

## South-east European Surplus Arms

### State Policies and Practices

Ensuring the physical security and proper management of national inventories and surplus stocks is key to minimizing potential hazardous effects on populations and environments surrounding depots.

Many factors create stockpiles of small arms<sup>1</sup> and ammunition in surplus to a state's requirements. Examples include changes in the security environment, reductions in the number of security forces, procurement programmes, and the influx of confiscated illicit or unauthorized arms. This surplus materiel needs to be properly addressed.

States in South-east Europe may differ with respect to how they determine their weapons needs, but all confirm that they have surplus small arms and ammunition. There are three principal causes for this surplus. First, several countries of the former Yugoslavia<sup>2</sup> underwent massive arms build-ups in the 1990s during the various civil wars that ravaged the region. Second, tensions and threat perceptions have since subsided and state security personnel have been reduced. And, third, several countries in the region have joined the North Atlantic Treaty Organization (NATO) and are currently undertaking a transition from Warsaw Pact to NATO weaponry. Recognizing the need to manage these stockpiles, countries in the region have sought to participate in collaborative programmes with other states. The United States has supported a Regional Approach to Stockpile Reduction (RASR) Initiative to assist nine countries in South-east Europe<sup>3</sup> to better manage their stockpiles, including through destruction where appropriate.<sup>4</sup>

This *Issue Brief* profiles the policies and procedures put in place by the South-east European countries operating within the RASR Initiative to address their surplus small arms and ammunition. The first section reviews the international and regional political frameworks for addressing surplus and then examines available policy options. The second section provides an overview of each country's treatment of its national stockpiles with respect to surplus.<sup>5</sup> The third section focuses on these countries' approach to weapons and ammunition seized and confiscated from civilians (this section does not cover weapons collected through national and internationally sponsored weapons collection programmes). This study's main findings are:

- Surplus destruction is just one policy option and not the favoured one among South-east European countries.
- Sales are the preferred method for disposal of surplus small arms in the region.
- Priority is placed on destroying highly unstable and critical ammunition as well as seized, confiscated, and collected weapons that are prohibited, unusable, or defective.
- All countries except Macedonia and Serbia donate state surplus to foreign states.
- Bosnia and Herzegovina has to make at least two attempts to sell the surplus weapons and ammunition via a tendering process; Croatia may offer a lower price or donate the surplus if it cannot be sold via a tendering process.





60 mm mortar ammunition scrap following melting operation, Albania. © NAMSA

- Macedonia and Romania may redistribute state surplus to other ministries or national organs that are legally allowed to hold weapons.
- Destruction of seized and confiscated weapons and ammunition is the only means of disposal in Bosnia and Herzegovina and Serbia.
- Bulgaria, Croatia, Macedonia, Montenegro, and Slovenia distribute seized and confiscated weapons among their own ministries.

## The disposal of surplus weapons and ammunition

The disposal and destruction of surplus small arms and light weapons and their ammunition is not constrained or guided by a legally binding treaty, although several international and regional instruments and arrangements provide principles on these issues. Regional organizations and donor countries encourage and often support destruction. Nevertheless, the destruction and disposal of surplus materiel essentially rely on unilateral decisions taken by governments (Karp, 2008, p. 78). Governments identify and determine their surplus according to their own criteria; there is no consensus on what constitutes a surplus. This paper uses the definition of surplus

offered by the United Nations Panel of Governmental Experts on Small Arms:

*serviceable and unserviceable small arms and light weapons held in stockpiles by military and police forces and the illicit weapons seized by such forces that they no longer need* (UNGA, 1997, para. 80(e), n. 15).<sup>6</sup>

This section summarizes the most important international and regional frameworks and instruments addressing surplus destruction that are applicable to South-east European countries. It also lays out some of the strategic and operational guidelines applying to surplus disposal. Together, these provide a useful set of best practices for all stakeholders. Finally, the section illustrates practical policy options for the disposal of surplus stocks.

## Guidelines and best practices

The risks associated with surplus arms and ammunition and the benefits of managing them properly are well known. For more than ten years international and regional bodies and initiatives have addressed these concerns. As is illustrated below, most guidelines are merely recommendations; only one framework—the UN Firearms Protocol—prescribes actions that are legally enforceable.

## International frameworks

With the exception of the Wassenaar Arrangement, all international references listed in this section emphasize the destruction of surplus small arms and light weapons and their ammunition as a responsible disposal method.

The UN Firearms Protocol is a rare example of a legally binding agreement on small arms and light weapons that in principle may be enforced under international law. It includes the obligation to destroy illicitly manufactured and trafficked firearms, their parts and components, and ammunition ‘unless other disposal has been officially authorized’ (UNGA, 2001, art. 6). One limitation of the UN Firearms Protocol is its exclusive focus on illicitly manufactured and trafficked firearms.

For other surplus arms and ammunition, there is no legally binding agreement. Other international bodies and initiatives only provide recommendations to their member states.

The 1997 UN *Report of the Panel of Governmental Experts on Small Arms* and the 1999 UN *Report of the Governmental Group of Experts on Small Arms*, for example, clearly indicate the preference for surplus disposal through destruction. They recommend that states take measures to ensure that there are adequate safeguards to prevent the loss of weapons destined for the use of military and police forces and to consider collecting and destroying all surplus small arms and light weapons (UNGA, 1997, para. 80; 1999, para. 72).

Likewise, in the UN Resolution on General and Complete Disarmament, the General Assembly welcomes ‘the practical measures taken by Member States to destroy surplus weapons and confiscated or collected weapons, in accordance with the recommendations of the Secretary-General in his reports on small arms’ (UNGA, 2000, part R, preamble). More specifically, it ‘[e]ncourages Member States in a position to do so to take appropriate national measures to destroy surplus small arms and light weapons, confiscated or collected small arms and light weapons’ (art. 3).

The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) is the most comprehensive instrument on small arms and light weapons at the global level. At the national level, the PoA encourages states to 'ensure that all confiscated, seized or collected small arms and light weapons are destroyed, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition or use has been officially authorized' (UN, 2001, part II, para. 16). In addition, participating states undertake to regularly review stockpiles of small arms and light weapons and to:

*ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified, that programmes for the responsible disposal, preferably through destruction, of such stocks are established and implemented* (para. 18).

While emphasizing the importance of responsible disposal, the PoA clearly indicates that destruction is the preferred means of disposal. In the third section, the PoA specifically references that states should provide assistance in the destruction or other disposal of surplus and should help build capacity for destruction (UN, 2001, part III, para. 6).

The narrower International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons does not focus on all surplus small arms and ammunition, but solely on illicit small arms and light weapons. It calls on states to swiftly and uniquely mark and record, or destroy, illicit small arms and light weapons found on their territory (UNGA, 2005b, para. 9).

The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, which began operations in 1996, is the first global multilateral arrangement<sup>7</sup> on export controls for conventional weapons and sensitive

dual-use goods and technologies. It sets out best practices for the transfers of weapons and ammunition and focuses on their potential impact on regional and international stability. It also includes best practices for sales of demilitarized goods, though it does not provide guidance on surplus destruction.<sup>8</sup> In 2000, the Wassenaar Arrangement Plenary agreed on some non-binding best practices for the export control of surplus and demilitarized military equipment (WA, 2010, pp. 45, 82).

There are a number of General Assembly resolutions that address or touch on the issues of surplus and surplus disposal. Of note in this context are the two resolutions entitled 'Problems Arising from the Accumulation of Conventional Ammunition Stockpiles in Surplus'. Both of these call for measures to combat diversion and risks of explosions that result from inadequate management and unsecured stockpiles. These include improved management of stockpiles and the elimination of surpluses and through measures to address illicit trafficking (UNGA, 2005a; 2006, paras. 3–4). In their second paragraphs the resolutions appeal to all interested states to determine the means of destruction of their surplus stockpiles and provide the opportunity to indicate whether external assistance is needed to eliminate this risk.

