

EN

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Answer given by High Representative/Vice-President Kallas
on behalf of the European Commission
(13.7.2026)

The control on the export of arms by Member States is subject to national legislation, the Council Common Position 2008/944/CFSP¹ and the Arms Trade Treaty² (ATT). The competent authorities of Member States take final decision whether to authorise or deny an individual export or transit license of military equipment, in accordance with the said legal frameworks. Member States are solely responsible to ensure compliance with applicable laws, including the Common Position and the ATT. The High Representative/Vice-President is not in a position to assess specific export cases against the criteria of the Common Position, nor is mandated, under EU law, to enforce the Common Position or other applicable laws.

The Council, through its competent Working Group, works towards increased convergence amongst Member States' arms export policies. This includes exchanges of views on application of criteria of the Common Position. Specifically, the impact of the conflict in Gaza on national arms exports policies of Member States is continuously on the agenda and Member States confidentially share information about their respective approaches.

The EU remains deeply concerned about the catastrophic humanitarian situation in Gaza and continues to urge Israel to improve it. In the context of the Israel/Hamas conflict in Gaza, the EU recognised Israel's right to defend itself from the beginning, but consistently urges Israel to do so in line with International Law, International Human Rights Law and International Humanitarian Law and to ensure the protection of civilians. The disproportionate use of force against civilians and civilian infrastructure is unacceptable.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32008E0944>.

² <https://old.thearmstradetreaty.org/>.