



25.1.2024

## NOTICE TO MEMBERS

**Subject: Petition No 0567/2021 by Juan Souza (Spanish) on arms sales by a Spanish company to Saudi Arabia amid the Yemen conflict**

### 1. Summary of petition

The petitioner, who is an employee of the Spanish company Everis, reports having found out that a division of this company (Everis Aerospace & Defensa) is involved in arms sales to Saudi Arabia and in the training of Saudi troops. The petitioner considers that, by being an employee of this company, he has become an accomplice in this activity, which is contrary to the specific principles established by the United Nations and the European Parliament in relation to this conflict.

### 2. Admissibility

Declared admissible on 15 October 2021. Information requested from Commission under Rule 227(6).

### 3. Commission reply, received on 25 January 2024

The petitioner, who is an employee of the Spanish company Everis, reports having found out that a division of this company (Everis Aerospace & Defensa) is involved in arms sales to Saudi Arabia and in the training of Saudi troops. The petitioner considers that, by being an employee of this company, he has become an accomplice in this activity, which is contrary to the specific principles established by the United Nations and the European Parliament in relation to this conflict.

### Conclusion

The control on the export and transit of arms by EU Member States is subject to national legislation, the Council Common Position 2008/944/CFSP<sup>1</sup> (Common Foreign and Security Policy), and the Arms Trade Treaty. The obligations stemming from these instruments are legally binding on EU Member States. The final decision whether to authorise or deny an individual export or transit of military technology and equipment is to be adopted, in accordance with the abovementioned legal framework, by the competent authorities of EU Member States. Common Position 2008/944/CFSP lays down eight risk assessment criteria for exports of military technology and equipment by Member States, including respect for human rights and international humanitarian law by the country of final destination.

It is up to the administrations of the Member States to verify that the relevant rules are complied with. Therefore, the petitioner could address himself directly to the relevant national authorities that approved the export license(s). The Council publishes an annual report presenting the authorised exports of military goods to all destinations by all Member States, publicly available on the European External Action Service's website<sup>2</sup>. The EU attaches high importance to transparency in the arms trade.

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

<sup>2</sup> <https://webgate.ec.europa.eu/eeasqap/sense/app/75fd8e6e-68ac-42dd-a078-f616633118bb/sheet/74299ecd-7a90-4b89-a509-92c9b96b86ba/state/analysis>