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**REFERENCE GUIDE ON OSCE COMMITMENTS ON
SMALL ARMS AND LIGHT WEAPONS**



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Description of OSCE norms, measures and principles on Small Arms and Light Weapons (by topic)

This section of the reference guide outlines main norms, measures and principles adopted by the Forum for Security Co-operation (FSC) on Small Arms and Light Weapons (SALW). The chapeau description of each section does not claim to be all-inclusive and reflects only some of the important norms, measure and principles agreed by participating States (pS). The excerpts of the operative parts of relevant documents and decisions that follow in the Annex contain the full record of the agreed SALW norms, measures and principles.

Definition

There is no internationally accepted definition of SALW. The OSCE Document on SALW gives the following definition of SALW covered under the Document: “small arms and light weapons are man-portable weapons made or modified to military specifications for use as lethal instruments of war. Small arms are broadly categorized as those weapons intended for use by individual members of armed or security forces. They include revolvers and self-loading pistols; rifles and carbines; sub machine guns; assault rifles; and light machine guns. Light weapons are broadly categorized as those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; recoilless rifles; portable launchers of antitank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres less than 100 mm”.

Manufacture

The OSCE Document on SALW commits participating States to the licensing of SALW manufacture and prosecution of illegal manufacture.

International Transfers

The comprehensive approach to export controls is reflected in Section III of the OSCE Document on SALW, which elaborates a series of common export criteria. These were adapted from the OSCE Principles Governing Conventional Arms Transfers, and mirror those in the EU Code of Conduct. They highlight the need among recipient states for respecting human rights, avoidance of armed conflict and compliance with international agreements. Crucially, these criteria are universal in scope and apply to transfers outside as well as inside the OSCE area. Participating States also agreed on a detailed set of principles governing the procedures and documentation for the import, export and transit of small arms and light weapons. In essence, the Document includes the essential elements of an arms licensing system, including information on receipt, retransfer, end-user certificates and verification and inter-agency co-ordination.

In 2004, the OSCE approved a decision on the content of end-user certificates (EUC) issued prior to approval of export licences for SALW (including SALW manufactured under licence) or the transfer of SALW-related technology. The Decision contains a list of standard elements for end-user certificates and verification procedures for exports of SALW. This will allow participating States to develop a common approach regarding the application of end-user certificates, while taking due account of their respective national legislation. In addition, the Decision foresees commitments that participating States should undertake to implement verification measures and to further strengthen transparency in this field.

Also in 2004, the OSCE adopted a decision on more stringent export control of MANPADS. The decision was based on the international obligations on export control and transit of SALW. The provisions specify the conditions where MANPADS export can take place and indicates the steps needed to carry out the export action. Furthermore, the assurances not to re-export MANPADS, and the secure storage, handling, transport and the proper use of the MANPADS material were required from the recipient. In addition, disposal or destruction of excess stocks of MANPADS was required. In 2008, the FSC decision on MANPADS control was updated following the

revisions made in the context of Wassenaar Arrangement. The purpose of these amendments was to ensure their more effective implementation by making them more easily understandable for commercial exporters and licensing authorities. In addition, the updated principles also cover issues related to the transfer of production technologies and stricter end-use assurances than the original principles of 2004.

Brokering

Controls over international arms brokering are hugely problematic and controversial, not only within the OSCE but also in other fora such as the UN. The Document encourages states to consider establishing national systems, including registration of brokers operating within their territory and licensing or authorisation of brokering transactions.

The OSCE was one of the first multilateral fora to acknowledge the critical need for regulations governing the activities of international brokers in small arms and to encourage its participating States to take action in this regard. Also in 2004, the OSCE adopted the Principles on the Controlling of Brokering Activities.

With these Principles, the OSCE participating States, building upon the relevant UN, OSCE, EU and Wassenaar Arrangement documents, have evolved principles that allow them to take all the necessary measures to control brokering activities taking place within their territories and to consider controlling brokering activities outside their territories carried out by brokers of their nationality or brokers who are established in their territories. As a concrete measure, the decisions foresee that States will endeavour to ensure that their existing or future national legislation is in conformity with agreed principles.

Trafficking of SALW by air

In FSC Decision 11/08, participating States committed themselves to enhance controls of SALW transported by air. Whereas States assume full responsibility for SALW transport by Government, military or government-chartered aircraft, non-governmental transport of SALW, if not prohibited, should be submitted to specific measures outlined in the decision. Particularly, additional information on the flight may be requested before issuing an export licence. The exporter may be also required to submit a document confirming the deliver of SALW (certificate of unloading). In case a participating States has information on illicit air transfers of SALW to countries subject to a UN arms embargo, the information should be referred to the relevant national enforcement authorities.

Stockpile management

The OSCE Document on SALW contains a detailed list of standards which should be followed when guarding weapons stocks. States also agreed on a set of 'tripwires' which should notify a government that it ought to review its holdings and decide whether a surplus exists. Although the determination of a national surplus remains firmly the prerogative of each government, there is nevertheless broad agreement on the principle of sufficiency within the OSCE. Furthermore, States agreed that the 'preferred method of disposal is destruction', which should prevent surplus and seized illegal weapons from being resold.

Confiscation, seizure and collection

The OSCE Document on SALW promotes the inclusion of SALW collection in peace agreements. Furthermore, the Document also promotes the provision of appropriate incentives to encourage the voluntary surrender of illegally held small arms and its destruction.

Marking, record-keeping

The first section of the OSCE Document on SALW sets out principles for the marking of small arms and light weapons. Participating States must ensure that weapons are marked in such a way as to allow investigating authorities to be able to identify the year and country of manufacture, and the weapon's serial number. As almost all illegal weapons, including those used for criminal purposes, are originally transferred perfectly legally, these constitute essential

elements which enable such weapons to be traced back to the supplier or to the point of diversion. They also complement the provisions of the UN Firearms Protocol. Participating States also agreed to either mark or destroy all unmarked or inadequately marked weapons. Furthermore, as even well-marked weapons cannot be traced unless proper records of markings and transfers are kept, states agreed to keep full and accurate records of all small arms holdings.

