

Wednesday 14 November 2018

P8\_TA(2018)0451

## **Arms export: implementation of Common Position 2008/944/CFSP**

### **European Parliament resolution of 14 November 2018 on arms exports: implementation of Common Position 2008/944/CFSP (2018/2157(INI))**

(2020/C 363/05)

*The European Parliament,*

- having regard to the principles enshrined in Article 21 of the Treaty on European Union (TEU), notably the promotion of democracy and the rule of law and the preservation of peace, the prevention of conflicts and the strengthening of international security,
- having regard to Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment <sup>(1)</sup> (the Common Position),
- having regard to the Nineteenth Annual Report <sup>(2)</sup> drawn up in accordance with Article 8(2) of the Common Position,
- having regard to Council Decision 2018/101/CFSP of 22 January 2018 on the promotion of effective arms export controls <sup>(3)</sup> and Council Decision 2017/915/CFSP of 29 May 2017 on Union outreach activities in support of the implementation of the Arms Trade Treaty <sup>(4)</sup>,
- having regard to the updated Common Military List of the European Union, adopted by the Council on 26 February 2018 <sup>(5)</sup>,
- having regard to the User's Guide to the Common Position defining common rules governing the control of exports of military technology and equipment,
- having regard to the Wassenaar Arrangement of 12 May 1996 on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, together with the lists, updated in December 2017, of these goods and technologies and munitions <sup>(6)</sup>,
- having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy of 25 June 2012, in particular Outcome 11(e) of the action plan, and to the EU Action Plan on Human Rights and Democracy (2015-2019) of 20 July 2015, in particular Objective 21(d) thereof,
- having regard to the Arms Trade Treaty (ATT) adopted by the UN General Assembly on 2 April 2013 <sup>(7)</sup>, which entered into force on 24 December 2014,
- having regard to Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community <sup>(8)</sup>,

---

<sup>(1)</sup> OJ L 335, 13.12.2008, p. 99.

<sup>(2)</sup> OJ C 56, 14.2.2018, p. 1.

<sup>(3)</sup> OJ L 17, 23.1.2018, p. 40.

<sup>(4)</sup> OJ L 139, 30.5.2017, p. 38.

<sup>(5)</sup> OJ C 98, 15.3.2018, p. 1.

<sup>(6)</sup> <http://www.wassenaar.org/control-lists/>, 'List of Dual-Use Goods and Technologies and Munitions List' under the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

<sup>(7)</sup> Arms Trade Treaty, UN, 13-27217.

<sup>(8)</sup> OJ L 146, 10.6.2009, p. 1.

Wednesday 14 November 2018

- having regard to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items <sup>(1)</sup>, as amended by Regulation (EU) No 599/2014 of 16 April 2014, and to the list of dual-use goods and technology in Annex I thereto (the Dual-Use Regulation),
  - having regard to the UN Sustainable Development Goals, in particular Goal 16 promoting just, peaceful and inclusive societies for sustainable development,
  - having regard to the UN Disarmament Agenda ('Securing our Common Future'),
  - having regard to Regulation (EU) 2016/2134 of the European Parliament and of the Council of 23 November 2016 amending Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment <sup>(2)</sup>,
  - having regard to the Report of the Office of the United Nations High Commissioner for Human Rights to the Human Rights Council on the impact of arms transfers on the enjoyment of human rights <sup>(3)</sup>,
  - having regard to its previous resolutions on the matter, in particular those of 13 September 2017 <sup>(4)</sup> and of 17 December 2015 <sup>(5)</sup> on the implementation of the Common Position,
  - having regard to the proposal for a regulation of the European Parliament and of the Council establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovative capacity of the EU defence industry (EDIDP) (COM(2017)0294) and the proposal for a regulation establishing the European Defence Fund (COM(2018)0476),
  - having regard to its resolutions on the humanitarian situation in Yemen of 25 February 2016 <sup>(6)</sup>, 15 June 2017 <sup>(7)</sup> and 30 November 2017 <sup>(8)</sup>,
  - having regard to its resolution of 27 February 2014 on the use of armed drones <sup>(9)</sup>,
  - having regard to the Human Rights Council report of 17 August 2018 on the situation of human rights in Yemen, including violations and abuses since September 2014 (A/HRC/39/43),
  - having regard to Rules 52 and 132(2) of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A8-0335/2018),
- A. whereas the inherent right of individual or collective self-defence is laid down in Article 51 of the Charter of the United Nations;
- B. whereas arms exports and transfers have an undeniable impact on human rights and human security, on socio-economic development and on democracy; whereas arms exports also contribute to circumstances that force people to flee from their countries; whereas these are strong reasons for establishing a strict, transparent, effective and commonly accepted and defined arms control system;
- C. whereas the Council Common Position 2008/944/CFSP is a legally binding framework laying down eight criteria; whereas wherever these are not met the issuance of an export licence should be denied (criteria 1-4) or consideration should at least be given to doing so (criteria 5-8); whereas the decision to transfer or deny the transfer of any military technology or equipment remains at the national discretion of each Member State in accordance with Article 4(2) of the Common Position;

