



EUROPEAN UNION
DELEGATION TO THE UNITED NATIONS

- CORRECTED VERSION -

Statement on behalf of the European Union

by

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at the

Preparatory Committee for the Arms Trade Treaty

on

**Transparency provisions and Implementation Support Unit
of the Arms Trade Treaty**

United Nations

New York

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- CHECK AGAINST DELIVERY -

Mr Chairman,

1. I am speaking on behalf of the European Union. The Candidate Countries Turkey, Croatia*, the former Yugoslav Republic of Macedonia*, Montenegro* and Iceland†, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia, as well as Ukraine, the Republic of Moldova and Georgia align themselves with this declaration.
2. The European Union would like to offer its comments on the transparency provisions of an Arms Trade Treaty, and in particular on the sections of your paper devoted to record keeping, reporting, transparency, and transfer denials. We would also like to express our views on what should be the main tasks of the future Implementation Support Unit of the Treaty.
3. Mr Chairman, the European Union is convinced that the issue of transparency is a fundamental one for the success of an Arms Trade Treaty. Transparency is indeed an overarching issue and an important principle touching upon several aspects of ATT. Relevant provisions of an ATT should contribute to enhancing transparency and accountability in the global arms trade. The EU and its Member States have over time acquired considerable experience in developing transparency mechanisms and are ready to share with other delegations the lessons learned concerning advantages and drawbacks of different approaches
4. The objectives of increased transparency and accountability in the international arms trade should be achieved, *inter alia*, through a system of regular reporting by States Parties and information exchange among them. In this regard, we consider that your paper offers a very good basis for our discussions.
5. As far as reporting is concerned, we believe that the ATT should foresee an obligation for States Parties to submit regular reports about the implementation and application of the provisions of the treaty. The reporting format should allow to clearly differentiate between these two typologies of reporting.
6. Concerning the implementation of the Treaty, States Parties should be required to report on measures undertaken to control arms transfers according to the relevant provisions of the treaty. After the first submission of the implementation report, for instance within 180 days following the ratification of the Treaty, States Parties should submit further report updates as appropriate and in advance of Review Conferences. Reports on implementation could contain, *inter alia*, information on relevant administrative, enforcement, and legal measures, national provisions on criminalization of unauthorized transfers, and other elements of national arms transfer control systems. Reports on implementation of the treaty should provide an overview of how each State Party controls transfers of arms in accordance with the Treaty's requirements.

* Croatia, the former Yugoslav Republic of Macedonia and Montenegro continue to be part of the Stabilisation and Association Process.

† Iceland continues to be a member of the EFTA and of the European Economic Area.

7. As for the application of the Treaty, the EU maintains that the ATT should require States Parties to submit regular annual reports on the application of its provisions, and in particular on transfers authorized. As far as exports of arms are concerned, reports could include aggregate information on the types and numbers of authorized transfers of weapons and related material, countries of destination, and aggregated value of licences issued.
8. National reports could also include aggregated figures of denied transfers. However, we consider that the system of single denial notification and reporting proposed in your paper raises several concerns both in terms of confidentiality, protection of commercial interests, and administrative burden. We believe that such a system is not viable at international level.
9. As for possible detailed reporting on transfers other than exports, it should be considered in light of already existing international mechanisms in this area. Also in this case, we should aim at a reporting system that would be effective, but not overly burdensome. Ultimately, the capability of States Parties to report on transfers other than exports would depend on the type of controls that the Treaty will require for such transfers.
10. As indicated in your paper, transparency has a significant role to play in an ATT also in terms of information exchange among States. States Parties should cooperate with one another and exchange information, as appropriate and upon request, to ensure that when applying controls they have access to relevant and as verifiable as possible information on transfers being assessed. Such exchange of information on the national implementation and application of the ATT could also contribute to the harmonious application of the Treaty and in particular of its parameters. We welcome the fact that relevant provisions in your paper take into account the respect of commercial and proprietary protections and we would suggest that due attention is paid also to the issue of data protection.
11. Finally, let me say a few words on the role of the Implementation Support Unit (ISU) of the Treaty with regard to transparency and in general terms. We consider that the ISU should receive and process national reports, including, if deemed appropriate, by aggregating data and providing statistical analysis. These data should be accessible by all States Parties to the Treaty. Public access to them or to parts of them could be considered. The ISU structure should remain minimal and concentrate on priority tasks that should be mainly secretarial ones. A limited coordinating role in the provisions of assistance could be envisaged, complementary to other existing means of coordination.
12. I thank you, Mr Chairman.