



## Parliamentary Update (SEDE Subcommittee) 16 March 2009

*Following the meeting of the Subcommittee on Security and Defence (SEDE) on 16 March, this update includes coverage of the exchange of views with Katerina Sequensova, Chair of COARM, on the implementation of a EU Common Position on Arms Export, and with Claude France Arnould Director DG E VIII, on EUFOR Tchad/RCA and the ATHENA mechanism. This report also covers the SEDE delegation report on the EU Monitoring Mission in Georgia and the workshop on war remnants and the pollution of the sea.*

### **Implementation of EU Common Position on Arms Export – Exchange of views with Ms. Katerina Sequensova, Chair of COARM, Czech Presidency**

Katerina Sequensova spoke about the adoption of a Common Position on the EU Code of Conduct on Arms Exports<sup>1</sup> and about the procedure leading to the Arms Trade Treaty (ATT), noting the importance of involving the United States in the process. She described ongoing activities, including regional workshops as well as two seminars on joint action during the Czech Presidency: one for Ukraine and one for the Western Balkans.

She explained that a Common Position had been adopted on the Code of Conduct and praised the exchange of information with Norway, a partner country in this process. Regarding the Wassenaar Arrangement, Sequensova noted that a priority of the Czech Presidency was to ensure the membership of Cyprus in the Arrangement. Prompted by MEP Tobias Pflüger (GUE/NGL) who asked if the Common Position could help end the EU supply of arms to countries in conflict, such as Georgia and the Gaza strip, or if it could provide a way to better monitor such sales, Sequensova argued that all Member States stopped their exports of arms to Georgia during the conflict.

Responding to MEP Ana Gomes (PSE) who asked about progress made by Member States on the implementation of the Common Position in national legislation, Sequensova stated that some Member States have already included criteria of the Code in their legislation while others are in the process of amending their national legislation. Gomes further thanked France for the evolution of the Code of Conduct into a Common Position, noting that it would become legally binding. She was also interested in the type of actions taken by the European Council and Commission to regulate the sale of Small Arms and Light Weapons (SALW) in Africa in partnership with UNDP.

### **Exchange of views with Mrs. Claude France Arnould, Director DG E VIII, Council General Secretariat, on EUFOR Tchad/RCA and ATHENA**

The Chair of SEDE, Karl von Wogau (EPP-ED) opened the floor by noting that the EUFOR Tchad/RCA mission is the second largest mission of the EU and commended the high level of international cooperation. He shortly spoke about the SEDE delegation visit to Chad, noting that the security situation in refugee accommodation camps had improved following the arrival of the mission.

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<sup>1</sup> European Parliament resolution of 4 December 2008 on the EU Code of Conduct on Arms Exports. P6\_TA-PROV (2008)0580

Claude France Arnould called for the implementation of the UN resolution to prevent the situation from getting worse and to allow the UN to deploy its police force on the ground. She noted an improvement in the security situation as well as the positive perception of the mission by the population. She further praised the smooth transfer from the EU to the UN, stating that the majority of Member States agreed to continue operating under the mandate of the UN. Highlighting that the mission was fully European, she recognised the important contribution made by Russia, Albania and Croatia.

While von Wogau believed in the necessity of transferring some command from the UN to local forces, Pflüger noted that the political background of the two missions is very different and asked which EU Member States were not participating in the MINURCAT mission.

Arnould also spoke about the functioning of the Athena funding mechanism<sup>2</sup> for military missions. She described the Athena mechanism as a flexible instrument with operational advantages. It helps manage common costs incurred - such as costs relating to headquarters and infrastructure – which are later invoiced to all States. Athena is applied to all Member States except Denmark (because of its Defence opt-out). Arnould explained that, since all Member States agree unanimously to conduct a mission, they must jointly contribute to common costs even if they do not participate in the mission itself. She admitted that the question of common financing remained difficult as national positions continue to diverge significantly on the issue.

### **SEDE Delegation Report on EU Monitoring Mission in Georgia**

MEP Richard Howitt (PSE) spoke about the visit of the SEDE delegation to the EU Monitoring Mission (EUMM) in Georgia on 24-27 February 2009, which he classified as successful. He praised the highly professional personnel but called on the three missions (EU, UN and OSCE) to work more closely together. Howitt noted that the mission had been successful in bringing stability to the region, but he deplored continuing problems with the situation of Internally Displaced Persons (IDPs). This point was also raised by MEP Angelika Beer (Verts/ALE) who claimed permanent homes were being built for IDPs, which, she noted, is against the EU's policy on the right to return.

### **Workshop on war remnants and the pollution of the sea**

The SEDE Subcommittee meeting was followed by a workshop on war remnants and the pollution of the sea. John Hart, Senior Researcher and Head of the Chemical and Biological Security Project, Arms Control and Non-Proliferation Programme at SIPRI, spoke about the political and technical challenges posed by sea-dumped chemicals, specifically in the Baltic Sea. He explained that, after the two World Wars, disposal of munitions was mostly done through dumping at sea. Scientists and fishermen still regularly recover remnants. Hart spoke about the diversity of actors involved in the search and discovery process and about the difference between acute and chronic toxicity. He concluded by noting that, in the absence of compelling reasons to act, it would probably be preferable to leave the ammunitions in the sea. However, he highlighted the need for continuing evaluation, including the monitoring of plutonium levels, of munitions in the Baltic Sea.

Jeffrey Osborne from the Verification Division, Organisation for the Prohibition of Chemical Weapons (OPCW), spoke about the Convention on Chemical Weapons (CWC), stating that there were no requirements for Member States to declare weapons which were buried before 1977 or which were dumped before 1985, thereby making complete monitoring of the situation more difficult. He further spoke about the increased danger of recovering weapons from water rather than from land.

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<sup>2</sup> For more information, please read Council Decision 2008/975/CFSP of 18 December 2008 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena).

Mark Koch, Researcher at Evonik New Energies, spoke about the extent of the problem of submarine dumpsites, noting that weapons were dumped in seas, but also in small lakes and rivers. He focused on the Skagerak region north of Denmark - where munitions were regularly dropped along with the ships transporting them - and on the Bornholm region as main dumping sites. Noting the presence of over 70 unofficial dumping sites until the late 1980s and arguing that 74 ships and munitions were dropped in Skagerak, he highlighted the danger of sudden release of toxic substances as well as the danger of terrorists getting access to those weapons. Koch therefore called for the removal of these weapons, arguing that failing to act will threaten future generations.

MEP Vytautas Landsbergis (EPP-ED) argued that Member States face important risks in the Baltic Sea. He noted that the lack of information about dumping sites is dangerous. Although Landsbergis explained that States, notably Russia, kept their dumping sites secret in order to avoid enemies uncovering them, he argued that refusal to disclose information today should be considered a criminal act because of the dangers represented by the presence of these weapons.

Angelika Beer deplored the lack of information provided by the German government and noted that, since fishermen have no financial incentives to return the munitions they find, they tend to drop them back into the sea. Koch therefore focused on the importance of lobbying to provide financial incentives to fishermen, arguing that the number of munitions returned increased when financial compensation was given. Osborne, stated that underwater recovery is technically feasible, and concluded by stating that the decision to recover or not, should be based on sound information from experts.

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