

Israel's military attacks on Lebanon reinforce urgent need for UK to halt all arms transfers to Israel

As a group of UK-based and international organisations working on and in the occupied Palestinian territory and Lebanon we are gravely concerned by Israel's escalated bombing and ground invasion of Lebanon and are redoubling our urgent call on the UK government to immediately halt all arms transfers to Israel.

Obligations under domestic and international law require the UK to suspend and not transfer arms, military equipment or components to Israel or any other state where there is a clear risk that they may be used to commit or facilitate serious violations of international humanitarian law (IHL). Arms transfers are also prohibited where a state has knowledge its arms would be used to, for example, commit crimes against humanity or direct attacks on civilians.

Since October 2023, <u>according to the Lebanese authorities</u>, Israel's attacks have killed <u>more than</u> 2,000 people, including at least 127 children, 261 women and more than 100 healthcare workers in Lebanon. The Lebanese authorities report that more than one million people, around one fifth of the population of Lebanon, have been forced to leave their homes, creating a desperate humanitarian situation.

Among the attacks carried out by Israel on Lebanon since October 2023 are a number of incidents of grave concern and likely to constitute war crimes. These include the likely: indiscriminate use of white phosphorus munitions in populated areas; deliberate targeting of journalists, indiscriminate use of exploding electronic communications equipment, indiscriminate and disproportionate heavy shelling of residential areas, targeting of vital civilian infrastructure include roads, bridges, and water and health facilities; and likely disproportionate attacks on and around Beirut International Airport which have forced its partial closure and threaten the delivery of medical supplies and humanitarian assistance.

UK-made parts make up 15% of every F-35 bomber aircraft currently used by Israel, which is carrying out airstrikes on Lebanon, on Yemen, where <u>infrastructure vital for humanitarian relief</u> has been struck, as well as in Gaza. The UK has exported <u>parts and technology for drones</u> for Israeli forces, including a number of Hermes models which have been in use over Lebanon for surveillance and identifying targets.

Our organisations have argued for <u>almost a year</u> that the UK should suspend *all* arms transfers to Israel due to the clear risk of their use in the commission or facilitation of war crimes and other serious violations of international law, possibly including genocide, perpetrated against Palestinians. Instead, transfers of crucial parts and components for F35 aircraft were <u>surged</u> to facilitate Israeli attacks.

Our position rests on third state responsibility, pursuant to treaty and customary international law, as reaffirmed by the International Court of Justice in paragraphs 23-24 of its order of 30 April 2024

in the Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v Germany). As elaborated by the ICI and international human rights mechanisms, the 1949 Geneva Convention requires the UK 'to respect and to ensure respect' for the Convention and accordingly the UK must 'refrain from transferring any weapon or ammunition parts for them - if it is expected, given the facts or past patterns of behaviour, that they would be used to violate international law.' In Nicaragua v Germany, the Court reminds all States of the obligation 'to prevent the commission of the crime of genocide pursuant to Article I. In this regard, the Court expressly declared that it 'considers it particularly important to remind all States of their international obligations relating to the transfer of arms to parties to an armed conflict, in order to avoid the risk that such arms might be used to violate the [Genocide] Convention' (para 24). The ICJ has further clarified the international responsibility of third States including the UK in paragraphs 273-279 of its; July 2024 Advisory Opinion in light of its finding the occupation to be unlawful. More specifically, the Court clarified that third states are under the obligation to "abstain from entering into economic or trade dealings with Israel concerning the occupied Palestinian territory which may entrench its unlawful presence in the territory" and not to render aid or assistance in maintaining the situation. We maintain that the supply of weapons and equipment by the UK contributes to entrenching and maintaining Israel's unlawful presence in and throughout the territory. Further risk is evidenced through the May 2024 application by the Chief Prosecutor of the International Court (ICC) for arrest warrants for Israeli Prime Minister Benjamin Netanyahu and Minister of Defence Yoav Gallant for their criminal responsibility for a series of war crimes and crimes against humanity.

On 2 September, the Government took the important decision to partially suspend 30 arms licences out of 350 licences, which covered items assessed as being for use in military operations in Gaza including fighter jet components, drones, armoured vehicles and light arms, excluding indirect components for F-35 fighter jets. It did so because it recognized the clear risk that such weapons could be used to breach IHL. This is an important, yet inadequate, first step. As many <u>UK charities and organisations said</u> following the announcement of that partial suspension, it is "beyond time" for the UK to recognise the clear and compelling evidence of Israel violating IHL and for the Government to immediately end *all* arms transfers to Israel, including components going directly or indirectly to Israel, to prevent their use in serious violations of international law.

Despite the UK's partial suspension of arms licences to Israel, Israeli forces continue to commit apparently unlawful activities against Palestinians in both the Gaza Strip and the West Bank. Attacks include an airstrike on a residential building in which at least 18 people were killed and which the <u>UN's Human Rights Office strongly condemned</u> as unlawful. The airstrike was reportedly carried out by an F-16 fighter jet which as with the F-35 also has <u>UK-made components</u>.

The escalation of Israel's attacks on Lebanon underscore our concerns and the need for the UK government to immediately suspend all weapons licences to Israel, and ensure it is not complicit in atrocities.

Signatories

ActionAid UK	Embrace the Middle East	Oxfam
Action for Humanity	Gender Action for Peace	War on Want
Amnesty International UK	and Security	Welfare Association
Campaign Against Arms Trade	International Centre of Justice for Palestinians	