



**United Nations Institute for
Disarmament Research**

Pilot Project

**EUROPEAN ACTION ON SMALL ARMS
AND LIGHT WEAPONS AND EXPLOSIVE
REMNANTS OF WAR**

Executive Summary

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EXECUTIVE SUMMARY

This report makes the case that small arms and explosive remnants of war—which pose severe threats to human security—require a stronger international response in which the EU could take a leading role. The illicit proliferation and misuse of small arms, and the threat posed by explosive remnants of war, contribute to the vicious circle of poverty, insecurity and underdevelopment. This, in turn, threatens the achievement of the Millennium Development Goals—a major EU priority. By taking stronger action against small arms and explosive remnants of war the EU will be making an effective contribution to the attainment of these goals.

The EU recognises the accumulation of, and illicit trade in, small arms as a root cause of instability, and is becoming increasingly active in tackling these problems. It does so through the Common Foreign and Security Policy (CFSP) as well as through the European Community's external assistance programmes.

The EU also plays a central role in the international community's efforts to manage the problem of explosive remnants of war. It does this largely through its mine action, which includes clearance of contaminated areas, victim assistance and educating affected communities about the risks posed by explosive remnants of war. However, ERW is only partly addressed by the existing European Community (EC) Mine Action Strategy.

The European Union is committed to enhancing development and security, has recognised that small arms and explosive remnants of war undermine the achievement of both, and can maximize its comparative advantage in tackling the problem in a coherent and effective manner.

There are four main reasons for strengthening European action:

1. The level of EU spending on small arms control and disarmament and the magnitude of the problems such weapons cause worldwide justify a clear European policy. The imminent adoption of an EU Small Arms Strategy—by the European Council in December 2005—offers a policy framework that should guide synergetic cross-pillar action and utilize the capabilities of all EU bodies.
2. The EU needs to recognize fully the problems posed by explosive remnants of war and deal with them more comprehensively and effectively. The Mine Action Strategy could now be extended explicitly to include explosive remnants of war and *all* types of landmines.
3. The EU should move beyond *ad hoc* actions in favour of an integrated approach, whereby tackling small arms and explosive remnants of war is brought into the Union's overall efforts to prevent violent conflict, manage crises, build peace and promote sustainable development.
4. The provision of efficient EC external assistance on small arms requires a comprehensive guiding concept, including practical criteria for project selection and guidelines for subsequent project management.

Long-term commitment for sustainable results

Short-term, reactive programmes to manage small arms and explosive remnants of war during crises or post-conflict situations are insufficient. They need to be complemented by a long-term commitment to ensure sustainable results.

Combining aspects of security programming with development assistance means involving all relevant actors in devising longer term, sustainable solutions. To some extent this is already happening within European action, but more has to be done.

The Small Arms Strategy is a welcome step in the EU's policy formulation in this area. A number of objectives, such as stemming the supply of arms to regions of conflict and the management of weapons in peace processes, can be advanced through CFSP instruments, joint actions and European Security and Defence Policy (ESDP) missions. The CFSP Joint Action in Cambodia is an example of a successful small arms initiative with clearly defined tasks and objectives. Similarly, the ESDP mission in Aceh illustrates the important role that the EU can play in gaining control over weapons while implementing a peace agreement.

However, the EU's overall approach to small arms needs to afford equal attention to such external interventions in the context of longer-term stabilisation, reconstruction, good governance and development. It needs to factor in the particular long-term impact on men, women, children and the elderly in affected communities. It also has to be part of a coherent policy that provides guidance at every level—from strategic decisions to field-level programming, and which ensures that the expertise of both the Council and the Commission is optimally utilized.

While the new EU Small Arms Strategy does provide clear objectives and an action plan for how to achieve them, it does not signal a strong cross-pillar approach to tackling the problem. Although it recognises that Community action has a role to play, in general, the EU Strategy does not fully reflect the multitude of responses needed to address small arms. To ensure that EU action covers both preventive and reactive dimensions of the problem, EC assistance packages to third countries will have to support many of the political dialogue and diplomatic initiatives envisaged in the Strategy.

