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**Up in arms: contradictions and gaps of the
arms transfer policy of the EU**

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Abstract

The consolidation of the inclusion of Human Rights standards within the main legal instruments that regulate arms transfers is as such a big step further in the field of arms control. This fact becomes specially important in a world where armed conflicts are experiencing an upwards trend and the humanitarian needs increase in complexity and number. The European Union, which collectively has an important role in the global arms trade scenario, has adopted the legal requirements that should guide and harmonize the action of the 28 member states.

However, this thesis is intended to identify the shortcomings of the legal instruments that allow a deficient and unbalanced implementation of both the Arms Trade Treaty and the Common Position of the EU on arms transfers.

What is more, this failure in the application leads to several contradictions in different fields: on the one hand, an irresponsible arms transfer activity might incur into a breach of the legal obligations that the EU member states have deriving from other legal instruments. On the other hand, it may collide with the values proclaimed and spread by the EU. Finally, it might also be undermining the work, efforts and resources invested in the other areas of the organisation that fight, precisely, to alleviate the humanitarian needs, so often consequence of armed conflicts.

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