



**European Union**

**EU Key Messages**

**Working Group on Effective Treaty Implementation**

**Working Group on Treaty Universalisation**

**Working Group on Transparency and Reporting**

**2nd Informal Preparatory Meeting for the Eighth Conference of States Parties**

**Arms Trade Treaty**

**Geneva, 26 to 29 April 2022**

I have the honour to speak on behalf of the European Union and its Member states.

The Candidate Countries the Republic of North Macedonia\*, Montenegro\* and Albania\*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Norway, member of the European Economic Area, as well as Georgia align themselves with this statement.

**Working Group on Effective Treaty Implementation (WGETI): 26-27 April 2022**

- The EU would like to express its gratitude to Ambassador Thomas GÖBEL of Germany for his work as the President of the Eighth Conference of States Parties (CSP8) to the Arms Trade Treaty. The EU welcomes the priorities set by the German Presidency and looks forward to a continuation of the productive exchanges on post-shipment controls.
- The EU also appreciates the efforts of Ambassador Sang-beom LIM of the Republic of Korea in his role as the Chair of the ATT Working Group on Effective Treaty Implementation.

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\* The Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

### Sub-working Group on Articles 6&7

- The EU would like to thank the Chair of the sub-group, Ambassador Ignacio SÁNCHEZ DE LERÍN of Spain, for the continued work on this important topic.
- While export risk assessments under article 7 remain a national prerogative to be carried out on a case by case basis, the exchange of good practices amongst States Parties can have an added value.
- Article 6 and 7 are the core of the treaty; the implementation of these articles by States Parties is key to effective treaty implementation.
- The EU encourages States Parties to continue the work on a voluntary best-practice guidance document, with a view to finalise it. The document could be a useful tool when assessing arms export license applications.
- The EU takes this opportunity to draw attention of States Parties to Article 6 para 3: a State Party shall not authorize any transfer of conventional arms [...], if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.
- As a result of the Russian Federation’s unprovoked and unjustified military aggression against Ukraine and given the many grave breaches by Russia of the Geneva Conventions, including continuous deliberate attacks on civilians and civilian infrastructure, it may be the case that arms transfers to Russia will not be permitted under the ATT. We call on all States Parties to refrain from any transfers to Russia.
- The EU has an arms embargo in place against Russia, following the illegal annexation of Crimea by Russia in 2014.

### Sub-working Group on Article 9

- The EU would like to thank Mr. Rob WENSLEY of South Africa for his work in guiding States Parties in the implementation of the Article on Transit and Transshipment.
- Much is left to the national level in terms of legislating on transit and transshipment. There are quite some differences between States Parties regarding if, and how, transit is controlled.
- Transparency would help to achieve more efficient and effective controls on transit of controlled military goods. The EU is looking forward to constructive discussions on “measures to regulate the transit and trans-shipment of arms by sea” and “the role of the private sector in the transit and trans-shipment of arms”.

### WGETI Sub-working Group on Article 11

- The EU would like to thank Ms. Stela PETROVIĆ of Serbia for her excellent work on the implementation of the article referring to diversion.
- The EU recognizes that the effective prevention of diversion cannot be achieved by the exporting State alone and therefore hopes for progress on the three issues discussed under this item, namely the role of importing States in preventing diversion, post-delivery cooperation and the role of the private sector and civil society in mitigating diversion risks post-delivery.

### **Diversions Information Exchange Forum**

- The EU and its Member States look forward to the first meeting of the Diversion Information Exchange Forum in August during CSP8. The Dief can play an important practical role in preventing diversion to undesirable actors.
- The EU has full confidence in the Chair of the Dief to maintain the desired level of confidentiality while at the same time ensuring relevant information is being shared amongst key players.

### **Working Group on Treaty Universalization (WGTU): 28 April 2022**

- The EU thanks you, Mr President, Ambassador Thomas GÖBEL, of Germany and Ambassador Lansana GBERIE, of Sierra Leone, for your continued outreach, demarches and letters aimed at increasing the number of States Parties to the ATT.
- The EU warmly welcomes the Philippines as the 111<sup>th</sup> State Party. We are pleased to have been able to play a role in preparing the Philippines for its accession to the Treaty through our ATT Outreach Project as implemented by German export control authority BAFA and by Expertise France from France.
- The EU hopes Gambia will soon follow and accede to the treaty.
- The EU calls on all States Parties to continue the collective engagement and outreach efforts to non-State Parties, underlining the benefits of joining the ATT, thus contributing to international and regional peace and stability.

### **Working Group on Transparency and Reporting (WGTR): 28 April 2022**

- The EU thanks Ms. Sabine VISSER, of the Netherlands and Ms. Grisselle del Carmen RODRIGUEZ RAMIREZ, of Panama, for their leadership of the WGTR, and for preparing an interesting and highly relevant set of presentations from various actors.
- Transparency and reporting are key elements leading to confidence building among States and enabling accountability and scrutiny for arms export decisions taken by national authorities.
- Reporting on arms exports and imports represents one of the cornerstone obligations of the ATT. The EU once again calls on all States Parties to fulfil their reporting obligations in a timely and transparent manner. We encourage all States Parties to report publicly as a good way of contributing to the treaty's aim of transparency on arms export decisions. Non-confidential reporting increases the relevance of the reports and facilitates information sharing on transfers decisions.
- The EU is currently preparing its Annual Report on EU MS arms exports, with data on the year 2021. The report will become available shortly after the summer via our user-friendly public online database on the EEAS website.

### **2nd Informal Preparatory Meeting for the 8<sup>th</sup> Conference of States Parties: 29 April 2022**

- The EU would like to express its deep concern over the increasingly critical financial situation of the Arms Trade Treaty. This situation, caused by the continued accumulation of non-payment by up to one third of States, could have serious consequences for institutional stability of the Treaty. We once again urge all States, which have not yet done so, to pay their dues in full and on time and to settle their outstanding arrears without further delay.