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General and complete disarmament

Conventional arms control at the regional and subregional levels

Report of the Secretary-General

Contents

	<i>Page</i>
I. Introduction	2
II. Replies received from Member States	2
Albania	2
Cuba	3
Czechia	5
Portugal	5
Serbia	6
Ukraine	7

* [A/76/50](#).



I. Introduction

1. In its resolution [75/50](#) on conventional arms control at the regional and subregional levels, the General Assembly decided to give urgent consideration to this issue and requested the Secretary-General to seek the views of Member States on the subject and to submit a report thereon to the Assembly at its seventy-sixth session.
2. On 17 February 2021, a note verbale was sent to Member States seeking their views on the subject. Any views received after 31 May 2021 will be posted on the website of the Office for Disarmament Affairs¹ in the language of submission. No addenda will be issued.

II. Replies received from Member States

Albania

[Original: English]
[31 May 2021]

Albania is committed to regional and subregional cooperation in international transfers of conventional arms.

Regarding the participation in international dual-use control regimes, Albania, through the State Export Control Authority, has initiated internal procedures for assessing possible engagement in the Wassenaar Arrangement. The assessment was conducted in cooperation with the Ministry of Foreign Affairs as well as with all other institutions that will be part of this process. During the prior assessment conducted by the Ministry of Defence, the State Export Control Authority and the Ministry of Foreign Affairs concluded that Albania complies fully with the application criteria.

However, the process of documenting the fulfilment of the application criteria and preparing the application file requires time, given that an exhaustive list of elements for each of the criteria should be submitted with information regarding the legislative framework, policies, technical issues and statistics.

The Ministry of Defence and the Albanian State Export Control Authority are working on this process and gathering all the information from all the institutions involved.

In addition, Albania is part of the European Union Chemical, Biological, Radiological and Nuclear Risk Mitigation Centres of Excellence Initiative, which was launched in 2010. This Initiative mirrors the Action Plan on chemical, biological, radiological and nuclear security implemented inside the European Union. The main objective of the Centres of Excellence Initiative is to facilitate regional cooperation in order to enhance chemical, biological, radiological and nuclear security capabilities.

Albania is involved in the Regional Information Exchange Process. This platform brings together representatives of the authorities in the regional countries.

Through this process, we have organized regional meetings that contribute directly to regional confidence-building and increase transparency among south-east European countries. Regional reports on arms exports are produced and published through this process and can be found on the website of the South Eastern and Eastern

¹ See www.un.org/disarmament.

Europe Clearinghouse for the Control of Small Arms and Light Weapons.² Also through this process, we have developed the Regional Law compendium and update it frequently.³

Within the framework of the Regional Information Exchange Process, and with the assistance of SEESAC, the creation of a brokering database was facilitated that evolved into an information exchange platform – a truly unique tool, designed to help participating countries to exchange important information and be better informed as they conduct their daily arms control duties. Each participating country has provided a full and updated list of registered arms brokers and their contact information, which can now be accessed through the brokering database, available at the Clearinghouse website only, by the authorized government counterparts from each of the participating countries. In close collaboration with the participants in the Process, the Clearinghouse continues to develop and expand the scope of the information contained in the database, including country profiles, legislation, export control systems and sanctions lists.

Moreover, recognizing that the proliferation and illicit trafficking of firearms and their ammunition is a persistent threat to internal security, authorities in Albania and the region have developed a road map for a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition in the western Balkans. The purpose of this road map is to serve as a guiding and consensual document, developed and owned by the regional authorities, for achieving a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition in the western Balkans. The document is testimony to the consensus reached among all stakeholders in the region on the current challenges, the overall targets to be reached and the timeline of actions to be taken.

Besides the Process, authorities involved in arms transfer control from the countries of south-east Europe meet in different regional workshops and seminars to exchange ideas and information on best practices and to share experiences.

Under European Union programmes such as the European Union Partner to Partner Export Control Programme for arms trade control and the Working Party on Conventional Arms Exports, the region of South-Eastern Europe benefits from assistance regarding conventional arms transfer at the national and regional levels.

Albania has approved the National Strategy on Small Arms and Light Weapons and, through the action plan, has also established the National Commission for Small Arms and Light Weapons (interministerial bodies coordinating all policies related to small arms and light weapons) chaired by the Deputy Minister for the Interior.

Regular regional meetings are organized, which provide an opportunity for National Commission representatives to share experiences and technical knowledge, discuss common problems and identify ways to cooperate.

