

The Rt. Hon. Jonathan Reynolds MP, and Gareth Davies CB,
Department of Business and Trade,
Old Admiralty Building, Admiralty Place,
London SW1A 2DY

CC: The Rt. Hon. Richard Hermer KC, Attorney General,
Liam Byrne MP, Chair of the Business and Trade Committee

16th May 2025

Dear Jonathan Reynolds MP, Secretary of State for Business and Trade and President of the Board of Trade, **and Gareth Davies CB**, Permanent Secretary to the Department of Business and Trade,

We are writing as a coalition of civil society and human rights organisations to relay concerns and make inquiries regarding UK export trade policy on ongoing arms sales to Israel.

As I am sure you will be aware, [a recent report](#) has highlighted discrepancies between the exports of arms to Israel as reported by the United Kingdom, and the imports of British arms as reported by Israel. Using data from the Israel Tax Authority, the report found, among other things, that:

- i) the pattern for courier-delivered aircraft components *directly* exported to Israel has not changed, or does not appear to be negatively impacted by, the 2nd September 2024 partial suspension;
- ii) the majority of UK shipments of military items have been made *after* the 2nd September partial suspension (including 8 shipments of 8,630 munitions).

The report gives rise to a number of urgent questions. Without sufficient answer, these questions could cumulatively serve to undermine trust in the transparency and stringency behind your government's announcement that it has suspended all arms export licenses which have the potential to be used by the Israel Defence Forces (IDF) in Gaza - or [in Lebanon or the West Bank](#) for that matter. We understand that a government spokesperson has [already responded](#) to the report with a press statement that reads:

"Of the remaining licences for Israel, the vast majority are not for the Israeli Defence Forces but are for civilian purposes or re-export, and therefore are not used in the war in Gaza. The only exemption is the F-35 programme due to its strategic role in NATO and wider implications for international peace and security. Any suggestion that the UK is licensing other weapons for use by Israel in the war in Gaza is misleading."

The data produced in this report, and the government's response to it, will be dealt with hereafter. The recently published [Q4 2024 arms data](#), while demonstrating a huge uptick in the number and value of arms export licenses granted for military end use in Israel (including in ML4, ML5, and ML10 categories of likely offensive weapons) raises yet further questions on the stringency of the partial suspension - but does not account for the discrepancies described above. Several questions therefore remain outstanding:

F-35 parts

While the High Court case this week seeks to determine the legality of the UK's "carve-out" (exempting F-35 exports made to the global 'spares pool' from International Humanitarian Law [IHL] conditions), this data suggests that the UK may have in fact continued to *directly* export aircraft components to Israel throughout the period 2nd September 2024 to date. With such exports having not appeared in any government disclosure it is a matter for the government to provide full transparency as to whether direct exports of F-35 parts are continuing and if so, how.

Given that the Foreign Office has not distinguished in the media statement above between the 'Global Spares Pool' and any direct exports when referring to the 'F-35 programme', can you confirm that the

government has not resumed the practice of making direct exports of any F-35 components to Israel at any point since 2nd September 2024?

With reports suggesting that military aircraft components have continued to be exported with intended end-use restrictions (ostensibly [restricted to, say, trainer aircraft](#)) we wish to inquire as to what assurances the government has sought, or what monitoring has been conducted, as to the efficacy of any such restrictions. If it is the case that the government has received conclusive confirmation that none of these parts could be fitted into F-35s or other fighter aircraft potentially used in Gaza, Lebanon, or the West Bank, then this confirmation as a matter of public interest should be disclosed. However, on the currently available evidence and on the balance of probabilities, it seems possible that some of the (very high) quantity of aircraft and spacecraft components exported may well have been used in a military-end use capacity by Israel.

Munitions

The data from the Israeli Tax Authority shows that the UK has sent 8,630 separate munitions since the UK Government's partial suspension of export licences to Israel in September 2024, all in the category '*Bombs, Grenades, Torpedoes, Mines, Missiles And Similar Munitions Of War And Parts Thereof – Other*'. Similar questions arise here, too. What assurances has the UK a) sought and b) received that these will exclusively be used for trade shows and/or re-export? Why have these shipments not appeared in the UK government's disclosures of arms export licenses, regardless of any end use restrictions in place?

It appears plausible to us that some quantity of these thousands of munitions may be put to use in a military capacity by Israel. At present, we have not seen the level of transparency from the government necessary to establish confidence in any monitoring and control mechanisms being used to track each item supplied, or to make certain that none of these thousands of military goods exported are being used by Israel in the war on Gaza.

