# Legal challenge intensifies over UK arms exports linked to Gaza civilian casualties



A striking protest in London highlighted the ongoing tensions surrounding the UK's arms exports to Israel, particularly concerning the controversial F-35 fighter jets. At the forefront of this demonstration was a man wearing a satirical mask of Labour leader Sir Keir Starmer, brandishing a replica MK-84 bomb, symbolic of the moral dilemmas entwined in military aid and international law. This protest is underscored by a significant legal challenge initiated by the Global Legal Action Network and the Palestinian human rights group Al-Haq, which has filed suit against the British government for continuing to supply components for F-35s, despite an acknowledged risk that these could be used in breaches of international humanitarian law.

The backdrop of this legal battle centres on the UK government's suspension of certain arms export licenses to Israel that came into effect in September 2024, following disturbing reports of civilian casualties during conflicts in Gaza. Despite this suspension, the UK has rationalised the ongoing export of F-35 components, citing obligations to NATO and concerns for global security. The government maintains it does not possess "actual knowledge" that these components would be misused, a claim that has been met with scepticism from campaigners and legal experts alike.

Al-Haq's complaint is particularly urgent, given the grim statistics emerging from Gaza; over 46,000 fatalities have been reported, a situation described by many critics as a humanitarian catastrophe. The arms transfers continue amid growing calls—over 230 global civil society organisations have urged an immediate halt to such sales—stressing that the implicit complicity in international crimes cannot be ignored. Activists argue that indirect exports via the United States does not absolve the UK of responsibility, particularly when acknowledging the potential for F-35 components to facilitate serious breaches of international law.

The UK government’s stance has been vigorously challenged. Shawan Jabarin, Al-Haq’s general director, has accused it of "utter contempt" for Palestinian lives, given its decision to maintain exports despite admitting the likelihood of misuse. As the legal proceedings progress, they are set to confront not only moral imperatives but the UK’s obligations under international law, particularly the Geneva Conventions, which compel states to prevent genocide and protect civilians in conflict zones.

In an international context, similar legal challenges are surfacing in other nations, such as the Netherlands, where courts are assessing the legality of arms sales to Israel in light of allegations of war crimes. The implications of these cases may resonate beyond national boundaries, reinforcing a global movement towards stricter scrutiny of military support provided to states engaged in conflicts that inherently violate human rights.

As the legal challenges unfold, it remains to be seen how the UK government will reconcile its defence commitments with its legal and moral responsibilities towards civilians in Gaza. The ramifications of this case could not only reshape the UK's approach to arms exports but may also trigger broader discussions on accountability in international arms trade, especially pertaining to ongoing humanitarian crises. The situation vividly encapsulates the complex interplay of politics, law, and ethics, challenging all involved to consider the true costs of military collaborations.

**Reference Map:**

1. Paragraphs 1, 2, 3
2. Paragraphs 2, 3
3. Paragraphs 2, 3
4. Paragraph 6
5. Paragraphs 2, 5
6. Paragraphs 6
7. Paragraph 4

