

EVALUATION OF THE EXISTING LEGAL FRAMEWORK IN THE EU TO COMBAT ILLEGAL ARMS TRAFFICKING

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European law is one of the greatest phenomena of modern legal science. The unique formulation of laws and rules resulting from an integrated community - the EU is not only economically but also in the early 90 - ies in political terms is a testament to the success rate of the integration process. European law as a concept cannot be compared either with the national legal systems nor international organizations where decisions are the result of bargaining between actors. It stems from the actions of a supranational body - the EU. But is this unique phenomenon operates efficiently enough and does it have sufficient tools to respond to global threats such as trafficking in weapons? As it became clear this problem is more subject to action as a result of political cooperation. In the field of political cooperation and integration existing in this area in the EU the picture is still unclear. However, the Community could take several pieces of legislation and to build a stable existing legal framework to lay the foundations of the fight against arms trafficking. Based on this framework, the parties - States are increasingly beginning to act as a whole in an effort to provide effective response not only to arms trafficking, but also other global threats in the world. The existing legal framework in the EU on this issue, however, include not only what is done at Community level. Therefore, this chapter will be discussed and the efforts of Member - States in terms of national legal systems and what the parties - States have done internationally. Again, make it clear that Bulgaria will be considered in detail later. The main object of the legal framework in the EU Small Arms and Light Weapons.¹ Measures regarding the smuggling of weapons here includes not only countries like Ukraine and regions like the Balkans, but also areas outside Europe - Africa, Asia, Latin America, most of whom are former European colonies. However, what made the countries - members of national level? Belgium invested considerable effort in trafficking in weapons. In 2006 the country adopted a new law on weapons, which in greater detail control over the holders of weapons. Given that the

¹ Sixth annual report on implementation of Joint Action 2002/589/CFSP of 12 July 2002 on a European Union contribution to combating the destabilizing accumulation and spread of small arms and light weapons.

accumulation of such weapons is often the case with the first purchase by an individual law clearly defines the conditions under which an individual can own and control arms, which takes place on it. In Austria, the government took steps in another direction. Instead of focusing attention on purchases and gun control, it completely changed laws and regulations for foreign trade in this matter. Were created unified licenses for weapons, without which it can to promote trade with them. These standards are mandatory for all Austrian entrepreneurs. Thus the threat of illicit trafficking of arms still crossed at sale. Furthermore, the Austrian government suspended all aid to companies that produce and transport arms, but with questionable past. Furthermore, almost all weapons to be monitored. Czech Republic, in turn, is still facing difficulties in combating illicit trafficking of arms as stubbornly refuses to disclose its weapons work. Moreover, activities around the storage of weapons outside the scope of the law on weapons until they are used by public services - something that can easily be used by traffickers of illicit trade in government. On the other hand, are tightening the terms of trade of arms in the Foreign Trade Law and war materials. It mentions that every arms dealer must obtain a license from the Ministry of Industry and only then apply for any sale. Much worrying permit issued for that Czech arms exports to non-profit member – states of EU.² The country is still working on tightening border control measures and improvement of customs policy. In Denmark, the fight against illicit trafficking in arms not only goes under small arms and light weapons, but also in terms of the explosives. In Denmark there is legislation prohibiting the import and export of weapons and explosives, unless they have a special license issued by the Ministry of Justice or an authorized person. Danish police have established a special register, in which the holders of firearms Register as including not just their names, but a detailed description of the weapon model and manufacturer. All information shared in the Schengen Information System, if the weapon is the victim of trafficking. Register are required to maintain all legal persons as rifle associations. In 2004 the Danish government passed a law which bans arms exports to countries under embargo by the international community as was the case with Iran. A year later, the Danish Parliament passed a new law, which prohibits persons without a license from the Ministry of Justice to mediate agreements for the purchase or sale of weapons. Overall, Denmark is a country that is doing best of all the countries - members present. Estonia itself still had considerable

