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Statement on behalf of the European Union

by

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at the

**Second session of the Preparatory Committee for the United Nations Conference on the
Arms Trade Treaty**

Parameters of an Arms Trade Treaty

New York

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- CHECK AGAINST DELIVERY -

EU statement on the parameters of an ATT

Mr Chairman,

1. I am taking the floor on behalf of the European Union.
2. The European Union would like to share with you and other delegations its views concerning the parameters of an ATT. The EU commends your proposed paper on the parameters of ATT and considers your proposed list of parameters as a very good basis for our work during this week and in our future meetings.
3. In the view of the EU, the introductory paragraph of your paper on criteria should contain stronger language on the use to be made of the parameters. States Parties should assess, on a national basis, transfers of arms included in the scope of the Treaty against the listed parameters, as appropriate regarding the specific types of transfers. They should deny authorization for a transfer if they assess that one or more of the criteria are not met.
4. The EU maintains that the criteria/parameters of an ATT should reflect the following elements:
 - Compliance with UNSC resolutions on arms embargoes and sanctions;
 - Compliance with other legally binding arms embargoes or sanctions adopted by regional or sub-regional organisations to which individual States are party;
 - Compliance with international humanitarian law and respect for human rights;
 - Compliance of the recipient state with international commitments/obligations, in particular with regard to terrorism, organized transnational crime, and the non-use of force;
 - Consideration of a substantial risk of adverse effect on regional security and stability, including impact on existing or potential inter and intra-state conflicts;

- Consideration of a substantial risk of diversion to unintended and unauthorized end-users or to illicit market, including risk of unauthorized re-export-
 - Consideration of the impact on the sustainable economic and social development of the receiving country.
5. An ATT should also include a reference to the risk of corruption and to the obligation to combat such crime in activities related to arms trade. The inclusion of corruption in the list of criteria/parameters as a standalone criterion (point C, 5 in your paper) or as part of the criterion, such as for example the risk of diversion (point C, 1 in your paper) could also be considered.

Mr Chairman,

6. Your proposed list of criteria broadly covers most of these elements and is therefore a good starting point for our discussion. The EU also believes that consideration could be given to an additional criterion taking into account compliance with applicable regional and international instruments setting norms regulating the legal trade in conventional weapons.
7. Finally, the European Union understands that while no explicit ranking between different parameters is necessary, it should be clear that lack of compliance with relevant legally binding obligations mentioned in the parameters should result in an automatic denial of the assessed transfer. For other parameters where no reference is made to legally binding obligations, the EU maintains that the decision on whether to authorize an arms transfer should be the result of a risk-assessment undertaken at national level by States Parties to the Treaty. Such differentiation should be reflected in varying level of prescriptive legal language used for the definition of each parameter.

I thank you, Mr Chairman.