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MOTION FOR A RESOLUTION

further to the statements by the High Representative for the Common Foreign and Security Policy and the Commission

pursuant to Rule 37(2) of the Rules of Procedure

by Francis Wurtz and Pernille Frahm

on behalf of the GUE/NGL Group

on implementation of the United Nations programme to combat the illegal trade in light weapons

European Parliament resolution on implementation of the United Nations programme to combat the illegal trade in light weapons

The European Parliament,

- A. whereas in July 2003 State Parties will meet in New York for the UN Biennial Meeting of States (BMS) to review the implementation of this Programme of Action,
- B. noting with concern that the uncontrolled spread and misuse of small arms continues to undermine development and respect for human rights, exacerbate violence, threaten international humanitarian law, fuel crime and terrorism, contribute to the displacement of innocent populations, prevent the peaceful resolution of conflict, and sustain and enable armed conflict,
- C. affirming the urgent need to control tightly the legal trade in small arms and light weapons in accordance with States' obligations under international law to prevent their diversion into illicit trade flows and to undesirable end-users,
- D. recalling its view that weapons transfers which entail a clear risk of preventing the peaceful resolution of conflicts and contributing to serious violations of human rights or of international humanitarian law should be legally prohibited,
- E. convinced of the inextricable link between the lawful and the illicit trade in small arms and light weapons;
- F. noting that States' obligations under international law relating to the transfer and use of small arms and light weapons are numerous and include the prohibition of transfers that will be used to commit serious violations of human rights or international humanitarian law;
- G. recalling its view that restrictive export criteria, effective common mechanisms for the monitoring of end-use agreements, control of licensing agreements, binding rules to control arms brokering, and a maximum of transparency and parliamentary scrutiny of arms export policies are all indispensable components of a responsible and effective system of arms export controls,
- H. noting with satisfaction the EU's support at this conference for international instruments on marking and tracing as well as on brokering,
- I. regretting that EU Member States have made only limited progress in following up on the encouragement contained in this Programme of Action to begin negotiations at a regional level with the aim of concluding relevant legally binding instruments aimed at preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects,

1. Calls on the Council and the governments of the EU Member States to use the BMS to reaffirm their commitment to international instruments on marking/tracing and brokering and to declare their support for such instruments being legally binding;
2. Encourages the Council and EU governments to declare publicly their support for a legally binding international instrument to control conventional arms transfers according to clear normative standards based on international law and existing best practice;
3. Urges the Council and EU governments to endorse the model conventions on marking/tracing (as proposed by GRIP and other specialist non-governmental organisations), on arms brokering (as proposed by the Fund for Peace and other NGOs) and on arms transfers (taking as a model the Arms Trade Treaty as proposed by the Arias Foundation and other NGOs) as the basis for legally binding international instruments on these issues;
4. Calls further on the Council and EU governments to identify potential partners and establish Contact Groups of States to pave the way for negotiations on such instruments, if necessary outside the framework of the UN by way of 'Ottawa-style' processes;
5. Urges EU governments to implement speedily the EU Common Position on Arms Brokering and to adopt nationally and at EU level comprehensive controls on arms brokers, including registration, extraterritorial provisions as they already exist in, for example, Finland, Sweden and Belgium, and controls on shipping agents and those providing financial services for arms transfers;
6. Calls on EU Member States to strengthen their commitment to assisting in the development of legislative frameworks and to building up institutional capacities in EU Accession and Association Countries to implement and enforce arms export controls, including arms brokering and marking/tracing;
7. Requests the Council to draw up a progress report on the outcome of the July 2003 UN BMS and to report back in full to Parliament immediately after the end of the BMS;
8. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the UN and the OSCE.