Tracing

The OSCE Document on SALW commits participating States to co-operation on the basis of customary diplomatic procedures or relevant agreements, including through intergovernmental organizations, such as Interpol. The co-operation should include the provision of relevant information to the investigative authorities of other participating States.

International co-operation and assistance

The OSCE Document on SALW outlines the scope of assistance that could be provided to its participating States on a voluntary basis:

1. SALW collection and control programmes
2. Stockpile management and security of SALW
3. Destruction of SALW
4. Advice or mutual assistance to implement and reinforce border controls to reduce illicit trafficking of SALW.

The updated mechanism for providing/receiving OSCE assistance is described in FSC Decision 11/09. A participating State in need of help submits a request for assistance either directly to the FSC in Vienna or to an OSCE field operation on its territory. This request includes a special questionnaire that explains the scope of the problem, type of assistance requested, the State's own available resources and provides contact information of a responsible national authority.

In response, the FSC with the assistance of the FSC Support Section establishes an assessment team made up of OSCE officials and technical experts. The assessment team conducts an assessment visit where it independently appraises the requesting State's problems with small arms and/or ammunition and, jointly with national authorities, defines parameters for possible assistance. An assessment visit report is then provided to the participating States at the FSC. A project or a programme are being developed by the FSC Support Section on the basis of this report. Once the project is ready for implementation, the OSCE can implement it in several ways. Most often, it is OSCE field operations that implement projects. In some cases projects can be carried out together with another international organization. Alternatively, projects can be managed directly from the OSCE Secretariat in Vienna.

Overview of transparency measures on Small Arms and Light Weapons (chronological)

30 JUNE (FSC.DOC/01/00, III(F)1)	INFORMATION EXCHANGE ON SMALL ARMS EXPORTS TO, AND IMPORTS FROM, OTHER PARTICIPATING STATES DURING THE PREVIOUS CALENDER YEAR
30 JUNE (FSC.DOC/01/00, IV(E)1)	INFORMATION EXCHANGE ON THE CATEGORY, SUB-CATEGORY AND QUANTITY OF SMALL ARMS THAT HAVE BEEN IDENTIFIED AS SURPLUS AND /OR SEIZED AND DESTROYED ON THEIR TERRITORY DURING THE PREVIOUS CALENDER YEAR
30 JUNE (FSC.DEC/4/08)	INFORMATION EXCHANGE ON THE POINTS OF CONTACT ON SMALL ARMS AND LIGHT WEAPONS AND STOCKPILES OF CONVENTIONAL AMMUNITION Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.
30 JUNE (FSC.DEC/17/10)	ONE-OFF INFORMATION EXCHANGE ON PRESENT REGULATIONS CONCERNING BROKERING ACTIVITIES WITH REGARD TO SMALL ARMS AND LIGHT WEAPONS
UPDATES WHEN NECESSARY (Initial exchange took place on 30 June 2009) (FSC.DEC/11/08)	QUESTIONNAIRE ON NATIONAL PRACTISES RELATED TO PREVENTING THE SPREAD OF SMALL ARMS AND LIGHT WEAPONS THROUGH ILLICIT AIR TRANSPORT
UPDATES WHEN NECESSARY (Initial exchange took place on 27 March 2009) (FSC.DEC/12/08)	EXCHANGE OF SAMPLE FORMATS OF NATIONAL END-USER CERTIFICATES AND/OR OTHER PERTINENT DOCUMENTS Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.
UPDATES WHEN NECESSARY (Initial exchange took place on 30 June 2002) (FSC.DOC/01/00, IV(E)2)	INFORMATION EXCHANGE ON NATIONAL STOCKPILE MANAGEMENT AND SECURITY PROCEDURES Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.
UPDATES WHEN NECESSARY (Initial exchange took place on 30 June 2001) (FSC.DOC/01/00, II(D)1)	INFORMATION EXCHANGE ON NATIONAL MARKING SYSTEMS USED IN THE MANUFACTURE AND/OR IMPORT OF SMALL ARMS AND LIGHT WEAPONS Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.
UPDATES	INFORMATION EXCHANGE ON NATIONAL PROCEDURES FOR

<p>WHEN NECESSARY (Initial exchange took place on 30 June 2001) (FSC.DOC/01/00, II(D)1)</p>	<p>THE CONTROL OVER MANUFACTURE OF SMALL ARMS AND LIGHT WEAPONS Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.</p>
<p>UPDATES WHEN NECESSARY (Initial exchange took place on 30 June 2001) (FSC.DOC/01/00, III(F)2)</p>	<p>INFORMATION EXCHANGE ON NATIONAL LEGISLATION AND CURRENT PRACTICE IN SMALL ARMS EXPORT POLICY, PROCEDURES, DOCUMENTATION AND BROKERING CONTROLS Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.</p>
<p>UPDATES WHEN NECESSARY (Initial exchange took place on 30 June 2001) (FSC.DOC/01/00, IV(E)3)</p>	<p>INFORMATION EXCHANGE ON TECHNIQUES AND PROCEDURES FOR THE DESTRUCTION OF SMALL ARMS AND LIGHT WEAPONS Participating States are encouraged to use the SALW Questionnaire (FSC.GAL/38/11) to provide information on this commitment.</p>

List of OSCE documents and decisions on Small Arms and Light Weapons (chronological)

The table below contains a comprehensive list of all Documents and decisions adopted by the FSC regarding SALW. The shaded lines of the table indicate adopted commitments that contain agreed norms, measures and principles on SALW.

