

23 April 2019

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The Rt Hon George Howarth MP
House of Commons
London
SW1A 0AA



Foreign &
Commonwealth
Office

King Charles Street
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Minister of State

Dear George,

Thank you for your email of 2 April to the Foreign Secretary, on behalf of a number of your constituents, about Israel and the Occupied Palestinian Territories (OPTs). I am replying as Minister of State at the Foreign and Commonwealth Office.

The British Government takes its defence exports responsibilities extremely seriously and operates one of the most robust and transparent arms export control systems in the world. Export licence applications to all countries, including Israel, are assessed on a case-by-case basis against the consolidated EU and National Arms Export Licensing Criteria. Our key test for licensing to Israel is Criterion 2 – whether there is a clear risk that exports might be used for internal repression or in the commission of a serious violation of International Humanitarian Law. We continue to monitor the situation in Israel and the OPTs closely and if extant licences are found to be no longer consistent with the Criteria, those licences will be revoked. We have no information to suggest that UK-supplied equipment has been used against protestors.

It is a source of great concern that, since 30 March 2018, over 29,000 Palestinians have been injured and 195 Palestinians have been killed during the Gaza protests. We have repeatedly made clear to Israel our longstanding concerns about the manner in which the Israel Defense Forces' (IDF) police non-violent protests and the border areas, including the use of live ammunition. We call on Israel to adhere to the principles of necessity and proportionality when defending its legitimate security interest. On 27 March, our Ambassador in Tel Aviv reiterated to the Israeli authorities the importance of restraint in the event of further protests. He also outlined our serious concerns about Israel's use of live fire and the need for an independent investigation, while recognising Israel's right to defend itself. We also reiterated our position at the UN Security Council on 26 March.

The UK has long been clear that the UN Human Rights Council's (HRC) disproportionate focus on Israel threatens the HRC's credibility. Israel remains the only country with a dedicated standalone place on the HRC agenda, Item 7. Item 7 represents systematic institutional bias and as such weakens the voice of the Council and hardens positions. Therefore on 22 March the UK voted against all resolutions under Item 7. Our votes sent a clear signal that the UK stands against the persistence of unacceptable and systematic bias and the unfair and implicit supposition that Israel's conduct deserves greater scrutiny than any other country.

We will continue to press for the abolition of Item 7, which only undermines the credibility of the world's leading human rights forum.

However, our votes do not mean that we will hold back from voicing or raising concern about Israel's actions when warranted. The UN, and its member states, have every right to address these grave matters in a measured, balanced and proportionate way. In future, Britain will continue to support scrutiny of Israel and the OPTs in the HRC, so long as this scrutiny is justified, proportionate and is not proposed under Item 7. This was why we abstained on the resolution calling for Israel to be held accountable for its actions in Gaza when it was tabled under Item 2. Our abstention followed from our position in May 2018, when we abstained on the resolution that created the Commission of Inquiry into the Gaza protests. Our expectation is that accountability must be pursued impartially, fairly, and in a balanced manner. We could not support a resolution welcoming an international investigation into violence in Gaza that refused to call explicitly for an investigation into the action of non-state actors such as Hamas.

Israelis and Palestinians deserve to live in peace and security. It is vital that all parties redouble their efforts to move towards renewed negotiations and the goal of a two-state solution.

Wimberly Mithen,
MM

The Rt Hon Mark Field MP
Minister of State