PROBLEMS ARISING FROM THE ACCUMULATION OF CONVENTIONAL AMMUNITION STOCKPILES IN SURPLUS

GERMAN REPLY TO THE REQUEST FOR A STATEMENT BY THE SECRETARY-GENERAL OF THE UNITED NATIONS

Berlin, 2 April 2007

On 6 December 2006 the General Assembly of the United Nations adopted resolution A/Res/61/72 entitled "Problems arising from the accumulation of conventional ammunition stockpiles in surplus". This resolution had been tabled by Germany and France. In its operative part the resolution contains the following statements:

" ...

4. Encourages all Member States to examine the possibility of developing and implementing, within a national, regional or sub-regional framework, measures to address accordingly the illicit trafficking related to the accumulation of such stockpiles;

5. Requests the Secretary-General to seek the views of Member States regarding the risks arising from the accumulation of conventional ammunition stockpiles in surplus and regarding national ways of strengthening controls on conventional ammunition, and to submit a report to the General Assembly at its sixty-second session;

6. Decides to address the issue of conventional ammunition stockpiles in surplus in a comprehensive manner;

7. Requests the Secretary-General to establish a group of governmental experts to consider, commencing no later than 2008, further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus, and to transmit the report of the group of experts to the General Assembly for consideration at its sixty-third session;

... "

Germany's commitment within the UN aims to anchor the issue of ammunition stockpiles on the international agenda. Deficient administration and insufficient security of public ammunition stockpiles worldwide represent a major source of illegal ammunition transfer. At the same time, aged and insufficiently-secured stockpiles endanger the civilian population and the environment. In 2005 Germany and France tabled a first resolution[1] on this issue in the UN General Assembly. The follow-up resolution in 2006[2] succeeded, among other things, in ensuring that an expert group be established in 2008 to consider the issue of public ammunition stockpiles.

This Report contains Germany's reply to the request for national statements[3] by the UN Secretary-General, contained in paragraph 5 of the resolution. Chapters B, C and D describe how

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1 UNGA Res A/60/74 "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" dated 8 December 2005.

2 UNGA Res A/61/72 "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" dated 6 December 2006.

3 UN Note Verbale Ref. DDA/4-2007/CAS dated 30 January 2007.

Germany administers and secures ammunition stockpiles, while Chapters E and F describe Germany's bilateral cooperation in the field of ammunition and its corresponding multilateral commitment.

A. Introduction

1. Combined with conventional weapons from which they can be fired, ammunition plays a decisive role in the escalation and prolongation of armed conflicts between states, but above all within states, as well as in the spread of organized crime. This applies in particular to Small Arms[4] and Light Weapons[5] and the relevant ammunition. Explosives and ammunition are increasingly being used in unconventional explosive and incendiary devices which pose a serious danger to soldiers, civilian aid workers and the civilian population in peace-keeping missions. The huge worldwide ammunition stockpiles, the continuing very high rate of production, and the increase in illicit trade lead to a complex source of significant security risks which are not limited to certain locations or regions but which assume a global dimension due to international terrorism and transnational organized crime.

2. Public ammunition stockpiles fall under the responsibility of the Federal Ministries of Defence (Federal Armed Forces), the Interior (police forces) and Finance (customs administration), and are calculated on the basis of operational need and expenditure rates. Ammunition is normally traced using IT-databases from the time it leaves the factory to the time of use or disposal. It is stored in specially constructed and secured depots. Ammunition found to be in surplus is destroyed as a matter of principle. The users are trained in the handling of ammunition by means of special basic and further-training programmes.

3. Germany's commitment to the issue of the administration and security of public ammunitions stockpiles is a contribution towards the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. Germany's bilateral or multilateral engagement, which as a matter of principle pursues a cross-ministry approach, aims to help effectively improve ammunition administration and storage and to reduce ammunition stockpiles, above all in order to counter the related danger of illegal transfer.

B. Ammunition stockpiles under the responsibility of the MoD

I. Overview of stockpiles

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[4] There is no generally recognized definition of Small Arms and Light Weapons. Small Arms in the broadest sense are weapons of war designed to be used by a single member of armed or security forces. They include revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns.

[5] Light Weapons are weapons of war intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems ("MANPADS") and mortars of calibres less than 100 mm.

4. The Federal Armed Forces have a wide spectrum of ammunition types at its disposal, including handgun ammunition from calibre 5.56 upwards for exercise, manoeuvre and combat purposes, as well as flares and signal ammunition, hand-grenades, explosives and non-lethal weapons (NLW).