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difficulties in its fight against illicit arms trafficking. In 2006, not even new legislation came into force with respect to this problem. In 2007 he started, which aims to modify and adapt Weapons Act in line with European requirements as defined clear conditions for possession of arms and ammunition and how to carry out state control over the arms trade. At the same time run a procedure of destroying obsolete weapons that are on Estonian territory. Established a special Committee on strategic goods within the Ministry of Foreign Affairs. The Commission has licensing authority for enforcement. In Finland, combating illicit arms trafficking is conducted mainly through increased cooperation between public administration and law enforcement. In 2004 enters into force legislation on amnesty in connection with firearms. According to all owners of illegal and non-registered arms and ammunition must surrender their weapons to the police if they are not used for criminal offenses will have legal consequences for their respective owners. This is a very subtle way the Finnish political elite, which seeks peaceful destruction of illegal weapons, while encouraging their owners to surrender. If owners wish to retain their arms to him licensed, otherwise fall under the blows of the law. In France, the law provides for prior authorization for import, export, production and transportation, etc. arms. Any such authorization must be examined by the French Parliament. This preliminary review applies to all natural and legal persons resident or established in France. The controls aim to eliminate criminal practices in the early and greater transparency of measures taken so far. Germany has significantly greater cooperation on the issue of the international community. In cooperation with the EU, Germany has adopted a change in legislation on arms exports - they also include military weapons and military equipment. The exports of weapons to persons outside Germany require a license. That license is required not only foreign persons, but also for German nationals. In cooperation with the UN has developed a new system for marking weapons purchased in order to more easily trace the origin and possible - the manufacturer. For countries outside the EU or NATO and other countries that have a status equivalent to that of NATO members Germany requires the destruction of obsolete arms imports and exports. Cyprus rely on detailed formal approach - there controls on the exports of small arms and small-scale weapon is under control of the Ministry of Commerce, Industry and Tourism, and transit, along with repeated transfers of weapons is a priority of the authorities responsible for customs policy. There is a Law on Firearms and non-arms, which regulates the conditions for importation and possession of such weapons. Law prohibits the weapons from citizens or residents of Cyprus, unless they have a license issued by

the chief of police for security. The license shall be issued only if the manufacturer has no criminal record. In case of violation of the law provides for about 15 years' imprisonment. Despite serious condition, which is now Greece, the Greek government made many efforts to combat illicit arms trafficking, moreover, that this region is of great strategic importance for Europe. The first measures were associated with locating and seizing illegal trade of obsolete equipment. The law governs all the conditions for import and export and establishes clear mechanisms for monitoring all stages of production and transportation of arms and other lethal materials. It also provides for a special license that is required for possession and trade in weapons. The second package is mostly related to cooperation with international organizations and participation in various initiatives. As a result, create a number of laws governing penalties for illegal possession or trade in weapons. Overall one of the most stringent regulations on combating illicit trafficking in arms is that of Hungary. In her license for arms dealers is not sufficient conditions for trade as it is needed and additional control because it only gives the natural or legal person status of the arms dealer. A second license, which entitles those traders not only to enjoy the status of arms dealers, but to negotiate. Moreover, after completion of each course of trade the trader must obtain a third license that legalizing the trade. Licenses are issued by the Interministerial Commission for foreign trade in military equipment. To all these licenses and the Hungarian government issued a decree, which expressly authorized the transfer of particularly lethal weapons only with arms escort. With this complex system of controls failed to Hungary won the name of one of the countries in greatest constitute barriers to illicit arms trafficking. What is the situation on the periphery of the European Union? Ireland published in 2007, a qualitatively new legislation on arms exports, as so far there was no specific national legislation on trade in small arms and light weapons. However, the legislation provides for the issuance of trade licenses to import and export of such weapons and types of countries - EU members. Moreover, in 2005, was released in Ireland on Export Control Regulations, relating directly to the weapons. If the trader does not have a license under the regulations of Irish exports of arms is divided into several categories. The first is exporting to countries - EU members as necessary authorization from the Ministry of Justice, Equality and Law Reform. Second - the export of non-EU countries require a permit from the Minister of Enterprise, Trade and Employment. What is the main reason for such a lightweight control arms trade in Ireland? The fact is that in that country does not produce small arms and light weapons. However, in recent