### *Regional frameworks*

The following regional frameworks acknowledge the importance of quickly and effectively disposing of surplus weapons and ammunition. They emphasize that destruction is the preferred method of surplus disposal.<sup>9</sup>

The 2000 *Document on Small Arms and Light Weapons* of the Organization for Security and Co-operation in Europe (OSCE) establishes norms, principles, and measures aimed at covering all aspects of a weapon's life cycle. Under the heading 'destruction and deactivation', the participating states agree 'that the preferred method for the disposal of small arms is destruction [ . . . ] and that any small arms identified as surplus to a national requirement should, by preference,

be destroyed'. Further, the document states that illicitly trafficked weapons seized by national authorities should be destroyed (OSCE, 2000, s. IV(C), paras. 1–2).

The 2003 *OSCE Document on Stockpiles of Conventional Ammunition* supplements the 2000 *OSCE Document on Small Arms and Light Weapons*. It offers a detailed breakdown of issues and measures regarding the management of conventional (surplus) ammunition—including ammunition for small arms and light weapons (OSCE, 2003a, art. 17(i)). The document outlines in detail a framework, procedures, and assistance mechanisms from other OSCE participating states to ensure safe storage conditions for national ammunition holdings and the destruction of surplus stockpiles. In this regard, it asks participating states to provide information to requesting states on the 'plans for destruction/enhancing stockpile management' (art. 27(vi)). The document does not suggest methods of surplus disposal. Its final provisions, however, indicate that the OSCE will 'consider developing a "best practice" guide of techniques and procedures for the destruction of conventional ammunition' (art. 38). The guide was published in 2008 (OSCE, 2008).

The OSCE Principles for Export Controls of Man-Portable Air Defence Systems (MANPADS) adopt a series of principles for the export control of MANPADS. Besides a series of control mechanisms for international transfers and retransfers of MANPADS, the exporting governments need to make sure that the recipient government will take effective measures for 'storage, handling, transportation, use of MANPADS material, and disposal or destruction of excess stocks to prevent unauthorized access and use' (OSCE, 2004, para 2.7).

The Joint Action of 12 July 2002 of the Council of the European Union (EU) on the EU's contribution to combating the destabilizing accumulation and spread of small arms and light weapons explicitly identifies small arms and light weapons and their ammunition as a cause for concern



and recognizes the importance of safe storage and their quick and effective destruction. The principles and measures set to reduce existing accumulations of small arms and their ammunition foresee assistance to countries requesting support for 'controlling or eliminating surplus small arms and their ammunition on their territory' and 'the effective removal of surplus small arms encompassing safe storage as well as quick and effective destruction of these weapons and their ammunition, preferably under international supervision' (CoEU, 2002, arts. 4(a), 4(c)).

The Regional Implementation Plan for the Stability Pact for South Eastern Europe aims to combat the uncontrolled proliferation of small arms and light weapons. The plan includes a section on small arms and light weapons destruction programmes. It states that under the term 'specific measures', the 'implementation of programmes of destruction of recovered or surplus weapons, ammunition and explosives in accordance with international best practices, and with consideration of environmental concerns' should be integrated in destruction programmes (SSEE, 2006, part C).

## Strategic and operational guidelines

The destruction of weapons and ammunition is a highly specialized task that requires the consideration of many factors. Guidance on the practicalities can be found in a number of documents and guides that are listed in this section.<sup>10</sup>

The UN Secretary-General's *Report on Methods of Destruction of Small Arms, Light Weapons, Ammunition and Explosives* says that 'safe destruction should be the overriding objective in operations designed to reduce or eliminate weapons, ammunition and explosives collected or rendered surplus for whatever reason' (UNSG, 2000, art. 13). Further, the report lists a number of practical measures for the destruction of surplus stockpiles and outlines several preparatory tasks to be considered before destroying small arms and light weapons (art. 19). It describes

in detail the wide range of practical methods available for the destruction of small arms, light weapons, and ammunition, including melting, burning, detonation, and cutting (UNSG, 2000, part II.B).<sup>11</sup>

In 2001 the UN Department for Disarmament Affairs (now UN Office for Disarmament Affairs) published *A Destruction Handbook: Small Arms, Light Weapons, Ammunition and Explosives*, designed to help practitioners select an appropriate method of destruction (UNDDA, 2001).

The *OSCE Handbook of Best Practices on Small Arms and Light Weapons* includes a section entitled 'Best Practice Guide on National Procedures for the Destruction of Small Arms and Light Weapons'. The guide provides information and analysis for developing policy and designing general guidelines and procedures for the destruction of small arms and light weapons. It covers the process from the identification of small arms and light weapons earmarked for destruction to the final disposal of all scrap material (OSCE, 2003b).

The *South Eastern Europe Regional Micro-Disarmament Standards and Guidelines (RMDS/G)* were developed by the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). They establish guiding principles at the operational and programme levels. These procedures assist governments and international organizations in South-east Europe in developing safe, efficient, and effective small arms and light weapons destruction programmes (SEESAC, 2006a).

## Policy options in practice

Disposal does not necessarily mean destruction or demilitarization of weapons and ammunition (see Box 1). Several procedures have traditionally been considered to dispose of surplus stocks, such as sales or donations to other states, museums, or collectors. Some armed forces may reallocate seized and confiscated weapons for their own use as well as for training purposes, or they may choose to store surplus weapons indefinitely.

### Box 1 Definitions

**Disposal:** The removal of arms, ammunition, and explosives from a stockpile by the utilization of a variety of methods (which need not necessarily involve destruction). Six traditional methods of disposal are used by armed forces around the world: sale; donation; destruction; increased training and use; collections; and storage.

**Demilitarization:** The complete range of processes that render weapons, ammunition, mines, and explosives unfit for their originally intended purpose (IMAS, 2003). Demilitarization not only involves the final destruction process, but also includes all of the other transport, storage, accounting, and pre-processing operations that are as critical to achieving the final result.

**Destruction:** The process of final conversion of weapons, ammunition, mines, and explosives into an inert state so that they can no longer function as designed.

Source: Bevan and Wilkinson (2008, pp. xxi-xxii).

Following is a short overview of options for surplus disposal.

**Sales and donations.** If quantities of surplus weapons are large and their physical condition is good, potential profits may be significant. Therefore, selling surplus stock can be a cost-effective means of disposal (Wilkinson, 2006, p. 268). Nevertheless, several factors should be considered before transfers of surplus small arms and light weapons and their ammunition are made. Rigorous legal requirements and standards of responsible arms transfers and export control are needed to prevent diversion of these weapons to illicit trafficking. Further, any consideration to sell or donate weapons should be balanced against the cost of proper security, storage, and maintenance of these weapons and ammunition until an end recipient can be found. In the end, depending on how long it takes to sell the goods, these costs can surpass the profits generated from a sale.<sup>12</sup>

**Destruction.** The most reliable method for the rapid disposal of a large volume of surplus weapons and ammunition is destruction.<sup>13</sup> The aim of an effective stockpile destruction programme is to destroy the arsenals safely, cost-effectively, and efficiently. By destroying surplus stocks, states



Destruction of unexploded ordnance. © NAMSA

can potentially secure a financial return on scrap recovery or reuse of explosives. Explosive residue of the demilitarization process, such as TNT or Amatol, can be sold to produce explosives.<sup>14</sup> These recovered explosives should be used for commercial and civilian use only.