II. Calculation of ammunition requirements and surplus

5. The Federal Armed Forces' ammunition requirements comprise the operational requirements for carrying out its tasks in line with its mandate, as well as the requirements for ensuring its ability to maintain instruction and normal force sustainment training. The operational requirements for ammunition used in all areas of the Federal Armed Forces (handgun ammunition, flares and signal ammunition explosives and fuses, hand-grenades, etc.) are calculated on the basis of expenditure rates. The basis for this calculation is the maximum simultaneous force posture for a given operation and the kind of operation. Other factors considered are a fixed daily expenditure rate for each weapon and an intensity factor for the estimate of ammunition requirements.

6. Operational requirements for ammunition over calibre 20 mm are on principle calculated using an IT-based system developed within NATO and based on current data (including performance parameters for weapons systems and kinds/types of ammunition, as well as effects guidance). Requirements for instruction and sustainment training are calculated annually on the basis of manpower levels and instruction regulations and guidance. The aim of these calculations is both to provide clear documentary evidence for procurement and storage and to identify surplus ammunition.

III. Ammunition administration (record-keeping and marking)

7. Ammunition is verified during its entire lifetime so that it can be traced from leaving the factory to use or disposal. This verification features an IT-based procedure, manually-processed balance cards in the depots, and verification of use in ammunition and explosives logs. These procedures are audited every three years in accordance with paragraph 78 of the Federal Budget Ordinance. The staff of the ammunition administration is specially trained in handling ammunition.

IV. Storage security and transport

8. Ammunition is as a matter of principle stored in Federal Armed Forces depots with "igloos" (storehouses covered with earth). These igloos conform to legal and military infra-structure requirements and are checked annually by military security personnel. Depots of the Federal Armed Forces are subject to access controls. An additional access control is in place for the inner area in which the ammunition is stored and maintained ("danger zone"). In barracks ammunition is stored in sealed containers. The barracks are subject to access controls and the ammunition containers are subject to regular guard patrols. Only handgun ammunition, flares and signal ammunition can be stored in these containers. Small-arm and light-weapon ammunition must be regarded as especially likely to be stolen and must therefore be transported under special guard. Germany uses various measures to prevent theft both during the transport itself and during loading and unloading.

V. Ammunition Safety

9. In the Federal Armed Forces the term ammunition safety describes the task of reducing dangers when handling ammunition. It is mainly determined by aspects of the safety of the ammunition itself, construction and protection measures, and personnel and organizational safety measures for handling ammunition. The dangers posed by ammunition and handling risks are recognized through threat assessments and risk analyses and assessments. Exact knowledge of the chemical and physical effects of intended or unintended detonation of ammunition is used to calculate these risk assessments and to develop corresponding protection measures. Scientific and technical basic issues are discussed and coordinated within NATO in the "Ammunition Safety Group". The guidelines and standardizations produced there form the basis of the Federal Armed Forces' security standards and infrastructure guidelines.

10. Ammunition security is guaranteed through construction measures, in particular when planning and operating ammunition-handling facilities. Ammunition storage and work on and with ammunition is only carried out in special facilities in the Bundeswehr, where the ammunition is protected from unintended external influences by means of quantity distances, construction, technical and organizational measures aimed at limiting possible damage as far as possible and at protecting endangered persons and buildings. The entire spectrum of measures, ranging from the constructional safety of the ammunition itself, via construction measures, to the training of the staff handling the ammunition, provides for a high level of effective protection for staff, equipment, infrastructure and the environment.

VI. Surplus reduction (removal from service)

11. Ammunition found to be surplus as a result of the requirements assessment is taken out of service using IT-based procedures and transferred to the Armed Forces Administration (Federal Office of Defence Technology and Procurement (BWB)) for disposal. During this process the ammunition is stored and verified in the Bundeswehr ammunition depots.

VII. Destruction

12. Surplus or unusable ammunition is destroyed by commercial firms as a matter of principle. Destruction takes place immediately after the end of the process of removal from service and transfer of responsibility to the armaments industry. Contracts for ammunition destruction are awarded under a "negotiated competitive procedure". The call for tender does not contain guidelines for the method of destruction. The firms propose a concept oriented towards their infrastructure; this concept is examined by the BWB and, when approved, a contract is concluded. In Germany there are sufficient firms able to destroy the full spectrum of ammunition in an economical and environmentally-sound way. For each type of ammunition there are 3 or 4 firms able to destroy it in accordance with the relevant regulations.

