

The UK's partial suspension of arms export licences to Israel, and the F-35 exemption: a briefing

On 2 September, the UK government announced that it was suspending around 30 arms export sales to Israel, covering equipment that was due to go to the Israeli military, and that the government assessed were for use in Gaza. This was out of a total of around 350 currently valid export licences for military and dual-use goods to Israel.

Licences were suspended for items including components for fighter jets and unmanned air vehicles, as well as equipment used to assist in targeting. This decision was made on the grounds that there was a 'clear risk' such equipment might be used to commit serious violations of International Humanitarian Law (IHL – also known as the 'laws of war' – which include the Geneva Conventions, and which forbids attacks targeting civilians). Assessing this risk is required by the UK's Strategic Export Licensing Criteria, under Criterion 2c.

This is a welcome step. It is the first time the UK government has acknowledged the obvious reality that Israel is violating international law in Gaza, and the first practical step, as opposed to merely rhetorical, to hold Israel accountable for its actions.

But there is one huge, glaring omission: the government exempted the crucial supply of components for Israel's F-35 fighter aircraft from the partial suspension.

In this briefing, we explain what the F-35 is, the UK's role in it, and why the supply of components for Israel's F-35s is so important. We also talk about other aspects of the partial suspension of export licences, and their limitations.

Key points:

- **The F-35 is almost certainly the single largest and most important part of the UK arms trade with Israel.** This makes the UK directly complicit in Israel’s genocidal acts.
- The value of UK parts in the 39 planes delivered to Israel so far since 2016 is about \$468m, or roughly £360 million. This is almost three times as much as the value of all the other aircraft-related licences to Israel over the same period.
- **The figures often given in the media, based on government data for the value of UK arms exports to Israel, are vastly understated, as all the F-35 exports are excluded.**
- In 2023, the F-35 “Open General Export Licence” (OGEL) was used to deliver equipment to Israel a total of 14 times, the most of any year since it was issued in 2016. (The next highest year was 5).
- While only a small proportion of F-35s go to Israel, overall **the F-35 programme is worth billions a year to the UK arms industry.** UK arms companies have **\$7.8 billion** worth of open contracts for production for the F-35, of which BAE Systems alone accounts for \$6.6 billion.

Section 1: The F-35

1.1 What is the F-35?

The F-35 is an advanced stealth fighter aircraft produced primarily by Lockheed Martin in the US. It is the most expensive military programme in history. While the US is the lead producer, many other countries are involved in producing parts for the F-35, including Australia, Canada, Denmark, Italy, Japan, the Netherlands, Norway, and the UK. Around 20 countries use the F-35, including all the above – and Israel.

1.2 Israel’s use of the F-35

Israel has 39 F-35s, with a further 36 on order. Israel has used these aircraft, along with its other US-made F-15 and F-16 fighters, in its genocidal assault on Gaza since 8 October, 2023. All three types of aircraft have been equipped with US-made 2000lb bombs, that have been used in some of the most devastating attacks. On 2 September 2024, the very day the government made its announcement, Danish NGO Danwatch revealed that an F-35 was used in July to drop three 2000lb bombs in an attack on a so-called “safe zone” on Al-Mawasi in Khan Younis, killing 90 people. The attack almost certainly violated IHL and may well have been a war crime.¹

¹ In general, while fragments of bombs and missiles are often found at the scene of attacks, since all the aircraft can carry the same munitions, it is rare for the aircraft responsible to be identified. In this case, Danwatch found evidence, and actually received confirmation from the Israeli military.

1.3 The UK and the F-35

Of all the countries involved in the F-35 outside the US, the UK is by far the most important, and is the only “[Level 1 partner](#)”. 15% by value of every F-35 aircraft produced is made in the UK. The [current unit cost](#) of an F-35 is about \$80 million, which makes the UK share of each plane worth \$12m. This makes the value of UK parts in the 39 planes delivered to Israel since 2016 about \$468m, or roughly £360 million.² This is almost three times as much as the value of all the other aircraft-related licences to Israel over the same period.³

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Key components and subsystems [made in the UK](#) include:

- The rear fuselage, produced by BAE Systems in Samlesbury, Lancashire
- The active interceptor system, produced by BAE Systems in Rochester, Kent
- The targeting lasers for the F-35’s electro-optic targeting system, produced by Leonardo in Edinburgh
- The bomb release cables for the F-35, made by L3Harris in Brighton

At least 79 UK companies are involved in the production of the F-35. Details are shown on an [interactive map](#) designed by Campaign Against Arms Trade.⁴

1.4 The F-35 Open General Export Licence

Exports of UK components for the F-35 do not go via the normal licensing system. There is a special “[Open General Export Licence](#)” (OGEL) covering the F-35 programme⁵ that was first issued by the government in 2016. Companies can register for this licence (the 79 companies referred to above are those that were registered in October 2023), and then, subject to certain administrative conditions, they can freely export any equipment for the F-35 programme without individual licences. The government does not even keep records of how much is actually exported using an OGEL, and the value of goods exported under an OGEL is not included in statistics for the value of export licences issued. This means the figures often given in the media, based on government data for the value of UK arms exports to Israel, are vastly understated, as all the F-35 exports are excluded. (See below).

