

EN  
E-004519/2018  
Answer given by Mr Avramopoulos  
on behalf of the European Commission  
(7.12.2018)

The Commission is aware of the media reports related to this case.

In case of suspicions of an illegal activity, such as trafficking of firearms, it is for the competent authorities of the Member States to launch the appropriate investigations and, consequently, to assess whether they wish to involve Europol in these investigations.

Under EU law, asylum-seekers have a right to remain on the territory of Member States, pending the examination of their asylum application. A derogation to this right is possible only when the applicant is to be extradited to a third country, and this would be possible only if the authorities of the Member States have asserted that the extradition decision will not result in the violation of the principle of non-refoulement, a principle enshrined in EU and international law.

Member States have agreed on a binding Common Position defining rules governing the export control of military technology and equipment. The criteria of Common Position 2008/944 include the obligation to assess the risk of diversion of arms to unauthorised users before granting an export licence.

The EU also supports the iTrace project implemented by the organisation Conflict Armament Research (CAR). CAR is documenting illicit weapons in conflict affected areas with a view to identify their origins and the patterns of trafficking and diversion. Patterns of arms diversion to jihadi groups are described in CAR's report "Weapons of the Islamic State" of December 2017<sup>1</sup>.

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<sup>1</sup> <http://www.conflictarm.com/reports/weapons-of-the-islamic-state/>