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EU Code of Conduct on arms transfers - failure of the Council to adopt the common position and make it a legally binding instrument

More than two years ago the EU Code of Conduct on arms transfers should have become a legally binding instrument for all EU Member States. On 30 June 2005 the COARM (Council Working Group on Conventional Arms) agreed at technical level on the text of a common position as the result of a far-reaching process to revise the Code, with the objective of transforming it into an efficient instrument to control arms exports from EU territory and by EU companies. Parliament has strongly welcomed this common position.

However, since then the Council has failed to take the final decision on this issue, for reasons which have never been explained officially but which are clearly linked to the wish of some EU Member States to abolish the current EU arms embargo on the People's Republic of China. Several times the European Parliament has requested the Council to adopt the common position and every time the Presidency-in-Office has promised to take the appropriate steps to do so but without any result. Meanwhile Parliament and the public are confronted almost every week with news about arms export deals between European companies and countries to which such arms exports should be denied under the Code's criteria, such as Chad, Myanmar, Pakistan, Libya and many others. This is the more regrettable now that in the framework of the European Security Strategy (ESS) and the evolving European Security and Defence Policy (ESDP) more and more EU external missions of a military, non-military and humanitarian character are being deployed and EU personnel might easily end up being threatened with arms previously supplied by EU Member States.

What commitment can the Council give to solve this dilemma with the utmost priority and make sure that the common position will be adopted without further delay?