

EN

P-005495/2020

Answer given by High Representative/Vice-President Borrell
on behalf of the European Commission
(4.1.2021)

The control on the export and transit of arms by EU Member States is subject to national legislation, the Council Common Position 2008/944/CFSP¹ (Common Foreign and Security Policy) and the Arms Trade Treaty. The obligations stemming from these instruments are legally binding for EU Member States. The final decision whether to authorise or deny an individual export or transit of military equipment is to be adopted, in accordance with the abovementioned legal framework, by the competent authorities of EU Member States. It is up to national institutions to verify that the relevant rules, including respect for human rights and international humanitarian law by the country of final destination, are complied with.

Member States committed in October 2019 to strong national positions regarding their arms export policy to Turkey on the basis of the provisions of Common Position 2008/944/CFSP². There is no arms embargo in place and such a decision by the Council would require unanimity. The Working Party on Conventional Arms Export (COARM), as the responsible Council Working Group, remains seized of this important matter. Several Member States have decided not to issue new export licenses for arms exports to Turkey. Information on arms exports from EU Member States is publicly available on the European External Action Service website³.

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

² <https://www.consilium.europa.eu/en/press/press-releases/2019/10/14/council-conclusions-on-north-east-syria/>.

³ <https://webgate.ec.europa.eu/eeasqap/sense/app/75fd8e6e-68ac-42dd-a078-f616633118bb/sheet/ccf79d7b-1f25-4976-bad8-da886dba3654/state/analysis>