

**COUNCIL JOINT ACTION 2008/113/CFSP****of 12 February 2008**

**in support of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (SALW) in the framework of the EU Strategy to combat the illicit accumulation and trafficking of SALW and their ammunition**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) On 8 December 2005, the United Nations General Assembly adopted an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (SALW) (hereinafter referred to as International Tracing Instrument).
- (2) On 15 and 16 December 2005, the European Council adopted the EU Strategy to combat the illicit accumulation and trafficking of SALW and their ammunition (EU SALW Strategy) which calls for supporting the adoption of a legally binding international instrument on the tracing and marking of SALW and ammunition.
- (3) By adopting the International Tracing Instrument, States committed themselves to undertake a number of measures to ensure the adequate marking of and record-keeping for SALW and to strengthen cooperation in tracing illicit SALW. In particular, States were to ensure that they are capable of undertaking traces and responding to tracing requests in accordance with the requirements of the International Tracing Instrument. The instrument declares that States will cooperate, as appropriate, with the United Nations to support its effective implementation.
- (4) On 6 December 2006, the United Nations General Assembly adopted Resolution 61/66 on 'The illicit trade in small arms and light weapons in all its aspects' which called upon States to implement the International Tracing Instrument, the implementation of which will be considered during the Biennial Meeting of States in 2008.
- (5) This Joint Action should be implemented in accordance with the Financial and Administrative Framework Agreement, concluded by the European Commission with the United Nations.

- (6) In accordance with paragraphs 27, 29 and 30 of the International Tracing Instrument the UN Secretariat (Office of Disarmament Affairs) is seeking financial assistance to support activities which are aimed at promoting the International Tracing Instrument,

HAS ADOPTED THIS JOINT ACTION:

*Article 1*

1. The European Union shall pursue the promotion of the International Tracing Instrument.
2. In order to achieve the objective referred to in paragraph 1, the European Union shall support a project of the United Nations Office for Disarmament Affairs (hereinafter referred to as UN-ODA) for the promotion of the International Tracing Instrument in 2008, which includes three regional workshops for better acquainting relevant government officials and others (including SALW points of contact, law enforcement officials, members of national coordinating bodies, and parliamentarians) with the provisions of the International Tracing Instrument.

A description of the project is set out in the Annex.

*Article 2*

1. The Presidency, assisted by the Secretary-General/High Representative for the CFSP (hereinafter referred to as SG/HR), shall be responsible for the implementation of this Joint Action. The Commission shall be fully associated.
2. The technical implementation of the activities resulting from the EU contribution shall be carried out by the UN-ODA, which shall perform its tasks under the control of the SG/HR, assisting the Presidency. For this purpose the SG/HR shall enter into the necessary arrangements with the UN-ODA.
3. The Presidency, the SG/HR and the Commission shall keep each other regularly informed of the implementation of this Joint Action, in accordance with their respective competences.

*Article 3*

1. The financial reference amount for the implementation of this Joint Action shall be EUR 299 825, to be funded from the general budget of the European Union.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the Community procedures and rules applicable to the general budget of the European Union.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 2, which shall take the form of a grant. For this purpose, it shall conclude a financing agreement with the UN-ODA. The financing agreement shall stipulate that the UN-ODA is to ensure visibility of the EU 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 Joint Action. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreements.

#### *Article 4*

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Joint Action on the basis of reports prepared by the UN-ODA. These reports shall form the basis for the evaluation carried out by the Council. The Commission shall be fully associated. It shall report on the financial aspects of the implementation of this Joint Action.

#### *Article 5*

This Joint Action shall enter into force on the day of its adoption.

It shall expire 12 months after the conclusion of the financing agreement referred to in Article 3(3) or 6 months after the date of its adoption if no financing agreement has been concluded within that period.

#### *Article 6*

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 February 2008.

*For the Council*

*The President*

A. BAJUK

## ANNEX

**EU CONTRIBUTION TO THE UN PROJECT IN SUPPORT OF THE INTERNATIONAL TRACING INSTRUMENT****1. Introduction**

The UN Secretariat (Office of Disarmament Affairs) (hereinafter referred to as UN-ODA), intends to organise in 2008 a series of regional and sub-regional workshops in order to allow relevant government officials and others (including SALW points of contact, law enforcement officials, members of national coordinating bodies, and parliamentarians) to become better acquainted with the provisions of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (SALW), adopted by United Nations General Assembly on 8 December 2005 (hereinafter referred to as International Tracing Instrument).