---

<sup>(1)</sup> OJ L 134, 29.5.2009, p. 1.

<sup>(2)</sup> OJ L 338, 13.12.2016, p. 1.

<sup>(3)</sup> A/HRC/35/8.

<sup>(4)</sup> OJ C 337, 20.9.2018, p. 63.

<sup>(5)</sup> OJ C 399, 24.11.2017, p. 178.

<sup>(6)</sup> OJ C 35, 31.1.2018, p. 142.

<sup>(7)</sup> OJ C 331, 18.9.2018, p. 146.

<sup>(8)</sup> OJ C 356, 4.10.2018, p. 104.

<sup>(9)</sup> OJ C 285, 29.8.2017, p. 110.

**Wednesday 14 November 2018**

- D. whereas the latest figures <sup>(1)</sup> show that arms exports from the EU-28 amounted to over 27 % of the global total in 2013-2017, which would make the EU collectively the second largest arms supplier in the world after the US (34 %), with Russia following at 22 %; whereas the years 2015 and 2016 showed the highest figures for arms exports licences by value granted since the beginning of EU data collection, with a total value of EUR 195,95 billion in 2015 and, according to the most recent report by the Working Party on Conventional Arms Exports (COARM), EUR 191,45 billion in 2016 <sup>(2)</sup>; whereas unfortunately the 2015 and 2016 figures are misleading and inaccurate, as the volume of licences is in part more an expression of intent than a precise figure indicating real exports that may be expected to materialise in the near future;
- E. whereas the COARM annual reports are so far the only instrument whose purpose is to cover the implementation of the Common Position; whereas these reports have helped to make Member States' arms exports more transparent and the volume of guidelines and clarifications in the User's Guide has grown considerably; whereas, because of the Common Position, the volume of information on the issuing of arms export licences has increased;
- F. whereas both the global and the regional security environment have dramatically changed, especially with regard to the Union's southern and eastern neighbourhood, and this highlights the urgent need to improve methodologies with regard to producing information for export licensing risk assessments and to make them more secure;
- G. whereas, under Article 3 of the Common Position, the eight criteria set minimum standards only and are without prejudice to any more restrictive arms control measures which Member States may take; whereas the decision-making process for granting or denying arms export licences lies solely within the remit of Member States;
- H. whereas not all Member States make a full submission to COARM; whereas, because of the differing data collection arrangements and submission procedures of individual Member States and their different interpretation of the eight criteria, data sets are incomplete and vary, and arms export practices diverge widely; points out that information exchange must be compatible with the national laws and administrative procedures in each country;
- I. whereas there is currently no mechanism for standardised, independent verification and reporting of compliance with the eight criteria of the Common Position;
- J. whereas measures on trafficking of small arms and light weapons have been adopted in recent years, with an updated List of Dual-Use Goods and Technologies under the Wassenaar Arrangement; whereas while issues such as control of arms brokering, licensed production outside the EU and end-user control have been put on the agenda and, to some extent, incorporated into the Common Position itself, many products, in particular in the field of dual-use goods, cybertechnology and surveillance, are still not covered by the control system;
- K. whereas the nineteenth annual report reveals that 40,5 % of licences for arms exports were granted to countries in the MENA region, to the value of EUR 77,5 billion, and with Saudi Arabia, Egypt and the United Arab Emirates (UAE) accounting for the bulk of those exports, to the value of EUR 57,9 billion;
- L. whereas, in some cases, the arms exported to certain countries, for example to Saudi Arabia, UAE and members of the Saudi-led coalition, have been used in conflicts such as that in Yemen; whereas such exports clearly violate the Common Position;

---

<sup>(1)</sup> Trends in international arms transfers, 2017 (SIPRI Fact Sheet, March 2018).

<sup>(2)</sup> <http://enaat.org/eu-export-browser/licence.de.html>

Wednesday 14 November 2018

- M. whereas the European Parliament resolution of 25 February 2016 on the humanitarian situation in Yemen called on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to launch an initiative to impose an EU arms embargo on Saudi Arabia;
- N. whereas arms licensed for transfer by EU Member States and subsequently used in the current Yemen conflict have had a catastrophic impact on sustainable development in Yemen;
- O. whereas the defence sector has become a focal point of EU policy, with the European Global Strategy (EUGS) stating that 'a sustainable, innovative and competitive European defence industry is essential for Europe's strategic autonomy and for a credible CSDP'<sup>(1)</sup>; whereas arms exports are key to boosting the industrial and technological basis for European defence, and whereas the priority of the defence industry is to guarantee the security and defence of the EU Member States and contribute to the implementation of the CFSP; whereas the main task of the European Defence Fund and, as a precursor, the EDIDP, which has recently been launched, is to 'support the competitiveness of Europe's defence industry'<sup>(2)</sup>;
- P. whereas transparency measures such as the monitoring of arms exports help to boost trust among Member States;
- Q. whereas Article 10 of the Common Position clearly states that compliance with the eight criteria takes precedence over any economic social, commercial or industrial interests of Member States;

#### ***Bolstering the Common Position and improving its implementation***

1. Underlines that states have the legitimate right to acquire military technology for the purposes of self-defence; notes that maintaining a defence industry serves as part of the self-defence of the Member States;
2. Notes that a European defence market serves as an instrument for guaranteeing the security and defence of Member States and Union citizens and contributes to the implementation of the Common Foreign and Security Policy (CFSP) and in particular the Common Security and Defence Policy (CSDP); calls on the Member States to overcome the current lack of efficiency in defence spending due to duplication, fragmentation and lack of interoperability, and to aim for the EU to become a security provider also by better controlling arms exports;
3. Acknowledges that the EU is the only union of states to have a legally binding framework through which arms export control is being improved, including in crisis regions and countries with a questionable human rights record; welcomes, in this connection, the fact that European and non-European third countries have joined the arms export control system on the basis of the Common Position; also encourages remaining candidate countries, countries in the process of attaining candidate status, or countries otherwise wishing to engage themselves on the path of EU accession, to apply the provisions of the Common Position;
4. Stresses the urgent need to enhance the role of EU Delegations in assisting Member States and the European External Action Service (EEAS) with their export licensing risk assessments and the implementation of end-user controls, post-shipment controls and on-site inspections;
5. Notes that the eight criteria are applied and interpreted in different ways by Member States; calls for a uniform, consistent and coordinated application of the eight criteria and full implementation of the Common Position with all its obligations;
6. Believes that the export licensing risk assessment methodology should incorporate a precautionary principle and that Member States, in addition to assessing whether specific military technology might be used for internal repression or other undesired ends, should also assess risks on the basis of the overall situation in the country of destination, taking account of factors such as the state of democracy and the rule of law and its socio-economic development;

---

<sup>(1)</sup> 'Shared Vision, Common Action: A Stronger Europe — A Global Strategy for the European Union's Foreign and Security Policy', Brussels, June 2016.

<sup>(2)</sup> 'Launching the European Defence Fund', COM(2017)0295, 7 June 2017.

**Wednesday 14 November 2018**

7. Calls on the Member States and the EEAS, in line with its recommendations of 13 September 2017, to use the current review process to strengthen mechanisms for exchange of information by making available qualitatively and quantitatively better information for export licensing risk assessments, by:

- (a) providing more information on export licences and actual exports shared systematically and in a timely manner, including on end users of concern, cases of diversion, end-user certificates that are forged or otherwise of concern, and suspect brokers or transport companies, in accordance with domestic laws;
- (b) maintaining a list of entities and individuals convicted of violating arms export-related legislation, of cases of identified diversion, and of persons who are known or suspected to be involved in illegal arms trading or in activities that pose a threat to international and national security;
- (c) sharing the best practices adopted for implementing the eight criteria;
- (d) turning the current User's Guide into an interactive online resource;
- (e) turning the EU Annual Report into an open and public online database by the end of 2019, with the new format to be applied to the 2017 data;
- (f) promoting clear and well-established cooperation procedures between law enforcement agencies and border authorities, based on the exchange of information, in order to strengthen cooperation on security and eradicate illegal arms trading, which poses a risk to the security of the EU and its citizens;

8. Calls on the Member States and the EEAS to increase the number of personnel working on export-related issues both at national and EU level; encourages the use of EU funds for capacity-building among licensing and enforcement officials in Member States;

9. Recalls that among the reasons for establishing the Common Position were to prevent European weaponry being used against Member States' armed forces and to prevent human rights abuses and the prolongation of armed conflict; reiterates that the Common Position sets minimum requirements which Member States have to apply in the field of arms export controls and that it includes the obligation to assess a request for an export licence against all eight criteria listed in it;

10. Criticises the systematic failure to apply the eight criteria by Member States and the fact that military technology does reach destinations and end users that do not meet the criteria laid down in the Common Position; repeats its call for an independent assessment of Member States' compliance with the eight criteria of the Common Position; takes the view that greater convergence in the application of the eight criteria should be promoted; regrets the lack of provisions on sanctions to be imposed on Member States that fail to check compliance with the eight criteria in advance of granting licences; urges the Member States to improve the consistency of the implementation of the Common Position, and advises them to make provision for arrangements to conduct independent checks;

11. Believes that exports to Saudi Arabia, the UAE and other members of the Saudi-led coalition in Yemen are non-compliant with at least criterion 2 because of those countries' involvement in grave breaches of humanitarian law as established by competent UN authorities; reiterates its call of 13 September 2017 regarding the urgent need to impose an arms embargo on Saudi Arabia, and calls on the VP/HR and the Council to extend such an embargo to all other members of the Saudi-led coalition in Yemen;

12. Believes it necessary to launch a process leading to a mechanism which sanctions those Member States which do not comply with the Common Position;

13. Notes that some Member States have stopped providing arms to Saudi Arabia and other members of the Saudi-led coalition in Yemen because of their actions, while others have continued supplying military technology; congratulates those Member States, such as Germany and the Netherlands, which have changed their practice as regards the Yemen conflict; deeply regrets, however, the fact that other Member States seem not to take into account the behaviour of the country of destination and the end-use of exported arms and ammunition; underlines that this disparity of practice risks undermining the entire European arms control regime;

Wednesday 14 November 2018

14. Is alarmed at the fact that almost all licence requests for exports to specific countries such as Saudi Arabia have been granted even though exports to those countries violate at least criteria 1 to 6 of the Common Position, bearing in mind also that failure to meet criteria 1 to 4 must result in denial of the licence; regrets that almost all licence applications (95 %) for exports to Saudi Arabia have been granted as regards category ML9 <sup>(1)</sup> (vessels of war, which are used to enforce the naval blockade on Yemen), and categories ML10 (aircraft) and ML4 (bombs etc), which have been fundamental to the air campaign, contributing to the deterioration of the humanitarian situation, to the undermining of sustainable development in the entire country, and to the ongoing suffering of the population of Yemen;

15. Is shocked at the amount of EU-made weapons and ammunition found in the hands of Da'esh in Syria and Iraq; notes the failure of Bulgaria and Romania to effectively apply the Common Position in relation to retransfers that contravene end-user certificates; calls on all Member States to refuse similar transfers in the future, notably to the US and Saudi Arabia, and calls on the EEAS and the Member States, in particular Bulgaria and Romania, to explain, in the context of COARM but also in public before Parliament's Subcommittee on Security and Defence (SEDE), what steps have been taken on this matter; calls on the EEAS to address the many cases revealed by the recent Conflict Armament Research report, and to explore more effective methods for diversion risk assessment in COARM and other relevant fora, including, in the context of the review process, making it obligatory for Member States to deny an export licence if there is a clear risk that the military technology or equipment to be exported might be diverted; decides to launch an investigation into this matter;

16. Is concerned that the supply of weapon systems in wartime and in situations of significant political tension may disproportionately affect civilians; underlines that conflicts should be solved by diplomatic means as a priority; calls, therefore, on the Member States to take steps towards a genuine common foreign and security policy;

17. Recognises that better implementation of criterion 8 would constitute a decisive contribution to the EU's Policy Coherence on Development objectives and the UN's Sustainable Development Goals (SDGs), in particular SDG 16.4; calls on the Member States and the EEAS to use the ongoing review process of the Common Position in this respect; recommends updating the User's Guide in this respect, with a focus not only on the developmental impact of the purchase of arms on the recipient country, but also on the potential harm to development done by the use of arms, including in countries other than the recipient state;

18. Suggests that ways should be explored for the EU to support compliance by the Member States with the eight criteria of the Common Position, in particular by providing information during the risk assessment phase, checks on the end users, ex ante checks on shipments, and a regularly updated list of the third countries that comply with the criteria of the Common Position;

19. Notes that the Council is conducting a reassessment of the implementation of the Common Position and the fulfilment of its objectives in 2018; calls for the Common Position to be reviewed in order to determine how it is implemented at national level, including an assessment of the different ways in which it is implemented in states' laws and regulations, the methods used to assess licence applications and the government agencies and ministries that are involved; stresses, in this connection, that projects funded from the newly launched EDIDP and the future Defence Fund must come under national and EU control and reporting mechanisms/regimes and be subject to full parliamentary scrutiny; believes that the proposed European Peace Facility also needs to be subject to parliamentary scrutiny;

20. Calls on the Member States to overcome the current lack of efficiency in defence spending due to duplication, fragmentation and lack of interoperability, and to aim for the EU to become a security provider also by better controlling arms exports;

21. Takes the view that product related actions in relation to small arms and light weapons where they are developed mainly for export purposes should be excluded from Union funding in the context of the upcoming regulation establishing the European Defence Fund (EDF) (COM(2018)0476);

---

<sup>(1)</sup> [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XG0406\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XG0406(01)&from=EN)



**Wednesday 14 November 2018**

22. Takes the view that in the context of Brexit it would be important for the United Kingdom to commit to remain bound by the Common Position and to apply its operative provisions as other European third countries do;

23. Stresses that the ambition to increase the competitiveness of the European defence sector must not undermine the application of the Common Position's eight criteria, as they take precedence over any economic, commercial, social or industrial interests of Member States;

24. Considers that the implementation of Directive 2009/43/EC simplifying terms and conditions of transfers of defence-related products within the Community should be consistent with the Common Position, including with regard to spare parts and components; notes that the Common Position is non-restrictive in scope and that, accordingly, the eight criteria also apply to transfers within the EU;

25. Reiterates the detrimental effect that insufficiently controlled exports of cybersurveillance technologies by EU companies can have on the security of the EU's digital infrastructure and on respect for human rights; stresses, in this connection, the importance of a rapid, effective and comprehensive update of the EU's Dual-Use Regulation, recalls Parliament's position regarding the Commission's proposal as endorsed by an overwhelming majority in January 2018, and suggests that the Council should establish an ambitious position with a view to enabling the co-legislators to reach an agreement before the end of this legislative term; calls on the Member States, with regard to export controls and applying the eight criteria, to pay greater attention to goods which may be used for both civilian and military purposes, such as surveillance technology, and, similarly, to components that may be used in cyberwarfare or to perpetrate human rights violations; urges the Member States and the Commission to invest sufficient funds in technology and human resources to train individuals in specific cybersecurity programmes; calls on the Member States to promote, at international level, the addition of the goods concerned to control lists (in particular Wassenaar);

26. Encourages the Member States to undertake a more detailed examination of licensed production by third countries and to ensure stronger safeguards against undesired uses; demands the strict application of the Common Position with regard to licensed production in third countries; calls for limiting licensed production arrangements to countries that are parties or signatories to the ATT, and for those third countries to be obliged to only export equipment produced under licence and explicitly authorised by the original exporting Member State;

27. Stresses the need to develop an approach for addressing situations where Member States make a different interpretation of the eight criteria of the Common Position for exports of products that are essentially alike, to similar destinations and end users, in order to preserve the level playing field and the EU's credibility abroad;

28. Asks the Member States and the EEAS to develop a dedicated strategy in order to provide formal protection for whistleblowers reporting practices by organisations and companies in the weapons industry that breach the criteria and principles set out in the Common Position;

29. Calls furthermore for the eight criteria to be extended and applied also to the transfer of military, security and police personnel, to arms exports-related services, know-how and training, security technology and to private military and security services;

30. Calls on the Member States and the EEAS to cooperate closely in order to prevent risks arising from the diverting and stockpiling of weapons, such as illegal arms trafficking and smuggling; stresses the risk of weapons exported to third countries re-entering the EU via arms smuggling and trafficking;

31. Calls on the Member States and the EEAS to add a new criterion to the Common Position in order to ensure that when granting authorisations due account is taken of the risk of corruption concerning the relevant exports;

Wednesday 14 November 2018

**COARM annual report**

32. Pays tribute to the efforts of COARM in connection with cooperation, coordination and convergence (with particular reference to the User's Guide for the Common Position), and with bolstering and implementing the Common Position, especially as regards awareness-raising campaigns and approximation or harmonisation processes within the EU and involving third countries;

33. Regrets the very late publication of the eighteenth annual report for 2015 in March 2017 and of the nineteenth annual report for 2016 in February 2018; calls for a more standardised and timely reporting and submission procedure to be guaranteed by setting a strict deadline for submitting data of no later than January following the year in which the exports took place, and by setting a fixed publication date of no later than March following the export year;

34. Recalls that according to Article 8(2) of the Common Position all Member States are obliged to report on their arms exports, and urges all Member States to comply fully with their obligations, as set out in the Common Position; stresses that high-quality, disaggregated data on actual deliveries are essential for understanding how the eight criteria are applied;

35. Criticises the fact that a number of Member States did not make full submissions to the nineteenth annual report on the basis of detailed, country-specific data; is concerned that, as a result, important information is missing from the COARM annual report, which is therefore not up to date or able to present a complete picture of Member States' export activities; considers that a standardised verification and reporting system should be established to provide more detailed and exhaustive information; reiterates its request that all Member States which have not made full submissions provide additional information regarding their past exports with a view to the next annual report;

