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*Plenary sitting*

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## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 110(2) of the Rules of Procedure

on the ratification of the Arms Trade Treaty (ATT)  
(2013/2955(RSP))

**Arnaud Danjean**

on behalf of the Committee on Foreign Affairs

**European Parliament resolution on the ratification of the Arms Trade Treaty (ATT)  
(2013/2955(RSP))**

*The European Parliament,*

- having regard to the Arms Trade Treaty (ATT) adopted by the UN General Assembly on 2 April 2013,
- having regard to the Council Decision 2010/336/CFSP of 14 June 2010 and previous Council Decisions on EU activities in support of the Arms Trade Treaty<sup>1</sup>,
- having regard to the EU Common Position 2008/944/CFSP on defining common rules governing the control of exports of military technology and equipment<sup>2</sup>,
- having regard to its resolutions of June 2007<sup>3</sup> and June 2012,
- having regard to Article 34 of the Lisbon Treaty,
- having regard to Rule 110(2) of its Rules of Procedure,

***General considerations***

1. Welcomes the conclusion, under United Nations auspices, of a legally binding Arms Trade Treaty on international trade in conventional arms after seven years of long negotiations; recalls that the Treaty aims at preventing and eradicating illicit trade in arms and preventing their diversion, and at the establishment of a transparent regime for legal transfers; notes that the Treaty marks a decisive step towards increased accountability and transparency in arms transfers;
2. Stresses that the long-term success of the ATT regime depends on the participation of as many countries as possible, and in particular of all major actors in the international trade in arms; welcomes the fact that the majority of UN Member States have already signed the Treaty and urges others to follow suit;
3. Recognises the importance of the arms industry for growth and innovation, in addition to its fundamental role of supplying vital capabilities; recalls States' legitimate interests to acquire conventional arms and to exercise their right to self-defence and to produce, export, import and transfer conventional arms;
4. Underlines, at the same time, that unlawful or unregulated arms transfers may have caused human suffering, fuelled armed conflict, instability, terrorist attacks and corruption, with their corollary of undermined socio-economic development, violations of the rule of law, human rights and international humanitarian law;

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<sup>1</sup> OJ L 152 18 June 2010, pp. 14 to 20

<sup>2</sup> OJ L 335, 13 December 2008, pp. 99 to 103

<sup>3</sup> Texts adopted, P6\_TA(2007)0282

## ***Scope***

5. Regrets that the Treaty does not introduce a common and precise definition of conventional weapons; welcomes however the use of broad categories to determine which types of weapons are concerned; is particularly satisfied of the inclusion of small arms, light weapons, ammunition/ munitions and parts and components; calls on the States Parties to understand each category in its widest sense within their national legislation;
6. Expresses also its concern that the Treaty does not cover all aspects of the arms trade such as gifts, loans, leases, technology transfers or any form of transfer, as expressly demanded in its 2012 resolution and calls on the States Parties to fill in this omission in their weapons transfer systems;
7. Welcomes the provisions that aim at preventing diversion of arms; notes however that great leeway is left to State parties in determining the level of risk of arms diversion; regrets that munitions and parts and components are not covered by the provisions concerned, and calls on the States Parties to remedy this in their national laws;

## ***Criteria and international standards***

8. Underlines the high symbolic and legal value of the obligation imposed by the Treaty on the States Parties to put in place a national control system for the transfers of arms (export, import, transit, transshipment and brokering);
9. Welcomes in particular the prohibition of any transfer if the State has knowledge at the time of authorisation, that the arms would be used for committing genocide, crimes against humanity or war crimes;
10. Welcomes the introduction of 'criteria' on the model of the EU 2008 Common Position on defining common rules governing the control of exports of military technology and equipment; welcomes the fact that arms transfer is prohibited if State Parties assess that there is an "overriding risk" for the weapons to undermine peace and security or to be used to: (1) violate humanitarian law, (2) violate human rights law, (3) commit organized crime and (4) commit terrorism; notes however that the lack of precise definition of what is an "overriding risk" leaves State Parties with great leeway; calls therefore for stricter legally binding guidelines on those matters;

## ***Implementation and reporting***

11. Stresses the importance of effective and credible implementation of the Treaty with a clear definition of States Parties' responsibilities; remarks in this respect that a large margin of interpretation is left to the States Parties;
12. Points out the obligation of the States Parties to report annually on their exports and imports of conventional arms; strongly calls for these reports to be made publicly available as a rule;
13. Believes that full transparency depends greatly on accountability to parliaments, citizens and civil society organisations, and urges the establishment of transparency mechanisms

allowing for their involvement to hold their governments accountable;

14. Welcomes the provisions for international cooperation and assistance and the establishment of a voluntary trust fund to assist the States parties that need support to implement the Treaty;
15. Welcomes as well the setting up of a Conference of States Parties which will be regularly convened in order to review the implementation of the Treaty;

***EU and its Member States***

16. Recalls that the EU is the only union of states to have its own legally binding framework, unique in the world, through which arms export control is being improved;
17. Recognises the consistent role played by the EU and its Member States in support of the international process to establish common binding rules governing the international arms trade; welcomes the fact that all Member States have signed the Treaty; invites those that have not done so yet to further ratify the Treaty as soon as possible;
18. Urges the Member States to make sure they fulfil both their EU and UN reporting obligations in the spirit of transparency and completeness, and that they promote transparency and the exchange of information and best practices on arms transfers and arms diversion globally;
19. Calls on the EU and its Member States to provide support to third countries in need of assistance in fulfilling the Treaty obligations; encourages them to contribute to the voluntary trust fund to be established under the Treaty;
20. Points out the provision for amending the Treaty as a last resort by majority of three quarters of States Parties should this become necessary, and encourages the EU and its Member States to make use of this provision in the future to further strengthen the regime and eliminate loopholes;
21. Instructs its President to forward this resolution to the Council, the national parliaments of the EU Member States, the Vice-President of the Commission/High Representative for Foreign Affairs and Security Policy, the Commission, and the Secretary-General of the United Nations.