

EUROPEAN PARLIAMENT

2004



2009

Committee on International Trade

2004/2103(INI)

10.11.2004

OPINION

of the Committee on International Trade

for the Committee on Foreign Affairs

on the Council's Fifth Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports (2004/2103(INI))

Draftsman: Jacky Henin

SUGGESTIONS

The Committee on International Trade calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Considers that arms control is essential for conducting coherent policies that meet EU objectives on peace, development, respect for human rights and democracy;
2. Notes that some progress has been made in implementing the EU Code of Conduct on Arms Exports, but nevertheless deplores the fact that massive quantities of European arms continue to be supplied, in violation of the Code; hopes that a European instrument can be adopted which will make the Code of Conduct legally binding;
3. Notes a slight drop in expenditure on armaments within the EU in recent years, but is concerned that this is more than offset by an increase in exports of manufactured arms to non-member States; considers that the EU and the Member States should not only implement the Code of Conduct but also help to reduce militarisation and levels of armaments in the world;
4. Supports Parliament's earlier call for legally binding provisions and a full harmonisation of the Member States' arms export policy in the medium term, and calls on the Member States to make progress to this end;
5. Considers that arms manufacturers should be encouraged to diversify and redirect their enterprise towards other products;
6. Considers that the EU should continue to encourage other countries, in particular the United States, Russia, Ukraine and China, to adhere to the Code of Conduct on the arms trade, and to limit arms exports and expenditure on arms;
7. Stresses the importance of research aimed at guaranteeing legal supervision and controls on the electronic transfer of knowledge, software and technology having a potential link to goods on the Community list of goods for which an export licence is required;
8. Considers that, in order to combat illegal arms sales and to ensure that arms do not end up in the hands of inappropriate end-users, it is essential to reinforce controls on shipping cargoes, arms end-users, other military and security equipment, manufacture under licence and brokerage; specifically calls, as far as end-users are concerned, for the inclusion of a non-misuse clause in end-user certificates declaring that the material will not be used for proscribed uses;
9. Supports the call on the Member States to investigate once again the possibility of setting up a Community supervision system; further recommends that consideration be given to the model of a European arms export control agency;
10. Calls on the Member States to introduce criminal sanctions for violations, wherever these take place, by European brokers or EU-registered brokers or enterprises, of arms embargoes laid down by the UN, the EU, the OSCE or any Member State;

11. Calls for the introduction in the EU of a special tax on the arms trade, and for the EU to carry on active diplomacy with a view to such tax being levied worldwide as is being suggested by the United Nations General Assembly as well as by the Presidents of Brazil, Chile and France, and by the Spanish Head of Government, with the revenue from these taxes being paid into funds for victims of armed conflicts in particular and poverty alleviation more generally;
12. Calls upon Member States to agree on a list of countries involved in armed conflicts to which arms exports should be banned in principle, drawing upon the reports and recommendations of the UN Security Council monitoring mechanisms on arms embargoes;
13. Calls upon Member States to initiate surveys, as carried out for criterion 8, on how to apply the remaining seven criteria;
14. Calls for the expansion, in due course, of the database of denial notifications at the Council Secretariat in Brussels to include information on consultations under the Code of Conduct as well as on end-users who are known or suspected to have engaged in the re-export, diversion or misuse of arms and other controlled goods;
15. Calls on Member States to amend the export criteria in the Code of Conduct to improve their clarity and comprehensiveness and to ensure that they fully reflect States' existing responsibilities under international law;

PROCEDURE

Title	Council's Fifth Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports
Procedure number	2004/2103(INI)
Committee responsible	AFET
Enhanced cooperation	–
Draftsman Date appointed	Jacky Henin 14.9.2004
Discussed in committee	30.9.2004 11.10.2004
Date suggestions adopted	11.10.2004
Result of final vote	for: 22 against: 0 abstentions: 0
Members present for the final vote	Enrique Barón Crespo, Daniel Caspary, Françoise Castex, Jean-Marie Cavada, Giulietto Chiesa, Christofer Fjellner, Béla Glattfelder, Jacky Henin, Erika Mann, Helmuth Markov, Javier Moreno Sánchez, Pasqualina Napoletano, Georgios Papastamkos, Peter Šťastný, Johan Van Hecke, Zbigniew Franciszek Zaleski
Substitutes present for the final vote	Margrietus J. van den Berg, Reimer Böge, Danutė Budreikaitė, Harlem Désir, Maria Martens
Substitutes under Rule 178(2) present for the final vote	Carl Schlyter