Cuba

[Original: Spanish]
[14 May 2021]

The scourges associated with illicit arms trafficking cause considerable suffering and social ills. There is thus a growing need for effective arms control. However, such control should not be limited to conventional weapons but should include weapons of mass destruction, which have a significantly more devastating impact.

² See www.seesac.org/Regional-Reports-on-Arms-Exports_1.

³ See www.seesac.org/Regional-Arms-Law-Compendium/.

Whether at the regional, subregional or international level, conventional arms control should be based on international legal norms and principles, the Charter of the United Nations and the fulfilment in good faith of the international commitments assumed by States.

Regional and subregional control measures should in no way undermine the legitimate right of all States, under Article 51 of the Charter, to manufacture, acquire and retain conventional weapons in order to meet their national security needs and protect their sovereignty and territorial integrity.

In the principles to be formulated by the Conference on Disarmament and in discussions on conventional arms control at the regional and subregional levels, the following points should be taken into account:

1. Conventional arms control should be based on respect for, and the recognition of, national control measures. States should be primarily responsible for the implementation of measures for the control of their weapons;
2. Control measures should be adapted to the interests, needs and characteristics of each country and region;
3. It is for States to determine whether they need assistance in establishing and implementing their arms control measures;
4. Cooperation and assistance should be strengthened not only at the regional and subregional levels, but also at the international level. Such cooperation and assistance should take into account the specificities and needs of the receiving State and should promote technology transfer and national capacity-building.

In accordance with the international treaties to which it is a party and with United Nations resolutions on conventional arms control, Cuba has incorporated into its legal framework a series of relevant laws, including Decree-Law No. 262 on weapons and ammunition and its implementing regulation.

Examples of control measures established under Decree-Law No. 262 and its implementing regulation include the regulation of the import and export of weapons and ammunition, the restriction of the use of weapons and ammunition on board ships and aircraft, and the implementation of surveillance systems at the country's international and internal borders. These laws also set forth the obligations of legal firearms holders.

The conventional arms that exist in Cuba are defensive in nature, are intended to maintain national security and defence and are duly controlled by the appropriate State bodies. In Cuba, the vast majority of conventional weapons are the property of the Ministry of the Revolutionary Armed Forces and the Ministry of the Interior. Both ministries follow strict procedures to ensure the security of their arsenals and have the internal rules and mechanisms necessary for the rigorous and periodic monitoring of these weapons, whether they are held by military personnel or civilians. In addition, in Cuba, no weapons of any kind may be sold or transferred to natural persons.

Cuba has set out the many control mechanisms used by national authorities to ensure the security of their weapons in its national annual reports on the implementation of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and Protocol V thereto, the Convention on Cluster Munitions, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Cuba has also described these control measures during

discussions on arsenal management held in accordance with Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (see the working paper presented by Cuba at the 2014 Meeting of Experts). The prevention and control mechanisms set out by Cuba in the above-mentioned reports and working document could be considered good practices that could contribute to the work on the formulation of principles requested of the Conference on Disarmament.

As a State member of the Conference on Disarmament, Cuba will work actively and constructively to formulate principles that can serve as a framework for regional agreements on conventional arms control, within the parameters of the programme of work of the Conference, taking into account the various issues within the purview of the Conference and the need to strike a balance among them.

Czechia

[Original: English]
[23 April 2021]

In 2020, the Czech Republic implemented all its commitments stemming from international agreements on arms control, disarmament and confidence- and security-building measures. However, the verification activities were severely affected by the coronavirus disease (COVID-19) pandemic, and most of them were cancelled.

The Czech Republic, in accordance with the Treaty on Conventional Armed Forces in Europe:

- Organized one multinational training inspection on the territory of the Czech Republic (with the participation of 12 foreign inspectors from ten countries)

The Czech Republic, in accordance with the Vienna Document:

- Organized and conducted one evaluation visit (with the participation of one foreign inspector)
- Received one evaluation visit

The Czech Republic, in accordance with the Treaty on Open Skies:

- Received one observation flight

The Czech Republic, in accordance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction:

- Received one international inspection

Portugal

[Original: English]
[24 May 2021]

Portugal, in compliance with the new directive on the control of the acquisition and possession of firearms, Directive (EU) 2017/853 of the European Parliament and of the Council of 17 May 2017, through Law No. 50/2019 of 24 July 2019, incorporated the new European rules into national law.

