international organisations, with regional or sub-regional bodies, with national governments and with non-governmental organisations in achieving these ends. We are aware that a long and difficult road lies ahead but we are convinced that with the support of our partners we will take substantial steps forward in the future.

Table of projects that the EU supports

Project	Council resolution	Dates	Amount (EUR)
Cambodia I	1999/730/CFSP of 15.11.1999	November 1999– November 2000	500 000
Cambodia II	2000/724/CFSP of 21.11.2000	November 2000– November 2001	1 300 000
Rachel	1999/845/CFSP of 17.12.1999	December 2000– December 2001	200 000
Georgia/South Ossetia	2000/803/CFSP of 14.12.2000	December 2000– December 2001	90 000
Lima UN Centre	—	—	343 000

European Commission

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Page 15: South African Police Service

Page 18: German Foreign Office

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