Irish political elite plans new legislative changes that will help the state to engage more effectively in combating this major threat. Is considerably weaker and control in Italy. By 2006 legislation on illicit arms trafficking is a matter of constant debate among Italian politicians. The new legislation received stimulus only when Italy ratified the Convention on organized crime in the United Nations and all protocols. Current state of regulations in Italy regarding the illicit trafficking of weapons includes some preventive measures, but generally the most detailed sets out the terms for possession of weapons. However, Italian authorities have launched several major operations to destroy the weapons. Latvia made serious attempts to change its regulatory framework in the field of arms trade and it entirely. However, by 2006 there were no significant changes. In Latvia there is a law for the distribution of firearms, which governs the obligations of natural and legal persons trading in weapons, equipment, explosives and equipment. The Act provides for the issuance of licenses by the Commission for control of strategic goods. The license shall be issued for import and export, including all strategic goods. Additionally there is a law for the distribution of strategic commodities, which together with the Law on the proliferation of firearms are an expression of successful harmonization of the Latvian national legislation into line with EU requirements and international law. Similar efforts are also neighbor of Latvia - Lithuania it also passed the distribution of strategic commodities, which implements licensing control arms trade. Prohibited and negotiations were arms dealers from countries that are embargoed by the UN and EU. One of the most detailed regulations on trade in arms is that of Luxembourg. Luxembourg will review its legislation as exports and imports of arms is governed by the Decree of the Head of State since 1995. Luxembourg is one of the few countries in the EU, which prohibits the export and import of certain particularly dangerous for those weapons. The party making exceptions for those that are used for auctions, scientific purposes or simply pass through her territory in case of arms exports from the country exporter shall require a license for production of the data subject is obliged to notify the arrival of the gun as proof of arrival at the destination - a certificate issued by the customs authorities of the country. Netherlands is not planning any changes in their legislation and continues to exercise its policy of tolerance even in the arms trade. Poland as an external border of EU and NATO is one of the countries that took not only legal but also administrative measures in its legislation on trade in arms. To this end a single system for ATT. The legislation requires all vendors and carriers of arms require endorsements on the border of Poland, created a list of countries which have banned the export of

weapons. Any individual who wishes to engage in arms trade must go through a training course, guaranteed by the Ministry of Economy of Poland. Only after passing the exams and the person gets a license. The customs authorities have been granted full liberty to inspect carriers to maximize detection of as many illegal traders. As a maritime border of the EU Portugal strengthen coordination between institutions in combating illicit arms trafficking. Licenses for arms trade are issued by the Ministry of Defence or the Ministry of Interior. In 2006 Portugal introduced a completely new legislation in the arms trade, which defines not only exports and imports, but the production and transit of firearms and penalties for violation of the law. Romania had made no significant changes in its legislation on trade in arms. Ordinance regulates the government controls the export and import of arms. The regulation provides as follows: first granted a marketing weapon, then issue a permit for transportation and transit. In Romania, export control is controlled by public agencies. Ministry of Interior and Administrative Reform controlled way to acquire weapons. Arouse interest in the actions of Malta, which issued a so-called. "Official Notices" in terms of illegal arms trafficking. These statements are documents which seek appropriate legislation in this area. The first notice seeking to find the necessary measures against the import and export of weapons that could be used for crimes against humanity. Importantly, it is prohibited even technical assistance for the provision of equipment for production and development of weapons origin. Moreover, there is a clear list of weapons, based on which other notices set forth the terms under which may be exported or imported specific categories of weapons. Slovakia, in turn, rely on the introduction of an entirely new framework. Starting with the adoption of the Law on trade in military material and introduce amendments to the business. The aim is to clearly defined conditions under which trade in weapons. Furthermore, even a person to obtain a license under the regulations must be expressly refrain from commerce in weapons or proceed with such necessarily take into account whether the sale will not harm the Slovak national interest. In Slovenia, the reform is carried out by starting from the institutions say first they are loaded with certain responsibilities, and then displays the relevant legislation and regulations are made. Slovenian system provides three basic institutions as bearers of responsibility for the arms trade. Ministry of Foreign Affairs itself generally coordinate trade and commercial activities around the arms industry. Ministry of Interior is directly responsible for small arms and light weapons and for all activities of import and export. Ministry of Defence, in turn, responsible for small arms and light weapons, which

