

**Priority question for written answer P-003630/2023
to the Council**

Rule 138

Matjaž Nemec (S&D)

Subject: International law and EU rules compliance of the Member States' arms export to Israel in the context of current Israeli hostilities in Gaza and the West Bank

As Israel continues its military operations in Gaza, tragic humanitarian suffering also continues. Seemingly indiscriminate, disproportionate, and unlawful attacks on civilian infrastructure by Israel, have already resulted in over 18,000 Palestinian civilian casualties, coupled with unfeasible evacuation orders and forcible population transfers.

Despite warnings of violations of international humanitarian law, arms shipments to Israel continue by several EU member states. In line with the Council Common Position¹ and international law², Member States shall deny export licenses if there is a clear risk of military technology contributing to severe violations of international humanitarian law. This includes their obligations to prevent the commission of genocide.

- 1 How do the Council and member states ensure implementation of the Council Common Position 2008/944/CFSP and relevant international law, given clear evidence of potential contributions to genocide and severe violations of international law in Gaza perpetrated by Israel?
- 2 Have the Council and relevant member states assessed the compliance with international law and relevant EU rules of their arms exports to Israel since October 7 this year, and what were their findings?
- 3 How does the Council and relevant member states guarantee compliance with international customary law and the said Council Common Position of such arms exports?

Submitted: 12.12.2023

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

² <https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf>