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Subject: Council conclusions relating to the review of Common Position
2008/944/CFSP on arms exports and the implementation of the Arms
Trade treaty (ATT)

Delegations will find attached Council Conclusions relating to the review of Common Position 2008/944/CFSP on arms exports and the implementation of the Arms Trade Treaty (ATT), as adopted by the Council ("Foreign Affairs") on 20 July 2015.

**COUNCIL CONCLUSIONS RELATING TO THE REVIEW OF COMMON POSITION
2008/944/CFSP ON ARMS EXPORTS AND THE IMPLEMENTATION OF THE
ARMS TRADE TREATY (ATT)**

1. The Council welcomes the entry into force of the Arms Trade Treaty (ATT) on 24 December 2014 and the upcoming first Conference of States Parties to the ATT to be held in Mexico on 24-27 August 2015. The Council reiterates the European Union's unwavering support to transparency and responsibility in the arms trade and expresses its strongest commitment to the success of this first Conference. The Council encourages all participants at the Conference to work towards a successful conclusion and substantive outcome.
2. The Council reaffirms the importance of establishing a robust, sustainable and cost-efficient ATT regime. The immediate challenges are to promote the universalization of the Treaty along with its effective implementation by States parties. The Council welcomes the significant number of States now parties to the ATT, the even larger number of signatory States and the vibrant international momentum towards universal adherence.
3. In this regard, the Council wishes to refer to the past and upcoming outreach activities undertaken in the framework of its dedicated EU programme in support of universalization and effective implementation of the ATT adopted under Council Decision 2013/768/CFSP. Outreach activities under the programme supplement diplomatic efforts by the EU and its Member States in support of signature, ratification and accession of further States to the Treaty. The Council therefore calls upon States that have not yet done so to join the Treaty and, pending their accession or ratification, to adhere to its terms.

4. The EU programme is also assisting a number of third countries in strengthening their conventional arms transfer controls systems in line with the requirements of the Treaty. The Council remains committed to providing, upon request, further assistance to countries that have identified needs in their national system against the obligations of the ATT.
5. As a further promotion of the universalization and effective implementation of the Treaty, the Council welcomes the recent amendment in December 2014 of the Small Arms and Light Weapons article to be inserted in partnership and cooperation agreements between the EU and third countries. This article was revised to take into account the adoption of the ATT and now refers to the regulation of legal arms trade and, where relevant, to the ATT. The Council looks forward to the successful negotiation of such clauses with partner countries.
6. At the EU level, the Council reaffirms its commitment to the robust and effective implementation of the ATT by EU Member States. Recalling its Conclusions of 19 November 2012 on the review of Common Position 2008/944/CFSP, the Council notes in this regard that the review of the EU Common Position has taken full account of the adoption and entry into force of the ATT and has resulted in the development of specific ATT-related guidance in the EU arms export control implementation guidelines ("User's guide to Common Position 2008/944/CFSP"). The Council notes the completion of the revised User's guide and welcomes that, at the national licensing level, EU Member States can therefore effectively implement the ATT and give full consideration to the risk assessment criteria therein.

7. The Council recalls its earlier assessment conveyed in its November 2012 conclusions that further progress was achievable in the implementation of the Common Position in order to maximize convergence among Member States in the field of exports of conventional arms. The Council welcomes in this regard that, on top of additional ATT-related guidance, the User's guide to Common Position 2008/944/CFSP has been amended towards further operationalization of the risk assessment criteria laid down by the Common Position. The Council also underlines that the consistent interpretation and operational application of those criteria support the convergence of national arms export policies in line with the common goal that presided over the adoption in 2008 of Common Position 2008/944/CFSP.
8. The Council also welcomes the development of a new IT system supporting the information-sharing on arms export denials. Upon refinement, this IT platform will be able to support as appropriate further information-sharing on exports to specific destinations.
9. The review of the EU arms export control framework has led to a number of tangible improvements aimed at a fuller implementation. Against this background, the Council reaffirms its determination to reinforce cooperation and to promote convergence in Member States' arms export policies in accordance with the principles and criteria enshrined in Common Position 2008/944/CFSP.
10. The Council tasks the competent working group to re-assess the implementation of Common Position 2008/944/CFSP and the fulfilment of its objectives in 2018, ten years after the adoption of the Common Position.
