

EN
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Answer given by Vice-President Mogherini
on behalf of the European Commission
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Under EU Common Position 2008/944/CFSP¹ on the control of arms exports, the handling of authorisations for the export of military technology and equipment is primarily a task for the EU Member States. It is also their responsibility to assess the risks prior to authorising any arms transaction.

Each Member State assesses the export licence applications on a case-by-case basis against the eight criteria set out in the Common Position. These criteria include assessing the risk that the arms might be used for internal repression or international aggression, for violations of human rights or international humanitarian law. Attached to the Common Position is a User's Guide that suggests ways to make operational the criteria in the Common Position.

The Common Position also provides for transparency among EU Member States on the exports of military equipment and technology: the EU Council reports every year on the implementation of the Common Position and provides detailed information on the destination and volume of arms exports authorised by EU Member States. The EU's reports also give information on the number of denials of authorisation per destination. In 2017², Member States reported on 14 cases of export denials to Saudi Arabia. Such denials demonstrate that the risk assessment regarding the destination in question can be negative and that not all arms exports are necessarily authorised. The Council Working Party on Arms Exports (COARM) regularly addresses national policies but any licencing decision rests fully with the Member States.

¹ <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008E0944>

² Twentieth Annual Report according to Article 8(2) of Council Common Position 2008/944/CFSP. (ST 13586 2018 INIT) adopted by the Council on 9 November 2018.