

596th Plenary Meeting

FSC Journal No. 602, Agenda item 5

**DECISION No. 11/09
UPDATE OF FSC DECISION No. 15/02 ON EXPERT ADVICE ON
IMPLEMENTATION OF SECTION V OF THE OSCE DOCUMENT ON
SMALL ARMS AND LIGHT WEAPONS**

The Forum for Security Co-operation (FSC),

Reaffirming the commitments agreed to by the participating States contained in the OSCE Document on Small Arms and Light Weapons (FSC.DOC/1/00),

Noting the decision to provide the Permanent Council with expert advice on the implementation of Section V of the OSCE Document on Small Arms and Light Weapons (FSC.DEC/15/02, dated 20 November 2002),

Welcoming the efforts that have been undertaken to promote information exchange, practical co-operation, national experiences, and lessons learned in providing assistance to States in building national capacity for the effective implementation of the OSCE Document on Small Arms and Light Weapons, as well as in making wider efforts to contribute to the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

Recognizing the value of the more detailed implementation mechanisms adopted in the OSCE Document on Stockpiles of Conventional Ammunition (FSC.DOC/1/03), and the need to co-ordinate and standardize implementation mechanisms within the OSCE,

Decides that:

FSC Decision No. 15/02 will be updated with the attached expert advice on implementation of Section V of the OSCE Document on Small Arms and Light Weapons;

The present decision supersedes Decision No. 15/02 from the date of its adoption.

EXPERT ADVICE ON IMPLEMENTATION OF SECTION V OF THE OSCE DOCUMENT ON SMALL ARMS AND LIGHT WEAPONS

A. Introduction

1. The security risks posed by the destabilizing accumulation and uncontrolled spread of small arms and light weapons (SALW) are of continuing concern to participating States. The implementation of Section V of the OSCE Document on SALW, which deals with small arms measures as part of early warning, conflict prevention, crisis management and post-conflict rehabilitation, could help to overcome these risks through co-ordinated action by the Permanent Council (PC) and the FSC. It could also contribute to OSCE efforts to counter terrorism by enabling the Organization to address one of the sources of supply to terrorist networks.

B. Plan for making Section V operational

1. Section V of the OSCE Document on SALW creates a framework for integrating small arms measures into other OSCE activities. Such measures, according to the Document, could include:

- Assistance on the security and management of stockpiles of small arms;
- Assistance with, and possible monitoring of, the reduction and disposal of small arms;
- Advice or mutual assistance to implement and reinforce border controls to reduce illicit trafficking in small arms;
- Assistance with small arms collection and control programmes.

2. It is for each participating State to identify and raise within the Forum for Security Co-operation or the Permanent Council concerns about any destabilizing accumulations and uncontrolled spread of SALW linked to its security situation. The OSCE can only take action in response to a specific request for assistance from one or more participating States to resolve SALW problems on their respective territories. Such actions would naturally be carried out only with the consent of, and in close co-operation with, the requesting government. In such cases, SALW expert teams, and OSCE field missions, if present, may have a role to play, both in assessing the situation and by participating in any subsequent action. Any involvement of OSCE field missions in SALW issues should be in accordance with their mandates. These mandates might be expanded if needed, as outlined in the OSCE Document on SALW. Consultation and co-ordination with other international organizations and actors should also be taken into account. OSCE action should be in accordance with the steps described below and summarized in the diagram contained in annex 2.

C. Transparency about needs and assistance

1. It is the participating State's own responsibility to determine, taking account of the criteria mentioned in Sections IV of the OSCE Document on SALW, the size of any surplus stockpiles of SALW, whether the stockpiles pose a security risk, and whether external assistance is needed to address this risk.

Information to be provided by a requesting State

2. In dealing with the issue of surplus stockpiles of SALW within the OSCE area, information gathering is of prime importance. In order for participating States to be provided with adequate assistance, a standard format questionnaire should be used by the requesting State (see model questionnaire contained in annex 3).

Information to be provided by an assisting/donor State

3. To get an overview of available funds and/or expertise, information gathering is of equal significance. For this reason, potential assisting/donor participating States could be invited to provide information, when deemed appropriate, in response to a standard format questionnaire (see model questionnaire contained in annex 4).

