

Brussels, 27 January 2025  
(OR. en)

5295/25

LIMITE

CORLX 45  
CFSP/PESC 72  
COARM 11

## 'I' ITEM NOTE

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| From:    | General Secretariat of the Council  |
| To:      | Permanent Representatives Committee   |
| Subject: | Council Decision in support of a project on the promotion of effective arms export controls |

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### **DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (28.07.2025)**

1. The Global Strategy for the Union's foreign and security policy, entitled 'Shared Vision, Common Action: A Stronger Europe', presented by the High Representative of the Union for Foreign Affairs and Security Policy on 28 June 2016, confirms the Union's support for the universalisation, full implementation and enforcement of multilateral disarmament, non-proliferation and arms control treaties and regimes.
2. On 19 November 2018, the Council adopted the EU Strategy against illicit firearms, small arms and light weapons and their ammunition, entitled 'Securing Arms, Protecting Citizens'). That Strategy states, *inter alia*, that the Union will continue to promote responsible and effective arms export control and to support the universalisation and implementation of the Arms Trade Treaty (ATT).
3. Council Common Position 2008/944/CFSP establishes eight criteria against which applications for the export of conventional arms are to be assessed. A number of third countries have aligned themselves with that Common Position. Common Position 2008/944/CFSP states that Member States are to use their best endeavours to encourage other States which export military technology or equipment to apply the criteria set out in that Common Position.

4. Union activities to promote effective and transparent arms export controls have developed since 2008 further to Council Joint Action 2008/230/CFSP and Council Decisions 2009/1012/CFSP, 2012/711/CFSP, (CFSP) 2015/2309, (CFSP) 2018/101, (CFSP) 2020/1464 and (CFSP) 2023/2539. The activities carried out have, in particular, supported further regional cooperation and enhanced transparency and greater responsibility, in line with the principles of Common Position 2008/944/CFSP and the risk-assessment criteria set out therein. The activities in question have addressed third countries of the eastern and southern neighbourhoods of the Union, third countries in Central Asia, and Mongolia.
5. A number of Union candidate countries have received support under Union activities to promote effective and transparent arms export controls. Further such activities should aim to support the Union accession aspirations of those countries and, prior to accession, their partnership with the Union and its Member States in relation to arms export controls.
6. The ATT aims to strengthen transparency and responsibility in the arms trade. The Union supports the effective implementation and universalisation of the ATT through its dedicated programmes adopted under Council Decisions 2013/768/CFSP, (CFSP) 2017/915 and (CFSP) 2021/2309. Those programmes assist a number of third countries, upon their request, in strengthening their arms transfer control systems in line with the requirements of the ATT.
7. It is therefore important to ensure complementarity between the outreach and assistance activities provided for in this Decision and those under Union programmes to support the effective implementation and universalisation of the ATT.

8. The German Federal Office for Economic Affairs and Export Control, Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA), has been entrusted by the Council with the technical implementation of Decisions 2009/1012/CFSP, 2012/711/CFSP, (CFSP) 2015/2309, (CFSP) 2018/101, (CFSP) 2020/1464 and (CFSP) 2023/2539. BAFA is also an implementing agency for projects supporting the effective implementation of the ATT under Decisions 2013/768/CFSP, (CFSP) 2017/915 and (CFSP) 2021/2309. Since 2005, BAFA has been engaged in the implementation of a number of Union cooperation projects in the area of dual-use export controls. BAFA is the competent export control authority of Germany and has developed a large body of knowledge and expertise on outreach activities, in addition to sharing its core competencies with the competent authorities of other states.
9. On 16 December 2024, the COARM Working Party agreed on the project document on the promotion of effective arms export controls.
10. On 13 January 2025, the High Representative submitted to the Council a proposal for a Council Decision to support a project on the promotion of effective arms export controls and project document (doc. 5293/25).
11. On 20 January 2024, the Foreign Relations Counsellors Working Group (RELEX) agreed on the draft Council Decision and related budgetary impact statement.
12. In these circumstances, COREPER is invited to:
  - confirm the agreement on the draft Council Decision and endorse the budgetary impact statement as set out in the Annex to this note;
  - recommend, given the urgency and in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure, that the Council use the written procedure to:
    - adopt the draft Council Decision in support of a project on the promotion of effective arms export controls as set out, after finalisation by the legal/linguistic experts, in document 5294/24 + ADD 1;
    - decide to publish the Decision in the Official Journal.

**BUDGETARY IMPACT STATEMENT****POLICY AREA(S): EXTERNAL RELATIONS****ACTIVITY (-IES): COMMON FOREIGN AND SECURITY POLICY (CFSP)****TITLE OF ACTION: COUNCIL DECISION (CFSP) 2025/XXX OF XX XX 2025 TO SUPPORT A PROJECT ON THE PROMOTION OF EFFECTIVE ARMS EXPORT CONTROLS****1. BUDGET LINE(S) CONCERNED + HEADING(S)**

14 04 03 Non-Proliferation and Disarmament

**2. LEGAL BASIS**

Treaty on European Union, in particular Articles 28(1) and 31(1).

Treaty on the Functioning of the European Union, in particular Article 317.

The EU funds allocated to this action shall be implemented by the German Federal Office for Economic Affairs and Export Control (BAFA) under direct management according to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union, in particular Titles V and VIII.

**3. OVERALL FIGURES FOR THE FINANCIAL YEAR (IN EUROS)****3.a. - Current year**

|   | Budget line  |  | Commitments   | Payments      |
|---|--|--|---------------|---------------|
| 1 | Initial appropriations for the financial year (voted budget) |  | 31 600 332.00 | 31 600 332.00 |
| 5 | Transfers  |  | n/a           | n/a           |
| 7 | Additional appropriations (C4, C7)                           |  | 0.00          | 0.00          |
| 8 | Carry over appropriations (C2, C3, C5)                       |  | 0.00          | 1 236 339.94  |
|   | <b>Total appropriations</b>                                  |  | 31 600 332.00 | 31 600 332.00 |

|  |  |                              |               |               |
|--|--|------------------------------|---------------|---------------|
|  | Appropriations already set aside by another work programme | <i>At date of 10/01/2025</i> |               |               |
|  | Balance available  |                              | 31 600 332.00 | 31 600 332.00 |
|  | <b>Total for the measure proposed</b>                      |                              | 2 100 000.00  | 638 304.61    |

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