New rules were proposed to the Government for firearms collectors and sport shooters, and the process is ongoing.

Furthermore, the new directive presupposes stricter rules for museums with firearms, and the Public Security Police signed a memorandum of understanding with the Ministry of Culture to have access to the firearms in museum possession in order to legalize all of these.

With regard to European regulations, Portugal is actively involved in several working groups with a view to creating a set of rules at the European Union level so that it is increasingly easy to stop the acquisition or transfer of firearms and increasingly difficult to transfer firearms to a specific country or transfer firearms from one European Union country to another.

Commission Implementing Regulation (EU) 2018/337 of 5 March 2018 amending Implementing Regulation (EU) 2015/2403, which has been in effect since 28 June 2018, has been incorporated into national law through Order No. 8717/2019 of 2 October 2019 to establish common guidelines on standards and deactivation techniques in order to ensure that all essential components of a firearm have been rendered permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way.

Decree-Law No. 8/2020 of 9 March 2020 was implemented in the national legal order, and establishes the technical specifications for marking firearms and their essential components, as well as for alarm, starter, gas and signalling weapons, incorporating Commission Implementing Directives (EU) 2019/68 and 2019/69 of 16 January 2019.

On 3 September 2019, Portugal implemented Commission Delegated Regulation (EU) 2019/686 of 16 January 2019 laying down detailed modalities, under Council Directive 91/477/EEC, for the systematic electronic exchange of information concerning the transfer of firearms in the European Union, for which purpose the Internal Market Information System was adopted, as provided for in Commission Implementing Decision (EU) 2019/689.

Currently in the approval phase among member States of the European Union is a commission delegated regulation laying down the detailed arrangements, under Council Directive 91/477/EEC, for the systematic exchange, by electronic means, of information relating to refusals to grant authorizations to acquire or possess certain firearms in the European Union.

A proof house is also in the final stage of completion, and we expect to have the project finished by the end of June. The Portuguese proof house, managed by the Public Security Police, will increase the quality and control of the weapons introduced to and manufactured in Portugal, as this proof house will have certification from the Permanent International Commission for the Proof of Small Arms.

Serbia

[Original: English]
[27 April 2021]

At the regional level

Pursuant to chapter X of the Vienna Document 2011 (Regional measures), the Government of the Republic of Serbia has signed, with the Government of Hungary, a bilateral agreement on confidence- and security-building measures complementing the Vienna Document 2011. On the same basis, the Ministry of Defence of the Republic of Serbia has signed, with the Ministry of Defence of the Republic of Bulgaria, the protocol on strengthening confidence- and security-building measures complementing the Vienna Document 2011.

Pursuant to chapter X of the Vienna Document 2011 (Regional measures), and under the Final Document on the Negotiations Related to article V of annex 1-B of the General Framework Agreement for Peace in Bosnia and Herzegovina, the Verification Centre of the Ministry of Defence of the Republic of Serbia and the Bundeswehr Verification Center sign, every other year, a letter of intent providing for additional activities in the field of arms control.

At the subregional level

Pursuant to the provisions of the Final Document on the Negotiations Related to article IV, annex 1-B, of the General Framework Agreement for Peace in Bosnia and Herzegovina (Agreement on Sub-Regional Arms Control), the Republic of Serbia accepts, each year, the specified number of inspections of the parties to the Agreement, as well as the arms reduction inspections, in accordance with the protocol on inspection, section II of the Agreement and the annual inspection schedule under the Agreement. At the same time, the Republic of Serbia conducts the specified number of inspections with the other parties to the Agreement through the Verification Centre of the Ministry of Defence, in accordance with the annual inspection schedule under the Agreement.

Ukraine

[Original: English]
[31 May 2021]

Ukraine certainly recognizes the crucial role of conventional arms control in promoting regional and international peace and security. This is why Ukraine remains a conscientious and actively participating State among all conventional arms control regimes based primarily on the Treaty on Conventional Armed Forces in Europe, the Treaty on Open Skies and the Vienna Document 2011 on Confidence- and Security-Building Measures that have underpinned the European security architecture.

However, the current conventional arms control regime is being eroded because the Treaty on Open Skies, the Treaty on Conventional Armed Forces in Europe and the Vienna Document do not reflect current military-political realities. Missed opportunities for modernization, accompanied by non-compliance, suspensions and withdrawals, have reduced their contribution to common security in the Euro-Atlantic region.