**Own use (increased training or distribution among own ministries).** Some countries reportedly reallocate surplus weapons from state arsenals and seized and confiscated weapons to their own security agencies and military units. If seized, confiscated, or collected weapons conform to the national standards of police equipment, they can subsequently be assigned to the operational needs of the police. Surplus weapons and ammunition can also be used in training exercises by the armed forces that hold them. Specialists and practitioners have argued, however, that this option is not without drawbacks.<sup>15</sup> Increased training or shooting solely for the purpose of expending a surplus takes a long time and might not be the most efficient approach, depending on the amount of ammunition that needs to be disposed of.<sup>16</sup>

**Storage.** In many cases, authorities simply store their surplus weapons and ammunition indefinitely. Recurrent justifications include the lack of financial resources, technical capacity, and infrastructure to destroy the surplus, or simply that no buyer has expressed willingness to purchase it. When storing surplus weapons and ammunition, it is important to invest in rigorously guarded facilities and enhanced safety and security procedures. However, these storage costs will inevitably be reduced by the implementation of procedures to rapidly identify and destroy surplus.

**Collections, museums, and exhibitions.** Individual items belonging to surplus stockpiles may be kept in museums or displayed in exhibitions. They may also be sold or given to collectors. If states retain surplus for these purposes, they should ensure that they are permanently deactivated and put out of service. Countries in South-east Europe take this approach for a small number of weapons. Montenegro, for example, is planning a showroom in one of the main police buildings in Podgorica, where historic and other weapons will be displayed.<sup>17</sup>

## Addressing surplus state stockpiles

Many of the countries in South-east Europe are currently restructuring their armed and security forces.<sup>18</sup> This implies major adaptations in arms requirements and results in large surplus stockpiles that ultimately need to be disposed of. In a joint statement, the ministers of defence of the countries participating in the South-East European Cooperation Process<sup>19</sup> in Sofia in 2008 acknowledge the existence of significant surpluses. In the statement, the ministers recognize that 'the existence of surplus armaments, ammunitions and military equipment is still an issue in the SEE region' and express their willingness to cooperate and share experience in the utilization of these stockpiles. In addition, they agree to 'seek cooperation with international organizations and donor countries' (SEECF, 2008). However, the statement does not include a provision on the destruction of surplus, but rather on its utilization.

South-east European governments advocate the selling of surplus weapons and ammunition rather than their destruction. Table 1 illustrates the different means of disposal of surplus weapons originating from armed forces and police arsenals. Research suggests that the countries in the region attempt to sell their surplus, provided that its contents are functional, in good physical condition, and safe to transport.<sup>20</sup> The research also shows that most of the countries in the region foresee the possibility of donating their surplus to other countries, while a few try to distribute their surplus among their ministries and state entities (Macedonia and Romania). National reports and manuals also indicate that surplus is destroyed. Yet destruction is often carried out only if the surplus cannot be sold. Financial incentives and the prospect of easily disposing of surplus stockpiles entice states into offering their surplus via a tendering process rather than destroying it. Even when major destructions of surplus weapons and ammunition are financed by international donors,<sup>21</sup> the benefit for a state may, from a purely financial



Table 1 **Methods of disposal of surplus state stockpiles**

	Sales	Donations		Destruction	Own use		Conversion into hunting or defence weapons
		To other countries	To museums		Increased training	Distribution among own ministries	
Albania	○	○		○	○		
Bosnia and Herzegovina	○	○	○	○			
Bulgaria	○	○		○			
Croatia	○	○		○			
Macedonia	○			○		○	
Montenegro	○	○		○	○		
Romania	○	○		○		○	○
Serbia	○			○			
Slovenia		○		○			

point of view, be an attractive option (Griffiths, 2008, p. 187). The guiding principle for many states in the region is: attempt to sell first, then consider donating, and, finally, resort to destruction. This is certainly true for surplus small arms and light weapons. Surplus ammunition, on the other hand, is not always easy to sell as it might be unstable and can pose a hazard risk.<sup>22</sup> All countries in the region face the need to destroy this and other types of surplus.

The following sections provide an overview of all available South-east European national directives or government procedures pertaining to surplus disposal.<sup>23</sup> The focus is on methods of disposal used for surplus (state-held) weapons originating from armed forces and police arsenals.

## Albania

The Albanian Armed Forces (AAF) administer and guard a considerable amount of surplus ammunition. Around 90 per cent is reportedly over 40 years old. As a result, a large portion is losing its physical and chemical properties. Excessive degradation may increase the likelihood of an unplanned explosive event through auto-catalytic detonation. At this writing about 75,000 tons of ammunition are stored in dedicated depots; 25 per cent of AAF soldiers are reportedly engaged in the security of the storage locations.<sup>24</sup>

In its Plan of Action for the Elimination of the Excess Ammunition in the Armed Forces of the Republic of Albania 2009–15, Albania commits itself to identify and dispose of all old surplus ammunition and explosives from the AAF inventory by 2015 (Albania, n.d.a, p. 4). The Plan of Action identifies five methods of surplus disposal: a) industrial disposal; b) disposal by burning; c) open detonation in demolition sites; d) shooting; e) sale or donation (p. 8).

Albania's Ministry of Defence (MoD) is authorized to decide on and approve what constitutes surplus on a case-by-case basis.<sup>25</sup> It is also entitled to decide if the surplus should be destroyed or sold. The decision is taken

according to an assessment of the risk a surplus represents due to the physical condition of its contents and its proximity to populated areas (Albania, n.d.a, pp. 15–18). Albania's Council of Ministers Decision No. 365 of 6 June 1994 on destroying or selling ammunition whose shelf-time has expired or will soon expire, as well as on selling surplus or stock of firearms and ammunition, authorizes the MoD to 'destroy or sell infantry, engineering, artillery and other ammunition which has expired or will soon expire'. The MoD is also authorized 'to sell the firearms and ammunition, being surplus or stocks'. The decision states that the sale should be realized at the best possible market price (SEESAC, 2004,



14.5 mm API small arms ammunition scrap following controlled incineration in Albania. © NAMSA

p. 61).<sup>26</sup> If the surplus is destroyed, explosive remnants that remain after the demilitarization process—such as TNT or Amatol—are sold to local and international factories to produce explosives for civilian use (Albania, n.d.b, p. 3).<sup>27</sup>

The AAF continue to engage in disposal activities with key international donor support. NATO activities proved successful in 2004–2007 and the United States is currently the remaining donor financing destruction of excess weapons and ammunitions, the remediation of the Gerdec explosion site, and training of AAF in physical security and stockpile management.

## Bosnia and Herzegovina

According to the Agreement on the Final Disposal of All Rights and Obligations over Movable Property that serve defence purposes, the presidency of Bosnia and Herzegovina approves of surplus disposal upon suggestion from the MoD. The ministry issues a decision, declaring the surplus of its defence property, including a recommendation for disposal. The options for disposal are sale, donation, and destruction (Bosnia and Herzegovina, 2008, art. 6.1).<sup>28</sup> After approval by the presidency, the MoD establishes a commission to implement the approved procedure for disposal (art. 6.2). The proceeds of sales or destruction are transferred to the national Treasury and are used to reimburse costs incurred through sales or for the destruction of surplus (art. 7.a). Of the remaining proceeds, 20 per cent are transferred to a separate account of the MoD within the Treasury and the remaining 80 per cent are distributed proportionately between the two entities that supplied the surplus (arts. 7.b, 7.c).

