



EU Statement on Treaty Implementation

Arms Trade Treaty

Fifth Conference of States Parties

Geneva, 26-30 August 2019

Mr. President

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*, Serbia* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Iceland and Norway, members of the European Economic Area, as well as the Republic of Moldova and Georgia align themselves with this statement.

Let me start by commending Ambassador Sabrina Dallafior of Switzerland and the three Subgroup Chairs from Ghana, Jamaica and Sweden for their excellent work and skilful leadership in steering our deliberations within the Working Group on Effective Treaty Implementation. This year has once again proved that the Working Group provides a good platform for exchanging information, experiences and good practices between States Parties and that we can achieve steady progress.

The EU reiterates its strong conviction that the Arms Trade Treaty must be implemented in its entirety to achieve its objectives, namely 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.

Implementation is a national responsibility in the framework of national control systems that States Parties have to establish and maintain. Multilateral export control regimes and other types of international, regional and sub-regional cooperation can support these efforts. Although States start from different points of departure, with different legal systems, arms trade profiles and administrative resources, they all benefit from an exchange of information and good practices. Frequent voluntary information exchange will contribute, over time, to an effective dissemination of proven practices, national guidelines and operational processes. It will also facilitate trust and confidence among the partners. Open and transparent discussions about implementation, including about challenges encountered in national decision making processes, are vital. Voluntary exchange at gatherings such as

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

this one, might make being part of the ATT community more accessible for those States that are considering acceding to the Treaty.

In this context, we support the endorsement of the *Voluntary Basic Guide to establishing a national control system*, and the *List of Possible Reference Documents to Be Used by States Parties in Conducting Risk Assessments under Article 7*. We welcome the multi-year work plan for Article 11 discussions to address diversion, as provided by the ATT Working Group on Effective Treaty Implementation and recommend its validation.

We recall that EU Common Position 2008/944 defines common rules governing the control of exports of military technology and equipment of EU Member States. It has increased cooperation between national export licensing officials by establishing a notification and consultation mechanism for export licence denials within the EU. Every request for an arms export licence for an item listed in the EU Common Military List has to be assessed against the eight risk criteria. These include respect for human rights and international humanitarian law, also taking into account the risk of gender-based violence; internal or regional instability and the risks of diversion. A similar system of information sharing and good practice is demonstrated by EU Member States in relation to brokering activities.

A number of third countries have officially aligned themselves with the criteria and principles of the EU Common Position, notably Albania, Bosnia and Herzegovina, Canada, the Republic of North Macedonia, Georgia, Iceland, Montenegro and Norway. A User's Guide is available online to all interested ATT States Parties.

The EU's Outreach Programme has been instrumental in advancing the implementation of the ATT outside the EU. We continue to provide support to partner countries in Africa, Asia, Europe and Latin America for the establishment of national control systems and national control lists, drafting and reviewing of the legislative and regulatory framework, prevention of diversion, and in the area of customs and law enforcement. Some of the achievements, challenges and best practices of these EU-funded capacity-building projects were presented at a side event on 26 August 2019 by the EU and the two implementing agencies of the EU's Outreach Programme, Expertise France and the German Federal Office for Economic Affairs and Export Control (BAFA).

Since the Treaty's core requirement of establishing national control systems and national control lists is new to many States, we encourage all States to also make use of the Voluntary Trust Fund (VTF) and would welcome further project applications and also financial contributions.

Good progress has been made within the Working Group on Effective Treaty Implementation on Article 5 on the establishment of well-functioning national control systems. We therefore agree with the conclusion that it is now time to initiate our discussions on other provisions of the Treaty, namely Article 9 on transit and transshipment.

Thank you, Mr. President