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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Ana Maria Gomes, on behalf of the PSE Group

on the EU Code of Conduct on Arms Exports

European Parliament resolution on the EU Code of Conduct on Arms Exports

The European Parliament,

- having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas in 2008 the European Union Code on Arms Exports has celebrated its tenth anniversary,
- B. whereas more than two years ago, on 30 June 2005, the COARM (Council Working Group on Arms) agreed at technical level on the text of a Common Position as the result of a thorough process to revise the EU Code of Conduct on Arms Exports with the aim of transforming the Code into an efficient instrument to control arms exports from EU territory and by EU companies,
- C. whereas through the adoption of this Common Position the Code will become a legally binding arms export control instrument for all EU Member States,
- D. whereas, despite various calls from Parliament to do so, the Council has since 2005 failed to adopt this Common Position at the political level, leaving the issue unresolved,
- E. whereas this issue has acquired a new sense of urgency owing to a number of developments:
 - several initiatives to harmonise national arms procurement policies and intra-community arms transfers and sales;
 - renewed interest in controlling the impact of arms brokering, in particular since the entry into force of EU air safety regulations on the activities of air cargo operators,
- 1. Reiterates strongly its criticism of the current political impasse on the non-adoption of the Common Position in the light of the tenth anniversary of the Code;
- 2. Urges the EU French Presidency to resolve the issue by ensuring that the Common Position is adopted before the end of its Presidency;
- 3. Reiterates that the EU's contribution to an internationally binding Arms Trade Treaty will strongly gain in credibility as soon as its own arms exports regime becomes legally binding;
- 4. Reiterates that, in parallel with the adoption of the Common Position, the following measures should, inter alia, be taken:
 - (a) preventing irresponsible arms transfers by a strict application of the Code's criteria to both companies and national armed forces;
 - (b) preventing illegal arms trafficking by air and ship; improving and applying brokering controls by calling on all Member States that have not yet done so to incorporate the letter and spirit of the 2003 EU Common Position on the control of Arms Brokering into their national legislation;

- (c) prompt investigation of recent allegations relating to violations of arms embargoes;
 - (d) preventing the selling-off to private brokers of arms collected in the course of ESDP and SSR operations and other EU initiatives, and their subsequent transfer to other regions of violent conflict or tension;
 - (e) improving the transparency and quality of data submitted by EU Member States in the context of the Annual Report on the Code of Conduct;
5. Is convinced that the adoption of the Common Position on the Code of Conduct on Arms Exports to third countries is vital for the orderly implementation of the future Directive on intra-Community transfers of defence-related materials;
6. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.