provided for military purposes. Controls at borders is shared with the Police and Customs Administration. Spain also adopted new legislation. We need to emphasize that each border of the EU in this country developing a legal framework is particularly dynamic. In 2006 to develop legislation to increase control over the trade and classification of different weapons. It is important to emphasize that the control extends to additional categories such as sports and hunting weapons. Furthermore, Spain is ready with internal procedures for ratification of the Protocol on Firearms of the United Nations. Develops and arms trade Act to regulate detailed conditions for the import and export of weapons. Sweden has made new steps in their legal system as he had opened the commercial weapons status information "confidential." The promotion of transparency has always been the first step toward a clear legal framework. Moreover, since 2006 the Swedish Customs are obliged to inform the Swedish police for all weapons that arrive in the country. The most detailed and consistent of all, however, is the practice of the United Kingdom. It runs counter to the first level policies and programs, but even then the level of regulation to a greater efficiency. It is also one of the few EU countries, which gives funds for the study of weapons themselves. UK works in cooperation with the UN to destroy the maximum number of existing illegal weapons in its territory. Foreign Ministry works in cooperation with the Ministry of Defence and Department for International Development. The result was the adoption of a strategy for small arms and light weapons, which contains a package of measures to implement all agreements and even promotion of regional non-governmental organizations to combat illicit arms trafficking. Greater the funding, which is planned and implemented actions to combat this threat. Actual implementation of these activities is an effective fight and need legislation often remains in the background. What is the conclusion of this major review of regulations in the European Union?³ Most importantly, the fight against illicit trafficking of weapons flowing in full force. If you draw the line states can be divided into three groups. The first one includes those who have already achieved considerable success in its legal system. Among them France, UK, Austria, Denmark and others. Many have detailed regulations, which govern the conditions for import and export of weapons. Moreover, transparency is very high and combating illicit trafficking of arms also has several levels. As a result, the regulatory framework of these countries can be defined as effective. The second group

³ Sixth annual report on implementation of Joint Action 2002/589/CFSP of 12 July 2002 on a European Union contribution to combating the destabilizing accumulation and spread of small arms and light weapons.

includes the countries of Central Europe, whose passage was under the sign of success as Poland, Slovakia, Slovenia, Hungary and others. In these regulations has been recently formed and remain issues around transparency. Overall, however, arrangements can be a success. The last group are countries like Bulgaria and Romania, some of which transition can be defined as "transition without a compass." In these countries, no new legislation on combating trafficking in illegal weapons or if they are not significant. From this perspective, these systems can not be considered effective. However, the impression made efforts in this direction that the European Union defines the word "progress." What is the situation at EU level? The European Union adopted in 2006, EU Concept for support to Disarmament, Demobilisation and Reintegration, which combined with the efforts of the European Commission and other EU institutions around the concept of European security and defense policy on the security sector. Priority actions are set out key measures to combat the proliferation of small arms and light weapons. Several target region of this new policy. The most important of these is the African territory of former European colonies. The EU continues its practice of giving aid to combat illicit arms trafficking, based on initiatives to preserve human rights and protecting the lives of young children. The second priority area is southern and eastern Europe where the EU grant aid mainly to Croatia with the idea that aid can be used to build capacity to implement more effective management control of existing preserve of small arms and light weapons and ammunition . In the third region - Ukraine funds go mainly to the destruction of existing weapons remain in the country so as not to fall into the hands of merchants who export them to the West. The next region - Latin America and the Caribbean enjoys aids intended mainly for the training of staff to monitor the accumulation of illegal weapons in the territories of the parties. The last region - Asia crowned with success as the project in Cambodia was completed successfully and the next target country is Afghanistan, which recently had major military operations. Regionalization and the enormous resources allocated to combat illicit trafficking of arms shows how much importance given to this problem the EU. However, what is the situation regarding the regulations? In the field of security and legal order of EU efforts to combat illicit arms trafficking lies mainly in the development of qualitatively new policy on this issue. Along with the European institutions on the problem of intelligence work and major institutions such as the European Parliament. Therefore the EU is not so much oriented towards the establishment of a special legislation on this issue as the development of various economic programs and policies in the framework of cooperation in

