Council Decision (CFSP) 2018/2010 of 17 December 2018 in support of countering illicit proliferation and trafficking of small arms, light weapons (SALW) and ammunition and their impact in Latin America and the Caribbean in the framework of the EU Strategy against Illicit Firearms, Small Arms & Light Weapons and their Ammunition 'Securing Arms, Protecting Citizens'

COUNCIL DECISION (CFSP) 2018/2010

of 17 December 2018

in support of countering illicit proliferation and trafficking of small arms, light weapons (SALW) and ammunition and their impact in Latin America and the Caribbean in the framework of the EU Strategy against Illicit Firearms, Small Arms & Light Weapons and their Ammunition 'Securing Arms, Protecting Citizens'

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) On 19 November 2018, the Council adopted the EU Strategy against Illicit Firearms, Small Arms & Light Weapons and their Ammunition entitled 'Securing Arms, Protecting Citizens' ('the EU SALW Strategy'), which sets the guidelines for Union action in the field of small arms and light weapons ('SALW').

(2) The EU SALW Strategy notes that the Union will look for synergy with the relevant American states and regional organisations to reduce the illicit proliferation and trafficking of SALW, with a view to reducing armed violence and criminal activity.

(3) Latin America and the Caribbean have been identified as regions seriously affected by proliferation and excessive accumulation of SALW.

(4) At the 2016 Sixth Biennial Meeting of States on the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects ('the Programme of Action'), which was adopted on 20 July 2001, all UN Member States reaffirmed their commitment to prevent the illicit trafficking of SALW. States welcomed the progress made with regard to the strengthening of sub-regional and regional cooperation and committed to establish or strengthen, where appropriate, such cooperation, coordination and information-sharing mechanisms, including the sharing of best practices, in order to support the implementation of the Programme of Action.

(5) The Organization of American States (OAS) is the Secretariat for the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) and is coordinating and implementing regional initiatives combatting illicit SALW in the Americas.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2018/2010. (See end of Document for details)*

(6) The Union wishes to finance a project on reducing the threat of the illicit spread and trafficking of SALW and their ammunitions in Latin America and the Caribbean,

HAS ADOPTED THIS DECISION:

Article 1

With a view to the implementation of the EU Strategy against Illicit Firearms, Small Arms &Light Weapons and their Ammunition entitled 'Securing Arms, Protecting Citizens' ('the EU SALW Strategy'), and to the promotion of peace and security, the OAS project on reducing the threat of the illicit spread and trafficking of SALW and their ammunition in Latin America and the Caribbean to be supported by the Union shall have the following specific objectives:

— Strengthen physical security and management systems for national military and other institutional stockpiles through improved site security measures and inventory control,

— Reinforce national capabilities for destruction of seized, excess or unsafe SALW and ammunition,

— Enhance national SALW marking and tracing capacity and foment regional cooperation on tracing confiscated weapons and ammunition,

— Improve SALW transfer mechanisms through national legislation, border controls, and regional coordination, and

— Promote socially responsible behaviours in selected communities, targeting groups that are severely affected by armed violence, including the use of turn-in campaigns or other strategies designed to reduce local incidence of violent crimes.

The Union shall finance the project, a detailed description of which is set out in the Annex.

Article 2

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

2 The technical implementation of the project referred to in Article 1 shall be carried out by the OAS.

3 The OAS shall perform its tasks under the responsibility of the High Representative. For that purpose, the High Representative shall enter into the necessary arrangements with the OAS.

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 3 000 000. The programme shall be fully financed by the Union, with contributions in-kind by the Ministry of Foreign Affairs of Spain and the beneficiary.

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 agreement with the OAS. The agreement shall stipulate that OAS has to ensure the visibility of the Union's contribution, appropriate to its size.

4 The Commission shall endeavour to conclude the 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 agreement.

Article 4

1 The High Representative shall report to the Council on the implementation of this Decision on the basis of regular quarterly reports prepared by the OAS. Those reports shall form the basis of the evaluation 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 agreement referred to in Article 3(3) or, if no agreement has been concluded within that period, six months after the date of its entry into force.

Done at Brussels, 17 December 2018.

For the Council

The President

E. KÖSTINGER

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2018/2010. (See end of Document for details)*

ANNEX

PROJECT ON COUNTERING ILLICIT PROLIFERATION AND TRAFFICKING OF SMALL ARMS, LIGHT WEAPONS (SALW) AND AMMUNITION AND THEIR IMPACT IN LATIN AMERICA AND THE CARIBBEAN IN THE FRAMEWORK OF THE EU STRATEGY AGAINST ILLICIT FIREARMS, SMALL ARMS & LIGHT WEAPONS AND THEIR AMMUNITION 'SECURING ARMS, PROTECTING CITIZENS'

1. Introduction and objectives

1.1. Introduction

The proliferation of illicit small arms, light weapons and ammunition is one of the principal factors contributing to high levels of violence and instability in several countries in Latin America and the Caribbean. Almost half of all homicide victims are aged 15-29 and the use of firearms is particularly prevalent in the region, where two thirds (66 %) of homicides are committed with guns. Statistics compiled by Small Arms Survey for its publication *Global Burden of Armed Violence, 2015* further reveal that the ten nations with the highest rates of SALW-related deaths between 2010 and 2015 were all American states, with each having a firearms-homicide rate of more than 20 per 100 000 of population.

