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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans and in support of disarmament and arms control activities in South-East and East Europe

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**COUNCIL DECISION (CFSP) 2022/...**

**of ...**

**in support of the South-Eastern and Eastern Europe Clearinghouse  
for the Control of Small Arms and Light Weapons (SEESAC)  
for the implementation of the Regional Roadmap  
on combating illicit arms trafficking in the Western Balkans  
and in support of disarmament and arms control activities  
in South-East and East Europe**

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 2018 EU Strategy against illicit firearms, small arms and light weapons (SALW) and their ammunition entitled ‘Securing Arms, Protecting Citizens’ (the ‘EU SALW Strategy’) states that the Union gives particular prominence to regional cooperation as an efficient means of small arms control. The EU SALW Strategy mentioned the Western Balkans as a priority region for support.
- (2) On 17 May 2018, at the EU-Western Balkans Summit in Sofia, the leaders of the Union agreed on the Sofia Declaration, to which the Western Balkans partners aligned themselves, and which includes the commitment to enhance significantly operational cooperation in the fight against international organised crime in priority areas such as firearms, drugs, migrant smuggling and trafficking in human beings.
- (3) The Western Balkans region remains one of the sources of illicit arms trafficking into the Union.

- (4) On 10 July 2018, the United Kingdom of Great Britain and Northern Ireland hosted the 5th Western Balkans Summit in London, which adopted the ‘Regional Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of SALW/firearms and their ammunition in the Western Balkans by 2024’ (‘the Roadmap’), which was prepared by the SALW commissions of the Western Balkans in the framework of the Franco-German donor coordination initiative on illicit firearms trafficking in the Western Balkans. Those commissions are preparing their action plans for the implementation of the Roadmap.
- (5) 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.
- (6) At the 8th Biennial meeting of States parties (BMS8) on 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, held in July 2022 at the UN in New York, UN Member States undertook to strengthen partnerships and cooperation at all levels in preventing and combating the illicit trade in SALW, and to promote and strengthen border cooperation and regional and sub-regional coordination.

- (7) The goals of the Roadmap agreed by the Western Balkans partners are consistent with the efforts within the Union and the UN to combat illicit accumulation and trafficking of SALW and their ammunition. Therefore, the Union should support the Western Balkans in implementing the Roadmap.
- (8) The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) was established in Belgrade in 2002 and functions under the joint mandate of the UN Development Programme (UNDP) and the Regional Cooperation Council (RCC). SEESAC is the successor to the Stability Pact for South-Eastern Europe, assists national and regional stakeholders in controlling and reducing the spread and misuse of SALW and ammunition, and thus contributes to enhanced stability, security and development in South-Eastern and Eastern Europe. SEESAC places particular emphasis on the development of regional projects to address the reality of cross-border flows of weapons.

- (9) The Union previously supported SEESAC by means of Council Decision 2002/842/CFSP<sup>1</sup>, extended and amended by Council Decisions 2003/807/CFSP<sup>2</sup> and 2004/791/CFSP<sup>3</sup>, as well as by means of Council Decision 2010/179/CFSP<sup>4</sup>, Council Decision 2013/730/CFSP<sup>5</sup>, extended by Council Decision (CFSP) 2015/2051<sup>6</sup>, Council Decision (CFSP) 2016/2356<sup>7</sup> and Council Decision (CFSP) 2018/1788<sup>8</sup>, extended by Council Decision (CFSP) 2021/2161<sup>9</sup>.