13. Small-calibre ammunition up to around 20 mm is normally destroyed whole in special "rotary-kiln" furnaces. Only in exceptional cases must part of the ammunition, e.g. explosives, be dismantled and where necessary cut up to fit in with the furnace's capacity. The furnaces

use flue-gas dust collectors. The exhaust gases are in line with all legal requirements, and in particular with the 17th Federal Immission Control Ordinance. The recycling rate is around 90%. If found to be economical, propellant and explosives from larger batches of individual ammunition types are used for civilian purposes. In such cases dismantling may be required. Large-calibre ammunition and complex types such as guided missiles must be dismantled by experts before being destroyed or recycled.

VIII. Re-use

14. Normally ammunition is not re-used. Only in a few exceptional cases is small-calibre ammunition sold to friendly nations. Transfer to national producers for recycling, e.g. as exercise ammunition, or the reuse of components, while not excluded on principle, is currently only carried out in a few cases where this proved to be economical.

C. Ammunition stockpiles under the responsibility of the Interior Ministry

I. Overview of stockpiles

15. The Federal Police, including the special units, possess a large number of ammunition kinds and types (instruction, exercise and operational ammunition, flare and signal ammunition, explosives and fuses, as well as non-lethal weapons). The main ammunition used is for handguns, calibres 9 mm x 19 and 7.62 mm x 51.

II. Calculation of ammunition requirements and surplus

16. The Federal Police's ammunition requirements are calculated using the operational and exercise (instruction and training) requirements. The operational requirements are based on the number of weapons and the relevant ammunition, or on the needs of the operation itself, and are set out in an Equipment Guidance for Ammunition. Exercise requirements are determined on the basis of manpower levels and the regulations and instructions for annual basic and further training. The exercise ammunition is also used in part as a source of fresh ammunition for operations (rotation). The annual procurement requirements for ammunition are calculated from the difference between the projected and actual operational and exercise ammunition levels, taking into account the previous year's consumption and the ammunition's service life. Ammunition which is out-of-date (e.g. beyond its service life) and no longer forms part of the equipment is regarded as surplus and disposed of.

III. Ammunition administration (record-keeping and marking)

17. Ammunition is verified during its entire lifetime so that it can be traced from leaving the factory to use or disposal. This verification features manually-processed balance cards in the depots and verification of use in ammunition and explosives logs. Verification is also partly based on an IT-based procedure which is uniformly governed by regulations. The stocks are checked at least annually and the verification procedure audited every three years in accordance with paragraph 78 of the Federal Budget Ordinance. The staff of the ammunition administration is specially trained in handling ammunition.

IV. Storage security and transport

18. The Federal Police's ammunition is in principle stored under regulations similar to those of the Bundeswehr. The depots conform to legal and police infrastructure requirements and are checked annually by weapons experts. In the police stations ammunition is kept in sealed containers in separate buildings with access controls and regular guard patrols. Ammunition transports take place exclusively under guard and are in line with dangerous-goods regulations. The transport staff are specially trained.

V. Ammunition Safety

19. As a matter of principle the Federal Police use the Bundeswehr's safety procedures. Therefore the statements made in chapter B section V apply mutatis mutandis. Police officers are personally responsible for the safe keeping of pistol ammunition taken home. In this case the provisions of the Weapons Act apply as to every citizen.

VI. Surplus reduction (removal from service)

20. Ammunition found to be surplus as a result of the requirements assessment is taken out of service in accordance with regulations and disposed of. During this process the ammunition is stored and verified using the procedures described in chapter C sections III and IV.

VII. Destruction

21. Surplus or unusable ammunition is destroyed as a matter of principle. To this end it is returned to the manufacturer or made unusable by special police staff by incineration or explosion. In some cases the procurement contracts already contain clauses obliging the producers to take back their ammunition (e.g. tear-gas and pyrotechnic ammunition).

VIII. Re-use

22. Federal Police ammunition is normally destroyed. In exceptional cases small-calibre ammunition from surplus stocks is transferred to the police forces in the Federal States (Länder) or to the Bundeswehr to be used up.

D. Ammunition stockpiled under the responsibility of the Federal Ministry of Finance

I. Overview of stockpiles

23. The Federal Ministry of Finance (Customs Administration) is generally responsible for meeting the demand of and storing ammunition of calibres 5.56 x 45 mm, 7.62 x 51 mm, 9 mm x 19 and .38 special (short and long firearms ammunition) as well as ammunition of calibre 26.5 mm (flares) and signal ammunition. Ammunition of 9 mm x 19 calibre accounts for the largest share, followed by stocks of 5.56 x 45 mm, 7.62 x 51 mm and .38 special. Ammunition of 26.5 mm calibre accounts for the smallest share.

