Council Decision (CFSP) 2018/1789 of 19 November 2018 in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States

COUNCIL DECISION (CFSP) 2018/1789

of 19 November 2018

in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States

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 16 December 2005 the European Council adopted the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition ('the EU SALW Strategy'), subsequently revised in 2018, which set the guidelines for Union action in the field of small arms and light weapons ('SALW'). The EU SALW Strategy noted that the Union will, as a priority, support regional initiatives to combat illicit SALW and their ammunition, providing financial and technical support for regional and national organisations responsible for implementing relevant regional instruments.

(2) On 13 June 2018 the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy ('the High Representative') presented a Joint Communication to the European Parliament and the Council on elements towards an EU strategy against illicit firearms, SALW and their ammunition entitled 'Securing Arms, Protecting Citizens'.

(3) The United Nations (UN) 2030 Agenda for Sustainable Development, adopted on 25 September 2015, affirmed that sustainable development cannot be realised without peace and security and that illicit arms flows are amongst the factors which give rise to violence, insecurity and injustice.

(4) In his Agenda for Disarmament entitled 'Securing our Common Future', which was launched on 24 May 2018, the UN Secretary-General calls for an inclusive, integrated and participatory approach to small-arms control at country level and, in some situations, at the subregional level.

(5) At the third UN conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA), held in June 2018, UN Member States undertook to strengthen, as appropriate, partnerships and cooperation at all levels in preventing and combating the illicit trade in SALW, in particular on border control;

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2018/1789. (See end of Document for details)*

stockpile management and security; destruction and disposal; marking, record-keeping and tracing; and illicit brokering. They also undertook to strengthen cooperation with relevant subregional and regional organisations in strengthening the implementation of the PoA and the International Tracing Instrument.

(6) The League of Arab States (LAS) is a regional organisation bringing together all Arab countries, with the purpose of promoting and strengthening cooperation among its members.

(7) In 2016 the Union and the LAS set up the EU-LAS Strategic Dialogue and established a number of working groups.

(8) The Strategic Dialogue Working Group on Weapons of Mass Destruction and Arms Control has defined priority areas for possible concrete cooperation,

HAS ADOPTED THIS DECISION:

Article 1

1 With a view to supporting the LAS Member States with their national implementation of the UN PoA and the International Tracing Instrument (ITI), the Union will pursue the following objectives:

— sustainably build the national capacity of LAS Member States to combat the illicit proliferation of SALW, combat terrorism and enhance security in post-conflict situations while fully respecting international human rights standards,

— sustainably build the regional capacity of the LAS to address the same challenges,

— strengthen LAS Member States' national control over SALW at key stages of their life cycle,

— enhance the exchange of best practices and lessons learned.

2 In order to achieve the objectives referred to in paragraph 1, the Union shall, by means of this Decision, support actions in the following areas:

— international SALW transfer control (combating illicit arms flows),

— identification and disruption of sources of illicit small arms (capacity-building for law-enforcement agencies),

— other measures related to small-arms control, including stockpile management, control of related supplies and security,

— disarmament, demobilisation and reintegration (DDR),

— provision of information relevant to illicit SALW and enhanced SALW control.

3 A detailed description of the project referred to in paragraphs 1 and 2 is set out in the Annex to this Decision.

Article 2

1 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 Small Arms Survey (‘SAS’), represented by the Graduate Institute of International and Development Studies, with the assistance of the International Criminal Police Organisation (Interpol) and the World Customs Organisation (WCO) and in close cooperation with the LAS Secretariat.

3 SAS, assisted by Interpol and the WCO, shall perform its tasks under the responsibility of the High Representative. For that purpose, the High Representative shall enter into the necessary arrangements with SAS.

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 2 858 550.

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 2. For that purpose, it shall conclude the necessary agreement with SAS. The agreement shall stipulate that SAS 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 SAS. 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.

[[F1]2 This Decision shall expire 30 months after the date of the conclusion of the agreement referred to in Article 3(3).**]**

Textual Amendments

F1 Substituted by Council Decision (CFSP) 2020/2142 of 17 December 2020 amending Decision (CFSP) 2018/1789 in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2018/1789. (See end of Document for details)*

ANNEX

Combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States (2018-2020)

1. Background and rationale for CFSP support

This project will build on earlier efforts undertaken by the League of Arab States (LAS) and the Union to assist LAS Member States in combating illicit small arms and light weapons ('SALW') in the Arab region. The eradication of illicit small arms in the Arab region is crucial to reducing all forms of violence and promoting sustainable development and prosperity in line with the United Nations (UN) Sustainable Development Goals (SDGs) — both in the Arab region and in neighbouring regions, including Europe.

More specifically, the project aims at strengthening the capacity of LAS Member States to implement the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) and the International Tracing Instrument (ITI) according to the priorities and needs identified by LAS Member States. The normative framework for the project also comprises the 2030 Agenda for Sustainable Development, in particular target 16.4. Depending on the preferences of the host LAS Member State, the UN Firearms Protocol and the Arms Trade Treaty could also serve as reference points for project-related capacity-building efforts (export/import control, diversion prevention, etc.).

2. Project objectives and long-term sustainability

The underlying goal of the project is to sustainably strengthen the capacity of LAS Member States to implement the PoA and the ITI, including for the purpose of combating illicit small arms and terrorism, according to the priorities and needs identified by LAS Member States. To achieve this goal, the project has the following main objectives:

(a) sustainably build the national capacity of LAS Member States to combat the illicit proliferation of SALW, combat terrorism and enhance security in post-conflict situations;

(b) sustainably build the regional capacity of the LAS to address the same challenges;

(c) strengthen LAS Member States' national control over SALW at key stages of their life cycle;

(d) enhance the exchange of best practices and lessons learned.

Consultations with LAS Member States indicate that they seek assistance and support in specific areas, with an overriding focus on the building of national capacity to combat illicit arms flows (see section 3 for further details). All of the project's components, including those relating to needs assessment and post-implementation evaluation, are in fact designed to ensure that the project imparts sustainable capacity to its intended beneficiaries, namely government institutions and officials in LAS Member States, as well as the LAS Secretariat (Arms Control and Disarmament Department).

3. Description of action

The Union project to combat the illicit trade in and proliferation of SALW in LAS Member States (2018-2020) is designed to respond to the needs that LAS Member States have expressed in the following priority areas:

Area 1: International SALW transfer control (combating illicit arms flows)