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Answer given by High Representative/Vice-President Kallas
on behalf of the European Commission
(10.2.2025)

The implementation of the arms embargo is the responsibility of Member States. The export (outside of the EU) of military technology and equipment is subject to the Common Position 2008/944/CFSP[1], revised in 2019, which is binding for all Member States. The competent authorities of Member States take the final decision on a case-by-case basis whether to authorise or deny an individual export or transit license of military equipment in accordance with the criteria of the Common Position 2008/944/CFSP. These criteria cover *inter alia* the risk of violations of human rights and humanitarian law, the risk of diversion (notably via unauthorised re-export), and the behaviour of the recipient country with regard to terrorism, the nature of its alliances and the respect of international law. Where licences are granted, conditions are generally attached to them, for instance on end-use, storage and on re-exportation. The conditions can be adjusted to the level of risk of the recipient countries.

The EU has maintained an arms embargo on the whole of Sudan since 1994, prohibiting the sale, supply, transfer, or export of arms and related materiel to the entire country[2]. Thus, the EU has already implemented the recommendation of the United Nations Fact-Finding Mission[3] to expand the United Nations arms embargo (currently applying only to Darfur) to the entire country and will continue encouraging others to follow suit.

[1] https://eur-lex.europa.eu/eli/compos/2008/944/oj/eng
[2] See current EU legislation in Council Decision 2014/450/CFSP (OJ L 203 11.7.2014, p. 106).
[3] See the report of the Independent International Fact-Finding Mission for the Sudan (A/HRC/57/CRP.6), https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-CRP-6-en.pdf