Assistance in border controls and customs operations, public education and awareness-raising campaigns, and various national and regional training programmes will be needed to ensure a comprehensive EU policy response to small arms problems in third countries. In the planned six-monthly review of the Strategy, a more balanced approach could be struck between short- and long-term, and between first and second pillar action. Greater attention can also be paid to the inter-linkages between Security Sector Reform (SSR), Disarmament Demobilisation, and Reintegration (DDR) and small arms, to reflect the strong interdependence between these processes in the field.

The EU definition of small arms, including that used in the Small Arms Strategy is limited to those arms and accessories specifically designed for military use, and to man- or crew-portable light weapons. It omits, therefore, those weapons used by law enforcement agencies and by civilians. Yet, four of the key threats identified in the European Security Strategy (ESS) require that attention be given to non-military weapons as well. EU action needs to be based on a more inclusive definition, so that the full range a range of small arms problems associated with non-military weapons, especially in relation to criminality, can be addressed.

Deploying all EC financial instruments

In order to ensure real impact and sustainability of European efforts the report maintains that funds for small arms action should be made available through all the future EC financial instruments for external assistance.

Alongside crisis management, to which CFSP/ESDP funding also applies, small arms assistance needs to be provided by the European Community as an immediate post-conflict stabilization measure, as a longer-term peacebuilding and development requirement, and as a vehicle for preventing conflict and extending security to Europe's neighbourhood.

Given the unresolved issue of institutional legal competence for European action on small arms, it is difficult to judge at this time the extent to which the new EC financial instruments will be used to further the EU's policy objectives on small arms and explosive remnants of war. The report recommends that the EU adopt a definition of the Stability Instrument that is sufficiently broad to enable the EC to fund a wide range of activities in the field—in both stable and unstable environments—such as weapons collection, DDR, financial and technical assistance to regional and sub-regional organisations. These initial actions should then be sustained using the longer-term development and geographical instruments. Furthermore, the Stability Instrument should permit the EC to kick-start projects on small arms in politically unstable environments by providing the funds for rapid needs and security assessments. This will help to inform EU funding decisions relating to DDR and other crisis management tasks.

Funding arrangements within the development and geographic instruments need to be more flexible so that they can support programmes that address small arms, explosive remnants of war and mines simultaneously. The decision-making process for programme selection needs to be more transparent and consistent, and multi-annual funding needs to be made more widely available.

Extending the EC Mine Action Strategy

The EC Mine Action Strategy should be extended to include explosive remnants of war and all types of landmines in order to deal with these problems comprehensively and effectively.

The main objective of the EC Mine Action Strategy is to assist countries that suffer from the consequences of landmines and unexploded ordnance and to restore the conditions necessary for economic and social development. Through this Strategy, the EC acts as a donor, a coordinator of EC and Member State assistance, and also exercises political leverage. However, the extent to which it presently deals with explosive remnants of war is limited by the legal restrictions inherent in the Anti-Personnel Landmine Regulations that underpin it.

The next logical step is to integrate explosive remnants of war into the EC Mine Action Strategy, and to extend the Strategy's coverage to include anti-vehicle mines. This would imply amending the Anti-Personnel Landmine Regulations. The UK Presidency's current proposal to enable the Stability Instrument to support "unexploded ordnance or other explosive devices" as well as anti-personnel mines, would achieve this objective and

thereby enable a far more comprehensive and effective EC approach to implementing mine action programmes. This would require a corresponding increase in funding levels.

Conditionality is a strong political tool that has worked well within the EC Mine Action Strategy. This form of political leverage also needs to be strengthened in relation to small arms and explosive remnants of war. The granting of EU assistance in these areas has to be made conditional on states' adherence to international laws and the adoption of best practices. For example, assistance in relation to explosive remnants of war could be made conditional on ratification or adherence to the obligations of Protocol V of the Convention on Conventional Weapons (CCW).

An integrated approach

Integrate small arms and explosive remnants of war throughout the EU's overall efforts to prevent violent conflict, manage crises, build peace and promote sustainable development.

