



**COUNCIL OF
THE EUROPEAN UNION**



Council conclusions on the review of Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment

*3199th FOREIGN AFFAIRS Council meeting
Brussels, 19 November 2012*

The Council adopted the following conclusions:

"The Council reaffirms its determination to reinforce cooperation and to promote convergence among Member States in the field of exports of military technology and equipment within the framework of the Common Foreign and Security Policy through the setting, upholding, and implementation of high common standards for the management of, and restraint in, transfers of military technology and equipment by all Member States. The Council renews its commitment to promote cooperation and convergence in Member States' policies to prevent arms exports that might be used for internal repression, international aggression, or contribute to regional instability. Such commitment becomes even more relevant in the wake of the recent developments, such as those in the Middle East and North African region.

To achieve these objectives, the Council adopted on 8 December 2008 Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment. In accordance with article 15 of the Common Position, the Council has conducted over the past months a review of this legal act three years after its adoption. Dialogue has also been maintained with relevant stakeholders, including the European Parliament, civil society, and defence industry representatives.

The Council has assessed both the provisions of the Common Position and its implementation by Member States with a view to determining its continued appropriateness to reinforce cooperation and to promote convergence in Member States' arms export policies in accordance with the principles and criteria enshrined in it. Based on the completion of this assessment, the Council concludes that the provisions of the Common Position, and the instruments it provides for, continue to properly serve the objectives set in 2008 and to provide a solid basis for the coordination of Member States' arms export policies.

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The Council also recognizes that further progress is achievable in the implementation of the Common Position and in order to maximise convergence among Member States in the field of exports of conventional arms. To this end, the Council will continue to work in the months to come on ways to improve the implementation of the Common Position. It will focus its work on a number of areas, including the development of further guidance in the application and interpretation of the eight export criteria of the Common Position, the refinement of the information exchange mechanism on specific destinations, the improvement of the denial notification and consultation mechanism. The Council will also remain seized of progress with the Arms Trade Treaty negotiations at the United Nations, including the compatibility of a Treaty with the Common Position. The results of this second stage of the review process will be reflected, inter alia, in updates of the User's Guide accompanying the Common Position, and providing detailed guidance for its implementation.

The Council will adopt further conclusions upon completion of the review of the Common Position.
