

(English version)

**Question for written answer E-002450/24
to the Council
Estrella Galán (The Left), Jaume Asens Llodrà (Verts/ALE)
(6 November 2024)**

Subject: Use of European ports to further Israel's genocide, war crimes and crimes against humanity

According to a recent investigation, between May and September at least 25 shipments of US military cargo destined for the Israeli Ministry of Defence passed through the port of Algeciras (Spain).

This has served to enable, foster or support Israel's breaches of international law, genocide, apartheid and war crimes in the Occupied Territories of Palestine, as well as its illegal invasion of Lebanon.

In view of: the obligations set out in Common Position 2008/944/CFSP on control of exports of military technology and equipment; Regulation (EU) 2020/1998 concerning restrictive measures against serious human rights violations and abuses; the rulings of the International Court of Justice (ICJ) of 26 January, 28 March, 24 May and 19 June; and the EU-Israel Association Agreement:

1. Can the Council say which European ports are being used to ship arms and military equipment to Israel?
2. What port oversight and inspection measures has the Council taken with regard to the arms trade with Israel?
3. Will it formally ask the Member States, including Spain, to ban immediately the use of ports for ships carrying military cargo to Israel?

Submitted: 6.11.2024

**Reply
(24 February 2025)**

The European Union is deeply alarmed by the dramatic military escalation in the Middle East and it has called on all parties to exercise the utmost restraint, put an end to all hostilities immediately and fully abide by international law, including international humanitarian law.

It has also reiterated Israel's right to defend itself and the European Union's commitment to Israel's security and to regional stability. In exercising its right to defend itself, Israel must fully comply with its obligations under international law, including international humanitarian law, in all circumstances. The EU has also recalled the need to fully implement the International Court of Justice orders ⁽¹⁾.

In relation to the situation, the Council has also imposed restrictive measures against a number of persons and entities under the EU framework of restrictive measures against serious human rights violations and abuses ⁽²⁾, as well as against those who support, facilitate or enable violent actions by Hamas and the Palestinian Islamic Jihad ⁽³⁾.

Concerning arms trade, the Council is not in a position to comment on shipments from or through Member States. In this regard, the Council refers to its reply to Written Question P-003630/2023, and the fact that the control on the export of arms by Member States is subject to national legislation, Council Common Position 2008/944/CFSP ⁽⁴⁾ and the Arms Trade Treaty ⁽⁵⁾ (ATT).

The competent authorities of the Member States take the final decision on whether to authorise or deny an individual export or transit license for military equipment, in accordance with said legal frameworks.

The Council, through its competent Working Party, works towards increased convergence amongst Member States' arms export policies. This includes exchanges of views on the application of the criteria set out in the Common Position.

⁽¹⁾ www.consilium.europa.eu/en/press/press-releases/2024/10/17/european-council-conclusions-17-october-2024/; www.consilium.europa.eu/en/press/press-releases/2024/06/28/european-council-conclusions-27-june-2024/

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02020R1998-20240913&qid=1732270490517>

⁽³⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02024R0386-20240913&qid=1732270685388>

⁽⁴⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32008E0944>.

⁽⁵⁾ <https://thearmstradetreaty.org/treaty-text.html?templateId=209884>