Ukraine and other European States now face an increasingly difficult European security environment, accentuated by a loss of trust; a lack of transparency; blatant acts of aggression and violations by Russia of international law, sovereignty and the territorial integrity of certain States within their internationally recognized borders; and a loss of collaborative spirit.

In 2007, Russia suspended its participation in the key regime of the Treaty on Conventional Armed Forces in Europe and, in so doing, set the conditions for the hidden “snap” aggression against Ukraine in 2014. During the period 2014–2020, Russia “de facto” removed, from the zone of application of the Treaty on Conventional Armed Forces in Europe, the Treaty on Open Skies and confidence- and security-building measures, parts of the temporarily occupied territories of Ukraine and Georgia with a total area of over 57,500 km². These temporarily occupied territories of Ukraine and Georgia were transformed by Russia into non-transparent “grey zones” with a large-scale concentration of Russia’s combat forces, weapons and equipment.

Besides that, Russia attempts to use the provisions of the Treaty on Open Skies and the Vienna Document to legitimize its illegal annexation of the Crimean Peninsula

of Ukraine. Such an approach puts pressure on existing arms control mechanisms, undermines the very principles of the international law and shall in no way be accepted.

Russia's ongoing armed aggression against Ukraine, the current large-scale concentration of Russian troops and attack equipment near the Ukrainian State borders conducted by Russia during the period 2020–2021, and Russia's intensive "snap" exercises on the temporary occupied territory of Ukraine's Crimea destabilize the military-political situation in Europe and confirm the inadequacy of present tools for confidence- and security-building measures.

Russia has been a serial violator of arms control obligations and commitments, not to mention the principles set forth in the Final Act of the Conference on Security and Cooperation in Europe and in the Charter of the United Nations. Russia's violations of fundamental principles of the Organization for Security and Cooperation in Europe and its aggressive military activity, combined with its selective implementation of arms control instruments, have undermined European security and the arms control architecture as such. Thus, Russia alone bears responsibility for the continued erosion of the international arms control architecture.

Ukraine, like all civilized States of the Euro-Atlantic community, is interested in restoring military transparency and predictability, as well regional stability and mutual international confidence. To achieve these goals, Ukraine will support all efforts of the international community aimed at (a) Russia's return to the international legal field and multilateral conventional arms control mechanisms existing within its framework; (b) the recovery by Moscow of its lost ability to comply with the international legal obligations with regard to their fulfilment; and (c) Russia's abandonment of its course of spreading its military-political expansion and the destabilization of Europe.

Within this context, Ukraine considers it necessary to draw special attention to any new and future agreements in the field of conventional arms control developed at the regional and subregional levels in bilateral or multilateral formats, including those for the purpose of "strengthening regional peace and security".

The agreements should in no way:

- Be based on the results of the aggression or other internationally wrongful acts of one State against another State, including Russia's aggression against Ukraine
- Be aimed at legitimizing the consequences of aggression and/or the illegal occupation and/or annexation by the aggressor State of part of the territory of another State, including the illegal attempts of Russia to legitimize its control over temporarily occupied territories of Ukrainian Crimea and the city of Sevastopol

However, first of all, at the current stage, Ukraine demands that Russia:

- Reverse its dangerous actions related to the unusual military activity of the Russian Armed Forces and the large-scale concentration of about 110,000 troops and attack weapons near Ukraine's eastern borders and in the occupied Ukrainian Crimea
- Withdraw the concentration of troops and attack weapons from the Ukrainian borders
- Ensure, in accordance with its commitments under the arms control arrangements, full transparency regarding its military activities, in particular on such fundamental components as the size and structure of permanently stationed troops in the respective areas and additionally transferred troops involved in combat training, and the duration of their deployment

- Stop its aggression against Ukraine, withdraw its armed forces, mercenaries and weapons from the temporarily occupied territories of Ukraine, reverse its illegal occupation of Crimea, de-occupy parts of the Donetsk and Lugansk regions and restore freedom of navigation in the Black Sea, through the Kerch Strait and in the Sea of Azov
- Implement General Assembly resolution [75/29](#) on the problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov

In addition, Ukraine calls upon all interested States to:

- Enhance the verification and monitoring measures regarding Russia's military activity on Ukrainian borders, as well as regarding the reduction and withdrawal of weapons and military equipment deployed by Russia
 - Stimulate the Russian Federation to engage in a process of a good faith implementation and modernization of the Vienna Document for the purpose of security risk reduction and the improvement of military predictability in the Euro-Atlantic region.
-