4. Requests for assistance, as well as information provided by potential assisting/donor States using these questionnaires, will be provided to all participating States and to the Conflict Prevention Centre (CPC). Any additional related information may also be provided by requesting and assisting/donor participating States.

D. Detailed assistance mechanism

1. The procedure for dealing with a request for assistance by a participating State will be as follows (see explanatory illustration contained in annex 2):

- (i) In initiating the OSCE response to the request, the Chairperson of the FSC, or the designated co-ordinator for SALW projects, in close co-operation with the Chairmanship-in-Office (CiO), will begin consultations, informing the FSC as appropriate, and may seek additional information and/or clarification from the participating State making the request. This may include organizing an initial visit, if invited to do so by the requesting State, which may include a pre-feasibility study. Consultations will be undertaken to identify and contact potential assisting/donor States, as well as initiating contacts with appropriate OSCE bodies and institutions. The CPC will assist in liaison with other relevant international organizations (IOs) and relevant non-governmental organizations (NGOs). The CPC will provide technical assistance to the Chairperson of the FSC and the CiO as necessary in responding to the request;

- (ii) One or more expert assessment visits may be deemed advisable in order to respond to the request for assistance. Follow-up technical assessment visits will be carried out by expert teams consisting of technical experts from the OSCE roster and personnel provided by interested States. Representatives of other international organizations and non-governmental organizations could be included in the expert teams. Assessment visits, which will be funded in accordance with established OSCE procedures, will be carried out with the agreement of, and in close co-operation with, the requesting State. If an OSCE field operation is present in the requesting State, the OSCE field operation can also be involved in the process of consultation and assessment, if appropriate. The team leader appointed by the FSC Chairperson, or designated representative, will provide the final report upon conclusion of the assessment process;
 - (a) The expert team will assess the situation regarding:
 - (1) The composition of the stockpiles (nature and type of small arms and light weapons, volume);
 - (2) Security conditions, including stockpile management aspects;
 - (3) Assessment of the risks posed by these stockpiles;
 - (b) The report of the assessment, which will be conveyed to the State requesting assistance as well as the FSC and the PC and points of contact on SALW projects, will include recommendations for action to be taken regarding:
 - (1) The parts of the stockpiles that should be destroyed;
 - (2) The processes to be used and the security requirements;
 - (3) The assessment of the costs and other implications;
 - (4) The storage and the safety conditions;
 - (5) The most urgent steps to be taken;
- (iii) After the consultations and assessment, the operational and financial implications of responding to the request for assistance, as well as possible implementing partners will be addressed by the FSC. If implementation of the anticipated assistance requires amendment of the current mandate of an existing OSCE field operation or entails financial consequences for the OSCE, the FSC will prepare, in consultation with the PC, a draft decision for approval by the PC;
- (iv) On the basis of the information gathered through the steps above, the team leader, with the support of the CPC, the implementing partner and the relevant field operation, as appropriate, will produce a detailed project plan, which will include details of the project's financial requirements. Once the assisting/donor and requesting States agree on the project plan, it will be submitted for information to the

FSC and, if appropriate, for endorsement, in close co-operation with the CiO and, where necessary, the PC;

- (v) The project team will implement the project plan, providing information periodically over the life of the project to the assisting/donor and requesting States, as well as to the FSC, the PC and the OSCE field operation, if involved;
- (vi) On completion of the project, the project manager will provide the final report of the results to the FSC and, if appropriate, to the PC. Lessons learned and possible follow-up actions will be emphasized in this report;
- (vii) After initial consultations, it may be determined that no direct OSCE involvement will be pursued. This could be the result of the requesting State and a donor agreeing on a separate arrangement. In cases where there will be no direct OSCE involvement, the Chairperson of the FSC, in co-ordination with the CiO and with assistance from the CPC, will facilitate, in the clearinghouse function, contacts between the requesting State and potential donors, other States, regional or international organizations, or non-governmental organizations. A report on actions taken will be provided to the FSC and the PC.

E. Elements for further consideration

1. The FSC advises the PC to consider mechanisms to facilitate the implementation of the Section V plan through additional financial and personnel resources, as well as through training. Such mechanisms could include:

- Voluntary funds or other financial arrangements created for the purpose of providing assistance on small arms and light weapons;
- The use of mobile teams of SALW experts from the OSCE roster, the REACT scheme, and interested States.