Bosnia and Herzegovina's priority is destroying surplus ammunition that is highly unstable and in critical condition. Other destruction activities usually relate to surrendered and seized weapons and ammunition (see below) (Bosnia and Herzegovina, 2010, p. 9). Former donations to the Bosnian Armed Forces that are identified as surplus are destroyed and not offered for sale or donated.<sup>29</sup> For all the remaining

surplus, the MoD has to make at least two attempts to sell the surplus weapons and ammunition via a tendering process. If the surplus cannot be sold, it is destroyed.<sup>30</sup> International Organizations and donor countries play essential roles in Bosnia's surplus disposal and stockpile management. UNDP-facilitated projects are showing increasing success. As of this writing, the United States is also launching a multi-faceted programme focusing on demilitarization of ammunition and weapons from the MoD and the EU will oversee stockpile management training for military personnel.

Bosnia and Herzegovina has also donated surplus to entities in other countries. One donation went to the National Army of the Islamic Republic of Afghanistan in 2009 (SEESAC, 2009);<sup>31</sup> another one—23 pieces of small arms—went to the Austrian MoD for the Museum of Military History in Vienna (Kauer, 2007, p. 91).<sup>32</sup> Since these weapons are stored in poorly maintained warehouses, they pose a threat to the environment and the population and are thus donated.

## Bulgaria

At this writing, more than 20,000 tons of ammunition, including small arms ammunition, are identified as surplus ammunition by the Bulgarian MoD. Further restructuring and modernization of the Bulgarian Armed Forces might increase the surplus by an additional 30,000 tons of ammunition.<sup>33</sup> According to Bulgaria's 2010 national report on its implementation of the PoA, surplus stockpiles are either sold or destroyed (Bulgaria, 2010, p. 17). Since 2005 more than four tons were destroyed through external funding by the UN Development Programme (UNDP) and the US State Department (Nikolov, 2010).

The chief of general staff is primarily responsible for defining surplus stockpiles as well as approving and updating the annual List of Surplus Materiel. A commission composed of members of the MoD, the armed forces, and other government committees decides whether to store, sell, use, or destroy the surplus. Apparently the preferred procedure of surplus

disposal in Bulgaria is 'first to sell, then to donate and finally to destroy' (Faltas, 2008, pp. 86–88). Bulgaria reports that it ensures the application of (rigorous) export controls to surplus sales, checking the end user and destination country prior to authorizing the transfer and ensuring that all its international commitments in this regard are met. Once a sale has been completed, the government checks the contractor.<sup>34</sup> Surpluses that could not be sold are destroyed; they are cut into pieces and broken under the supervision of a specialized commission (Bulgaria, 2010, p. 17).

## Croatia

In its National Strategy and Action Plan on the Control of Small Arms and Light Weapons, Croatia states that surplus weapons are destroyed, sold, or given as donations. In addition, the plan states that the destruction of MANPADS is prioritized (Croatia, 2009, pp. 12, 18). The Croatian Armed Forces Long-Term Development Plan 2006–2015 singles out some light weapons as surplus, corresponding with the downsizing of the armed forces. The document identifies 372 MANPADS, 953 mortars, and 58 anti-tank guided weapons as surplus because they surpass the required amount of weapons for the active and reserve component of the armed forces. The document does not mention any surplus of small arms or their ammunition, nor does it specify how this surplus should be disposed of (Croatia, 2006, p. 22).

The general staff of the Croatian Armed Forces determines the surplus based on a continuous analysis of the required stocks.<sup>35</sup> Whether arms are surplus and should be sold or destroyed is decided by the MoD upon recommendations of the general staff of the armed forces. The MoD's decision is guided by the Regulation on Sales of Obsolete Weapons and Defence Equipment, which states in its first article that surplus is defined according to the technical condition of the weapons and ammunition, and in line with force structure development plans for the armed forces. Article 4 states that the list of obsolete goods is to be updated four times per year. The procurement

commission reports about the obsolete stock and recommends further action, which can take the form of sales or write-offs (Croatia, 2002, arts. 4–5).<sup>36</sup> The deputy minister of equipment and supplies then encourages the minister of defence to make a decision to sell obsolete weapons and determines the initial purchase price. If stocks designated for sale on the international market cannot be sold via a tendering process, a lower price for purchase can be offered, or the goods can be donated. At this point the surplus can also be written off, stored, or destroyed according to established procedures, using facilities of the armed forces (Croatia, 2002, art. 13; 2010, p. 13).<sup>37</sup>

## Macedonia

According to Macedonia's 2010 national report on PoA implementation, surplus weapons are either sold or destroyed (Macedonia, 2010, p. 12). State practice suggests that surplus from the MoD and the Ministry of Interior (MoI) that can still be used and is not programmed for destruction is either sold or given to other ministries or national organs that are allowed to hold weapons. Examples are the Ministry of Justice for use by the judicial police, or the Ministry of Agriculture, Forestry, and Water Supply for use by the forest police. Macedonia allows surplus weapons to be transferred from one ministry to another.<sup>38</sup>

To date, Macedonia has neither sold nor offered any surplus weapons internationally via a tendering process. All surplus weapons have been distributed among ministries for their use, or the surplus was destroyed; unusable small arms are destroyed as well.<sup>39</sup> Macedonia does not donate its surplus to other countries.

## Montenegro

In its 2005 Strategic Plan for the Control and Diminishing of Small Arms

and Light Weapons, Montenegro acknowledges the need to diminish the availability and existence of surplus small arms and their ammunition. One of the operative goals of the strategic document was to destroy all surpluses of small arms and light weapons (Montenegro, 2005, p. 9). Five years later, significant amounts of surplus weapons (MoI) and ammunition (MoD and MoI/police)<sup>40</sup> still await disposal. The government acknowledges in its *Defence Forces Strategy Paper* that it has insufficient financial means to destroy its surplus (Montenegro, 2010, p. 57); consequently, it relies on the support of international donors.<sup>41</sup>

The minister of defence creates a commission that comprises several representatives of the MoD, the general staff, and technicians to identify the technical condition of military stocks. Following the needs of the armed forces and the technical assessment of the inventory, this commission makes a decision on what elements to identify as surplus. It advises the government as to which parts could be sold and which need to be destroyed. Following this proposal, the Government of Montenegro decides on the final disposal of the surplus. Surplus stockpiles from Montenegro's armed forces and police are sold on the international market, donated, or destroyed. Destruction priority is given to surplus weapons and ammunition that present a threat due to their poor condition or that cannot be sold.<sup>42</sup> Montenegro's Law on State Property prioritizes the economic management, exploitation, and use of all state-owned property, including arms and ammunition (Montenegro, 2009, arts. 21, 22).

Surplus that is identified for sale is offered via a tendering process to companies having the licence to trade weapons and ammunition. In 2007 the MoD identified several tons of surplus ammunition, small arms, and light weapons for destruction via the OSCE-

and UNDP-funded Montenegro Demilitarization (MONDEM) project (OSCE and UNDP, 2007). The government did, however, keep aside some weapons and ammunition that it tried to sell via a tendering process. As no buyer could be identified after three or in some cases even four tendering processes, these weapons were retroactively added to the list of weapons and ammunition to be destroyed in the MONDEM project.<sup>43</sup> More recently, however, some companies showed interest in buying some of the weapons and ammunition selected for destruction in the MONDEM programme. As UNDP and the OSCE lack financial resources to completely destroy the entire surplus identified for destruction, the Government of Montenegro will seek permission from UNDP to extract several items awaiting destruction and sell them.<sup>44</sup> Fluctuations in the financial situation and growing demand for weapons and ammunition might explain this sudden interest in the purchase of Montenegro's surplus.