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.theguardian.com/news/gallery/2025/may/12/an-arms-trade-protest-and-a-tyre-change-photos-of-the-day-monday> - Please view link - unable to able to access data
2. <https://www.ft.com/content/2e20a05d-4290-4fb2-94a4-b3f587289722> - The UK government, led by Sir Keir Starmer, is facing a High Court judicial review initiated by the Palestinian human rights group Al-Haq regarding its continued export of components used in the F-35 fighter jets deployed by Israel. Although the Labour government suspended some arms export licences to Israel in September due to allegations of breaches in international humanitarian law during operations in Gaza, it allowed the continued export of F-35 components, citing global obligations and potential risks to international security, particularly for NATO. The government argues there was no “actual knowledge” of breaches, while campaigners claim the decision fails to meet the UK's duty to prevent genocide and protect civilians under the Geneva Conventions. They argue that the indirect export of parts to Israel via the U.S. does not lessen their role in the conflict. The government maintains that its actions are consistent with domestic and international law, while campaigners criticize the rationale as flawed and insufficient in addressing the legal and humanitarian implications.
3. <https://www.reuters.com/world/2024/11/18/palestinian-ngo-ask-uk-court-block-f-35-parts-israel-over-gaza-war/> - A Palestinian NGO, Al-Haq, is challenging the UK in court over its export of F-35 fighter jet parts to Israel, arguing that these components could be used in violation of international humanitarian law in Gaza. Despite suspending several arms export licenses, the UK exempted F-35 parts, citing global program impacts. British government acknowledges potential breaches of humanitarian law by Israel but opted to continue supplying F-35 components to maintain international peace and security. The legal proceedings follow significant casualties in the Gaza conflict, with over 43,800 deaths reported by Hamas's Gaza health ministry since October 2023. Al-Haq's case against the UK's Department for Business and Trade will likely be heard in early 2025.
4. <https://apnews.com/article/8d9596666f269d44b1653d3ac1cd2afd> - A Dutch court is examining a lawsuit arguing that the Netherlands is violating international law by selling weapons to Israel. Pro-Palestinian activists assert that these arms sales contravene the 1948 Genocide Convention. This follows the International Criminal Court's issuance of arrest warrants for Israeli Prime Minister Benjamin Netanyahu and other officials for alleged war crimes during a 13-month conflict in Gaza. The Hague District Court will decide on December 13 whether to ban Dutch arms exports to Israel, having already halted the export of F-35 parts earlier. Dutch officials deny any wrongdoing, emphasizing thorough consideration of international obligations. The Dutch Foreign Minister has confirmed that any arrival of Netanyahu on Dutch soil would result in his arrest as per ICC obligations. This has stirred political reactions, notably from right-wing leader Geert Wilders, reflecting tensions within the Dutch coalition government.
5. <https://www.alhaq.org/advocacy/24710.html> - On 20 September 2024, the Global Legal Action Network (GLAN) and Al-Haq wrote to UK Prime Minister Keir Starmer, and government ministers Foreign Secretary David Lammy, the Secretary of State for Business and Trade, Jonathan Reynolds and Defence Secretary, John Healey putting them on notice of their potential criminal liability for atrocity crimes currently being carried out in the Occupied Palestinian Territory (“oPt”) by Israel. The deployment of F-35s by Israel has been repeatedly confirmed including their role in dropping 2000 lb bombs on densely populated areas of Gaza. Recent reports link F-35s to Israel’s attack on a ‘safe zone’ in Al-Mawasi which killed 90 Palestinians and injured another 300. The letters come just one day after 39 United Nations (UN) independent experts warned that the recent International Court of Justice’s Advisory Opinion, concluding that “Israel’s continued presence in the [oPt] is unlawful” and must end “as rapidly as possible”, requires states to “impose a full arms embargo on Israel, halting all arms agreements, imports, exports and transfers, including of dual-use items that could be used against the Palestinian population under occupation”. The letter to government ministers details the legal framework under which ministers and companies risk incurring criminal liability and sets out an overview of the evidence of Israeli criminal conduct. Through its partial revocation of arms licenses on 2 September, the UK Government has recognised that there is a clear risk that UK weapons are being used to breach IHL. These letters put ministers and arms companies on notice that if they continue to facilitate the transfer of F-35 fighter jets, they could be indicted for aiding and abetting war crimes, and then be tried by a jury of their peers. UK officials and businessmen cannot reasonably expect impunity for providing material assistance to a state credibly accused of genocide.
6. <https://www.alhaq.org/advocacy/25926.html> - Over 230 global civil society organisations have called on governments producing F-35 fighter jets to immediately halt all arms transfers to Israel, including the F-35 jets. The F-35 jet programme partners include Australia, Canada, Denmark, Italy, the Netherlands, Norway, UK and US (lead partner). Civil society organisations around the world have taken legal action to hold their governments accountable for the F-35 programme, and complicity in Israel’s crimes in Gaza. This letter has been sent to the relevant Government Ministers of F-35 programme partner nations, which include: Australia, Canada, Denmark, Italy, the Netherlands, Norway, UK and US. We write to you as a group of organisations from partner countries to the global F-35 jet programme, and supportive organisations, calling on our Governments to immediately halt all arms transfers to Israel, directly and indirectly, including F-35 fighter jets, components, and spare parts thereof. After 466 days of Israel’s military offensive in Gaza, we welcome the limited ceasefire which came into effect on 19 January, and call on our Governments to support every effort to permanently end the ongoing atrocities. The past 16 months have illustrated with devastating clarity that Israel is not committed to complying with international law. The fragility of the Gaza ceasefire underscores the risk of further violations and the need to halt arms exports to Israel, including F-35s. This is also highlighted by Israel’s continued illegal use of military fighter jets in the occupied West Bank, especially Jenin. This includes, but is not limited to, Israel’s ongoing occupation and annexation of the Palestinian territories, which the International Court of Justice (ICJ) concluded is unlawful. Israel has killed more than 46,707 people in Gaza and the remains of an estimated 10,000 more people are still under the rubble. At least 90 percent of Palestinians in Gaza have been forcibly displaced, in conditions unfit for human survival. Israeli forces have repeatedly attacked civilian objects, including aid distribution sites, tents, hospitals, schools and markets. Around 69 percent of all structures in Gaza have been destroyed or damaged by the bombardment. Despite these devastating realities and crimes on the ground, our governments have continued to supply Israel through the F-35 programme. Governments from a number of F-35 partner countries – namely Canada, Denmark, Italy, the Netherlands, and the UK – have restricted some arms exports to Israel due to the risk of these weapons being used by Israel to commit violations of international law in Gaza. In September 2024, the UK government found that it was “unable to conclude anything other than” that for certain UK arms exports to Israel, including F-35 jets, there is a clear risk that they might be used to commit or facilitate a serious violation of international humanitarian law in Gaza. Alarmingly, despite these irrefutable admissions, there has been a concerted effort to sustain the transfer of components to the F-35 programme, allowing for ongoing direct and indirect transfer to Israel.
7. <https://www.theguardian.com/world/2025/jan/14/no-human-rights-concern-would-stop-uk-selling-f-35-parts-for-israel-say-ngos> - If F-35s using British parts were used “by Israel or senior Israeli officials to commit or facilitate serious violations” of humanitarian law, lawyers for the campaigners argue, ministers “would not even take them into account”. Their position is based on a previous submission from the government’s legal team. That said the UK accepts that the UK-made components for F-35 jets “might be used” by Israel to commit war crimes. But, the government argues, the continued export of F-35 components was nevertheless justified for wider reasons of “international peace and security”, because the fighter jets parts are supplied to a wider pool of countries as well as Israel. Shawan Jabarin, Al-Haq’s general director, accused the government of displaying “utter contempt” for Palestinian life. “It is outrageous that, despite acknowledging the clear risk that F-35 components could be used by Israel to commit serious violations of international law, including genocide, the government continues to export the components,” Jabarin added.