

EN
P-004070/2020
Answer given by Mr Breton
on behalf of the European Commission
(28.9.2020)

There is no contradiction between the answer given to the Honourable Member's written question E-003854/2019 and the statements made at the European Parliament. The Commission assesses, assisted by independent experts, the eligibility of actions proposed for funding under the European Defence Industrial Development Programme (EDIDP)¹. The Evaluation Committee, composed of EU officials, is responsible for reviewing the compliance of all the EDIDP eligibility criteria, including the respect of International law.

As already indicated in the answer to written question E-003854/2019, the EDIDP Regulation does not provide for Ethical, Legal and Social Aspects (ELSA) or similar reviews to be performed on the proposals received. The Evaluation Committee verifies that the proposals respect international humanitarian law (treaties and customary²) – notably the Geneva Conventions and their Additional Protocols³. We remain committed to ensure that international humanitarian law is fully respected in the Programmes we deal with. In this respect, as for the future European Defence Fund (EDF), the text partially agreed with the European Parliament and the Council⁴, in its Article 11(6) restricts the financing of “*lethal autonomous weapons without the possibility for meaningful human control over the selection*”.

As established in Article 17 of the EDIDP Regulation, the Commission will draw up a retrospective evaluation report and will submit it to the European Parliament for the ex-post control of EDIDP programme.

¹ Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry, OJ L 200 of 7.8.2018, p. 30

² <https://ihl-databases.icrc.org/customary-ihl/eng/docs/home>

³ <https://www.icrc.org/en/war-and-law/treaties-customary-law/geneva-conventions>

⁴ 2018/0254(COD)https://www.consilium.europa.eu/register/en/content/out/?typ=ENTRY&i=LD&DOC_ID=S T-6733-2019-REV-1