security and rule of law. Based on their existing framework is conducted and relevant policies. We need to mention the research, namely that the EU gives extremely detailed study resources for the problem and the creation of new outbreaks of illicit arms trafficking. European policies are increasingly starting to show Ukraine and Western Balkans region as a target as one of the main reasons for this are probably still existing channels of traffic passing through Turkey. What other examples of legislation in the EU can give? The main reason why the EU is seen as a serious problem of illicit arms trafficking is security. But there's another - this threat prevents the Community to carry out one of its main objectives set out in the main of its creation - to uphold human rights, peace and sustainable development. Moreover, in recent times has proved that it can act as a global player. European law on the other hand has both legal and factual force - legal consequences even though they relate only to the member - states. However, combining his reasons with the instruments of European law, we can conclude that the EU has the potential to play an active and successful role in combating illicit arms trafficking. But how it will be successful will establish over time. The only threat that can come from the EU is weak political will and lack thereof for further political integration of the Member - States. An important question is why small arms and light weapons - because they are the main commodity traded with merchants across Europe and to be provided by FSU. Chemical and biological weapons banned by signing the Convention since 1993. Nuclear weapons is a priority of national policy, EU policies are coordinated EURATOM - European Association for Atomic Energy, which passed the Lisbon Treaty to the overall EU policy framework. Therefore remain this type weapons that are most convenient for trade. The first step was taken in 2003 when the European Union adopted the European Security Strategy, which fight against illicit trafficking of arms occupies a central place as a global threat after the Cold War. It is clear that the challenges of Europe and the U.S. actually coincide. With the announcement of the threat of global de facto EU states and their willingness to fight it. The second step aims to detail the threat of illicit arms trafficking in the EU and called EU strategy to combat small arms and light weapons. It clearly says that in the contemporary international system wars are usually caused by paramilitary formations that are supplied with such weapons illegal. The path to neutralize them pass through suppression of illicit traffic in small arms and light weapons. This is the moment when the EU decided to include in this struggle and numerous non-governmental organizations on its territory. Their efforts have mainly focused on combating the new threat to civil society, where control over the

possession of weapons is one of the main ways to develop smuggling. Following the adoption of such legislation constructed EU decided that the new global threat - illegal arms trafficking in violation of international humanitarian law and for this purpose, we need the community to participate in fighting it - this is the way to ensure the safety of European citizens. Moreover, illicit arms trafficking is the main enemy of democratic governance, human rights, transparency and good governance. Under these circumstances, the tactics that the EU is taking the building of a system of measures, prohibitions governing directives and decrees, which, with nation-states to develop a framework to guarantee the security of European citizens within the European Union. Along with all the traditional instruments such as economic aid and political dialogue with countries outside the EU and need help to combat illegal arms trafficking. Along with this approach, which applies the community in its fight against the illicit proliferation of arms is an approach that encourages nation states also fight alone. It is clear that the EU political integration is not yet high enough to afford the community itself to dictate legislation in this respect. Therefore, the approach to combating this threat include political pressure tool. Along with these basic elements of the EU regulation exists and several minor ones, which should be mentioned. One is the EU Code of Conduct on Arms Exports.⁴ This Code regulates the control of transactions that the parties - shall conduct on arms exports and allow the EU to ensure disorders. In addition to creating universal standards and practices in these transactions, which must be applied by all countries - members. For example, the UK must unify their practices with those in the Code. We need to emphasize that the elements of EU legislation needs to be consistent and consistent with trends in international and humanitarian law to avoid conflicts and no legal controversy in the international system. And advocates a regional approach as the EU still has not been established as a global political actor. Furthermore, all elements of the legislation should be shared and common definitions to enable all countries - states to unify their standards to them. Otherwise, it may lead to inconsistency in the content. In other words the development of effective law on arms trade in the EU are needed uniform definitions shared by all countries - members. Law, the EU achieves this through so-called. "Common positions" which in this case are an expression of common intention of the parties - on certain issues for the adoption of common standards and definitions. Do not forget that the subject of EU legislation are only small arms and light weapons, which fall within the spectrum of conventional weapons, but do not

⁴ European Union Code of Conduct on Arms Exports of 5 June 1998 (8675/2/98), pg. A.

