

EU rules on control of arms exports

The EU's Common Position on arms exports is the only legally binding region-wide arrangement on conventional arms exports. While the Common Position has increased information-sharing and transparency of Member States' arms exports, scope remains to enhance convergence of national policies and for stricter implementation of the criteria defined in the EU text. Following the publication of the EU's 19th annual report on arms exports in February 2018, the European Parliament is due to discuss a report on the implementation of the Common Position during its November I plenary session.

Background

In 2008, the Council adopted [Common Position 2008/944/CFSP](#) (CP), which lays down [common rules](#) governing the control of exports of military technology and equipment, and replaced an earlier political agreement, the EU Code of Conduct on arms exports (1998). At international level, all EU Member States have signed and [ratified](#) the [Arms Trade Treaty](#) (ATT), in force since 24 December 2014. The **aim of the CP** is to enhance the [convergence](#) of EU Member States' arms-export-control policies, since arms exports ultimately remain a matter of national competence, in accordance with Article 346 of the Treaty on the Functioning of the EU. In this respect, the CP incorporates eight common criteria (minimum standards) to be taken into account by Member States when assessing export licence applications for military technology and equipment, but also for brokering, transit transactions and intangible transfers of technology. Moreover, the CP defines the scope of the items controlled – in a common 'EU Military List' covering 22 categories of arms, munitions, military equipment and technologies. The list is aligned with the [Wassenaar Arrangement](#) (a voluntary [export controls](#) regime for conventional arms and dual-use items), and is regularly [updated](#), most recently on 26 February 2018.

EU annual report on arms exports

According to the [19th annual report](#) on arms exports, the value of licences for arms exports from Member States in 2016 totalled €191.4 billion, nearly double the amount of €98.4 billion licensed in [2014](#) (in [2011](#) €37.5 billion; in [2012](#) €39.8 billion; and in [2013](#) €36.7 billion), and only a very slight reduction compared to the €195.9 billion licensed in [2015](#). Exports to other Member States made up nearly 16 % of all EU arms exports. The United Arab Emirates, India, Saudi Arabia and Egypt were the main destinations of EU arms-export licences in 2016, with total licences worth €27.4 billion, €18.2 billion, €15.8 billion and €14.7 billion, respectively.

European Parliament position

The European Parliament adopted resolutions on the Common Position in [2008](#), [2013](#), [2015](#), and [2017](#), in which it called for strict application of the common criteria and improved transparency. A [report](#) on the Council's annual report, in accordance with Operative Provision 8 of the EU Code of Conduct on Arms Exports, was adopted by the European Parliament's Foreign Affairs Committee (AFET) on 9 October 2018. Parliament is due to vote on a motion for resolution during its November plenary session. The motion calls for a *standard*, uniformly strict interpretation and full implementation of the Common Position with all its obligations, and regrets the lack of provisions on sanctions for Member States that fail to comply with the CP. It also calls for standardised and timely reporting by Member States, and a verification system, as well as a general increase in parliamentary and public oversight of national arms exports.

Own-initiative report: [2018/2157\(INI\)](#); Committee responsible: AFET; Rapporteur: Sabine Lösing (GUE/NGL, Germany).

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