













Joint letter to the UK Foreign Secretary and FCDO regarding correspondence on arms transfers to Israel and international law

5 February 2025 As UK organisations working on human rights and international law in and around the occupied Palestinian territory (oPt), we are expressing our disappointment that communications received from the government regarding arms transfers to Israel consistently fail to engage with the central and extremely serious concerns being conveyed.

Given the overwhelming body of evidence indicating that Israeli forces have been committing genocide and other serious violations of international law amounting to war crimes and crimes against humanity, notably persecution, starvation, extermination, murder, the deliberate targeting of civilians, and the crime of aggression, we find it hard to reach any conclusion other than that the government knows that it has been breaching domestic and international law by transferring arms to Israel in spite of the clear risks of their involvement in such violations, and is being deliberately opaque.

On 17 December 2024, for example, War on Want and others sent a <u>letter</u> to the Foreign Secretary deeply concerned at a) the UK government's support for Israel's unprovoked attacks on and invasion of **Syria** as demonstrated by ministers' public statements and b) the likely involvement of UK-made weaponry and components in Israel's operations there – most notably in F-35 and F-16 fighter-bombers, drones, tanks, ammunition and technology. The response from the Foreign, Commonwealth and Development Office (FCDO), dated 30 December 2024, did not respond on either point.

This reinforced the groups' stated assessment that "There is a chasm between the current government's stated intention to be the government of international law and its actual conduct and statements." The FDCO response did note that "Israel has been clear that their [expanded 'presence' in Syria] is defensive, limited, and temporary. We expect Israel to adhere to this commitment." Israel's Defence Minister subsequently stated that Israel will stay there "for an unlimited time", redoubling our concerns with the UK government's positions and with its failure to engage with us on them.

The above response echoes previous exchanges regarding the UK's support for Israel's attacks and continued occupation of **Lebanon**. On 14 October 2024, 10 UK organisations <u>wrote</u> to the Foreign Secretary expressing concern at a) a series of war crimes being committed by Israel in Lebanon and b) the very likely involvement of UK-made components and technology. The 5 November 2024 response signed by Foreign Minister Hamish Falconer made no reference however to the illegality or

otherwise of Israel's attacks, invasion and occupation of Lebanon, nor to the involvement or otherwise of UK parts and technology.

The disappointing pattern to these exchanges is a continuation of that with the previous government since the start of Israel's assault on **Gaza**. On 8 December 2023, UK-based charities working in and on the oPt wrote a detailed <u>letter</u> to the then Foreign Secretary Lord David Cameron calling for a halt in arms transfers to Israel given the clear risk that UK-licenced equipment could be used to commit or facilitate serious violations of international law. Of the 14 January 2024 reply from the government, the organisations' follow-up <u>statement</u> noted "that only towards the end did the government briefly address arms exports, and only gave a standard answer that failed to address the particularities of the grave situation in Palestine and Israel".

While we appreciate the government and FCDO officials taking time to send replies, we are frustrated by the failure to engage with us on the key concerns. Organisations involved have considerable experience in matters of human rights, international law and UK law and policies pertaining to the oPt, Israel and the region, but this is being ignored by the government.

While these and other letters have gone back and forth for more than a year, tens of thousands of people have been killed by Israeli forces across Gaza, the West Bank, Lebanon, Syria, Yemen and Iran, many of them as a result of unlawful attacks with the involvement of UK equipment and technology. The ongoing escalation in Israel's military attacks across the **West Bank** include lethal airstrikes in residential areas in which many civilians have been killed and have led to several thousand Palestinian families being forcibly displaced, reinforcing our expressed concerns.

The clear unlawfulness of Israel's conduct is evidenced inter alia by the arrest warrants issued by the International Criminal Court for senior Israeli officials and provisional measures issued by the International Court of Justice in the South Africa vs Israel genocide case. Just as the government has failed to respond adequately to our concerns, it has also failed and so much more gravely to take action as obliged both to prevent genocide, as per its positive obligations under Article I of the Genocide Convention and to implement the ICJ's Advisory Opinion to help bring Israel's illegal occupation of Palestinian territory to an end.

An extreme and arguably racist manifestation of the government's intractable commitment to keep supplying components for Israel's F-35 fighter-bombers is that the F-35 programme is a "matter of such gravity that it would have overridden any [...] further evidence of serious breaches of IHL". As the Palestinian human rights organisation Al-Haq put to the government in its reply, the government is effectively saying that there is no world in which the supply of F-35 components to Israel would be suspended.

We implore the government to recognise the immorality and illegality of its arms transfers and other military support to Israel, and demand that it ends immediately.

Signatories

War on Want International Centre of Justice for Palestinians

Global Legal Action Network The Council for Arab British Understanding

Campaign Against Arms Trade Action For Humanity