

Council's annual report in accordance with the operative provision 8 of the European Union Code of Conduct on arms exports

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The Committee on Foreign Affairs adopted an own-initiative report by Sabine LÖSING (GUE/NGL, DE) on arms exports: implementation of Common Position 2008/944/CFSP.

According to the latest figures, arms exports from the EU-28 amounted to over 27 % of the global total in 2013-2017, which would make the EU collectively the second largest arms supplier in the world after the US (34 %), with Russia following at 22 %.

Arms exports and transfers have an undeniable impact on human rights and human security, on socio-economic development and on democracy. These are strong reasons for establishing a **strict, transparent, effective and commonly accepted and defined arms control system**. [Common Position 2008/944/CFSP](#) is a legally binding framework laying down **eight criteria** for exports of military technology and equipment.

The defence sector has become a focal point of EU policy, with the European Global Strategy (EUGS) stating that 'a sustainable, innovative and competitive European defence industry is essential for Europe's strategic autonomy and for a credible CSDP'. Arms exports are key to **boosting the industrial and technological basis for European defence**.

Bolstering the Common Position and improving its implementation: Members called on the Member States to overcome the current **lack of efficiency in defence spending** due to duplication, fragmentation and lack of interoperability, and to aim for the EU to become a security provider also by better controlling arms exports.

The report noted that the eight criteria are applied and interpreted in different ways by Member States. It called for a **uniform, consistent and coordinated application** of the eight criteria and full implementation of the Common Position with all its obligations.

It considered it necessary to launch a process leading to a mechanism which **sanctions** those Member States which do not comply with the Common Position.

Members recommended that the **risk assessment method** for export authorisations should incorporate a precautionary principle. They considered that Member States should also assess the risks in the light of the overall situation in the country of destination, taking into account factors such as the state of democracy and the rule of law and its socio-economic development. With this in mind, Member States and the EEAS should strengthen information exchange mechanisms by making available qualitatively and quantitatively better information for export licensing risk assessments.

The report criticised the **systematic failure to apply the eight criteria** by Member States and the fact that military technology does reach destinations and end users that do not meet the criteria laid down in the Common Position.

Members repeated their call for an **independent assessment** of Member States' compliance with the eight criteria of the Common Position.

Member considered that exports to **Saudi Arabia, the UAE and other members of the Saudi-led coalition in Yemen** are non-compliant with at least criterion 2 because of those countries' involvement in grave breaches of humanitarian law as established by competent UN authorities. They reiterated their call of 13 September 2017 regarding the urgent need to impose an **arms embargo on Saudi Arabia** and congratulated those Member States, such as Spain, Germany and the Netherlands, which have changed their practice as regards the Yemen conflict.

Members reiterated the detrimental effect that insufficiently controlled exports of **cyber surveillance** technologies by EU companies can have on the security of the EU's digital infrastructure and on respect for human rights.

They stressed the importance of a rapid, effective and comprehensive update of the **EU's Dual-Use Regulation**. They encouraged the Member States to undertake a more detailed examination of licensed production by third countries and to ensure stronger safeguards against undesired uses.

While noting that the Council is conducting a reassessment of the implementation of the Common Position, Members called for it to be reviewed. They called for the **eight criteria to be extended** and applied also to the transfer of military, security and police personnel, to arms exports-related services, know-how and training, security technology and to private military and security services.

The Member States and the EEAS are called on to cooperate closely in order to **prevent risks arising from the diverting and stockpiling of weapons**, such as illegal arms trafficking and smuggling.

Conventional Arms Exports annual report (COARM): Members criticised the fact that a number of Member States did not make full submissions to the nineteenth annual report on the basis of detailed, country-specific data. They suggested that a **standardised verification and reporting system** should be established to provide more detailed and exhaustive information.

Parliament and civil society: the report underlined the important role of national parliaments, the European Parliament, civil society, arms export control authorities and industry associations in both supporting and encouraging the Common Position's agreed standards at national and EU level and in establishing a transparent, accountable control system. In this regard, it called for a **transparent and robust control mechanism** which bolsters the role of parliaments and of civil society.

International arms control and disarmament: Members believe that the EU should meet its increased responsibility for peace and security in Europe and the world by means of further improved export control mechanisms and **disarmament** initiatives. They reiterated their call for a ban on exports of products used in the development and production of autonomous lethal weapon systems.