II. Calculation of ammunition requirements and surplus

24. All official bodies report their ammunition requirements for the next financial year once annually. Calculations take into account the average annual consumption of the pending financial year, any remaining stocks left over and not required, as well as anticipated ammunition requirements for the financial year to come. Small reserves are provided for in order to cover any unforeseeable additional requirements and to avoid extra deliveries during the financial year.

III. Ammunition administration (record-keeping, marking)

25. Ammunition is administered by the Customs Procurement Branch and the body which reports ammunition requirements, aided by their respective gunnery instructors. The Customs Procurement Branch collects the applications of the individual bodies, assesses their plausibility and places the order. Small reserves are again provided for where necessary. The Procurement Branch commissions the supplier to deliver the ammunition to the relevant bodies directly, and ensures that the order is processed in accordance with regulations. The reserves are stored in the depots of the suppliers or the Procurement Branch and distributed as special resources if necessary.

26. Each body which reports requirements supervises the delivery of ammunition for its field of activity. It organizes and oversees the appropriate transfer of ammunition to its subordinate bodies. The gunnery instructors administer ammunition stocks within their respective bodies by keeping records of all ammunition issued to persons carrying firearms or used for training purposes. Ammunition used by the Federal Customs Administration is usually tailor-made, and carries an exclusive serial number or brand. This ensures that the ammunition is allocated only to Federal Customs Administration and certain bodies within it.

IV. Storage security and transport

27. As a rule, the ammunition stockpiles of the Federal Customs Administration are stored – in small allocated amounts – in the armouries of the respective bodies. Here, ammunition is kept in separate steel-panelled cabinets or containers. Armouries are equipped with an appropriate locking system to guard against intruders. The Federal Customs Administration does not maintain interim storage facilities or depots. In the event that an official body does not have recourse to its own storage facilities, ammunition is stored in the depot of a third-party such as the Bundeswehr. End-users store the ammunition of their service weapons in individually allocated units within the armoury. No provision is made for the storing of weapons and ammunition in officials' homes.

V. Ammunition safety

28. In view of the class of risk concerned and the small amounts allocated to each individual body, ammunition safety requirements are of no special significance.

VI. Surplus reduction (removal from service)

29. No surplus reduction (removal from service) has thus far been necessary within the Federal Customs Authority. The firing of expired flares and signal ammunition in training exercises is the only practice which could be seen to constitute removal from service.

VII. Destruction

30. As yet, there has been no need to destroy ammunition as such in the Federal Customs Authority.

VIII. Re-use

31. As yet, there has been no need to reuse ammunition as such in the Federal Customs Authority.

E. Bilateral cooperation in the field of ammunition administration and storage

I. Principles

32. Responsibility for storing, administrating and controlling access to ammunition stockpiles lies with the state concerned, as does responsibility for ascertaining demand and identifying and reducing any stocks in surplus. All cooperation and support is thus aimed at enabling these states to solve matters of substance and related problems themselves. Germany's bilateral efforts are thus rooted in the principle of "helping others to help themselves." However, there may be isolated cases – notably where the civil population or the environment are seriously endangered – where immediate and direct action is needed in order to prevent an escalation or to reduce damage. In such cases and upon request, Germany is prepared to consider support of this kind.

33. The level of risk may vary greatly depending on the quantity, age and type of ammunition involved, as well as on how it is stored. The extent and type of support needed is determined by this level of risk, together with the capabilities of the state concerned and, in some cases, of the third-party support provided. The type of risks to people and the environment which arise from large-calibre ammunition are primarily the result of shortcomings in ammunition safety. The same applies to other explosive materials, whereby the risks of unauthorized access, inappropriate use and illicit trade also come into play. The dangers posed by small-calibre ammunition with regard to safety and operation and the related risk of damage to the environment are more limited; the greatest dangers arise from unauthorized access and uncontrolled proliferation. Every German action thus begins with a comprehensive and basic assessment of the level of risk in the location in question. The primary aim is then to build on the individual efforts of the state concerned.

II. Forms of bilateral cooperation

34. Germany's aim with regard to bilateral cooperation is – on a cross-ministry basis and, where appropriate, in collaboration with other bilateral partners and international organizations – to find targeted methods which, upon request, can be applied effectively and with limited outlay to improve the storage and security of ammunition in the long term as well

as the destruction of ammunition stockpiles or surplus. Every German contribution is part of a comprehensive and integrated concept of small arms control.

