Resolution on the ratification of the Arms Trade Treaty (ATT)

2014/2534(RSP) - 05/02/2014 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution tabled by the Committee on Foreign Affairs on the ratification of the Arms Trade Treaty (ATT). It welcomed the conclusion under the auspices of the United Nations of a legally binding Arms Trade Treaty on international trade in conventional arms after seven years of long negotiations, believing that the effective implementation of the Treaty might significantly contribute to enhancing respect for international human rights and humanitarian law worldwide. The international trade in conventional weapons was a business handling at least USD 70 billion per year and one person in the world died every minute as a result of armed violence.

Members stressed that the long-term success of the ATT regime depended on the participation of as many countries as possible, **particularly all major actors in the international trade in arms.** Whilst welcoming the fact that the majority of UN member states had already signed the Treaty, Parliament called on the European External Action Service (EEAS) to add to its foreign affairs objectives **an invitation for third countries to join the ATT**. It asked the Commission to explore **to what extent current and future trade instruments could be used to promote ratification and implementation of the ATT**.

Scope: Parliament is satisfied about the inclusion of small arms, light weapons, ammunition/munitions, parts and components, but it **regretted the following aspects of the Treaty:**

- that the Treaty did not introduce a common and precise definition of conventional weapons and only applied to the eight arms categories laid down in Article 2(1);
- the absence of a list describing the specific types of weapons included within each of categories;
- that the trade in weaponised remotely piloted air systems (drones) is not included in the scope of the Treaty;
- that technical assistance including repairs, maintenance and development, all of which has been incorporated into EU legislation on the matter, remains outside the scope of the Treaty;

Member States are asked to clarify that the term ‘transfer’ referred to in the Treaty applied to gifts, loans and leases and all other forms of transfer and that these activities therefore fell under the scope of this Treaty.

With regard to **export controls**, the States Parties were asked to pay greater attention to goods which might be used for both civilian and military purposes, such as surveillance technology. Parliament suggested exploring the possibility of extending the scope of the ATT to include arms exports-related services and dual-use goods and technology.

It asked the Commission and the EEAS to help **develop binding codes of conduct for private actors** involved in the trade in military goods, in line with the UN Guiding Principles on Business and Human Rights.

Criteria and international standards: Parliament called on the Commission and the Council to ensure more coherence between different European instruments regulating the movement (exports, transfer, brokering and transit) of weapons and strategic items, such as the Council Common Position of 2008, the dual-use Regulation (EC) No 428/2009, Regulation (EU) No 258/2012 on Article 10 of the Firearms Protocol and targeted measures pursuant to Article 218 of the Treaty, in terms of the institutional set-up at the EU level and implementation mechanisms**, in order to avoid legal confusion** and excessive additional costs for relevant EU economic operators.

Implementation and reporting: Members pointed out that the States Parties were required to report annually on their exports and imports of conventional arms, and they strongly called for the relevant reports to be made **publicly available as a rule**. Member States should commit to transparency and publicly disclose their annual reports on arms transfers, without waiting for a universal acceptance of the principle.

Parliament also called for support (including financial support) to be given to an international, transparent and robust control mechanism which will bolster the role of parliaments and civil society, stressing the importance of their role in implementation.

The EU and its Member States: the resolution called on the Greek Council Presidency to give the highest priority to the ratification and implementation of the ATT and to **report regularly to Parliament on the respective activities.** Member States were asked to implement the ATT in a uniform manner across the EU while continuing to fully implement the Council Common Position of 2008 as the current basis for shared European standards in arms exports controls, which must be interpreted uniformly and with an equal degree of rigour.

Members regretted that the ATT did not contain provisions that would allow the EU or other regional organisations to be parties to the Treaty, and called for rectification at the earliest opportunity.

They also called for:

- an ambitious proposal for a Council decision on **an EU support mechanism** for the implementation of the ATT;
- support to third countries in need of assistance in fulfilling the Treaty obligations, welcoming in regard to this the conclusions of the Foreign Affairs Council of 16 December 2013 allocating EUR 5.2 million from the EU budget to the voluntary trust fund to be established under the Treaty;
- a coherent **ATT outreach programme**, integrating and building upon all the existing activities of ATT parties and taking into account activities relating to the local advocacy initiatives of civil society organisations and the outreach activities of other donors and civil society organisations;
- bilateral solutions in the context of trade relations regulated by treaty.