No.	DOCUMENT	DATE	CONTENT
(1)	FSC.DEC/6/99	16.11.99	TASK WGB WITH THE ANALYSIS OF THE ISSUE AND THE EXAMINATION OF MEASURES IN THE OSCE REGION STEMMING FROM THE DISCUSSION WITHIN THE FORUM
(2)	FSC.DEC/4/00	08.03.00	AGENDA, MODALITIES AND WORK PROGRAMME FOR THE SEMINAR ON SALW
(3)	FSC.DOC/1/00	24.11.00	OSCE DOCUMENT ON SALW
(4)	FSC.DEC/5/01	17.10.01	WORKSHOP ON THE IMPLEMENTATION OF THE OSCE DOCUMENT ON SALW
(5)	FSC.DEC/11/02	10.07.02	PREPARATION OF THE BEST PRACTICE GUIDES ON THE IMPLEMENTATION OF SECTION V OF THE SALW DOCUMENT
(6)	FSC.DEC/15/02	20.11.02	EXPERT ADVICE ON IMPLEMENTATION OF SECTION V OF THE OSCE DOCUMENT ON SALW
(7)	FSC.DEC/5/03	18.06.03	HANDBOOK OF BEST PRACTICES ON SALW
(8)	FSC.DEC/7/03	23.07.03	MAN-PORTABLE AIR DEFENSE SYSTEMS
(9)	FSC.DEC/3/04	26.05.04	OSCE PRINCIPLES FOR EXPORT CONTROLS OF MANPADS
(10)	FSC.DEC/5/04	17.11.04	STANDARD ELEMENTS OF END-USER CERTIFICATES AND VERIFICATION PROCEDURES FOR SALW EXPORTS
(11)	FSC.DEC/8/04	24.11.04	OSCE PRINCIPLES ON THE CONTROL OF BROKERING IN SALW
(12)	FSC.DEC/3/06	29.03.06	ANNEX C TO THE BPG ON NATIONAL PROCEDURES FOR STOCKPILE MANAGEMENT AND SECURITY OF THE OSCE HANDBOOK OF BEST PRACTICES ON SALW (MANPADS)
(13)	FSC.DEC/7/06	15.11.06	COMBATING THE ILLICIT TRAFFICKING OF SALW BY AIR
(14)	FSC.DEC/4/07	21.02.07	AGENDA, MODALITIES AND INDICATIVE TIMETABLE FOR THE SPECIAL FSC MEETING ON COMBATING THE ILLICIT TRAFFICKING OF SALW BY AIR
(15)	FSC.DEC/11/07	17.10.07	INFORMATION EXCHANGE WITH REGARD TO OSCE PRINCIPLES ON THE CONTROL OF BROKERING IN SALW
(16)	FSC.DEC/13/07 /Corr.1	14.11.07	WORKSHOP ON THE IMPLICATIONS OF TECHNICAL, MANAGERIAL AND FINANCIAL ISSUES ON EXISTING AND PLANNED OSCE PROJECTS ON SALW AND STOCKPILES OF CONVENTIONAL WEAPONS
(17)	FSC.DEC/4/08	07.05.08	POINTS OF CONTACT ON SALW AND STOCKPILES OF CONVENTIONAL AMMUNITION
(18)	FSC.DEC/5/08	26.05.08	UPDATING THE OSCE PRINCIPLES FOR EXPORT CONTROLS OF MANPADS

No.	DOCUMENT	DATE	CONTENT
(19)	FSC.DEC/8/08	16.07.08	UPDATING THE REPORTING CATEGORIES OF WEAPON AND EQUIPMENT SYSTEMS SUBJECT TO THE INFORMATION EXCHANGE ON CONVENTIONAL ARMS TRANSFERS
(20)	FSC.DEC/11/08	05.11.08	INTRODUCING BEST PRACTICES TO PREVENT DESTABILIZING TRANSFERS OF SALW THROUGH AIR TRANSPORT AND ON AN ASSOCIATED QUESTIONNAIRE
(21)	FSC.DEC/12/08	12.11.08	INFORMATION EXCHANGE WITH REGARD TO SAMPLE FORMATS OF END-USER CERTIFICATES AND RELEVANT VERIFICATION PROCEDURES
(22)	FSC.DEC/5/09	08.07.09	OSCE MEETING TO REVIEW THE OSCE DOCUMENT ON SMALL ARMS AND LIGHT WEAPONS AND ITS SUPPLEMENTARY DECISIONS
(23)	FSC.DEC/11/09	25.11.09	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
(24)	FSC.DEC/2/10	26.05.10	OSCE PLAN OF ACTION ON SMALL ARMS AND LIGHT WEAPONS
(25)	FSC.DEC/17/10	24.11.10	AN INFORMATION EXCHANGE WITH REGARD TO OSCE PRINCIPLES ON THE CONTROL OF BROKERING IN SMALL ARMS AND LIGHT WEAPONS

Annex: OSCE documents and decisions containing norms, measures and principles for fighting the proliferation of illicit Small Arms and Light Weapons (by topic)

Definition	
OSCE Document on SALW, Preamble	Small arms and light weapons are man-portable weapons made or modified to military specifications for use as lethal instruments of war. Small arms are broadly categorized as those weapons intended for use by individual members of armed or security forces. They include revolvers and self-loading pistols; rifles and carbines; sub machine guns; assault rifles; and light machine guns. Light weapons are broadly categorized as those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; recoilless rifles; portable launchers of antitank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres less than 100 mm.
OSCE Document on SALW, Section II (A)	Manufacture The participating States agree to ensure effective national control over the manufacture of small arms through the issue, regular review and renewal of licences and authorizations for manufacture. Licences and authorizations should be revoked if the conditions under which they were granted are no longer met. The participating States will ensure that those engaged in illegal production can, and will, be prosecuted under appropriate penal codes.
OSCE Document on SALW, Section III	International Transfers (A) Common export criteria 1. The participating States agree to the following criteria to govern exports of small arms and technology related to their design, production, testing and upgrading, which are based on the OSCE document on "Principles Governing Conventional Arms Transfers". 2.(a) Each participating State will, in considering proposed exports of small arms, take into account: (i) The respect for human rights and fundamental freedoms in the recipient country; (ii) The internal and regional situation in and around the recipient country, in the light of existing tensions or armed conflicts; (iii) The record of compliance of the recipient country with regard to international obligations and commitments, in particular on the non-use of force, and in the field of non-proliferation, or in other areas of arms control and disarmament, and the record of respect for international law governing the conduct of armed conflict; (iv) The nature and cost of the arms to be transferred in relation to the circumstances of the recipient country, including its legitimate security and defence needs and to the objective of the least diversion of human and economic resources to armaments; (v) The requirements of the recipient country to enable it to exercise its right to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations; (vi) The question of whether the transfers would contribute to an appropriate and proportionate response by the recipient country to the military and security threats confronting it; (vii) The legitimate domestic security needs of the recipient country; (viii) The requirements of the recipient country to enable it to participate in peacekeeping or other measures in accordance with decisions of the United Nations or the OSCE. (b) Each participating State will avoid issuing licences for exports where it deems that there is a clear risk that the small arms in question

might:

- (i) Be used for the violation or suppression of human rights and fundamental freedoms;
- (ii) Threaten the national security of other States;
- (iii) Be diverted to territories whose external relations are the internationally acknowledged responsibility of another State;
- (iv) Contravene its international commitments, in particular in relation to sanctions adopted by the Security Council of the United Nations, decisions taken by the OSCE, agreements on non-proliferation, small arms, or other arms control and disarmament agreements;
- (v) Prolong or aggravate an existing armed conflict, taking into account the legitimate requirement for self-defence, or threaten compliance with international law governing the conduct of armed conflict;
- (vi) Endanger peace, create an excessive and destabilizing accumulation of small arms, or otherwise contribute to regional instability;
- (vii) Be either re-sold (or otherwise diverted) within the recipient country or re-exported for purposes contrary to the aims of this document;
- (viii) Be used for the purpose of repression;
- (ix) Support or encourage terrorism;
- (x) Facilitate organized crime;
- (xi) Be used other than for the legitimate defence and security needs of the recipient country.

(c) In addition to these criteria, participating States will take into account the stockpile management and security procedures of a potential recipient country.

3. Participating States will make every effort within their competence to ensure that licensing agreements for small arms production concluded with manufacturers located outside their territory will contain, where appropriate, a clause applying the above criteria to any exports of small arms manufactured under licence in that agreement.

4. Further, each participating State will:

- (i) Ensure that these principles are reflected, as necessary, in its national legislation and/or in its national policy documents governing the export of conventional arms and related technology;
- (ii) Consider assisting other participating States in the establishment of effective national mechanisms for controlling the export of small arms.

(B) Import, export and transit procedures

1. The participating States agree to follow the procedures described below on the import, export and international transit of small arms.
2. The participating States agree to ensure that all shipments of small arms imported into, or exported from, their territory are subject to effective national licensing or authorization procedures which allow the participating State concerned to retain adequate control over such transfers and to prevent the diversion of the small arms to any party other than the declared recipient. Each participating State will decide whether to apply appropriate national procedures to small arms in transit through its territory en route to a final destination outside its territory, in order to maintain effective control over that transit.
3. Before a participating State permits a shipment of small arms to another State, that participating State will ensure that it has received from the importing State the appropriate import licence or some other form of official authorization. When a participating State is asked to act as a transit point for shipments of small arms between the exporting and importing States, the exporter, or the authorities in the exporting state, will ensure that where the State of transit requires a shipment to be authorized, the appropriate authorization has been issued.
4. At the request of either of the two participating States engaged in a transaction to export and import a shipment of small arms, the States will inform each other when the consignment has been dispatched from the exporting State and when it has been received by the importing State.

	<p>5. Without prejudice to the right of participating States to re-export small arms that they had previously imported, participating States will make every effort within their competence to encourage the insertion of a clause within contracts for the sale or transfer of small arms requiring that the original exporting State be advised before the re-transfer of those small arms.</p> <p>6. In order to prevent the illegal diversion of small arms, the participating States are encouraged to establish appropriate procedures that would permit the exporting State to assure itself of the secure delivery of transferred small arms. These procedures could, where appropriate, include a physical check of the shipment of small arms at the point of delivery.</p> <p>7. The participating States will not allow any transfer of unmarked small arms. In addition they will only transfer or re-transfer small arms which bear an identifying mark unique to each small arm.</p> <p>8. The participating States agree to ensure that the appropriate national mechanisms are in place to enhance the co-ordination of policy and co-operation between their agencies involved in the import, export and transit procedures for small arms.</p> <p>(C) Import, export and transit documentation</p> <p>1. The participating States agree to observe the following key standards underpinning export documentation: that no export licence is issued without an authenticated end-user certificate, or some other form of official authorization (for example, an International Import Certificate) issued by the receiving State; that the number of government officials entitled to sign or otherwise authorize export documentation is kept to a minimum consistent with the current practice of each participating State; and that import, export and transit documentation contains a common minimum standard of information which will be explored by participating States with a view to developing recommendations based on the "best practice" among participating States.</p> <p>2. The participating States agree to ensure that comprehensive and accurate records of small arms transactions effected under a particular license or authorization are maintained and held for as long as possible with a view to improving the traceability of small arms. They also agree that the relevant information contained in these records, together with any other information required to trace and identify illegal small arms, is made available in accordance with the procedures in paragraphs (E) 3 and 4 below.</p>
OSCE Document on SALW, Section III (E), 2.	<p>Embargos</p> <p>Each participating State will treat any transfer of small arms that is in violation of a United Nations Security Council arms embargo as a crime, and will, if it has not yet done so, reflect this in its domestic law.</p>
FSC.DEC/5/08	<p>Revised principles for export controls of MANPADS drawn from the Wassenaar Arrangement's "Elements for Export Controls of Man-Portable Air Defence Systems":</p> <ol style="list-style-type: none"> 1. Scope <ol style="list-style-type: none"> 1.1 These principles cover: <ul style="list-style-type: none"> Surface-to-air missile systems designed to be man-portable and carried and fired by a single individual; and Other surface-to-air missile systems designed to be operated and fired by more than one individual acting as a crew and portable by several individuals. 1.2 National export controls apply to the international transfer or re-transfer of MANPADS, including complete systems, components, spare parts, models, training systems, and simulators, for any purpose, by any means, including licensed export, sale, grant, loan, lease, co-production or licensing arrangement for production (hereafter "exports"). The scope of export regulation and associated controls includes research, design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, servicing, modification, upgrade, modernization, operation, use, replacement or refurbishment, demilitarization,