Small arms and explosive remnants of war have an impact on many policy areas. Hence, they need to be integrated into policies related to conflict prevention, security (including the fight against organised crime and terrorism), development cooperation and humanitarian assistance. The EC Mine Action Strategy provides a good model of how an issue can be dealt with effectively across many European policy areas.

Policy objectives in the problem areas being considered here need to become part of longer-term Community programming in order to address their underlying causes and thereby provide sustainable solutions. Development programmes have to consider issues relating to small arms and explosive remnants of war during the planning and design phase. In particular, the Cotonou Agreement could play a stronger role in integrating small arms within EU development cooperation by introducing the issues into the political dialogue with Cotonou partner countries, and including relevant analysis in appropriate Country and Regional Strategy Papers.

To achieve this, there needs to be improved inter-service coordination and sharing of lessons learned. The European Commission could place the issue of inter-linkage of humanitarian action, arms issues, security and development on the agenda of its inter-service groups.

The Commission needs the mandate, financial resources and coordination tools to oversee the implementation of the EU Small Arms Strategy at Community level. The establishment of a sector within DG RELEX responsible for small arms would help promote the mainstreaming of small arms and explosive remnants of war across the board. The sector should be responsible for coordination with the Council, inter-service coordination within the Commission, collecting and sharing best practices from the field, monitoring and evaluating European small arms action.

A comprehensive guiding concept

Adopt a comprehensive guiding concept for the provision of EC small arms assistance, including practical criteria for project selection and guidelines for subsequent project management.

An important EU aim is to build and strengthen the capacity of its partners, be they third countries, regional organisations, NGOs or multilateral agencies. A significant number of third countries need to improve their handling of issues relating to small arms and explosive remnants of war. The EU can provide financial, technical and political assistance to support this aim. EU/EC-funded programmes should be accompanied by measurable benchmarks and concrete objectives to ensure that work is either completed or passed on to national authorities and/or organisations that have the capacity to sustain them.

Support for NGOs and civil society, particularly women's organizations, is crucial because they usually have a good knowledge of local difficulties and needs, are often the ones responsible for implementing programmes and can help to raise awareness. Greater flexibility in funding is required to support NGOs, both in the short and longer term. The EC needs to ensure that the specific concerns of women, children and youth are consistently addressed in the planning, design, implementation, monitoring and evaluation of relevant programmes.

This report indicates that the European Community is a significant financial contributor to international small arms assistance, although it is difficult to assess the level of direct support to small arms programmes in the absence of an EC policy on small arms. What is clear is that the EC is suffering from insufficient technical expertise, a lack of policy guidelines, the absence of specific selection criteria for small arms projects and a shortage of tools to measure the actual impact on the ground of EC-funded projects.

Geographic priorities need to be determined for small arms action as well as a stronger "needs-based" approach to the design and planning of EC assistance programmes. This would take the requirements of affected communities fully into account and assess whether programmes were meeting their real needs.

Justifiably, Sub-Saharan Africa is the main recipient of EC small arms-related assistance, but other regions also need to be considered. In the framework of the Neighbourhood Policy, the EU has provided significant small arms assistance to the Balkans. This report highlights the need for enhanced European action further afield—still within the neighbourhood region—such as in the former Soviet Union and North Africa. To strengthen national and regional engagement with the UN Programme of Action, cooperative efforts are needed at the regional level in North Africa. European small arms assistance to North African countries would be complementary to the Barcelona process and support its objective to enhance peace and security.

In addition to the action areas highlighted in the EU Small Arms Strategy, thematic priorities for European small arms assistance should be broadened to include assistance programmes for strengthening border controls and border management; enhanced support to DDR including child soldiers; and more assistance to developing national action plans on small arms in third countries.

Following the deconcentration of project management responsibilities to EC Delegations, these Delegations now need policy guidance and enhanced institutional capacity for conflict analysis. The capacity of Delegations to address small arms and explosive remnants of war problems needs to be improved through a greater overall understanding, project planning and management training. A roster of in-house expertise on small arms and explosive remnants of war would bolster the existing national rosters. Alternatively, Member States could provide experts to assist Delegations.