The governments of Latin America and the Caribbean have rejected the illicit manufacturing and trafficking of arms through their support of several international instruments, including the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), the United Nations Program of Action for Small Arms and Light Weapons, and the International Tracing Instrument. However, military and other security forces retain large stockpiles of SALW and ammunition that are often poorly secured or have loose accountability. Each year, security forces in the region seize thousands of illegal SALW and tons of ammunition. Some of the seized material has been traced to military stocks both from within and outside the region, as well-funded criminal enterprises, including drug trafficking organisations, transnational gangs, and international arms traffickers have overwhelmed national interdiction capabilities.

Not only the proliferation of small arms, but also the availability of firearms to the general population has been shown to augment the risk of gun violence. The Global Status Report on Violence, 2014, of the World Health Organization (WHO) reveals through cross-sectional studies across participating countries that gun availability is, in fact, a risk factor for homicide. The report also notes that firearms in general are highly prevalent in the Americas, and the predominant weapon used in violent encounters. Another of the report's findings is that ease of access to firearms and other weapons and excessive alcohol use are also strongly associated with multiple types of violence.

Another issue to consider is that gun availability affects men and women differently. The widespread availability of guns contributes to the number of threats using this type of weapon, as well as to the fatality rate of intimate partner violence (IPV) in the homes of battered women. According to the United Nations Department of Disarmament Affairs, a disproportionate percentage of the owners and users of small arms are men, both in conflict and non-conflict situations. Most incidents involving male-on-female reveal the use of guns as intimidation or deadly weapon. When a gun was used, IPV victims were less likely to have visible injuries. At the same time, they were more likely to be frightened. Guns are mostly used to threaten the partner (69,1 %), and when using this kind of weapon, offenders are less likely to punch or kick a victim, for example.

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (CFSP) 2018/2010. (See end of Document for details)*

The use of any type of weapon is associated with a wide range of violent behaviour with outcomes for the victims that go beyond physical injuries. Threats and intimidation generate psychological effects and traumas and many of the victims avoid reporting this violence to the authorities because they fear retaliation. Professionals, such as health care providers, social workers and public security officers require training to be able to respond to violent situations involving the use of SALW.

Community engagement and the creation of a community support network may better assist victims of gun related crimes and help preventing violent behaviours that may trigger especially to intentional homicides. An active community contributes to building up trust, transparency, communication and commitment in its efforts.

Since 2009, the Department of Public Security (DPS) of the General Secretariat of the Organization of American States (OAS) ('OAS-DPS') has supported the efforts of OAS Member States to control the flow of illegal SALW and ammunition and to manage institutional stockpiles through the Program of Assistance for Control of Arms and Munitions (PACAM). PACAM has implemented projects in cooperation with most of the 34 active OAS Member States, under the provisions of CIFTA. These activities have resulted in the marking of over 290 000 firearms and the destruction of another 60 000 weapons and over 1 700 tons of munitions throughout the region.

Although meaningful results have been attained in SALW marking, physical security and management of stockpiles, significant asymmetries in national capabilities persist, particularly among the countries of Central America and the Caribbean. Systematic implementation of stockpile management protocols remains incomplete in nearly all of the countries of the region, and demand for technical assistance, advice and cooperation has increased because of the successful execution of earlier PACAM activities and the increased confidence developed among national authorities in the role of the OAS in this field.

During execution of previous PACAM projects, as well as during recent CIFTA meetings, several OAS Member States have requested technical assistance in the areas in which the proposed project is intended to focus. Countries requesting support for improving physical security and stockpile management capabilities include Belize, Guatemala, El Salvador, Honduras, Costa Rica, Jamaica, Dominican Republic, and Dominica. Belize, Guatemala, El Salvador, Honduras, Costa Rica and Panama have asked for support for the destruction of excess, obsolete or confiscated SALW and ammunition. Meanwhile, the demand of training and assistance with marking and tracing of SALW has been high, with Guatemala, El Salvador, Honduras, Costa Rica, Panama, Bahamas, Barbados, Jamaica, Dominican Republic, Trinidad and Tobago, Guyana, Suriname, Uruguay and Paraguay requesting help.

This project will also include a prevention component comprised of cross-sector and community-focused collaborative interventions aimed at reducing risk factors related to violence having the previously mentioned professionals and the community as direct beneficiaries and offenders and its victims as indirect targets.

The prevention component will be carried out within one selected community of the three selected countries. The interventions may need to be adapted in order to meet the needs of specific populations, methods of community engagement, and the distinct setting of challenges and opportunities for conducting collaborative gun violence prevention initiatives in diverse communities. While the countries of focus for these efforts have not been specifically identified, Guatemala, El Salvador, Honduras, and Jamaica are likely candidates for project support because of their very high levels of violent crime and associated firearms use.

1.2. Objectives