# Resolution on the negotiations on the UN Arms Trade Treaty (ATT)

2012/2636(RSP) - 13/06/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 612 votes to 18 with 36 abstentions a resolution tabled by the Committee on Foreign Affairs on the negotiations on the UN Arms Trade Treaty (ATT), due to take place in New York from 2 to 27 July 2012.

Noting that uncontrolled and unregulated arms trading poses a serious threat to peace, security and stability and also to democracy, the rule of law and sustainable social and economic development, it calls for the July 2012 negotiation of a legally binding international arms trade treaty to mark a historic step forward, through greater transparency and accountability, by establishing the highest international standards and criteria for making assessments of decisions on the transfer, import and export of conventional arms. The international community is called upon to demonstrate its commitment to regulating the international arms trade by making full use of the Rules of Procedure to agree upon a comprehensive text that covers all the major issues necessary for a robust treaty to be agreed during the conference in July 2012. Members note that the value of global exports has continued to grow, with the estimated global value of agreements on arms transfers to developing countries in 2010 being USD 40 355 million and the value of deliveries being USD 34 989 million according to the US Congressional Research Service. EU Member States consistently account for approximately 30 % of all exports and are among the world's leading arms producers and exporters. The EU has both a responsibility and an interest in developing and contributing to a regulated and more transparent and controlled arms trade at global level.

Scope: Parliament stresses that an effective treaty should cover the widest possible range of activities in the trade in conventional weapons, including the import, export, transfer (including transit and transhipment as well as temporary import and export and re-export), manufacture under foreign licence, stockpile management, and all related services including brokering, transportation and finance. An effective treaty should cover:

- all aspects of the trade in conventional weapons including state-to-state transfers, state-to-private end-user transfers, commercial sales and leases, as well as loans, gifts, aid or any other form of transfer;

- the widest spectrum of conventional weapons, including small arms and light weapons and munitions, intangible transfers, dual-use goods, the components and technologies associated with their use, manufacture or maintenance, whether for use in military or other security and law-enforcement purposes;

Proper attention should be given to the marking and traceability of conventional weapons and ammunition in order to strengthen accountability and prevent diversion of arms transfers to illicit recipients.

**Criteria and international standards**: Parliament takes the view that States Parties should not transfer arms to countries where there is a substantial risk that they would be used to commit or facilitate serious violations of international human rights law and international humanitarian law, including genocide, crimes against humanity and war crimes. It urges the UN member states to adopt additional binding criteria (to be developed as international standards) to guide decision-makers on arms exports; considers that these should include, in particular, the destination country's track record on good governance, democracy, the rule of law, human rights, non-proliferation and the fight against corruption, the risk of

diversion, the impact on the country's socio-economic development and the preservation of regional peace and security.

Members take the view that specific anti-corruption criteria should be laid down in the treaty. They call on the VP/HR and the EU Members States to promote the inclusion of strong anti-corruption mechanisms in the future treaty. These criteria to be set out in the form of common operational guidelines for carrying out risk assessments as a basis for making decisions on arms transfers.

**Implementation and reporting measures:** a robust ATT must include provisions and benchmarks committing States Parties to adopt national legislation and to establish a national authority responsible for the control of all transfers of items covered by the treaty and for meeting all reporting and implementation requirements. Parliament takes the view that the implementation of the ATT should cover end-user controls and brokering activities, including registration of operators and the licensing of their activities, disclosure by applicants of necessary information and full supporting documentation prior to issuance of an export authorisation, as well as legislative measures to establish as criminal offences all transfers of conventional arms and ammunitions not licensed by the national authority or in accordance with the treaty.

It calls for the ATT to:

- include strong and clear provisions for regular reporting by the States Parties on an annual basis on all arms transfer decisions, including information on types, amounts and recipients of equipment authorised for transfer, and on the implementation of the full scope and provisions of the treaty;

- require State Parties to establish a system of detailed record-keeping, for at least 20 years, for all international trade and transactions processed through their national control systems;

Members also want a **dedicated ATT Implementation and Support Unit**, the responsibilities of which would include compilation and analysis of States Parties' reports, and for the UN Secretary-General to publish an annual report with further proposals for the strengthening of the operational provisions of the treaty. The Unit must be granted the right also to analyse data on arms transfers and to identify discrepancies and potential breaches of the treaty and report back to the assembly of State Parties.

**The role of the EU and EP:** Members urge the VP/HR to engage in intensive consultations and coordination efforts with all EU Member States in order to ensure that the EU speaks with one voice and promotes a strong position. In line with their Lisbon Treaty commitment, Member States should uphold the Union's positions set out in reply to the UN Secretary-General at the Conference and Parliament **calls, therefore, on the EU Member States to openly and unequivocally declare their full support to the EU delegation** taking part in the negotiations.

Parliament urges the VP/HR and Member States to favour robustness with regard to the content and membership of the future treaty. Parliament urges the US to step aside from its position that the Arms Trade Treaty needs to be negotiated on the basis of consensus.

Lastly, Members welcome the VP/HR's statement that she will present to Parliament the EU's position ahead of the Conference.