In identifying surplus weapons held by the police, the council of the police directorate considers the suggestions of a commission composed of the police directorate, armourers from police warehouses, and other experts.<sup>45</sup> Restructuring processes in the police from 2005 resulted in considerable surplus weapons and ammunition. Some of the police-controlled magazines are in urban areas in Podgorica, representing a significant threat to the local population and the environment, as the storage facilities are inadequate.<sup>46</sup> To avoid the risk of hazardous explosions and diversion, the police decided to destroy most of the surplus and empty these urban storage facilities. To date, all 54 MANPADS held by the police have been destroyed through open detonation;<sup>47</sup> however, the possibility of selling or donating some of the other surplus has not been ruled out.<sup>48</sup> A commission tasked with determining and confirming the final disposal of this surplus is to be formed. The commission will most likely be composed of representatives from a judicial institution, the police directorate, the MoI, and civil society.<sup>49</sup>

Montenegro's surplus that is identified for sale is offered via a tendering process to companies



## Romania

Romania's MoD, MoI, and other public institutions with armed personnel identify surplus stockpiles on an annual basis. The MoD's Joint Logistic Command and the Ministry of Administration and the MoI's General Logistic Directorate make recommendations for the disposal of surplus stockpiles.<sup>50</sup> The Council of National Defence subsequently approves the recommendations at the beginning of each year (Faltas, 2008, pp. 94–95).

In its 2003 national report on PoA implementation, Romania states that surplus from the MoD is either distributed free of charge among other public institutions<sup>51</sup> on a case-by-case basis or it is destroyed (Romania, 2003, p. 10). Romania's guidelines regulating the sale of the goods administered by the Ministry of Defence suggests that surplus is also sold (Romania, 2005). An emergency ordinance modified in 2001 indicates that the disposal of surplus should be as profitable as possible (Faltas, 2008, p. 97), meaning that the surplus stockpiles must be sold. The government decision on the approval of guidelines concerning the sale of the goods administered by the MoD authorizes the state-owned company Romtehnica to sell surplus military equipment previously held by the MoD (Romania, 2005, art. 2). The goods have to be exported within six months, with the right to request an extension of an additional six months (Faltas, 2008, p. 96; Romania, 2005, art. 33.2). If no sale abroad can be arranged, the company is allowed to sell the items in the local market, as long as the weapons have been declassified and demilitarized (Romania, 2005, art. 3.4). The initial sale price agreed through a tendering process should not be lower than the value of the scrap that would result if the goods were destroyed (art. 10.4). Scrap material recovered from neutralizing ammunition is sold through Romtehnica as well (art. 33.3).

Revenues from the sales of surplus belong to the MoD. They shall be used to buy equipment for the modernization of the army (Faltas, 2008, p. 98). Gains through sales of waste resulting from the neutralization of ammunition

are used to buy equipment for the modernization of the army (Romania, 2005, art. 33.4). Romania is also entitled to donate surplus weapons and ammunition, or to convert them into hunting weapons or weapons for self-defence (Faltas, 2008, p. 97).

The Ministry of Economic Affairs and Commerce and its affiliated company Romarm dispose of the surplus from the MoI. Romarm either sells the surplus or demilitarizes it within facilities of the MoD (Faltas, 2008, p. 98).

## Serbia

In its Strategy on Small Arms and Light Weapons Control, Serbia announces plans to set up material and financial conditions for the safe disposal of surplus stockpiles (Serbia, 2010, p. 6). The method of disposal is either sale or destruction. If a surplus is identified, it is offered for sale via a tendering process to national companies holding the licence to trade military goods. If no buyer can be found, the surplus is likely to be destroyed according to international destruction standards.<sup>52</sup> Evidence suggests that some Serbian surplus materials are sold abroad.<sup>53</sup> According to its policy and practice, Serbia is one of the few countries in the region that do not donate their surplus.

Serbia's general staff logistics division is responsible for surplus delineation together with the department for material resources. Weapons are checked for their serviceability, technical condition, and use. According to these aspects, the general staff identifies what is surplus and makes a suggestion for its disposal. The MoD then takes a decision on how to dispose of the surplus.<sup>54</sup> Research suggests that so far, nothing in the MoD inventory has been declared surplus, except for several MANPADS units destroyed through US funding as part of one of the world's largest MANPADS destruction programmes (Serbia and Montenegro, 2004, p. 5; Griffiths, 2008). What is identified as surplus are seized, confiscated, or found weapons (see below).

## Slovenia

According to Slovenia's 2008 national report on PoA implementation, all prohibited, unusable, dangerous,

and altered weapons are destroyed (Slovenia, 2008, p. 10). Weapons used by the police are not sold. If the weapons have depreciated or have been taken out of service, they are destroyed. For the proper destruction of those arms, the MoI first classifies the seized, found, confiscated, and surrendered weapons. Military weapons, which are operated by the police and then removed from use, are handed over to the MoD.<sup>55</sup>

Little is known about the MoD's surplus disposal. Slovenia has donated weapons and ammunition to the Afghan National Security Forces (NATO, 2010). This materiel was surplus.<sup>56</sup> However, Slovenia's MoD did not provide any additional information for this study regarding the procedure and preferred methods of disposal for surplus state stockpiles.

## Addressing seized and confiscated weapons

With respect to civilian-held weapons, a determination on whether the arms are surplus is often made through a legal decision by a judge. Following a criminal investigation, the judge determines whether the weapon may be handed back to the owner or whether it must remain seized, thus becoming the property of the state.

Methods of disposal used by South-east European countries for surplus (civilian) weapons collected through seizures and confiscations vary. Table 2 illustrates that all countries in the region destroy (some) seized and confiscated weapons.<sup>57</sup> As will be illustrated further in this section, there is evidence that seized and confiscated weapons are generally earmarked for destruction when they are prohibited, unusable, out of order, or dangerous. With the exception of Bosnia and Herzegovina, Montenegro, and Serbia, all states in the region also foresee the possibility of selling seized and confiscated weapons that are not prohibited. Several countries distribute the weapons among their own ministries. The following sections describe how South-east European countries dispose of seized and confiscated weapons originating from civilians.

Table 2 **Methods of disposal of seized and confiscated weapons**

	Sales	Donations		Destruction	Own use		Convert into hunting or defence weapons
		To other countries	To museums		Increased training	Distribution among own ministries	
Bosnia and Herzegovina				○			
Bulgaria	○			○		○	
Croatia	○			○		○	
Macedonia	○		○	○		○	
Montenegro			○	○		○	
Romania	○			○			
Serbia				○			
Slovenia	○	○ <sup>58</sup>	○	○		○	

## Bosnia and Herzegovina

Bosnia and Herzegovina destroys all seized, confiscated, collected, and surrendered weapons. They are not made available for the use of any national organ<sup>59</sup> but are handed over to the local police stations, where they are stored until destruction (Bosnia and Herzegovina, 2010, p. 9). The Law on Weapons and Ammunition of the entity of Republika Srpska, for example, provides that an owner whose weapons registration licence has been revoked may sell his or her weapons. If a weapon is not sold, the seized weapon becomes the property of the Republika Srpska. Likewise, if the owner of a found weapon cannot be identified within one year, the weapon becomes the property of the entity and will be destroyed (SEESAC, 2004, p. 196).

## Bulgaria

Bulgaria's national report on the implementation of the PoA notes that confiscated or abandoned small arms and light weapons held by the MoI become state property. They are used by state organs, sold, or destroyed, depending on their condition (Bulgaria, 2010, p. 17).

