


Procedure file

Basic information	
COS - Procedure on a strategy paper (historic) 2000/2012(COS)	Procedure completed
Arms: code of conduct on exports. 1st annual report	
Subject 6.10.03 Armaments control, non-proliferation nuclear weapons	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AFET Foreign Affairs, Human Rights, Common Security, Defense		25/01/2000
		PSE TITLEY Gary	
	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, External Trade, Research, Energy		27/01/2000
		GUE/NGL MORGANTINI Luisa	
Council of the European Union			

Key events			
11/10/1999	Non-legislative basic document published	11384/1999	Summary
21/01/2000	Committee referral announced in Parliament		
12/07/2000	Vote in committee		Summary
12/07/2000	Committee report tabled for plenary	A5-0211/2000	
04/10/2000	Debate in Parliament		
05/10/2000	Decision by Parliament	T5-0439/2000	Summary
05/10/2000	End of procedure in Parliament		
22/06/2001	Final act published in Official Journal		

Technical information	
Procedure reference	2000/2012(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142

Stage reached in procedure	Procedure completed
Committee dossier	AFET/5/12232

Documentation gateway					
Non-legislative basic document		11384/1999	11/10/1999	CSL	Summary
Committee report tabled for plenary, single reading		A5-0211/2000 OJ C 135 07.05.2001, p. 0012	12/07/2000	EP	
Text adopted by Parliament, single reading		T5-0439/2000 OJ C 178 22.06.2001, p. 0185-0273	05/10/2000	EP	Summary

Arms: code of conduct on exports. 1st annual report

PURPOSE : To present an annual report as required by the provisions of the European Union Code of Conduct on Arms Exports of 1998.

CONTENT : The report is structured in four parts. First reviewed are issues surrounding the practical application of the Code. These are followed by the guidelines that have been adopted by the Conventional Arms Exports Working Group (COARM) to enhance the application of the Code. Priorities for co-ordinated action in the future are then identified. The Report concludes by providing statistics on Member States' conventional arms exports. - The adoption of the Code ushered in a new phase in the EU development of a common approach to arms exports, as a component of the EU Common Foreign and Security Policy. The Code sets high minimum standards for the management of, and restraint in, conventional arms transfers by all Member States. The review covers all aspects of the Code, and identifies improvements that may be needed. -Member States' experiences have been positive. The Code has increased mutual understanding of conventional arms both directly through the circulation of denial notifications and consultations, and indirectly through contributing to a culture of greater openness. Member States have engaged in active consultations on specific export licensing issues. This practical co-operation contributes to a convergence of arms exports policies and procedures. Non-Member countries have declared support for the principles of the Code. -Member States have exchanged views on a number of matters relating to practical implementation, including the Code's legal status, the possibility that the denial notification system could be overloaded if appropriate thresholds are not set, particularly when end-users are private persons, and interpretation of arms exports embargoes. A Working Group under COARM has discussed the finalisation of a common European list of military Equipment. -The Working Group has adopted guidelines on a number of matters, including the practical workings of denial notifications. -Key areas have been identified for consideration and action in the new term. These include the finalisation of the common European List of military equipment, which is a top priority. Also included is the development of a common definition of "essentially identical transaction".?

Arms: code of conduct on exports. 1st annual report

The committee adopted a report by Gary TITLEY (PES, UK) on the implementation of the EU code of conduct on arms exports. The committee called for the establishment of a European Armaments Agency, said that responsible arms trade practices formed part of the "acquis communautaire" and called for the applicant countries to be actively involved in the further development of the code of conduct, which it believed should be made legally binding. The Commission and Council were asked to cooperate with the USA in devising a common approach to conventional arms export controls similar to that established for chemical weapons control. The committee believed that greater efforts were needed to establish common rules and effective EU controls to combat illegal arms trafficking and to control the legal trade in small arms and light weapons. In this connection all EU Member States were asked to sign the "letter of intent" (containing common rules on arms policy) which was due to be signed in July by six Member States. The report also called for the development of "end-use agreements" which would have the status of legally binding contracts. These should include a clause which would result in the breaking of the contract if the goods were found to be used for proscribed purposes. Following such a breach the customer would no longer be entitled to further deliveries of goods or related services. There should be a common requirement for the national authorities in the recipient country to obtain the approval of the original exporting country before re-export or change of end-use could take place. Lastly, the committee called upon Member States to consider how best to prevent the licensed production of military equipment where there was a risk that the equipment would be transferred to dubious or proscribed end-users. ?

Arms: code of conduct on exports. 1st annual report

The European Parliament adopted a resolution drafted by Gary TITLEY (PES, UK) on a Code of Conduct for arms exports. Parliament believed that an EU policy on arms exports must ensure the consistency of the EU's external action, and reinforce international development goals. It must satisfy the Union's security policy imperatives and contribute to the development of a defence policy. A European Armaments Agency should be established to manage European projects. This would be beneficial for the development of a common arms exports policy. The Code of Conduct should be made legally binding. Applicant countries should be actively involved in the further development of the Code. Member States are called upon to cooperate with the United States in devising a common approach to conventional arms exports controls, similar to that established for chemical weapons controls. Parliament called for a ban on equipment and expertise whose primary purpose is for torture or cruel and inhuman treatment. Member States should subscribe to the Framework Agreement which was signed by six Member States in July 2000 and which introduces common rules on arms policy. Parliament advocated the development of end-use agreements which would have the status of legally binding contracts. Such agreements should include a clause which would result in the breaking of the contract

if the goods are found to be for proscribed purposes, such as the violation of human rights. After a breach, the customer would not be entitled to deliveries of goods nor be permitted associated equipment or services such as spare parts. Parliament believed that it is essential to control through a licensing regime dealing in arms by brokers.?