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- <sup>1</sup> Council Decision 2002/842/CFSP of 21 October 2002 concerning the implementation of Joint Action 2002/589/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in South East Europe (OJ L 289, 26.10.2002, p. 1).
- <sup>2</sup> Council Decision 2003/807/CFSP of 17 November 2003 extending and amending Decision 2002/842/CFSP concerning the implementation of Joint Action 2002/589/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in South East Europe (OJ L 302, 20.11.2003, p. 39).
- <sup>3</sup> Council Decision 2004/791/CFSP of 22 November 2004 extending and amending Decision 2002/842/CFSP implementing Joint Action 2002/589/CFSP with a view to a European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons in South East Europe (OJ L 348, 24.11.2004, p. 46).
- <sup>4</sup> Council Decision 2010/179/CFSP of 11 March 2010 in support of SEESAC arms control activities in the Western Balkans, in the framework of the EU Strategy to combat the illicit accumulation and trafficking of SALW and their ammunition (OJ L 80, 26.3.2010, p. 48).
- <sup>5</sup> Council Decision 2013/730/CFSP of 9 December 2013 in support of SEESAC disarmament and arms control activities in South East Europe in the framework of the EU Strategy to Combat the Illicit Accumulation and Trafficking of SALW and their Ammunition (OJ L 332, 11.12.2013, p. 19).
- <sup>6</sup> Council Decision (CFSP) 2015/2051 of 16 November 2015 amending Decision 2013/730/CFSP in support of SEESAC disarmament and arms control activities in South East Europe in the framework of the EU Strategy to Combat the Illicit Accumulation and Trafficking of SALW and their Ammunition (OJ L 300, 17.11.2015, p. 19).
- <sup>7</sup> Council Decision (CFSP) 2016/2356 of 19 December 2016 in support of SEESAC disarmament and arms control activities in South-East Europe in the framework of the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition (OJ L 348, 21.12.2016, p. 60).
- <sup>8</sup> Council Decision (CFSP) 2018/1788 of 19 November 2018 in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans (OJ L 293, 20.11.2018, p. 11).
- <sup>9</sup> Council Decision (CFSP) 2021/2161 of 6 December 2021 amending Decision (CFSP) 2018/1788 in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans (OJ L 436, 7.12.2021, p. 46).

- (10) The Union considers SEESAC to be the preferred implementing partner for the implementation of the Roadmap in the Western Balkans, because of its proven experience and established network, the proven quality of its work and its coordinating role in the preparation of the Roadmap.
- (11) The action resulting from this Decision should build upon the basis created by the achievements under the previous Council Decisions in support of SEESAC.
- (12) In addition, this Union action should provide support for countering illicit arms trafficking in the Republic of Moldova and in Ukraine, states which are dealing with similar SALW control challenges. It should do so through the transfer of knowledge and experience gained and best practices developed in the Western Balkans since 2001,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The Union shall support Western Balkans partners with the implementation of the ‘Regional Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of SALW/firearms and their ammunition in the Western Balkans by 2024’. The goals set out in the Roadmap are:
  - (a) by 2023, to ensure that arms control legislation is in place, fully harmonised with the EU regulatory framework and other related international obligations and standardised across the region;
  - (b) by 2024, to ensure that arms control policies and practices in the Western Balkans are evidence based and intelligence led;
  - (c) by 2024, to significantly reduce illicit flows of firearms, ammunition and explosives (FAE) into, within and beyond the Western Balkans;
  - (d) by 2024, to significantly reduce the supply, demand and misuse of firearms through increased awareness, education, outreach and advocacy;
  - (e) by 2024, to substantially decrease the estimated number of firearms in illicit possession in the Western Balkans;

- (f) to systematically decrease the surplus, and destroy seized small arms and light weapons and ammunition;
- (g) to significantly decrease the risk of proliferation and diversion of firearms, ammunition and explosives.
2. In addition to the goals referred to in paragraph 1, this Union action shall provide support for countering illicit arms trafficking in the Republic of Moldova and Ukraine.
3. In order to achieve the goals referred to in paragraphs 1 and 2, the Union shall, by means of this Decision:
- (a) support the coordination and monitoring of the implementation of the Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of SALW/firearms and their ammunition in the Western Balkans;
- (b) support authorities in the Western Balkans in fully harmonising their arms-control legislation with the Union regulatory framework and other related international obligations; and
- (c) provide support for countering illicit arms trafficking in the Western Balkans, in the Republic of Moldova and in Ukraine through capacity assessments and technical assistance to the law-enforcement and border-police authorities.

4. The project's geographic scope is the Western Balkans, with direct project beneficiaries being Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, Serbia and North Macedonia.

In addition, for the goals referred to in paragraph 2, the project shall provide support to the Republic of Moldova and to Ukraine.

5. 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 SEESAC, where necessary in coordination with the Driver of the European multidisciplinary platform against criminal threats (EMPACT) Firearms.
3. SEESAC shall perform its tasks under the responsibility of the HR. For that purpose, the HR shall enter into the necessary arrangements with UNDP, which shall act on behalf of SEESAC.

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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

### *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 4 006 955,58.
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 UNDP, which shall act on behalf of SEESAC. The agreement shall stipulate that SEESAC 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 HR shall report to the Council on the implementation of this Decision on the basis of regular quarterly reports prepared by SEESAC. 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). However, it shall expire six months after the date of its entry into force if no agreement has been concluded within that six-month period.

Done at ...,

*For the Council*

*The President*

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