Arms export license exemptions

In the Foreign, Commonwealth and Development Office FCDO response to the report as-quoted above, it was stated that it would be misleading to suggest that the UK is *licensing* other weapons for use by Israel in Gaza. We wish to inquire as to the exact scale, conditions, and legal justifications for the practice of granting arms export licensing exemptions. With [reports](#) that at least one exporter of arms components to Israel has been granted a worldwide arms export licensing exemption since 2022, despite the clear military application of their products, there is a possibility that much of the UK's traffic in arms is occurring behind closed doors, bypassing the Strategic Export Licensing Criteria (SELC) and its IHL assessments.

Additionally, should it be the case that any of those shipments which the ITA has designated as having a UK country-of-origin are in fact simply being transited through the UK or its overseas territories on their way to Israel, rather than originating in full from the UK, the same question applies: why have they not been registered in the UK's export licensing system?

Transparency

Regarding the FCDO statement, we request clarity on the meaning of "for civilian purposes or re-export", including explanations as to the capacity in which such exports, particularly munitions, may be licensed for "civilian purposes". Moreover, it should be explained whether the UK Government can sufficiently monitor the military goods it supplies in order to ensure these are all used strictly for "civilian purposes", and that not a single item exported by the UK is being used by Israel in a military capacity. Furthermore, where Israel is said to be re-exporting arms, how certain and confident is the UK Government in saying that these arms are in fact being re-exported and can not be used by Israel in Gaza?

Furthermore, we wish to raise our concerns with the level of transparency from the government in relation to this matter. In a letter to Liam Byrne, Chair of the Business and Trade Committee, FCDO Minister Stephen Doughty [declined to comment](#) on the application of the Arms Trade Treaty (ATT) to the question of F-35 exporting for potential end-use by Israel, due to live litigation on the matter. Yet the sub judice rule does not apply and the Business and Trade Committee [has confirmed](#) that “*Judicial review of a ministerial decision does not prevent Ministers and officials from providing the fullest possible answers to the Committee’s questions, as required by the Ministerial Code.*” We fear that this litigation, which has been procedurally ‘live’ since the commencement of your government’s term, is being used to avoid valid lines of inquiry from the relevant Committee Chair. This avoidance is particularly problematic given that a primary defence given in the ongoing litigation is that the Court has no jurisdiction over this matter - as the relevant treaties of international law, particularly the Genocide Convention, do not apply as they have not been incorporated into UK statute. With a decision in the case potentially not being made for some time; in the meanwhile the government has a responsibility to state and answer for its position.

Positive duties to prevent genocide and negative duties not to assist in the maintenance of illegal occupation

The issues detailed above give further cause for concern as to how stringently the UK is considering its obligations as-adjudicated-on by two recent rulings of the International Court of Justice (ICJ). In July 2024, the [ICJ’s Advisory Opinion](#) on Israel’s occupation of Palestine ruled that Other States (including the UK) have an obligation not to render aid or assistance in maintaining the illegal situation created by Israel’s presence in the Occupied Palestinian Territory. While the applicability of the Genocide Convention, alongside the ATT, to the question of British arms sales to Israel is currently under review in the High Court, we would also highlight the relevance of Genocide Convention obligations to those arms and materiel exports which are not covered in existing export license documentation. We are aware that the government has stated that it [monitors the risk of genocide](#) as part of the SELC process. While we would appreciate greater clarity on how this monitoring operates in relation to the SELC, we also seek to clarify whether any such monitoring occurs for any Departmental business regarding trade with Israel which falls outside, formally, of the SELC process? We wish to recall three orders in the case *South Africa v Israel*, on 26 January, 28 March, and 24th May 2024, which affirmed that there is a real and imminent risk of irreparable prejudice to the rights of Palestinians under the Genocide Convention. As established by the ICJ in 2007, the obligation to prevent genocide arises as soon as States are aware (or should normally have been aware) of the serious danger that genocide be committed, and should thereafter use all means reasonably available to them to prevent genocide.

In your respective capacities as Secretary of State for Business and Trade, and as Permanent Secretary to the Department of Business and Trade, will you authorise:

- Governmental publication of all arms exports made to Israel since a) October 2023 and b) 2nd September 2024, including all items deemed ‘arms’ which are not subject to arms export licensing restrictions and therefore not contained in existing governmental publication.
- A full Departmental response to account the reported discrepancies in data.
- A review of the Departmental adherence to the 2nd September assessment and subsequent restriction, including assessments made as to whether any items authorised for continued export have been or may have been used by the IDF in Gaza, the West Bank, or Lebanon.

These requests are made with a view to the clear public interest which exists in relation to ensuring transparency and accountability in Department of Business and Trade adherence to legal obligations. We would be glad of the opportunity to meet and discuss these items should that be available.

Yours sincerely,

Campaign Against Arms Trade (CAAT)

European Legal Support Centre (ELSC)

Global Justice Now

International Centre of Justice for Palestinians (ICJP)

Public Interest Law Centre (PILC)

Shadow World Investigations

War on Want