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Briefing: UK-Israel trade

War on Want is a registered charity¹ campaigning against the root causes of poverty and human rights violation.

Summary

The UK Government has identified Israel as a priority trading partner with which it will negotiate a bilateral trade agreement post-Brexit, replicating its current trade arrangement under the EU-Israel Association Agreement. Trade preferences granted under the EU-Israel Association Agreement are conditional upon respect for human rights and democratic principles. And yet, the UK Foreign Office has expressed concern year on year over Israel's violations of international law, including the Fourth Geneva Convention, particular in relation to Israel's expansion of illegal settlements in the occupied Palestinian territory (oPt), its use of collective punishment policies including the blockade on the Gaza Strip and home demolitions in the West Bank, and its unlawful use of lethal force against unarmed Palestinians. These serial violations raise serious questions about the legality of current trade with Israel, especially the arms trade, and must not be left out of discussions on trade moving forward.

Recommendations

All current and future trade deals, no matter who the trading partner, must be consistent with the UK's obligations under and commitments to international law. As such, the UK must:

- Ensure that any future trade negotiations with Israel are conditional upon full compliance and respect for international law.
- Conduct a thorough and transparent assessment of Israel's compliance with international law and suspend current trade with Israel until it can demonstrate sincere respect for international law.
- Refuse licences for exports to Israel and revoke extant licences where the end-user is the Israeli military or military industry.

Human rights and the EU-Israel Association Agreement

The EU-Israel Association Agreement (signed in 1995, entered into force in 2000) governs EU-Israel trade, providing for preferential economic, commercial, technological and research status between the parties. **Article 2** of the Association Agreement makes it, and all the trade preferences it bestows, conditional upon respect for human rights by both sides.

The UK Foreign and Commonwealth Office considers Israel to be a 'Human Rights Priority Country' (formerly called 'Countries of Concern'), and regularly issues statements expressing concern over Israel's violations of international law/international humanitarian law, particularly in relation to its occupation of Palestinian territory.

A statement in FCO questions from February 2018 indicates that the UK has made [no assessment of Israel's compliance](#) with the conditions in the EU-Israel Association agreements concerning human rights and democracy.

¹ Registered charity number 208724

Israel's violations of international law include, but are not limited to:

- **Building and expanding illegal settlements in the occupied West Bank, including East Jerusalem.** The settlements are illegal under international law, a fact reiterated by the UK in its [Overseas Business Risk guidelines](#). Israel regularly announces new settlement construction and expansion (Israel's last announcement of illegal settlement expansion was reported in press on 26 June 2018), and in 2017 passed a new law to retroactively 'legalise' previous settlement construction, showing a complete disregard for international law. ***Transferring population to occupied territory (i.e. populating the settlements) is considered a war crime under the Fourth Geneva Convention.***
- **Demolition of Palestinian homes and other structures** in the oPt, as well as inside Israel. The UN Office for Coordination of Humanitarian Affairs in the oPt (UN OCHA) reports that in the first two weeks of May 2018, Israeli authorities [demolished or seized](#) 34 Palestinian-owned structures across the West Bank, displacing 43 people including children. Of the structures demolished, 11 had been built with funding support from the EU. In one at-risk community, Palestinian residents of Khan al Ahmar are waiting for the demolition of their village by Israeli authorities, which will make way for a new illegal Israeli settlement expansion. Minister Alistair Burt warned that the ***demolition of the village's structures could constitute forcible transfer, a war crime under international law.***
- **Unlawful use of lethal force against unarmed Palestinians** engaged in non-violent protest, or working as journalists or medics covering the protest. In March-June 2018, Israeli security forces opened fire on groups of unarmed Palestinians in the Gaza Strip, killing over 110 and injuring over 13,000. The United Nations Human Rights Council, the Prosecutor of the International Criminal Court, along with all major Israeli, Palestinian, and international human rights organisations condemned the attacks. Human Rights Watch has called the killings "unlawful" and "calculated", and Amnesty International, Save the Children and War on Want have called for an arms embargo on Israel over its use of unlawful force. Over 60 UK MPs from across parties have called for arms exports to Israel to be suspended until full and independent investigations are conducted. ***Under International Humanitarian Law (IHL), Israel's use of force may constitute wilful killing, a grave breach of the Fourth Geneva Convention.***

UK-Israel arms trade

The UK government has approved **over £490million worth of arms exports** to Israel since 2014 (military and dual use), consisting of large items (components for fighter jets, gunboats, etc.) and smaller items used for policing protests. Arms exports categorised under the codes ML1, ML3, ML4, and ML10 are particularly relevant to concerns about internal repression. In 2017, over **£27million** worth of licences for items categorised under these codes were approved for UK export to Israel. Items in these categories include: **assault rifles, sniper rifles, small arms ammunition, exploding grenade ammunition, combat helicopters, surveillance and armed drones.** These types of items are being used by Israeli security forces against unarmed protesters.

The [Consolidated EU & National Arms Export Licensing Criteria](#) sets out guidelines for the government to assess arms exports on a case-by-case basis, but the government has responded to recent queries saying that it does not track items once they have been exported. This is despite findings that UK-made weapons were used in Israel's previous attacks on Palestinians in 2009 and in 2014, when thousands of Palestinians were killed in Israel's bombardment of the Gaza Strip.

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