



## **EU Statement**

### **Treaty Implementation**

#### **Arms Trade Treaty**

#### **Ninth Conference of State Parties**

**Geneva, 21-25 August 2023**

Madam President,

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

[Alignment clause]

The EU reiterates its strong conviction that the Arms Trade Treaty must be implemented in its entirety to establish the highest possible common international standards for regulating the international trade in conventional arms and to prevent and eradicate the illicit trade in conventional arms and ammunition and prevent their diversion. The EU underlines the essential contribution that a responsible arms trade policy makes to the maintenance of international peace and security and respect for international human rights law and international humanitarian law. EU Member States are legally bound under the EU Common Position 2008/944 on arms exports to assess license applications for the export of conventional arms against eight criteria. These criteria are in line with the ATT. Among other cases, EU Member States deny licenses whenever there is a clear risk that the export of military technology and equipment might be used for internal repression, contribute to regional instability, or might be used in the commission of serious violations of international human rights law or international humanitarian law. A number of tools supports application of the eight criteria: online system for exchanging information about denials and for queries about national policies or destinations, as well as a confidential database only accessible to licensing officers from EU Member States. The EU is continuously reflecting on ways to develop convergence among arms export policies, which are national prerogatives. To this end, a review of the EU Common

Position was launched in early 2022 and is scheduled to conclude with adoption of updated documents in late 2024.

Madam President,

The EU thanks Ambassador Ignacio SÁNCHEZ DE LERÍN of Spain for his work as WGETI chair and thanks Mr. Rob WENSLEY of South Africa as facilitator of the Sub-Working Group on Article 9. We welcome draft elements of a Voluntary Guide pertaining to Article 6 and a Voluntary Guide on Article 9, and support their endorsement by the Conference as living documents, as well as the recommendation for the Working Group to start work on a chapter related to Article 7 in the next cycle. The future work should focus on exchanging good practices and promoting tools which have proven operational and useful. In this vein, the EU also welcomes the proposal for WGETI reconfiguration and substance of work to focus on different phases of the Treaty implementation, and to include certain standing items that are of critical importance to the functioning of the Treaty. Shifting the focus of WGETI from conceptual work to analysing practice, and ensuring that the work of all remaining Working Groups feeds into and informs the WGETI's work, will maximise the working group's outputs' practical value to States Parties. We encourage all State Parties to share their experiences from fulfilling Treaty obligations and to propose solutions to overcome challenges, including cooperative tools where necessary.

The EU also welcomes the draft "Operational steps for the introduction and implementation of post-delivery cooperation" as presented by Sub-Working Group on Article 11. It is an important deliverable following the efforts of the German Presidency of CSP8, which the EU supported from the outset. While primary responsibility for preventing diversion rests with the end user and ultimate owner of arms and ammunition, post-delivery cooperation is potentially a powerful supporting tool to cover life cycle of items, building trust between the exporting and importing state which is necessary for the issuance of an export license, and on a shared commitment to international law, including international humanitarian law and international human rights law. The private sector and civil society can have an important role to prevent and address diversion and ways could be sought to incorporate them in post-shipment frameworks as well.

The EU shares its specific interest in post-delivery cooperation. The unprecedented arms transfers from EU Member States to Ukraine, both bilaterally and under the European Peace Facility (EPF), is in itself a massive undertaking for national post-shipment cooperation and

highlights a need for post-shipment capabilities of external partners and at the EU level to the extent possible. These capabilities form a part of safeguard measures to ensure responsible transfers, and their adoption at the EU-level may supplement capabilities of Member States and thus ensure the highest possible standards for preventing diversion.

Madam President,

Since implementation of the Treaty is a national responsibility, any assistance that can be provided to States in this regard is both desirable and useful. In this context, the EU will continue its ambitious projects directed at non-EU State Parties on ATT outreach, implemented by BAFA of Germany and Expertise France, and in support of ATT Secretariat in enhancing Treaty implementation.

- the support to ATT Secretariat enables the following actions: training local and regional ATT experts to deliver implementation assistance and reduce reliance on external consultants;
- creating a database to match treaty implementation needs and resources *the launch of which we had a chance to witness during the side event on 22 August / today*; and
- building IT and communications mechanisms to enable more effective cooperation between states parties' points of contact and the ATT Secretariat.

Thank you, Madam President.