	<p>and destruction of MANPADS; technical data, software, technical assistance, demonstration, and training associated with these functions; and secure transportation, storage. This scope according to national legislation may also refer to investment, marketing, advertising and other related activity.</p> <ol style="list-style-type: none"> 1.3 Any activity related to MANPADS within the territory of the producing country is subject to national laws and regulations. 2. Participating States will exercise maximum restraint in transfers of MANPADS production technologies and, while taking decision on such transfers, will take into account principles, stipulated in paragraphs 3.5., 3.6., 3.7., and 3.9. 3. Control conditions and evaluation criteria <ol style="list-style-type: none"> 3.1 Decisions to permit MANPADS exports will be made by the exporting government by competent authorities at senior policy level and only to foreign governments or to agents specifically authorized to act on behalf of a government after presentation of an official end-user certificate (EUC) certified by the government of the receiving country. 3.2 General licences are inapplicable for exports of MANPADS; each transfer is subject to an individual licensing decision. 3.3 Exporting governments will not make use of non-governmental brokers or brokering services when transferring MANPADS, unless specifically authorized to on behalf of the government. 3.4 In order to prevent unauthorized use, producer countries will implement technical performance and/or launch control features for newly designed MANPADS as such technologies become available to them. Such features should not adversely affect the operational effectiveness of MANPADS for the legal user. 3.5 Decisions to authorize MANPADS exports will take into account: <ul style="list-style-type: none"> Potential for diversion or misuse in the recipient country; The recipient government's ability and willingness to protect against unauthorized re-transfers, loss, theft and diversion; and The adequacy and effectiveness of the physical security arrangements of the recipient government for the protection of military property, facilities, holdings, and inventories. 3.6 Prior to authorizing MANPADS exports (as indicated in paragraph 1.2), the exporting government will assure itself of the recipient government's guarantees: <ul style="list-style-type: none"> - Not to re-export MANPADS except with the prior consent of the exporting government; - To transfer MANPADS and their components to any third country only in a manner consistent with the terms of the formal government to government agreements, including co-production or licensing agreements for production, and contractual documents, concluded and implemented after the adoption of this decision, as well as end-use assurances and/or extant export
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	<p>licences;</p> <ul style="list-style-type: none"> - To ensure that the exporting State has the opportunity to confirm, when and as appropriate, fulfilment by the importing State of its end-use assurances with regard to MANPADS and their components¹ (this may include on-site inspections of storage conditions and stockpile management or other measures, as agreed between the parties); - To afford requisite security to classified material and information in accordance with applicable bilateral agreements, to prevent unauthorized access or compromise; and - To inform promptly the exporting government of any instance of compromise, unauthorized use, loss, or theft of any MANPADS material. <p>3.7 In addition, the exporting government will satisfy itself of the recipient government's willingness and ability to implement effective measures for secure storage, handling, transportation, use of MANPADS material, and disposal or destruction of excess stocks to prevent unauthorized access and use. The recipient government's national procedure designed to attain the requisite security include, but are not limited to, the following set of practices, or others that will achieve comparable levels of protection and accountability:</p> <ul style="list-style-type: none"> - Written verification of receipt of MANPADS shipments; - Inventory by serial number of the initial shipments of all transferred firing mechanisms and missiles, if physically possible; and maintenance of written records of inventories; - Physical inventory of all MANPADS subject to transfer, at least once a month; account by serial number for MANPADS components expended or damaged during peacetime; - Ensure storage conditions are sufficient to provide for the highest standards of security and access control. These may include: <ul style="list-style-type: none"> - Where the design of MANPADS permits, storing missiles and firing mechanisms in locations sufficiently separate so that a penetration of the security at one site will not place the second site at risk; - Ensuring continuous (24 hours per day) surveillance; - Establishing safeguards under which entry to storage sites requires the presence of at least two authorized persons; - Transport MANPADS in a manner that provides for the highest standards and practices for safeguarding sensitive munitions in transit. When possible, transport missiles and firing mechanisms in separate containers; - Where applicable, bring together and assemble the principal components — typically the gripstock and the missile in a launch tube — only in the event of hostilities or imminent hostilities; for firing as part of regularly scheduled training, or for lot testing, for which only those rounds intended to be fired will be withdrawn from storage and assembled; when systems are deployed as part of the point defences of high priority installations or sites; and in any other circumstances which might be agreed between the receiving and transferring governments; - Access to hardware and any related classified information, including training, technical and technological documentation (e.g., MANPADS operation manuals), will be limited to military and civilian personnel of the receiving government who have the proper security clearance and who have an established need to know the information in order to perform their duties. Any information released will be limited to that necessary to perform assigned responsibilities and, where possible, will be oral and visual only;
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¹ “End-use assurances with regard to MANPADS and their components” should be understood as their use only for purposes stipulated in the end-user certificate or any other document containing the obligations of the importing State.