36. Notes that according to the nineteenth annual report, the criteria invoked for denials differed in their application, with criterion 1 being invoked 82 times, criterion 2 119 times, criterion 3 103 times, criterion 4 85 times, criterion 5 8 times, criterion 6 12 times, criterion 7 139 times, and criterion 8 once; notes with concern that the number of denied licences fell in total and also in relative terms (only 0,76 % of licence applications were denied in 2016 compared to almost 1 % in 2015); notes with disappointment the continued failure of the report to include figures on the outcome of consultations regarding denial notifications, and calls on the Member States to include such data in future annual reports;

37. Suggests that additional information be collected from Member States and published both at national level and in the COARM annual report; also suggests that an overview setting out a trend comparison with previous years, together with aggregated figures, be added to the COARM annual report;

**Parliament and civil society**

38. Notes that not all EU national parliaments scrutinise governmental licensing decisions; points to Parliament's Rules of Procedure, which provide for the possibility of regular responses to the EU Annual Reports on Arms Exports, and calls in this respect for an improvement of the current situation and for a guarantee that Parliament will respond to the annual COARM report with its own annual report, which should be out of quota; calls on national parliaments to exchange any existing best practices in the area of the reporting and supervision of arms exports;

39. Underscores the important role of national parliaments, the European Parliament, civil society, arms export control authorities and industry associations in both supporting and encouraging the Common Position's agreed standards at national and EU level and in establishing a transparent, accountable control system; calls, therefore, for a transparent and robust control mechanism which bolsters the role of parliaments and of civil society; encourages national parliaments, civil society and academia to exercise independent scrutiny of the arms trade, and calls on the Member States and the EEAS to support such activities, including by financial means;



**Wednesday 14 November 2018**

40. Stresses the significance and legitimacy of parliamentary oversight concerning data relating to arms export control and how that control is carried out; calls, in this connection, for provision of the measures, backing and information needed to ensure that the public oversight function can be performed to the full;

41. Suggests that exports of products financed under the EDIDP and/or the European Defence Fund (EDF) should be listed separately in the data submitted to COARM, in order to ensure a close monitoring of those products which have been financed from the European budget; calls on the Council and Parliament to agree on a detailed interpretation and implementation regime including a supervisory body, a sanctioning body and an ethical committee, to ensure that the criteria of the Common Position are applied at least to the products financed under EDIDP and/or the EDF, in order to ensure equal export frameworks for the countries involved; believes that the common interpretation and implementation should apply prospectively to all arms exports from Member States;

***International arms control and disarmament***

42. Points out the EU's ambitions to become a global actor for peace; takes the view that the EU should meet its increased responsibility for peace and security in Europe and the world by means of further improved export control mechanisms and disarmament initiatives, and that, as a responsible global player, it should lead the way, i.e. the EU should play an active role, with Member States doing their utmost to seek a common position in the areas of non-proliferation of arms, global disarmament and arms transfer controls, as well as in enhancing research and development into technologies and processes for conversion from military to civil use structures, and by measures such as granting export advantages for the goods concerned;

43. Recalls that all the Member States are signatories to the ATT; calls for universalisation of the ATT and for more focus to be placed on those countries that are not signatories; also commends the outreach efforts regarding the ATT and supports its effective implementation;

44. Encourages Member States to help third countries in the creation, improvement and application of arms checking systems in compliance with the Common Position;

45. Reiterates its position on lethal autonomous weapon systems (LAWS); calls for a ban on exports of products used in the development and production of such weapon systems;

46. Points out that an effective international arms control agreement should cover all transfers, including state to state transfers, state to non-state end-user transfers and leases, as well as loans, gifts, aid or any other form of transfer;

o

o o

47. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Secretary-General of NATO, and the Secretary-General of the United Nations.

---