**2. Project description**

Workshops will have a practical focus and a two-day duration and will provide participants with information aimed at enhancing their understanding of the International Tracing Instrument, its relevance and the capacities, skills and resources that would be needed to ensure its implementation at national level. In addition, the workshops will aim at initiating country-specific needs assessments.

The Conventional Arms Branch (CAB) of the UN-ODA intends to organise and implement the workshops in collaboration with the Office's Regional Disarmament Branch, which includes the three United Nations Regional Disarmament Centres. In addition, UN-ODA will endeavour to work in partnership with interested Governments, relevant regional and/or sub-regional organisations, international organizations and civil society organisations with expertise in the area of marking and tracing SALW, including the Bonn International Centre for Conversion (BICC), the Groupe de Recherche et d'Information sur la Paix et la Sécurité (GRIP) and the Small Arms Survey (SAS). In close cooperation with Interpol, technical presentations will also be provided with a view to familiarising participants with the technical tools available and to assist law enforcement officials with the identification and tracing of illicit SALW.

**2.1. West Africa**

Possible venues for the workshop in West Africa are Bamako (Mali), Abuja (Nigeria), Libreville (Gabon), or the UN Regional Centre for Peace and Disarmament in Lomé (Togo). A final decision on the location of the workshop will be taken by the UN-ODA, in coordination with the Presidency, assisted by the SG/HR.

Member States of the sub-regional organisations 'Economic Community of West African States' (ECOWAS) and the 'Economic Community of Central African States' (ECCAS) will be eligible to take part in <sup>(1)</sup> the workshop:

ECOWAS: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo. ECCAS: Angola, Burundi, Democratic Republic of Congo, Rwanda, Cameroon, Central African Republic, Chad, Congo, Gabon, Equatorial Guinea, Sao Tomé and Príncipe.

**2.2. Asia**

The workshop in Asia is to be held in Seoul, Republic of Korea.

The following countries are eligible to take part in the workshop:

Afghanistan, Australia <sup>(2)</sup>, Bangladesh, Cambodia, China, India, Indonesia, Japan <sup>(2)</sup>, Kazakhstan, Kyrgyz Republic, Malaysia, Myanmar, Nepal, Pakistan, Papua New Guinea, Philippines, Solomon Islands, Sri Lanka, Tajikistan, Thailand, Timor-Leste, Turkmenistan, Uzbekistan, Vietnam.

**2.3. Latin America and the Caribbean**

The workshop in Latin America and the Caribbean is to be held in Brazil. A final decision on the location of the workshop will be taken by the UN-ODA, in coordination with the Presidency, assisted by the SG/HR.

The following countries are eligible to take part in the workshop:

Argentina, Bahamas, Barbados, Bolivia, Brazil, Chile, Colombia, Cuba, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay, Venezuela.

**3. Duration**

The total estimated duration of the projects will be 12 months.

<sup>(1)</sup> UN-ODA will organise a workshop for the North, East and South of Africa in December 2007.

<sup>(2)</sup> The Governments of Australia and Japan will assume the travel expenses of their participants.

**4. Beneficiaries**

The beneficiaries of the seminars are States in Africa, Asia and Latin America, as indicated above, which according to the UN-ODA need to enhance their understanding of the provisions set up by the International Tracing Instrument, as well as to identify the capacities, skills and resources that would be needed to ensure its implementation at national level.

Potential regional and other technical assistance donors, as well as relevant international regional and sub-regional organisations, will also be invited to attend.

**5. Implementing entity**

Within the context of its overall responsibility, the UN-ODA will implement the technical activities resulting from the EU contribution, as stipulated in this Joint Action, under the control of the SG/HR, assisting the Presidency.

**6. Estimated total cost of the project and EU financial contribution**

The project is to be co-financed by the EU and other donors. The EU contribution will cover the participation of representatives from beneficiary States and experts in the workshops, excluding UN staff, as well as conference costs. The EU contribution will finance eligible activities for the workshop in Africa as a priority. Expenditure incurred by relevant regional and sub-regional organisations may also be covered, insofar as this is directly related to their participation in activities under the projects. The UN-ODA will be responsible for the overall coordination of contributions made by other donors, which will finance the remaining costs of the project.

The total estimated cost of the project is USD 798 800 to which the EU will contribute EUR 299 825.

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