# Council Decision (CFSP) 2019/1298 of 31 July 2019 in support of an Africa-China-Europe dialogue and cooperation on preventing the diversion of arms and ammunition in Africa

## COUNCIL DECISION (CFSP) 2019/1298

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## in support of an Africa-China-Europe dialogue and cooperation on preventing the diversion of arms and ammunition in Africa

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) The Arms Trade Treaty (ATT) entered into force on 24 December 2014, and all Member States are party to it. The ATT aims to establish the highest possible common international standards to regulate the legal trade in conventional weapons and to prevent and eradicate the illicit trade in conventional arms and prevent their diversion.

(2) On 19 November 2018, the Council adopted the EU Strategy against illicit Firearms, Small Arms & Light Weapons and their Ammunition 'Securing Arms, Protecting Citizens' (the 'Strategy'). The full and effective implementation of the 2001 UN Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects is the main objective of the Strategy. The Strategy states that the EU will continue to promote responsible and effective arms export control and that it will continue supporting the universalisation and implementation of the ATT. The Strategy also states that the EU will continue to support the African Union and relevant regional economic communities in their efforts against the illicit trade in small arms and light weapons and their ammunition.

(3) In January 2017, the 28th Ordinary Session of the Assembly of the African Union adopted the 'African Union Master Roadmap of Practical Steps to Silence the Guns in Africa by Year 2020' thereby committing Member States of the African Union to: curb the illegal inflow and circulation of illicit arms; impede access to arms by rebels/insurgents; and cut links with suppliers and recipients of illicit arms, including imposing bans, in line with the ATT.

(4) In its conclusions on an EU Strategy for China of 18 July 2016, the Council supported the establishment of regular and substantial EU dialogue with China to seek, in conjunction with Member States, greater common ground on disarmament, non-proliferation, counterterrorism, migration and cyber-security.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Decision (CFSP) 2019/1298. (See end of Document for details)*

(5) On 30 June 2018, the third United Nations Conference to Review Progress Made in the Implementation of the UN Programme of Action against illicit Small Arms and Light Weapons adopted an outcome document in which States renew their commitment to preventing and combating the diversion of small arms and light weapons. States reaffirm their willingness to pursue international cooperation and to reinforce regional cooperation, through improved coordination, consultation, information exchange and operational cooperation, involving relevant regional and sub-regional organizations, as well as law enforcement, border control and export and import licensing authorities. States also commit to exchanging and, in accordance with States' national legal frameworks and security requirements, applying experiences, lessons learned and best practices relating to small arms and light weapons export, import and transit control, including certification processes and end-user certificates.

(6) The 2030 Agenda for Sustainable Development affirms that combating the illicit trade in small arms and light weapons is necessary for the achievement of many sustainable development goals, including those relating to peace, justice and strong institutions, poverty reduction, economic growth, health, gender equality and safe cities. Therefore, in Sustainable development Goal 16.4, all States have committed to significantly reducing illicit financial and arms flows.

(7) On 27 February 2012, the Council adopted Decision 2012/121/CFSP[(1)], in support of activities to promote an EU-China-Africa dialogue and cooperation on conventional arms control. That project was successfully implemented by Saferworld, but more efforts in this field are needed to reach the objectives set out in that Decision.

(8) Since 2008, the Council has adopted eleven Decisions in support of outreach for responsible arms export control in accordance with the ATT and with Council Common Position 2008/944/CFSP[(2)], but engagement with China on this topic has been limited,

HAS ADOPTED THIS DECISION:

*Article 1*

1 The purpose of this Decision is to contribute to preventing and combating the diversion of arms and ammunition in Africa.

2 Pursuant to paragraph 1, the Union shall support the following objectives:

a to raise awareness of stakeholders in Africa, China and the Union on how the illicit flow of arms, particularly small arms and light weapons (SALW) and their ammunition, to unauthorised actors contributes significantly towards exacerbating insecurity and violence in various parts of Africa, thereby undermining social cohesion, public security, socio-economic development and the effective functioning of state institutions;

b to promote accountability and responsibility with regard to the legal arms trade and by demonstrating to stakeholders in Africa, China and the Union how effective arms export control can contribute to mitigating the risk of diversion of arms into the illicit market.

3 To achieve those objectives, this Decision shall support the establishment and development of a joint non-governmental Africa-China-Europe Expert Working Group on conventional arms control (the ‘EWG’), the main tasks of which will be to increase awareness and engagement and bring about action by the policy communities in Africa, China, and the

Union, and to strengthen regional and international cooperation to prevent the diversion of arms and ammunition in Africa.