cover. Therefore the EU is constantly surveys to detail illegally traded weapons. The general model used in the EU fight against illicit trafficking of weapons by countries is as follows: the production of weapons was and remains a national priority countries - States, trade is done legally only by national governments, but shall not sell significant quantities weapons. Here's how to reach and reduce traffic itself. Moreover, as winner of the priority countries in this area - States are directly responsible to the UN and the international community in case of illegal trade on their part. Because this is required by each country - State to provide its own system for marking arms to act within the EU, and if possible beyond. This may be regarded as a convenient instrument to regulate arms trafficking by the community and other international actors. The second tool is called registration and is connected with the establishment of registers that fit traded weapons and their owners. We need this information to be visible from the country - State-wide community in case of violation of the law and is also good records have reference to the Schengen Information System, which also has information on illegal weapons holders. Records are also suitable for police and customs administration, as they so much easier to follow the existing arms trafficking. In the case of illegal trade is triggered last instrument - tracking where the gun holder and track and illegal goods are seized by law enforcement. Based on the foregoing it can be concluded that the EU is working and doing well in its fight against illicit arms trafficking on its territory. But can he fight this threat and global level? After the Lisbon Treaty regulations of the community has changed. Although they were significant at this stage they still cannot guarantee the global role of the EU in political terms. So perhaps globally, it is best to bet on economic aid, which until now remains one of the most reliable instruments of the European Union. Finally, what gives the Lisbon Treaty as hopes of combating this threat? Despite the failure of the European Constitution Party - States and the Federalists in particular rely heavily on the new Treaty that would strengthen the EU as a global actor. However, the most important issues remain subject to decision by unanimity. A qualified majority has expanded its scope of action but still not enough political will to spread in a wider range. The figure of the High Representative for Foreign and Security Policy of the EU no longer just associated with the conduct of any foreign policy, but enlargement of the EU's external relations. In this respect the creation of such a post is a step forward in combating illicit arms trafficking, as the diplomatic framework of the community increases. One of the tools to combat illegal traffic is clear - and has already made a successful attempt to adopt a program of action towards preventing,

combating and eradication of illicit trade in small arms and light weapons in all aspects.⁵ This program, a direct result of pressure from the UN on the community regulate some of the main instruments that the EU used to struggle with this new global threat. It is worth noting that that program has been aimed not only at regional but also global level. Much more detail is developed trading conditions between the parties - States and common definitions have been clarified. Regulates the even ways of international cooperation and partnership with countries which are not EU members, which is a testament to the willingness of the community to cooperate with other important actors in the world. The next tool is called a Directive of the Council of Ministers for taking and possession of weapons - respectively 1991 and 2008.⁶ Directive of 1991 came in response to the collapse of the bipolar world and the desire of former Soviet satellites to become part of the Euro-Atlantic space. The Directive aims to protect the EU internal market of illicit arms trafficking by requiring all parties - States to maintain a computer database of gun owners and its nation-state that is fully accountable to the community in case of illegal trade. In 2008 Directive was developed by the parties - States are already obliged to share this database information with each other and strengthen the restrictions on possession of weapons within the EU. In addition to these tools there is joint initiative by the EU contribution in the fight and destabilizing spread of small arms and light weapons. The objectives are threefold: to destabilize the market and therefore illegal - proliferation and second - to prevent the accumulation of weapons in the country - States by establishing limits for possessions of weapons. Finally, to solve existing problems already accumulated about weapons. As a result of these steps are adopted EU strategy to combat the illicit accumulation and trafficking of small arms and light weapons and their ammunition. The strategy identifies the cause of global conflicts illicit accumulation and trafficking of weapons and believes that the way to preventive elimination of conflict outbreaks is fighting it and build that traffic. It also lists the tools with which the EU will be treated in its fight against external threats. For basic tools on its territory community has indicated Europol and Eurojust. External tools are attached to the Action Plan Strategy, which provides assistance to countries that fight illegal arms trafficking. Council Common Position of Ministers for the sale of weapons by 2003 is another instrument that regulates the relations with

⁵ Program of Action to Prevent, Combat and Eradicate the Illicit Trade In Small Arm and Light Weapons in all its Aspects, pg. A.