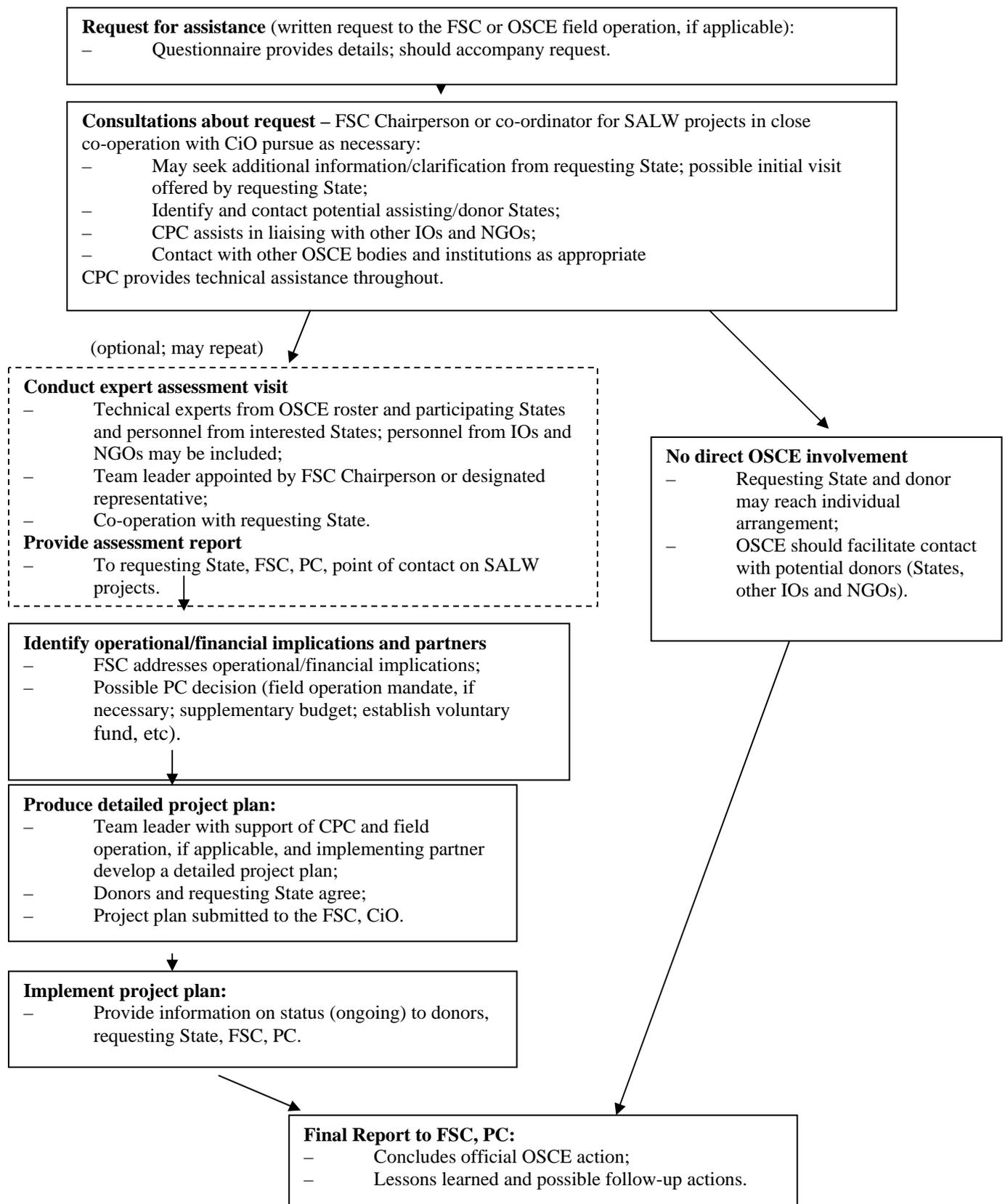
2. The CPC is requested to stand ready to provide and co-ordinate expert assistance on SALW issues to the participating States directly and/or through the missions when requested. The CPC is tasked to maintain the roster of available SALW experts. The CPC is further urged to raise awareness of the OSCE Document on SALW within OSCE structures, including through the facilitation of training.