	<p>– Adopt prudent stockpile management practices that include effective and secure disposal or destruction of MANPADS stocks that are or become excess to national requirements.</p> <p>3.8 Participating States will, when and as appropriate, assist recipient governments not capable of executing prudent control over MANPADS to dispose of excess stockpiles, including buying back previously exported weapons. Such measures are subject to a voluntary consent of the exporting government and the recipient State.</p> <p>3.9 Exporting governments will share information regarding potential receiving governments that are proven to fail to meet the above export control guarantees and practices outlined in paragraphs 3.6 and 3.7 above.</p> <p>3.10 To enhance efforts to prevent diversion, exporting governments will share information regarding non-State entities that are or may be attempting to acquire MANPADS.</p> <p>3.11 Participating States will, when and as appropriate, provide to non-participating States (such as OSCE Partners for Co-operation), upon their request, technical and expert support in developing and implementing legislative basis for control over transfers of MANPADS and their components.</p> <p>3.12 Participating States will, when and as appropriate, provide to non-participating States, upon their request, technical and expert assistance in physical security, stockpile management and control over transportation of MANPADS and their components.</p> <p>4. Participating States will ensure that any infringement of export control legislation, related to MANPADS, is subject to adequate penalty provisions, i.e., involving criminal sanctions.</p> <p>5. Participating States agree to incorporate these principles into their national practices, policies and/or regulations.</p> <p>6. Participating States will report transfers of MANPADS using the OSCE SALW document's information exchange requirements and any MANPADS related information exchange mechanisms that may be agreed in the future.</p> <p>7. Participating States will review implementation of these principles regularly.</p> <p>8. Participating States agree to promote the application of the principles defined above to non-OSCE countries.</p>
<p>FSC.DEC/5/04</p>	<p>Standard Elements for End User Certificates</p> <p>1. The following standard elements will be included in an end-user certificate (EUC) provided prior to approval of an export licence for SALW (including SALW manufactured under foreign licence) or the transfer of technology related to the design, production, testing and upgrading of SALW:</p> <ul style="list-style-type: none"> — A detailed description (type, quantity, characteristics) of the SALW or technology related to the design, production, testing and upgrading of SALW to be exported; — Contract number or order reference and date; — Final destination country; — A description of the end-use of the SALW (for example, use by the armed forces or internal security forces);

	<ul style="list-style-type: none"> — Exporter's details, at least name, address and business name; — End-user information, specifically, name, position, full address and original signature; — Assurances that the SALW will be used only by the end-user and for the stated end-use; — Assurances that re-export of imported SALW, can take place only after receiving a written authorization from the exporting country unless the exporting country decides to transfer that authority to the export licensing authorities of the importing country; — Information on other parties (intermediate consignees/purchasers) involved in the transaction, as appropriate, including, name, title and original signature of any consignee. As an alternative, information on the intermediate consignee and purchaser might be provided in writing during the authorizing procedure; — Certification by the relevant government authorities, according to national practice, as to the authenticity of the end-user. The certification must include the date, name, title and original signature of authorizing official; — The date of issue and, if applicable, register number and the duration of the EUC. <p>Additional information, such as a clause on post-shipment control, a commitment by the final consignee to provide the exporting country a Delivery Verification Certificate, may be included in an EUC.</p> <ol style="list-style-type: none"> 2. Participating States will make every effort within their competence to ensure that licensing agreements for SALW production concluded with manufacturers located outside their territory will contain, where appropriate, a clause applying the above criteria to any exports of small arms manufactured under licence in that agreement. 3. Participating States will, as appropriate, verify bona fides of authorizing officials listed on the EUC and the authenticity of the EUC, for example through, consular legalization, diplomatic channels or national contact points. Participating States will include on a voluntary basis national contact points for EUC authorization in their existing list of small arms contact points and timely update the information. 4. Participating States will further strengthen transparency and co-operation, inter alia, by: <ul style="list-style-type: none"> — Maintaining and holding the related documentation confirming proper end-use, including information on the date of issue and duration of appropriate licences or authorizations, final destination country, end user, description and quantity of the SALW licenced for export for not less than ten years, with a view to improving the traceability of SALW; — Exchanging information in a timely manner about fraudulent EUCs and diversion of exports.
FSC.DEC/8/04	<p style="text-align: center;">Brokering</p> <p>OSCE Principles on the control of brokering in SALW</p> <p>SECTION I: OBJECTIVES</p> <ol style="list-style-type: none"> 1. The objectives of these principles are to control arms brokering in order to avoid circumvention of sanctions adopted by the Security Council of the United Nations, decisions taken by the OSCE, including the criteria set forth in section III A of the OSCE Document on Small Arms and Light Weapons (24 November 2000); other agreements on small arms and light weapons, or other arms control and disarmament agreements, to minimize the risk of diversion of SALW into illegal markets, inter alia, into the hands of terrorists and other criminal groups, and to reinforce the export control of SALW. 2. In order to achieve these objectives, the participating States will endeavour to ensure that their existing or future national legislation on arms brokering is in conformity with the provisions set out below. <p>SECTION II: GENERAL PRINCIPLES</p> <ol style="list-style-type: none"> 1. The participating States will take all the necessary measures to control brokering activities taking place within their territory. 2. The participating States are encouraged to consider controlling the brokering activities outside of their territory carried out by brokers

	<p>of their nationality resident or brokers who are established in their territory.</p> <ol style="list-style-type: none"> 3. The participating States will establish a clear legal framework for lawful brokering activities. 4. For the purposes of paragraph 1, brokering activities are activities of persons and entities: <ul style="list-style-type: none"> — Negotiating or arranging transactions that may involve the transfer of items referred to in the OSCE Document on Small Arms and Light Weapons, and in particular its preamble, paragraph 3, from any other country to another country; or — Who buy, sell or arrange the transfer of such items that are in their ownership from any other country to another country. <p>This paragraph shall not preclude a participating State from regulating brokering activities to the maximum extent of their national law or defining brokering activities in its national legislation to include cases where SALW are exported from its own territory or from exempting from its own licensing obligations brokering activities related to the transfer of such items to or from another participating State.</p> <p>SECTION III: LICENSING/RECORD-KEEPING</p> <ol style="list-style-type: none"> 1. For brokering activities, a licence or written authorization shall be obtained from the competent authorities of the participating State where these activities take place, and, where required by national legislation, where the broker is resident or established. The participating States will assess applications for a licence or written authorization for specific brokering transactions according to the provisions of section III of the OSCE Document on Small Arms and Light Weapons (2000). 2. The participating States should keep records for a minimum of 10 years of all licences or written authorizations issued under the terms of section III, paragraph 1. <p>SECTION IV: REGISTRATION AND AUTHORIZATION</p> <ol style="list-style-type: none"> 1. The participating States may also require brokers to obtain a written authorization to act as brokers, as well as establish a register of arms brokers. Registration or authorization to act as a broker would not replace the requirement to obtain the necessary licence or written authorization for each transaction. 2. When assessing any applications for written authorizations to act as brokers, or for registration, the participating States could take account, inter alia, of any records of past involvement in illicit activities by the applicant. <p>SECTION V: EXCHANGE OF INFORMATION</p> <ol style="list-style-type: none"> 1. The participating States will consider establishing, in accordance with national legislation, a system for exchange of information on brokering activities among themselves, as appropriate. 2. Information that may be considered could include, inter alia, the following areas: <ul style="list-style-type: none"> — Legislation; — Registered brokers and records of brokers (if applicable); — Denials of registering applications and licensing applications (as appropriate). <p>SECTION VI: ENFORCEMENT</p> <p>Each participating State will endeavour to establish adequate sanctions, including criminal sanctions, in order to ensure that controls on arms brokering are effectively enforced.</p>
<p>FSC.DEC/11/08</p>	<p style="text-align: center;">Trafficking of SALW by Air</p> <ol style="list-style-type: none"> 1. Scope These Best Practices cover air transport of SALW, excluding those that are transported by Government, military or government-chartered