## Croatia

Croatia's Weapons Law provides that if firearms are seized by authorities (as a consequence of the cancellation of a firearms licence, for example) the

owner has two months to sell or hand over the firearm; otherwise the competent authority will confiscate the weapon and give it to an authorized dealer to sell. If the dealer does not manage to sell the weapon within three months, it is handed over to the MoI, and a commission appointed by the MoI decides on the form of disposal, which can include: placing the weapon in the armaments fund of the police; handing it over to the MoD, Ministry of Justice and Administration, or other government authority or institution; selling it through another authorized dealer; or destroying it (SEESAC, 2004, pp. 273–74).

Croatia's MoI regularly destroys collected and surrendered weapons. Collected and confiscated firearms that are not of use to the police are melted down. Once there is a sufficient amount, the MoI gathers small arms from all police district depots and takes them to the ironworks in Sisak; ammunition and explosive weapons are taken to MoD demolition ranges for open detonation.<sup>60</sup>

## Macedonia

In its 2010 national report on the implementation of the PoA, Macedonia states that 'all confiscated, found or seized weapons are being destroyed on an annual basis' (Macedonia, 2010, p. 12). However, Macedonia's Law on Arms stipulates that arms and ammu-

nition confiscated in a criminal or misdemeanour procedure must be delivered to the MoI. They are used for official purposes by the MoI, the MoD, or the army. If they do not correspond to the equipment of the MoI, confiscated weapons can also be sold (SEESAC, 2004, pp. 358–59).

Owners whose licence for holding arms has been revoked and whose arms and ammunition were confiscated may sell their weapon within three months. If the owner cannot sell the arms within the allotted time, they are given to a legal entity authorized to trade arms. If the authorized entity cannot sell the arms within six months, they are delivered to the competent state authority. Following that, the MoI is entitled to form a special commission to decide on how to proceed with these arms and ammunition (SEESAC, 2004, pp. 358–59).

The Law on How to Deal with Seized and Confiscated Goods includes a part on seized small arms and light weapons, ammunition, and explosive materiel (Macedonia, 2008, art. 58). According to this law, all seized and confiscated goods are handed over to the agency governing seized goods (art. 1). Should the agency not dispose of adequate conditions to store the seized goods, they are handed over to the MoI and the MoD (art. 58.1). Seized weapons and ammunition are categorized according to their function. If they may not be legally procured,



they are destroyed (art. 58.2). If the government agrees, functioning weapons and ammunition may be given to other ministries or state organs for their use. Examples of recipients include the MoI, the MoD, the financial police, and other organs that may legally hold weapons (art. 58.3). Alternatively, the weapons may be donated to a museum. If none of these options is appropriate, they are sold to legal entities that deal with or use weapons, such as hunters' associations (art. 58.4). If the weapons cannot be sold, they are destroyed (art. 59).

These regulations indicate that the (only) weapons that are systematically destroyed are those that can no longer be used, those whose use by civilians is prohibited,<sup>61</sup> those that cannot be donated to another state organ or museum, and those that cannot be sold. In practice, it appears that Macedonia has managed to dispose of its surplus weapons through either destruction or distribution among other state institutions and that none have been sold overseas via a tendering process.<sup>62</sup>

## Montenegro

Seized and confiscated weapons in Montenegro are kept in two former prison facilities in Podgorica.<sup>63</sup> They remain there until the associated criminal investigations are concluded and the weapons are returned to their owners or, if a decision is taken not to return them, they are destroyed. Article 63 of Montenegro's Law on Weapons provides that weapons seized in the course of criminal proceedings or found and not reported missing within a year of their discovery 'may be used for the internal elements' operations or may be given to the museum or may be destroyed' (SEESAC, 2004, pp. 911–12).

State practice suggests that seized and confiscated weapons are not used by the police or any other government entities, and that they are not offered for sale.<sup>64</sup> Surrendered weapons are destroyed as well.<sup>65</sup> A recent judicial decision identified 115 confiscated or seized weapons that should be destroyed. Since the police lack the financial resources to destroy them,



Surplus weapons and ammunition from Montenegrin police forces, stored in Podgorica, Montenegro.  
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they will be destroyed via the technical agreement between the US Department of State and the Government of Montenegro that foresees the destruction of surplus ammunition from the MoD and surplus weapons and ammunition held by the police.<sup>66</sup>

## Romania

Romania's 2003 national report on PoA implementation says that if seized and confiscated small arms are not fit for trading, they are destroyed under the supervision of a destruction commission (Romania, 2003, p. 8). Otherwise, they are offered for sale on the market. Romania's Law on Firearms and Ammunition Regime provides that, when a licence is revoked, all arms and ammunition held under the licence are to be surrendered to police authorities to be destroyed. Any military arms recovered are to be returned to police

authorities from which they were obtained (SEESAC, 2004, p. 629).

## Serbia

Article 25 of Serbia's Law on Weapons and Ammunition entitles owners of withdrawn licences and seized weapons to sell the weapons within a year. Weapons and ammunition not sold within that period become the property of the state and must be stored and safeguarded by the MoI. Subsequently, the minister of interior forms a commission of professional police officers to examine the weapons and ammunition and identify those to be destroyed (SEESAC, 2004, pp. 727–28).<sup>67</sup> In practice, seized and confiscated weapons are identified as surplus by Serbian authorities. According to Serbia's national report on the implementation of the PoA, these weapons are destroyed (Serbia, 2006, p. 6).



## Slovenia

In Slovenia, the Administrative Affairs Department of the MoI manages only arms and ammunition that were delivered, found, seized, or confiscated, in accordance with the Decree on the Management Procedure of Seized Items, Property and Security, as adopted on 6 March 2002 and amended and supplemented in January 2007 (Slovenia, 2002; 2007). The decree contains instructions on the handling of surrendered, found, seized, and confiscated weapons and defines the behaviour of police and administrative units with regard to those weapons. Seized civilian weapons are kept by the MoI (Slovenia, 2002, art. 7). If military weapons are seized:

*up to 5 weapons or equipment and up to 1,000 pieces of military ammunition [...] shall be stored within the ministry responsible for internal affairs in adequately secured premises. Higher amounts of military weapons, ammunition and equipment or bigger pieces of military weapons and equipment shall be stored within the ministry responsible for defence (Slovenia, 2007, art. 4).*

If after a judicial decision the items cannot be returned to their owner, prohibited weapons are destroyed; permitted weapons may be classified for disposal, donation, permanent col-

lection, or the operational needs of the police, if they conform to the rules governing police equipment.<sup>68</sup> Other weapons for which documents can be obtained are sold. 'If the sale is not possible or the costs of selling exceed the value of the items [...] the court shall order the destruction of the items' or donate them to public institutions, such as museums (Slovenia, 2002, arts. 9, 13). Nevertheless, Slovenia reports that, in practice, 95 per cent of all seized weapons are destroyed (Slovenia, 2010, p. 10). The destruction of seized (military) weapons, munitions, and explosives is carried out by the MoI or the MoD (Slovenia, 2002, art. 14).

## Conclusion

This *Issue Brief* reveals that states decide on their surplus according to technical conditions, serviceability of arms and ammunition, and the weapons needs of the national defence and security forces. Once states determine which stocks are surplus to national requirements, several options for disposal exist: sale, donation, destruction, storage, and own use (for the inventories or increased training purposes of other ministries and state institutions, for example). These methods of disposal are used by South-east European countries to varying extents.

