Arms: code of conduct on exports. 7th and 8th annual reports

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The committee adopted the own-initiative report by Raül Romeva i Rueda (Greens/EFA, ES) on the Council's 7th and 8th Annual Reports according to Operative Provision 8 of the EU Code of Conduct on Arms Exports.

MEPs in the committee said that it was "unacceptable" that the Code had not yet been transformed into a legally binding Common Position despite the fact that a text was agreed by the relevant Council Working Group (COARM) in June 2005, and they called for an explanation. Member States were urged to "commit themselves once more to the principle that the criteria of the EU Code of Conduct will not be compromised in the pursuit of broader foreign policy objectives". The report stressed that "a clear, efficient and harmonised common arms export control policy, anchored in a legally binding Code of Conduct, can play a decisive role in the fight against terrorism, conflict prevention, regional stability and the promotion of human rights".

MEPs welcomed the clarification in the revised Users' Guide that agreements on licensed production overseas should be treated as export licences but they felt that further provisions were necessary to regulate this area, including regular reviews of licensing contracts. They also said that national export credit agencies should follow a policy of not re-insuring contracts by means of loans or other types of guarantees in the event of non-payment by the recipients for military-related exports to third countries. In other recommendations, the committee urged Member States to pay greater attention to the background of the country receiving arms, to prevent them being used by terrorist groups or being put to improper use, and to agree on a list of countries involved in armed conflicts to which arms exports should be banned in principle.

The report welcomed the Council's objective of developing a "toolbox" and specific mechanisms to regulate arms exports to post-embargoed states, and called for Parliament to be regularly informed of this process. It also urged the Member States to apply equal criteria when evaluating third countries with a view to imposing restrictions on account of human rights violations or growing regional instability. MEPs said that the embargo on China should not be lifted "until there is a clear and lasting improvement in the situation regarding human rights and social and political freedoms". They also expressed deep concern at the blatant violation of the arms embargo by all parties to the Darfur conflict.

The committee welcomed the developments in the Users' Guide, in particular the guidelines for criteria 2 and 7, but it wanted to see further work on the development of criteria 3 and 4 (the internal situation in the country of final destination and the preservation of regional peace, security and stability). It urged that respect for human rights be used as a general criterion.

In other recommendations, the report called for improvements in the quality of national reporting and the adoption of agreed common reporting standards. It also urged EU Member States which do not yet comply with the Common Position on Arms Brokering to "set out a timetable for their compliance" and called on those states which had endorsed the Common Position to improve their record of implementation, for example by setting up national registries of all known arms brokers. In addition, the committee wanted to see common minimum practices on extra-territorial controls, including a ban on brokering activities which violate an arms embargo, whether carried out at home or abroad. Lastly, the

report underlined the need for the EU and its Member States to provide active support in the UN for a legally binding International Arms Trade Treaty laying down minimum global standards for arms transfers.