aircraft.

Participating States recognize that they assume full responsibility for transport by their government, military, or government-chartered aircraft and that they encourage other States to assume the same responsibility.

2. Measures

Non-governmental air transport of SALW, if not forbidden by the participating States' law, will be submitted, as appropriate, to the following measures:

2.1 When issuing an export licence for SALW, each participating State may require additional information on air transport to be provided by the exporter to the relevant authorities prior to the actual export taking place.

Such additional information on transport may include the following elements:

- Air carrier and freight forwarding agent involved in the transportation;
- Aircraft registration and flag;
- Flight route to be used and planned stopovers;
- Records of previous similar transfers by air;

— Compliance with existing national legislation or international agreements relating to air transport of weapons.

Thus, although details about air transport and route are usually not known when applying for an export licence, a participating State may issue such an export licence subject to the condition that this information shall be provided to government authorities before the goods are actually exported; it will then be clear for enforcement officers controlling the actual export that such a licence is not valid without evidence that the requested additional information has been provided.

2.2 When a participating State knows about an exporter, air carrier or agent that failed to comply with the requirements mentioned in 2.1 when requested to do so, or about an identified destabilizing attempt to export SALW by air, and if the planned export of SALW is assessed by it to contribute to a destabilizing accumulation or to be a potential threat to security and stability in the region of destination, the related relevant information shall be shared with other participating States as appropriate.

2.3 Each participating State's relevant authorities may require the exporter to submit a copy of the certificate of unloading or of any other relevant document confirming the delivery of SALW, if they have been exported from or landed on or departed from an airport/airfield on their national territory or if they have been transported by their flag aircraft.

2.4 Participating States may take appropriate action to prevent circumvention of national controls and scrutiny, including exchange of information on a voluntary basis about exporters, air carriers and agents that failed to comply with the requirements of 2.1 and 2.3 above when requested to do so, and about cases of transit or transshipment by air of SALW that may contribute to a destabilizing accumulation or be a potential threat to security and stability in the region of destination.

2.5 Whenever a participating State has information indicating that an aircraft's cargo includes SALW, and that its flight plan includes a destination subject to a UN arms embargo or located in a conflict zone, or that the exporter, the air carrier or agent concerned is suspected of being involved in destabilizing transfers of SALW by air or has failed to comply with the requirements in 2.1 or 2.3 when requested to do so, the case should be referred to the relevant national enforcement authorities.

	<p>3. Public-private dialogue Participating States are committed to keeping air carriers informed, whether on a national basis or within relevant international bodies, about the implementation of these measures.</p>
<p>OSCE Document on SALW, Section IV</p>	<p style="text-align: center;">Stockpile management</p> <p>(A) Indicators of a surplus</p> <ol style="list-style-type: none"> 1. It is for each participating State to assess in accordance with its legitimate security needs whether its holdings of small arms include a surplus. 2. When assessing whether it has a surplus of small arms, each participating State could take into account the following indicators: <ol style="list-style-type: none"> (i) The size, structure and operational concept of the military and security forces; (ii) The geopolitical and geostrategic context including the size of the State's territory and population; (iii) The internal or external security situation; (iv) International commitments including international peacekeeping operations; (v) Small arms no longer used for military purposes in accordance with national regulations and practices. 3. The participating States should carry out regular reviews and in particular in connection with: <ol style="list-style-type: none"> (i) Changes of national defence policies; (ii) The reduction or re-structuring of military and security forces; (iii) The modernization of small arms stocks or the acquisition of additional small arms. <p>(B) Improving national stockpile management and security</p> <ol style="list-style-type: none"> 1. The participating States recognize that proper national control over their stockpiles of small arms (including any stockpiles of decommissioned or deactivated weapons) is essential in order to prevent loss through theft, corruption and neglect. To that end, they agree to ensure that their own stockpiles are subject to proper national inventory accounting and control procedures and measures. These procedures and measures, the selection of which is at the discretion of each participating State, could include: <ol style="list-style-type: none"> (i) The appropriate characteristics for stockpile locations; (ii) Access control measures; (iii) The measures needed to provide adequate protection in emergency situations; (iv) Lock-and-key and other physical security measures; (v) Inventory management and accounting control procedures; (vi) The sanctions to be applied in the event of loss or theft; (vii) The procedures for the immediate reporting of any loss; (viii) The procedures to maximize the security of small arms transport; (ix) The security training of stockpile staff. <p>(C) Destruction and deactivation</p> <ol style="list-style-type: none"> 1. The participating States agree that the preferred method for the disposal of small arms is destruction. Destruction should render the weapon both permanently disabled and physically damaged. Any small arms identified as surplus to a national requirement should, by preference, be destroyed. However, if their disposal is to be effected by export from the territory of a participating State, such an export will only take place in accordance with the export criteria set out in Section IIIA, paragraphs 1 and 2 of this document. 2. Destruction will generally be used to dispose of illicitly trafficked weapons seized by national authorities, once the legal due process is complete.