⁶ Council Directive on Control of the Acquisition and Possession of Weapons of 18 June 1991, pg. 1.

other international organizations on this issue, and the behavior of existing EU embargo in a region. Common Position requires Parties - States to build uniform standards to control the trade in small arms and light weapons on its territory.⁷ Common initiative of the Council of Ministers in 2008 its support for UN resolutions in the field and makes a request for the formation of common criteria to combat illicit arms trafficking. Go to form a unified policy framework. The decision of the Council of Ministers of 2010 on the existing strategic framework is perhaps the last important tool in this area. It makes a request to build a unified regulation in the field of combating illicit arms trafficking. Furthermore, regulate and how to cooperate with the international community.⁸ What is the conclusion? The existing legislation is unequivocal readiness to cope with illegal arms trafficking. However, there is a gap between desire and opportunity. While the objectives set by the community are really great and justified, the tools available to it are extremely limited. What are the causes and what can be done about it? First, the low degree of political integration. Although it has achieved much in recent decades, the European Union integration community, but the degree of integration is primarily economic. Field "security" that before leaning as the second pillar in the integration process is now part of the political process, but still lies mainly in cooperation and coordination of positions. From this conclusion it is important to bring the script to combat illicit arms trafficking should go bottom - up. Taking the first steps at national level to come down, they at EU level. Thus, cooperation is likely to evolve into integration. After several steps the first responsibilities that were assigned to Europol and Eurojust are already available. Second, transatlantic relations in this area are concluded primarily in regional cooperation. These relationships represent the EU's relations with the U.S.. We need to emphasize that without U.S. support EU could not fight the illegal arms trafficking at the global level. Next, the case study with FSU. It is clear that Russia will never allow Europe to carry out its initiatives detailed in the adjacent space - especially Ukraine and Belarus. EU in this region may act primarily through economic aid and latent inspections. Therefore the main task of Europe here is to destroy obsolete weapons left from the Cold War. Perhaps at this point the interests of Europe and Russia match as Russia tacitly agreed to join in on collective defense system, therefore no need for old weapons. Fourth, depletion of economic

⁷ Council Common Position of 23 June 2003 on the Control of Arms Brokering, 2003/468/CFSP, pg. 1.

⁸ Council Decision of 14 June 2010, On EU Activities in Support of the Arms Trade Treaty, in the Framework of the European Security Strategy (2010/336/CFSP), pg.1.

mechanisms. One of the traditional methods of the European Union - to provide aid to combat new threats is about to lose its effectiveness as reasons for this are varied. Ranging from economic crisis and reach a new richer actors such as China. It is therefore necessary EU integration community to delegate more responsibility to Europol and Eurojust even tried to build its institutional capacity in the security field. This cannot happen without the consent of Germany and France to be the motor of this initiative. Otherwise, the EU risks continued fight against illicit trafficking of arms as a regional actor. The experience of countries - States in combating illicit trafficking of weapons and existing regulations on this subject in recent decades increasingly becoming a top priority of the European Security and Defence Policy. European capacity to combat this global threat, and its regulatory mechanisms should not be underestimated, but should not be pinning their hopes on initiatives that have proven they cannot be realized for some reason so far. Do not be remembered that a particularly important role in this fight playing countries like Bulgaria, which are external border of the European Union. If these countries want to follow a successful path to Europe they must be allies in its current struggle. In conclusion it can be concluded that increased efficiency in combating illicit arms trafficking requires Member States of the EU and supranational organizations in Europe to take the following measures in the short and longer term:

- Study of the problem You can make more detailed and thorough research on the level of threat that illegal arms trafficking represents. Develop policies to combat it, given the situation around the new member states and the possible accession of new countries to the EU. Should be taken to ensure continuous development of combat illicit arms trafficking, which reflects his own evolution
- Coordination Need to improve collaboration between countries and organizations that fight against organized crime and illicit arms trafficking. To ensure that there will be dubbing the efforts of individual organizations, but rather work together to optimize to lead to better results. This will require maximum use of quality organizations such as Europol and Interpol, regional and bilateral initiatives and so on. At national level, should coordinate the work of police, customs services, the individual units fighting branches of organized crime in the drug trade, human trafficking, smuggling.
- Exchange of information: Should improve the exchange of information between agencies and countries in order to more effectively combat organized crime and illicit arms trafficking.

- Legislative reform Need to harmonize laws and procedures in different countries.
- More resources to combat illicit arms trafficking i.e. for increased funding to allow implementation of the aforementioned recommendations.
- Training and restructuring Existing units and authorities to combat organized crime should be restructured in a way that ensures their flexibility in combating the new threat. Must provide appropriate training of staff.
- Transparency All reforms must be conducted with maximum transparency, to ensure civil rights and liberties.