4 The expected outcomes of this Decision are the following:

a better understanding of the impact of arms diversion and misuse in Africa resulting from joint research and action-oriented analysis by African, Chinese and Union researchers and academics, with recommendations for specific projects supported by China;

b increased awareness by stakeholders in Africa, China and the Union of the role of effective arms export control in mitigating the risk of diversion and negative impacts of illicit arms and ammunition in Africa;

c increased contribution of China to relevant international and regional initiatives, including the African Union's Silencing the Guns in Africa by 2020 initiative and the implementation of the ATT;

d the consideration of small arms control on the agenda of the Forum on China-Africa Cooperation (FOCAC) dialogue;

e creation of new fora bringing together experts from government, civil society, business and academia from Africa, China and the Union, who will help inform the EU-China High-level Strategic Dialogue.

5 The direct beneficiaries of the projects will be an estimated 500 policy community actors in Africa, China and the Union, including non-governmental organisations, think tanks, industry representatives, government officials in charge of conventional arms control, and parliamentarians. The indirect beneficiaries will be the population, communities, groups and individuals in Africa who are adversely affected by the proliferation of illicit arms and ammunition in the continent.

6 A detailed description of the project is set out in the Annex to this Decision.

*Article 2*

1 The High Representative of the Union for Foreign Affairs and Security Policy (‘HR’) shall be responsible for implementing this Decision.

2 The technical implementation of the project referred to in Article 1 shall be carried out by the non-governmental organisation Saferworld.

3 Saferworld shall perform its tasks under the responsibility of the HR. For that purpose, the HR shall enter into the necessary arrangements with Saferworld.

*Article 3*

1 The financial reference amount for the implementation of the project financed by the Union referred to in Article 1 shall be EUR 994 007.

2 The expenditure financed by the reference amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the Union budget.

3 The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For that purpose, it shall conclude the necessary financing agreement with Saferworld. The financing agreement shall provide that Saferworld is to ensure the visibility of the Union's contribution, appropriate to its size.

4 The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Decision (CFSP) 2019/1298. (See end of Document for details)*

*Article 4*

1 The HR shall report to the Council on the implementation of this Decision on the basis of regular quarterly reports prepared by Saferworld. Those reports shall form the basis of the evaluation to be carried out by the Council.

2 The Commission shall report on the financial aspects of the project referred to in Article 1.

*Article 5*

1 This Decision shall enter into force on the date of its adoption.

2 This Decision shall expire 36 months after the date of conclusion of the financing agreement referred to in Article 3(3). However, it shall expire six months after the date of its entry into force if no agreement has been concluded within that period.

Done at Brussels, 31 July 2019.

*For the Council*

*The President*

T. TUPPURAINEN

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (CFSP) 2019/1298. (See end of Document for details)*

# ANNEX

## AFRICA-CHINA-EUROPE DIALOGUE AND COOPERATION ON PREVENTING THE DIVERSION OF ARMS AND AMMUNITION IN AFRICA

1. Description of project and activities

The project will consist of two main phases, as summarised below under sections 1.1 on the establishment of an EWG and 1.2 on outreach to stakeholders in Africa, China and the Union promoting actions to be undertaken in preventing diversion of arms and ammunition in Africa.

1.1. Phase 1: Establishment and development of a joint non-governmental Africa-China-Europe Expert Working Group on preventing diversion of arms and ammunition in Africa

1.1.1. Objectives

To establish a joint non-governmental Africa-China-Europe Expert Working Group (EWG) bringing together African, Chinese and Union non-governmental experts who will engage in outreach to stakeholders in Africa, China and the Union and will support trilateral dialogue and cooperation on preventing diversion of arms and ammunition in Africa, with a view to:

(a) illustrating the security, socio-economic and humanitarian cost of the diversion of arms, especially small arms and light weapons and their ammunition, in Africa and to demonstrate the ways in which improved arms transfer control, also on the supply side, can contribute to reducing the risk of diversion of arms in the hands of unauthorised actors;

(b) helping to inform the EU-China High-level Strategic Dialogue, especially on security and arms control cooperation in Africa;

(c) sharing information, ideas, expertise and research amongst its members and assessing the effectiveness of current policies and initiatives;

(d) actively approaching and making recommendations to governmental stakeholders. African, Chinese, Union and Member State officials will be invited to observe and contribute to the work of the EWG.

1.1.2. Activities

Activities to be supported in the implementation of tasks referred to under Phase 1 will include:

(a) mapping out and development by Saferworld of an engagement approach to key partners and stakeholders in governments, business sector, civil society organisations, academic institutions, multilateral agencies, as well as regional and community level actors, who will be crucial for the success and sustainability of the project;

(b) building upon the achievements of the Union project supported under Decision 2012/121/CFSP: (i) organisation of up to 20 preparatory and follow-up meetings in Africa, China and in Europe to enhance awareness of the project, including the structure and timeline, and ensure the support of relevant authorities (ii) identification of key experts in Africa, China and the Union who will be involved in the EWG; (iii) development of detailed work plans for the establishment and operationalisation of the EWG; (iv) establishment of a project coordination team; (v) delineation and allocation of responsibilities among the team; and (vi) monitoring and evaluation of progress in the implementation of activities;