	<p>3. The participating States agree that the deactivation of small arms will be carried out only in such a way as to render all essential parts of the weapon permanently inoperable and therefore incapable of being removed, replaced or modified in a way that might permit the weapon to be reactivated.</p> <p>(E) Stockpile management and reduction in post conflict rehabilitation</p> <p>1. Because of the specific vulnerability of small arms storage and management in post conflict situations, the participating State(s) concerned and/or the participating States involved in a peace process will give priority to ensuring that:</p> <p>(i) Safe storage and stockpile management issues are dealt with in peace processes and are included, as appropriate, in peace agreements;</p> <p>(ii) To enhance security, stockpile sites are concentrated in as few locations as possible;</p> <p>(iii) Where they are to be destroyed, collected and confiscated small arms are stored for as short a time as necessary compatible with legal due process;</p> <p>(iv) Administrative management procedures give priority to and do not delay the small arms reduction and destruction processes.</p>
OSCE Document on SALW, Section V	Confiscation, seizure and collection
OSCE Document on SALW, Section III (D), 3.	<p>3. The participating States will promote stable security situations and ensure, within their competence that small arms collection programmes and small arms related DD and R measures are included in any peace agreements and, as appropriate, in the mandates of any peacekeeping operations. Participating States will promote the destruction of all small arms thus collected as the preferred method of disposal.</p> <p>The participating States will consider sponsoring, on a national level, public education and awareness programmes highlighting the negative aspects of small arms. They will also consider providing within available financial and technical resources appropriate incentives to encourage the voluntary surrender of illegally held small arms. Participating States will consider providing support for all appropriate post-conflict programmes related to DD and R, such as those on the disposal and destruction of surrendered or seized small arms and ammunition.</p>
OSCE Document on SALW, Section II (B)	Marking, record-keeping
OSCE Document on SALW, Section II (C)	<p>While it is for each participating State to determine the exact nature of the marking system for small arms manufactured or in use on its territory, the participating States agree to ensure that all small arms manufactured on their territory after 30 June 2001 are marked in such a way as to enable individual small arms to be traced. The marking should contain information which would allow the investigating authorities to determine, at a minimum, the year and country of manufacture, the manufacturer and the weapon's serial number. This information provides an identifying mark which is unique to each small arm. All such marks should be permanent and placed on the small arm at the point of manufacture. Participating States will also ensure as far as possible and within their competence that all small arms manufactured under their authority outside their territory are marked to the same standard.</p> <p>In addition, participating States agree that, should any unmarked small arms be discovered in the course of the routine management of their current stockpiles, they will destroy them, or if those small arms are brought into service or exported, that they will mark them beforehand with an identifying mark unique to each small arm.</p> <p>The participating States will ensure that comprehensive and accurate records of their own holdings of small arms, as well as those held by manufacturers, exporters and importers of small arms within their territory, are maintained and held as long as possible with a view to improving the traceability of small arms.</p>
OSCE Document on SALW, Section III (E), 4.	Tracing
	<p>The participating States agree to co-operate with each other on the basis of customary diplomatic procedures or relevant agreements and with intergovernmental organizations such as Interpol, in tracing illegal small arms. Such co-operation will include making available, upon request, relevant information to the investigating authorities of other participating States. They will also encourage and facilitate regional, subregional and national training programmes and joint training exercises for law enforcement, customs and other appropriate officials in the</p>

	small arms field.	Border co-operation
OSCE Document on SALW, Section III (D), 5.	As a supporting measure, the participating States could also promote subregional cooperation, in particular in areas such as border control in order to prevent the re-supply of small arms through illicit trade.	
		International co-operation and assistance
OSCE Document on SALW, Section IV (D)	<p>(D) Financial and technical assistance</p> <ol style="list-style-type: none"> 1. The participating States agree to consider, on a voluntary basis and in co-operation with other international organizations and institutions, technical, financial and consultative assistance with the control or the elimination of surplus small arms to other participating States that request it. 2. The participating States agree to support, in co-operation with other international efforts and in response to a request from a participating State, stockpile management and security programmes, training and on-site confidential assessments. 	
OSCE Document on SALW, Section III (E), 4-5.	<ol style="list-style-type: none"> 4. The participating States agree to co-operate with each other on the basis of customary diplomatic procedures or relevant agreements and with intergovernmental organizations such as Interpol, in tracing illegal small arms. Such co-operation will include making available, upon request, relevant information to the investigating authorities of other participating States. They will also encourage and facilitate regional, subregional and national training programmes and joint training exercises for law enforcement, customs and other appropriate officials in the small arms field. 5. The participating States agree to consider appropriate technical, financial and consultative assistance to other participating States to increase the capacity of enforcement agencies. 	
OSCE Document on SALW, Section V (C-D).	<p>(C) Procedures for assessments and recommendations</p> <ol style="list-style-type: none"> 1. The participating States agree that an assessment by the Forum for Security Co-operation or the Permanent Council in conflict prevention or a post-conflict situation should include the role (if any) played in that situation by small arms taking into account, as necessary, the indicators found in Section IV(A) paragraph 2, and the need to address that issue. 2. As necessary, at the request of the host participating State, the participating States could be invited to make available, including, if appropriate and in accordance with a decision of the Permanent Council, through the Rapid Expert Assistance and Co-operation Teams (REACT) programme, individuals with relevant expertise in small arms issues. These experts should work with national governments and relevant organizations to ensure a comprehensive assessment of the security situation before providing recommendations for action by the OSCE. <p>(D) Measures</p> <ol style="list-style-type: none"> 1. In response to recommendations from experts, the Permanent Council should consider a range of measures including: <ol style="list-style-type: none"> (i) Responses to requests for assistance on the security and management of stockpiles of small arms; (ii) Assistance with, and possible monitoring of, the reduction and disposal of small arms in the State in question; (iii) The encouragement of and, as necessary, the provision of advice or mutual assistance to implement and reinforce border controls to reduce illicit trafficking in small arms; (iv) Assistance with small arms collection and control programmes; (v) As appropriate, the expansion of the mandate of an OSCE field mission or presence to cover small arms issues; (vi) Consultation and co-ordination, in accordance with the OSCE Platform for Co-operative Security, with other international organizations and institutions. 	
FSC.DEC/11/09		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.