35. Germany provides tailored support in the form of seminars on the administration and security of stockpiles. In this way participants from various levels of management can acquire both basic and background knowledge with regard to the administration of state–owned stockpiles of small and light weapons or conventional ammunition. The seminars are aimed, on the one hand, at those directly responsible for overseeing arms or ammunition storage facilities or reduction sites and, on the other hand, at the authorized personnel of the superior bodies and commando authorities of the storage facilities. Finally, there is a third type of seminar, which as a rule takes place at the beginning of every seminar series. This is meant for all ministries affected by the issue of ammunition stockpiling. As well as communicating knowledge, the seminars also serve as a platform for fostering dialogue and raising awareness of the dangers of ammunition surpluses or deficiencies in ammunition administration, storage and use. The seminars play a particularly valuable role in gaining the trust of decision-makers in the countries concerned, without which initial assessment visits, further measures or other specific cooperation projects cannot be planned or carried out without high risk of failure.

36. Assessment visits can be carried out at various stages of bilateral cooperation, with differing purposes and focuses. A first assessment visit often provides the overview needed to establish how much support is required and which priorities should be set. The first task is to gain an overview of ammunition storage facilities, the composition of stockpiles and the most important basic technical conditions. This is followed by steps to determine and assess the situation, within the scope of which expert teams carry out further assessment visits in order to draw up proposals for action. The assessment visits help to assess the situation by gathering information on the composition of the stockpiles (type of conventional ammunition, explosives or fuses, quantity), technical and operational security conditions (including aspects of storage administration), any risks which may arise from the stockpiles, the technical and financial viability of projects, as well as further possibilities for support. Other assessment visits can be made during the projects themselves, to evaluate how the work is progressing and establish whether any further action is needed. Assessment visits after the project serve to consolidate the progress made, and can also provide impetus for further projects in other areas or the development of regional approaches.

37. Having a sufficient number of qualified people is a vital precondition for achieving and maintaining the levels of safety required when dealing with ammunition. The training of personnel thus represents a particularly sustainable form of "helping others to help themselves". This training can take place in the state concerned or in Germany, in seminars with or without practical elements or in study courses of varying duration and with differing priorities and participant numbers. The overarching goal is to provide personnel dealing with ammunition or planning to do so in future with exactly the knowledge and skills which they need to carry out their specific tasks. It is often necessary to limit duration and intensity of the seminars in order to train the largest number of personnel possible, rather than just a few specialists.

F. Multilateral efforts in the field of ammunition administration and storage

I. Principles

38. Multilateral efforts with regard to the administration and security of public ammunition stockpiles seek to create international framework conditions enabling and promoting effective action to improve ammunition administration and storage and to reduce ammunition stockpiles. The ultimate aim is to counter the related danger of illegal transfer.

II. Forms of multilateral action

39. Germany's efforts within the United Nations are aimed at anchoring the topic of ammunition and ammunition stockpiling on the international agenda, thus contributing to the implementation of the UN Programme of Action on Small Arms. In 2005, Germany and France first tabled a resolution entitled "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" in the UN General Assembly. The follow-up resolution in 2006 succeeded, among other things, in ensuring that an expert group be established in 2008 to consider the treatment of public ammunitions stockpiles[6].

40. The OSCE participating states have taken up the issue of stockpiling conventional ammunition with a view to significantly improving the current situation by means of a set of measures and through international cooperation. Germany's efforts within the OSCE apply particularly to the drawing up of best practice guidelines[7]. These should give all participating states access to the knowledge and experience already gathered in the OSCE area with regard to certain issues of stockpiling conventional ammunition, helping them to overcome their ammunition problems. Germany took a leading role in drawing up two sets of guidelines for the topics "transporting conventional ammunitions by land" and "marking, record-keeping and traceability of conventional ammunition". The guidelines are not intended to and cannot replace the legal provisions on ammunition already in force in many OSCE participating states. However, they can help decision-makers to review and, where necessary, refine existing national provisions, or to introduce such provisions for the first time.

41. Germany also plays an active role in multinational seminars, symposia, workshops and other events promoting international discussion and conceptual development in the fields of ammunition storage, transport, use and management[8]. Moreover, it takes part in assessment visits of the kind described in Chapter E II, whether within the scope of the United Nations, the OSCE or on an ad-hoc multilateral basis.

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[6] See footnotes 1 and 2.

[7] OSCE Best Practice Guide on National Procedures for Stockpile Management and Security FSK.GAL/14/03/Rev. 2 of 19 September 2003.

[8] Of particular interest is the Germany-funded study of the Small Arms Survey, "Targeting Ammunition - A Primer", Geneva 2006.