

# BU\$IN€SS AS USUAL

Analysis of the Spanish arms trade  
in 2022-23 and the case for an arms  
embargo on Israel

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## EXECUTIVE SUMMARY

Spanish arms exports have increased by 24% in 2022 compared to 2021, the second highest percentage ever recorded of Spanish arms exports, only slightly surpassed in 2017. Moreover, the only data made public by the Spanish government on defence and dual-use material exports in 2023, show that in the first half of 2023 alone, exports already reached 1,754 million euros, suggesting that all in all in 2023 a record number of exports could be reached in one year. In this way, Spain continues to hold the first positions in the world ranking of arms exports. It is no wonder that Stockholm International Peace Research Institute (SIPRI) places Spain eighth in world ranking arms exports in 2022 and ninth in 2023.

In the last ten years, the five most sold Spanish defence equipment are military aircrafts (75%), war ships (7%), ammunitions (4%), military land vehicles (4%), bombs, missiles, and torpedoes (2%). In humanitarian terms, the level of seriousness is high when we acknowledge that the third most exported product is ammunition and the fifth is bombs and missiles.

As usual, in 2022, 62.1% (€2,542.5 million) of Spanish military equipment exports were sent to EU and NATO countries. Exports related to military equipment and cooperation programmes include the A400M aircraft worth €231.2 million, the Eurofighter combat aircraft worth €162.2 million and the Meteor missile worth €29.4 million.

Attention should be paid to exports made to regions of high conflict and political tension:

- 23% of Spanish military equipment exports from 2022 were sent to Middle East, reaching a value of €947.4 million and in the first half of 2023 alone they came to €334.3 million, 19% of total exports for the period.
- Spanish military industry exports to Asian countries in 2022 amounted to €396.3 million, representing 10% of the total.
- Arms exported to Ukraine in 2022 reached €31.3 million, and €102.7 million in the first half of 2023.

The governmental body in charge of authorizing exportations, the Inter-ministerial Regulatory Board for Foreign Trade in Defence and Dual-Use Materiel (JIMDDU for its Spanish acronym) gave 2,048 authorisations for defence material exports in 2022 and only refused 1 (the export to Pakistan of 670 sporting pistols and their magazines, due to a diversion risk). The low number of refusals can only be explained as a lack of political will to rigorously implement the Spanish Law 53/2007 on the control of exports of defence and dual-use material and the criteria set out in EU Common Position 2008/944/CFSP.

## SPANISH ARMS TRADE WITH ISRAEL AFTER OCTOBER 7

Despite the extreme gravity of Israel's actions in the Gaza strip, military relations between Spain and Israel have essentially remained as they were before October 7, 2023.

These relations are not limited to imports and exports of defence equipment between both countries but are also carried out in the following fields: 1) Exports: defence material exported from Spain to Israel; 2) Imports: defence material imported from Israel to Spain; 3) the awarding to Israeli companies of contracts for products and services for the armed forces or security forces in Spain; 4) Business collaboration between Spanish and Israeli companies to get to third markets; 5) Collaboration between universities, companies and institutions in research and training projects, within the framework of the European Union (UE) or at the institutional level in both countries or in third markets; 6) The bilateral collaboration between both countries in intelligence and security matters, and in the broader framework of the EU and NATO.

Military relations have only been affected in terms of Spanish exports. Spanish authorities have assured that no new licences for exports have been granted since October 7, 2023. Nevertheless, exports have continued. In November 2023, the company Nammo Palencia exported from Spain 987,000 euros worth of ammunitions to Israel. Defence material under categories 93 ("arms and ammunitions") and 8710 ("tanks and armored combat vehicles; parts") have also been exported to Israel, according to the Spanish Trade Database its destination is the Philippines.

As opposed to exports, there is no annual official report for imports by the State secretariat for trade. An important part of the defence equipment with Israeli patent is manufactured in Spain by subsidiaries of Israeli companies or other companies producing through technology transfer agreement from the Israeli companies. Spain continued allocating contracts to Israeli military companies and their subsidiaries in Spain, or other Spanish companies that produce Israeli products under technology transfer agreement.

The authorization of arms exports to Israel is contrary to the relevant legislation. Based on Article 6.3 of the Arms Trade Treaty, the Spanish government should refuse to grant new authorisations and revoke, or at least suspend, exports to Israel authorised prior to October 7, 2023, and still in force. Because it is very likely that Israel is committing a genocide in the Gaza strip; the Convention for the prevention and sanction of genocide imposes an obligation on States to prevent genocides. Moreover, Israel is, without a doubt, committing crimes against humanity and war crimes.

Considering this particularly serious situation, the government could adopt an arms embargo on Israel. Although Law 53/2007 does not foresee the possibility of the Spanish state to impose an embargo on weapons, this could be done by means of a regulation with the status of law, including decrees passed by the government. Law 53/2007 expressly recognizes the possibility of denying, suspending or revoking authorisations to export defence material (Article 8).



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