

**EU General Statement**

**Arms Trade Treaty**

**Tenth Conference of State Parties**

**Geneva, 19-23 August 2024**

Mr. President,

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

**The candidate countries North Macedonia, Montenegro, Albania, Republic of Moldova[[1]](#footnote-1) and Georgia align themselves with this statement.**

At the outset, it is with deep sadness that we note the tragic passing away of our ATT colleague Mr. Stefan OTT. We convey our sincere condolences to his family and friends.

This Conference of States Parties marks the 10th anniversary of the adoption of the Arms Trade Treaty, which is a good opportunity to reflect on its impact, challenges,dynamics, and way forward. The EU and its Member States reaffirm their unwavering support for the Treaty, as a key international instrument that aims to establish the highest possible common international standards for regulating the international trade in conventional arms and to prevent and eradicate the illicit trade and prevent diversion. In doing so, the ATT contributes to international and regional peace, security, and stability and reduces human suffering. It complements other international instruments, such as the UN Programme of Action on the illicit trade in small arms and light weapons (SALW) and the International Tracing Instrument, and contributes broadly to the achievement of the Sustainable Development Goals, in particular Target 16.4 on reducing illicit arms flows and Target 5.2 on eliminating gender based violence. The EU also appreciates the role of the ATT in implementing the UN Secretary General’s New Agenda for Peace as it pertains to addressing diversion, proliferation and misuse of SALW.

At the same time, a significant amount of work remains to be done, throughout all ATT focus areas: implementation, reporting, and universalisation. States Parties need to have sustainable capacity to deliver on their legal obligations, including reporting and financial contributions. States Parties and other stakeholders should coordinate their multiple work strands of assistance in capacity building. The ATT should also be communicated externally as an instrument with a positive impact on internal and external security of States, in order that States, which are not yet Parties, join the Treaty.

The European Union stands ready to take up these tasks, along with other willing stakeholders. With over 31,000 licences issued in 2022 for a licence value of over €176 billion, the EU remains an important exporter of military equipment and technology. Decisions on issuing export licences for military equipment are a national competence of our Member States, and compliance with the ATT remains one of the eight criteria of the EU Common Position (2008/944/CFSP) on arms exports. EU Member States, following case-by-case risk assessments including a thorough examination on countries regarding final destination, denied over 100 licences in 2022, mindful that military equipment must beused in accordance with International Law, including International Human Rights Law and International Humanitarian Law, and traded in a responsible manner. The European Union also continues to support the Arms Trade Treaty, through direct outreach to States Parties, signatories, and beyond, and through support to the ATT Secretariat, with a new two-year funding instrument adopted in October 2023.

Mr. President,

We cannot stay silent about tragic developments linked to the ATT’s subject matter and we must work to ensure the Treaty is fully and effectively implemented.

First, this is the third CSP since Russia began an unprovoked and unjustified war of aggression against Ukraine, in blatant violation of international law, including the UN Charter. The EU again takes this opportunity to draw attention of States Parties to Article 6 para 3 of the Arms Trade Treaty, prohibiting transfer of conventional arms if such arms would be used to commit genocide, crimes against humanity, grave breaches of the Geneva Conventions, attacks directed against civilian objects or civilians protected as such, or other war crimes. In this light,the EU condemns in the strongest possible terms Russia’s use of various types of conventional weapons against civilians in its war of aggression against Ukraine, as well as numerous war crimes and human rights violationsand notes that, given the many breaches by Russia of the Geneva Conventions, authorising arms transfers to Russia would contravene prohibitions contained in article 6 of the ATT. The Russian campaign of systematic strikes against civilians and critical civilian infrastructure in Ukraine is being fuelled by transfers of drones from Iran and ballistic missiles, weapons systems and ammunition from the DPRK. Russia is violating UN Security Council sanctions on a massive scale. The EU has an arms embargo against Russia, already in place following its illegal annexation of Crimea in 2014.We call on all States Parties to refrain from any transfers to Russia, including of parts and components, in line with Article 6 para 3 of the ATT. We are also extremely concerned by allegations of transfers of ballistic missiles from Iran to Russia.

At the same time, the aforementioned war also constitutes a case where legitimate arms transfers significantly contribute to the protection of values enshrined in the UN Charter. Since the start of the invasion, the EU has been supporting Ukraine, including military support through the European Peace Facility and the new Ukraine Assistance Fund, to be able to defend itself and push back Russian aggression to regain full control of its entire territory within its internationally recognised borders. We put special emphasis on improving Ukraine’s defence capabilities to protect better critical civilian infrastructure against missile and drone strikes, preventing additional civilian deaths and suffering. Our adaptive and targeted support is fully consistent with the Arms Trade Treaty, with the EU Common Position on arms export, and with the Wassenaar Arrangement Initial Elements. The EU remains steadfast in its support of Ukraine’s independence, sovereignty and territorial integrity. Russia must not prevail.

Second, since October last year a tragic armed conflict has been taking place in Gaza and Israel, with a continuous potential to escalate. The EU condemnsin the strongest possible terms Hamas and its brutal and indiscriminate terrorist attacks across Israel.The EU expresses its full solidarity and support to Israel and its people and reaffirms its full commitment to its security and to regional stability.In exercising its right to defend itself, Israel must fully comply with its obligations under international law, including international humanitarian law, in all circumstances. The EU stresses the importance of respecting and implementing the orders of the International Court of Justice, which are already legally binding.The EU also stresses the need for thorough and independent investigations of violations of international humanitarian law and for accountability on all sides. The EU deplores all loss of civilian life. It notes with utmost concern the unacceptable number of civilian casualties, especially children, as well as the catastrophic levels of hunger and imminent risk of famine caused by the insufficient entry of aid into Gaza. The EU calls on all parties to take every feasible step to protect civilian lives. The EU recalls that an enduring ceasefire is urgently needed, to ensure protection of civilians, the unconditional and immediate release of all hostages whose safety and well-being is of concern, and to increase the flow of much needed humanitarian relief to Gaza in view of the deepening humanitarian crisis.

Decisions on issuing export licenses for military equipment remain a national competence of EU Member States, which are all States Parties to the ATT. While arms export decisions are the national responsibility of EU Member States, they are taken in this context based on the nature of transactions and equipment in question. The EU again takes this opportunity to draw attention of States Parties to Article 6 para 3 of the Arms Trade Treaty, prohibiting transfer of conventional arms if such arms would be used to commit genocide, crimes against humanity, grave breaches of the Geneva Conventions, attacks directed against civilian objects or civilians protected as such, or other war crimes.

Mr. President,

Let me conclude by underlining the EU’s full support for the Romanian Presidency of this Conference, including on its focus topic of inter-agency cooperation, and our commitment to working together towards its successful outcome. The EU’s position on specific issues within the programme of work of the Conference will be presented in thematic statements.

Thank you, Mr. President.

1. **North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.** [↑](#footnote-ref-1)