3. Once approved, the FSC recommends that other relevant international actors are informed about the Section V plan in order to enhance international co-ordination and co-operation in the SALW field.

F. Final provisions

1. The CPC will act as the point of contact between the OSCE and other international organizations and institutions on projects relating to SALW.

ILLUSTRATION OF THE PROCEDURE FOR DEALING WITH A REQUEST FOR ASSISTANCE



MODEL QUESTIONNAIRE FOR A REQUESTING STATE

1. What small arms and light weapons, including man-portable air defence systems, in surplus are concerned?

Requesting States will specify in this paragraph, for each category, such indications as:

- The nature of the surplus;
- The amount;
- The condition of the surplus (out-of-date, damaged, corroded, etc.);
- A geographic description of location.

2. What are the nature and level of risk and danger caused by these surpluses?

A general assessment of the nature and level of risk and danger caused by these surpluses should cover the following items:

- The situation of the relevant stockpiles (especially the effect on the local population) and physical measures against sabotage, theft, trespass, terrorism or any other criminal acts;
- The safety situation of the relevant stockpiles, including conditions of stocks, technical factors and the maintenance condition of storage buildings;
- Storage management and conditions;
- Details of any recent incidents/accidents and appropriate measures taken.

3. What is the intention of the requesting State in regard to the surplus?

Requesting States should mention here if their aim, in regard of these surpluses, is basically:

- To destroy them; or
- To enhance their storage conditions in order to avoid the assessed risks and dangers.

4. What assets are available?

The purpose of this paragraph is for requesting States to specify the nature, amount and capability of the assets and the ways they could be:

- Used in order to solve themselves a part of the current identified problems;
- Put at the disposal of the foreign assistance teams.

For example:

- Technical assets directly linked with the destruction or storage of small arms and light weapons;
- All other logistic means to support the different actions required (transportation, accommodation, etc.);
- Possible financial contribution.

5. What type of assistance is requested?

Taking into account the different risks and dangers, and regarding the above-mentioned available assets, requesting States should specify in this paragraph the type of assistance required. It may be assistance, for instance, to:

- Make a detailed risk assessment;
- Develop a destruction programme for the stockpiles concerned;
- Destroy the surpluses;
- Develop and/or conduct a SALW collection programme;
- Enhance the stockpile management and security;
- Train the personnel involved in the destruction or in the stockpile management and security;
- Provide technical/legislative advice and assistance to reinforce border controls so as to reduce trafficking in SALW;
- Carry out an awareness programme.

6. Details of bilateral/multilateral assistance already requested and/or granted.

7. Who is the point of contact (POC)?

Name, function and address, telephone and fax numbers of the POC and, if relevant, e-mail address, are to be indicated (Ref. FSC.DEC/4/08).

8. Please provide any further information you consider relevant.

MODEL QUESTIONNAIRE FOR AN ASSISTING/DONOR STATE

1. What funds are available?

Assisting/donor States are basically expected to indicate the volume of available funds for assistance programmes, as well as priorities and conditions or restrictions for the use of these funds.

2. What expertise is available?

Assisting/donor States should indicate here, as precisely as possible, what expertise they could supply in order to provide assistance in the following fields relevant to stockpiles of SALW:

- Risk assessment;
- Development of destruction programmes and monitoring of these programmes;
- Management of stockpiles;
- Security of stockpiles;
- Development and implementation of SALW collection programmes;
- Provision of technical/legal advice and assistance to reinforce border controls so as to reduce trafficking in SALW;
- Training of personnel involved in the destruction of small arms and light weapons or in stockpile management.

They will give indications about priorities and conditions or restrictions for the use of this expertise and the participation of their experts.

3. What are the other available assets?

As in the paragraph above, assisting/donor States mention here the different assets available and specify the priorities, conditions and restrictions for their use.

4. Who is the point of contact (POC)?

Name, function and address, telephone and fax numbers of the POC and, if relevant, e-mail address, are to be indicated (Ref. FSC.DEC/4/08).

5. Please provide any further information you consider relevant.