For disposing of seized and confiscated weapons, South-east European

states use three main means: sales, distribution among their own ministries, and destruction. Seized and confiscated weapons for which documentation can be established and that are not prohibited by law are sold or donated to other state organs if the weapons are compatible with the equipment used and their physical condition allows it. The policies of Bulgaria, Croatia, Macedonia, Montenegro, Romania, and Slovenia show that some seized and confiscated weapons are used in this way. These countries only destroy prohibited, unusable, and broken seized and confiscated weapons. Bosnia and Herzegovina as well as Serbia, on the other hand, reportedly destroy all seized and confiscated weapons. The South-east European practice of disposing of seized and confiscated weapons is in accordance with the UN Firearms Protocol, which includes the obligation to destroy illicitly manufactured and trafficked firearms, their parts, components, and ammunition if no other disposal is authorized by the authorities. Such practice is also in line with the International Tracing Instrument, which calls for states to destroy (or mark and record) illicit small arms and light weapons found on their territory.

Despite the presumption in favour of destruction reflected in many of the other international and regional instruments, sales and donations of state surplus weapons and ammunition to other countries dominate the policy of South-east European countries. At international, regional, and sub-regional forums, states have clearly recognized the importance of destroying surplus materiel as a preferred method. As this *Issue Brief* shows, state practice is more varied. Some countries see their surplus as assets rather than potential liabilities or costs and thus favour their sales and donations. If destination countries of surplus stockpiles do not have the capacity or means to safeguard these acquisitions, the problem of securing and managing stocks is also exported. In addition, the global demand for surplus weapons and ammunition can undermine the resolve of states to destroy surplus stockpiles. ■



A US Army officer prepares surplus SA-7 missiles for detonation in Bosnia and Herzegovina, March 2004.  
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## Endnotes

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- 1 The definition of small arms and light weapons used in this *Issue Brief* covers both military-style weapons and commercial firearms. It follows the guidelines set out in the 1997 *Report of the Panel of Governmental Experts on Small Arms* (UNGA, 1997). *Small arms* include revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns, and light machine guns; *light weapons* include heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank and anti-aircraft guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missile systems, and mortars (with calibres under 100 mm); *ammunition and explosives* include cartridges (rounds) of small arms, shells and missiles for light weapons, mobile containers with missiles, and shells for single-action and anti-aircraft and anti-tank systems, anti-personnel and anti-tank grenades, landmines, and explosives.
- 2 Six current UN member states comprised the former Socialist Federal Republic of Yugoslavia: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia.
- 3 The RASR Initiative focuses on all six members of former Yugoslavia plus three countries in the region that have recently joined NATO: Albania, Bulgaria, and Romania (two former Yugoslav republics have also joined NATO: Croatia and Slovenia). For more information on RASR, see RASR (n.d.).
- 4 This *Issue Brief* represents the first study among several planned to support this undertaking.
- 5 Sections two and three draw on information gathered from primary sources, such as national reporting on the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, national action plans, official government documents, national regulations, manuals, and laws, as well as interviews and correspondence with government officials and other stakeholders. Where no primary information could be procured, the analysis draws upon secondary sources.
- 6 Some countries may determine that a 'need' always exists and that some of its materiel is surplus. For discussions about how to evaluate surplus, see, for example, Bevan (2008) and Karp (2009; 2010).
- 7 The Wassenaar Arrangement counts 40 countries as participating members, of which Bulgaria, Croatia, Romania, and Slovenia are RASR Initiative countries.
- 8 The Wassenaar Arrangement does not encourage sales over destruction. The intention of the Wassenaar Arrangement is to provide best practice guidance on the transfer of surplus small arms and light weapons in cases where they are not destroyed.
- 9 This section only reviews regional norms applying to South-east Europe. Other norms have been agreed by the Organization of American States, the Economic Community of West African States, and the Southern African Development Community, for example; these norms are more stringent than those applicable to Europe.
- 10 See also other guides, including Meek and Stott (2004); BICC and SAND (2000); and Hughes-Wilson and Wilkinson (2001).
- 11 UNDP and the Coordinating Action on Small Arms Mechanisms are in the process of developing International Small Arms Control Standards (ISACS). The models are not best practice but should rather be considered as guidelines. They aim to inform agencies and national entities dealing with issues of small arms and light weapons. Two of the 25 modules deal with destruction. One is dedicated to the destruction of weapons and the other to the destruction of ammunition.
- 12 A software tool to facilitate a cost-benefit analysis of small arms and light weapons destruction versus storage was developed by the UN Institute for Disarmament Research, the University of Bradford, and SEESAC in 2006. For more information, see Turner (2006).
- 13 The selection of the most appropriate destruction technique will depend on a range of factors. For more details, see Wilkinson (2006, p. 268).
- 14 Author correspondence with Maj. Shkelqim Sina, weapons specialist, Albanian Armed Forces (AAF), 23 July 2010.
- 15 For an in-depth discussion, see Wilkinson (2006, p. 268).
- 16 Author interview with Radovan Ljumovic, Police Directorate Montenegro, 10 August 2010.
- 17 Author interview with Igor Milic, armourer, central police warehouse, Podgorica, Montenegro, 10 August 2010.
- 18 Examples include Albania, Bosnia and Herzegovina, Bulgaria, Croatia, and Serbia.
- 19 The South-East European Cooperation Process includes the following countries: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Macedonia, Moldova, Montenegro, Romania, Serbia, and Turkey.
- 20 As illustrated in Table 1, this does not apply for Slovenia, whose Ministry of Defence did not provide any information for this study regarding the procedure or preferred methods of disposal for surplus state stockpiles.
- 21 Four international and regional organizations facilitate most of the small arms and ammunition destructions: the EU, NATO, the OSCE, and the UN Development Programme (UNDP) along with the United States and other governments.
- 22 UN embargoes, EU restrictions, the disappearance of captive markets, the saturation of markets for some weapon types, and strong international competition are the main constraints for surplus sales. One reason for the low ammunition price might be increased production capacity over the past years. Author interviews with Maj. Shkelqim Sina, weapons specialist, AAF, 23 July 2010; Lt.-Col. Dragoslav Vuksanovic, Ministry of Defence, Podgorica, 5 July 2010; Lt.-Col. Vukadin Tomasevic, Ministry of Defence, Podgorica, Montenegro, 6 July 2010.
- 23 No attempt has been made to assess actual state practice or the extent to which these policies and directives have been implemented or their objectives met; however, where information was available, state practice was included.
- 24 Author correspondence with S. E. Willason, chief, Ammunition Support Branch, NATO Maintenance and Supply Agency, Luxembourg, 17 September 2010.
- 25 Author correspondence with Maj. Shkelqim Sina, weapons specialist, AAF, 23 July 2010, and interview, 21 July 2010.
- 26 See also SEESAC (2004, p. 61).
- 27 Author correspondence with Maj. Shkelqim Sina, weapons specialist, AAF, 23 July 2010, and interview, 21 July 2010.
- 28 Author correspondence with Momir Brajic, Ministry of Foreign Affairs, Bosnia and Herzegovina, 16 July 2010.
- 29 Author correspondence with Momir Brajic, Ministry of Foreign Affairs, Bosnia and Herzegovina, 16 July 2010; interview with Brig. Mladen Marinkovic, Armed Forces of Bosnia and Herzegovina, 4 August 2010.
- 30 The Moratorium on the Cessation of Sales of Small Arms and Ammunition, established in June 2004 in Bosnia and Herzegovina, was ended by the presidency of Bosnia and Herzegovina on 31 December 2005. Frozen sales under the moratorium were allowed to be completed after the end of the moratorium. Author interview with Brig. Mladen Marinkovic, Armed Forces of Bosnia and Herzegovina, 4 August 2010; Turner (2006, p. 15).
- 31 Sales or donations to other destinations also occurred prior to 2009 (Kauer, 2007, p. 91).
- 32 Author interview with Brig. Mladen Marinkovic, Armed Forces of Bosnia and Herzegovina, 4 August 2010.
- 33 In 2003, Bulgarian warehouses stored 160,000 tons of ammunition, 7,000 tons of which were kept under the open sky. In 2005, 67,000 tons were declared surplus (Nikolov, 2010).
- 34 Bulgaria is establishing a new procedure on the sales of abandoned ammunition. Author correspondence with Lt.-Col. Nikolay Nikolov, armament specialist and assistant to the deputy minister of defence, Bulgaria, 3 August 2010.
- 35 Croatia's national report on PoA implementation indicates that, out of the total stock, the oldest small arms and light weapons will be declared as surplus (Croatia, 2010, p. 13).
- 36 Croatia's Ministries of Defence and Interior reportedly maintain their own destruction facilities (SEESAC, 2006c, p. 49).
- 37 Some earlier studies suggest that not all surplus arms in Croatia had been targeted for destruction as it seemed less costly for the government to store surplus weapons than to destroy them. The number of destruction efforts has increased, but many surpluses are still being stored (IA, 2003,



