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Committee on Development

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PE 362.684v01-00

AMENDMENTS 1-15

Draft opinion

(PE 360.333v01-00)

Ģirts Valdis Kristovskis

Council's Sixth Annual Report according to Operative Provision 8 of the European Union
Code of Conduct on Arms Exports
(13816/1/2004 - 2005/2013(INI))

Amendment by Feleknaš Uca

Amendment 1

Paragraph 2 a (new)

- 2a.** *Calls for a new Code of Conduct to be adopted which takes greater account of the problem of arms proliferation and of the need to incorporate the provisions of Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology¹; calls for further improvements to be made pending adoption of the new Code of Conduct, such as the implementation of a human rights criterion which does not consist solely of a requirement that a country must be prepared to comply with international law on the conduct of war, and calls for the provisions of the Code of Conduct to be made more politically binding, until such time as they become legally binding;*

Or. de

¹ *OJ L 159, 30.6.2000, p. 1.*

Amendment by Feleknaš Uca

Amendment 2

Paragraph 3

3. Welcomes in particular progress on the harmonisation of national reports, the regularisation of the 2004 review of the Code (new Operative Provision 13), the introduction of a new post-embargo 'toolbox', the further development of the User's Guide (Operative Provision 12) and the efforts made towards the establishment of best practice Guidelines for implementing Criterion 8 (on assessing the compatibility of arms exports with the technical and economic capacity of the recipient country); ***in that connection, urges that arms should not be exported to countries which violate human rights; Criterion 8 should be clarified accordingly;***

Or. de

Amendment by Feleknaš Uca

Amendment 3

Paragraph 3 a (new)

- 3a. Calls for the Code of Conduct finally to be made legally binding and urges the Council not to postpone any further a decision to that effect, as the European Council did at its meeting of 17 and 18 June 2005;***

Or. de

Amendment by Ana Maria Gomes

Amendment 4

Paragraph 4 a (new)

- 4a. Urges Member States to draw up a revised and, most importantly, legally binding Code of Conduct that will take the development policy of the European Union fully into account, and therefore contribute to coherent European external action;***

Or. en

Amendment by Feleknaš Uca

Amendment 5

Paragraph 5

5. Stresses the need to operationalise Criterion 8, ***in which connection respect for***

human rights in general and compliance with development policy standards should be binding requirements when assessing the suitability of arms exports to a third country or region;

Or. de

Amendment by Felekнас Uca

Amendment 6
Paragraph 5 a (new)

- 5a. Calls on the Council to categorise dual-use goods as arms and, in connection with the revision of the Code of Conduct, to take account of the increasing tendency for the lines between the civil and military sectors to be blurred; calls for a debate on the implications for Regulation (EC) No 1334/2000 and for the Code of Conduct of the ever more frequent transfers of civil technology to the military sphere;***

Or. de

Amendment by Felekнас Uca

Amendment 7
Paragraph 7

- 7. Points out that the increasing prevalence of small arms throughout the world is leading to growing levels of armed violence, with the result that sustainable development is undermined, and that women and children are particularly badly affected by the increasing proliferation of small arms, and therefore urges the Commission and Council to prepare guidelines for SALW policies and programmes in developing countries that are compatible and consistent with development policy objectives, to work together with non-governmental organisations with a view to achieving that objective and to ensure that the guidelines take account of the adverse impact which the proliferation of small arms has on sustainable development and on women and children in particular;***

Or. de

Amendment by Felekнас Uca

Amendment 8
Paragraph 8

- 8. Urges the Council and the Commission to set out clear budgetary requirements and sources of funding for SALW and SALW-related programmes for the years 2005 and***

2006; urges the Commission and Council to consider whether development-policy initiatives which adopt a critical stance towards arms exports from EU Member States should receive financial support; in that connection, draws attention to the scope for savings at the European Defence Agency following the non-ratification of the EU Constitutional Treaty;

Or. de

Amendment by Ana Maria Gomes

Amendment 9

Paragraph 9

9. Reminds the Council and the Commission that the failure to further develop the Code and new initiatives such as the proposed international Arms Trade Treaty risks undermining European Union development cooperation policy *as well as* ongoing SALW and Disarmament, Demobilisation and Reintegration ('DDR') activities in the field, *thus hindering the achievement of the Millennium Development Goals;*

Or. en

Amendment by Feleknaš Uca

Amendment 10

Paragraph 12

12. Calls for further discussion with the Council and within the European Parliament on, and expresses support for, the establishment of a European Union Agency *to police the ban on arms exports* that could monitor and verify the effectiveness of European Union arms export control regulations; *calls for a further agency on disarmament and conversion to be set up and urges the Council to abolish the European Defence Agency, since that body, with its aim of promoting intra-European arms trade, will automatically lend further impetus to arms exports;*

Or. de

Amendment by Nirj Deva

Amendment 11

Paragraph 13

Deleted

Or. en

Amendment by Felekнас Uca

Amendment 12

Paragraph 13

13. Calls for the development of an outreach strategy to promote the Code within the European Union and in relations with third states and regions, which should highlight that the impact of European Union arms exports on developing countries is substantial, that such exports affect not only economies and trade strategies but also socio-political processes more broadly, and that government and private enterprises must be aware of their responsibilities, be it social or corporate, in their relations with developing nations; ***further urges, therefore, that the European Defence Agency should be abolished, since its policy of balancing the interests of the major arms-exporting states in the European Union will serve to boost arms exports in the long term;***

Or. de

Amendment by Nirj Deva

Amendment 13

Paragraph 14

Deleted

Or. en

Amendment by Felekнас Uca

Amendment 14

Paragraph 16 a (new)

16a. Calls for a debate to be conducted in the Member States as to whether arms exports should continue to be treated like exports of other goods under budgetary law, as they are, for example, in Germany, a situation which requires the Federal German Government to sell old weapons, and, should this not prove possible, to hand them over to anyone who is prepared to collect them, provided that no further costs arise; calls for basic agreement to be reached in Europe on the issue of whether arms exports should be an instrument of (national) power politics;

Or. de

Amendment by H       Goudin

Amendment 15

Paragraph 16 a (new)

16a. *Stresses the importance of the EU cooperating fully with UN; the UN should be consulted if checks on arms exports are introduced;*

Or. sv