- p. 6). Indeed, weapons destruction has not become a priority for the Croatian government. Although destruction activities have taken place, these measures are not part of an overall systematic programme for destruction (SEESAC, 2006c, p. 49; 2006b, p. 41).
- 38 Dusko Ivanov, state counsellor and national small arms and light weapons focal point at the MoI in Macedonia, reports that there is no particular written procedure or regulation on how to deal with surplus weapons from the MoD or the MoI. Author correspondence, 26 and 28 July 2010.
- 39 Author interview with Dusko Ivanov, state counsellor and national small arms and light weapons focal point, MoI, Macedonia, 26 and 28 July 2010. This point was also confirmed in secondary literature; see, for example, SEESAC (2006c, p. 57).
- 40 A reform in 2005 redesigned the police as a stand-alone institution, independent from the MoI and other ministries. Border control was also included in the new police directorate.
- 41 The OSCE and UNDP-supported demilitarization and demolition ceased temporarily as a lack of insufficient donor support. The United States is the only remaining donor financing a large destruction programme, including ammunition from the MoD and weapons and ammunition from the police.
- 42 Author interviews with Lt.-Col. Dragoslav Vuksanovic, MoD, Podgorica, 5 July 2010, and Lt.-Col. Vukadin Tomasevic, MoD, Podgorica, 6 July 2010.
- 43 Author interview with Lt.-Col. Vukadin Tomasevic, MoD, Podgorica, 6 July 2010.
- 44 Author interview with Lt. Col. Vukadin Tomasevic, MoD, Podgorica, 27 August 2010.
- 45 Author interview with Radovan Ljumovic, police directorate, Montenegro, 25 August 2010.
- 46 Some of the facilities housing surplus stockpiles used by the police in the centre of Podgorica are filled to capacity with weapons and ammunition. There is no safety area around the facility and there is insufficient space between the materiel and the ceiling. Author interviews with several stakeholders, Podgorica, 5–7 July and 9–13 August 2010.
- 47 These MANPADS were destroyed in the framework of a technical agreement between the US Department of State and the Government of Montenegro that includes the demilitarization of specified small arms and light weapons and various types of ammunition in Montenegro. The agreement stipulates that recovered explosives are to be reconstituted for use in commercial blasting explosives and that 'scrap produced by the destruction process will be offered to the contracted factory to be given as part payment to the factory only if the MoD does not wish to retain it' (USDoS, 2007, art. B.8).
- 48 Author interviews with several stakeholders, Podgorica, 5–7 July and 9–13 August 2010.
- 49 Author interview with Radovan Ljumovic, police directorate, Montenegro, 25 August 2010.

- 50 At the time of writing, the United States was launching a multi-faceted programme including stockpile management training for military personnel and demilitarization of weapons and ammunition from the MoD.
- 51 The public recipients may include the prison guards of the Ministry of Justice or the forest police of the Ministry of Agriculture (Faltas, 2008, p. 94).
- 52 Author interview with the Administration for Defence Technologies, MoD, Serbia, 26 August 2010.
- 53 'Between at least 2004 and 2006, [small arms and light weapons] designated surplus by the Ministry of Defence [were] subsequently offered for sale via a tendering process to various former state-owned arms companies such as SDPR Yugimport, which held the necessary licenses to sell surplus to foreign arms brokers or dealers' (Griffiths, 2008, p. 178).
- 54 The MoD does not publicize the directives used to make decisions on surplus destruction.
- 55 Author correspondence with Jurij Žerovec and Gregor Kaplan, Security Policy Division, MFA, Slovenia, 29 July 2010.
- 56 Author correspondence with Filip Tunjic, Multilateral Cooperation and Defence Diplomacy Department, MoD, Slovenia, 28 September 2010.
- 57 This section does not cover weapons collected through national and internationally sponsored weapons collection programmes.
- 58 Slovenia does not specify whether seized and confiscated weapons may be donated to museums or other countries.
- 59 Author interview with Brig. Mladen Marinkovic, Armed Forces of Bosnia and Herzegovina, 4 August 2010.
- 60 Author correspondence with Hans Risser, senior adviser and programme manager, Human Security, UNDP Croatia, 13 August 2010.
- 61 Author correspondence with Dusko Ivanov, state counsellor and national small arms and light weapons focal point, MoI, Macedonia, 28 July 2010.
- 62 Author interview with Dusko Ivanov, state counsellor and national small arms and light weapons focal point, MoI, Macedonia, 22 July 2010.
- 63 Author interview with Igor Milic, armourer, central police warehouse, Podgorica, 10 August 2010.
- 64 Author interview with Radovan Ljumovic, police directorate, Montenegro, 10 August 2010.
- 65 Author interview with Radovan Ljumovic, police directorate, Montenegro, 25 August 2010.
- 66 Author interviews with Radovan Ljumovic, police directorate, Montenegro, 10 August 2010, and Lt.-Col. Douglas M. Faherty, defense and army attaché, US Army, and Aleksandar Mrdak, assistant to US defense attaché, Podgorica, 12 August 2010.
- 67 Author correspondence with Zorica Loncar Kasalica, chief police adviser, 8 September 2010.
- 68 Author correspondence with Jurij Žerovec and Gregor Kaplan, Security Policy Division, Ministry of Foreign Affairs, Slovenia, 29 July 2010.

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## About the Small Arms Survey

The Small Arms Survey serves as the principal international source of public information on all aspects of small arms and armed violence, and as a resource centre for governments, policy-makers, researchers, and activists. The Survey distributes its findings through Occasional Papers, Special Reports, a Book Series, and its annual flagship publication, the *Small Arms Survey*.

The project has an international staff with expertise in security studies, political science, international public policy, law, economics, development studies, conflict resolution, sociology and criminology, and works closely with a worldwide network of researchers and partners.

The Small Arms Survey is a project of the Graduate Institute of International and Development Studies, Geneva. For more information see [www.smallarmssurvey.org](http://www.smallarmssurvey.org).

## About the Regional Approach to Stockpile Reduction (RASR) Initiative

The Regional Approach to Stockpile Reduction (RASR) is a long-term, coordinated, regional approach to address the threats posed by excess, unstable, loosely secured, or otherwise at-risk stockpiles of conventional weapons and munitions.

RASR encourages affected governments and relevant organizations to develop a proactive, coordinated, regional

approach to secure and destroy small arms and light weapons, by building local capacity, sharing best practices and lessons learned, and synchronizing resources in order to maximize their efficiency.

The ultimate aim of the RASR initiative is to prevent disastrous explosions or destabilizing diversions of conventional weapons and munitions.

For more information see [www.rasrinitiative.org](http://www.rasrinitiative.org).

## Credits

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