2 This is a conservative estimate for two reasons: 1) The unit cost of earlier production lots was higher, but have come down over time; 2) this is specifically the cost for an F-35A, which operates with conventional take-off and landing and constitutes the majority of planes produced, but the F-35B Short Take-Off Vertical Landing (STOVL) version used by the UK, and the carrier-based F-35C, are more expensive.

3 Out of single export licences to Israel, the category of equipment with the highest value since 2016 is “technology” (ML22), at £183m. Almost all of this was from a single licence in 2017 for “technology for military radars”, worth £182.4 million. We do not have any information on what sort of radar system this was for. The next largest category was aircraft and components (ML10), with £125 million. No other category had more than £44m worth of licences.

4 Of these, at least two, Rolls-Royce and Mission Systems Wimborne, produce significant subsystems for the F-35, but NOT for the version used by Israel. Rolls-Royce produce the “active lift system” for the F-35B, while Mission Systems Wimborne produces the air-to-air refuelling pods used by the F-35B and F-35C. Israel uses its own customised version of the F-35A, known as the F-35I Adir.

5 There are many such [OGELs](#) issued by the government for a variety of purposes.

What do reported figures for the value of arms exports to Israel mean, and what do they leave out?

Based on government [export licence data](#), also reproduced in CAAT's online [database](#), the total value of "Single Individual Export Licences" (SIELs) for UK arms sales to Israel between 2015-23 was **£492 million**. This figure, or similar figures for other periods, is what is most often cited in the media when discussing the value of the UK arms trade to Israel. On an annual basis, the values were:

Table: Value of military SIELs to Israel 2015-23

Year	Value (£m)
2015:	20
2016:	86
2017:	221
2018:	22
2019:	27
2020:	31
2021:	24
2022:	42
2023:	18

However, these SIELs are only one type of export licence. They allow the export of a limited quantity and value of equipment to a particular destination, and are valid for 2 years. They are the only type of licence with a financial value attached. The other types of licences are:

Open Individual Export Licences (OIELs):

These allow the export of an *unlimited* quantity of specified equipment to one or more destinations, and are valid for 3 or 5 years. As the quantity is unlimited, they do not have a financial value attached. Between 2015-23, a total of 49 OIELs for export of military equipment to Israel were issued. In many cases, these covered a large number of recipient countries, so we do not know how much, if any, was actually exported to Israel, and it is not even possible to make a

meaningful estimate. Some of these OIELs may have been suspended as a result of the government's decision of 2nd September.

Open General Export Licences (OGELs):

These are different from other export licences. Instead of companies applying for them, the government issues them in advance and invites companies to register for them. Registered companies can, subject to certain conditions, then export unlimited quantities of equipment covered by the OGEL to the list of authorised countries (often a very long list), without applying for further licences. OGELs are valid indefinitely, until withdrawn or amended. OGELs may cover specific weapons programmes, like the F-35, specific types of equipment, or limited purposes such as exporting equipment to be repaired and then returned to the UK.

Eleven OGELs for military goods included Israel as an authorised recipient. On 2 September, the government removed Israel from the list of authorised recipients for five of these licenses. However, by far the most important is the OGEL covering the F-35 programme. As discussed above, we estimate that the value of UK components used to produce Israel's F-35s is at least **£360 million** since 2016. This is because 15% of each F-35 is produced in the UK. *But this only covers the value of initial production of the aircraft, not subsequent deliveries of spare parts.*

CAAT estimates that open licenses cover roughly half of all UK arms exports. This, combined with the fact it is impossible to know how much equipment is actually exported using these licenses, means there is a severe lack of transparency in the UK arms export system. CAAT has long [argued](#) for major changes in this area to enable a proper, informed public debate about UK arms.

1.5 Spare parts

The involvement of the UK arms industry in the F-35, including Israel's F-35s, doesn't stop with their initial production. Keeping an advanced combat aircraft like the F-35 flying is not a simple matter, and such aircraft are very hungry consumers of spare parts. This is even more so when they are being used in high intensity combat operations, as Israel is doing in Gaza.

Shortly after the start of the current war, it was reported that the US was rushing spare parts and additional capabilities for the F-35 to Israel to assist in their operations. At a Congressional hearing in December, one official stated that they were working 'at breakneck speed' to deliver more spare parts for the F-35 to Israel.

The UK is very much involved in the 'global supply chain' for spare parts for the F-35, including for Israel. While some such parts will be delivered directly to Israel, most spares will go into common stockpiles kept in the US and other locations. From there they can be exported to any of the countries using the F-35 as needed, again including Israel.

Without the continuous supply of spare parts from the UK, as well as other producer countries, it would be impossible for Israel to keep using the F-35s to bomb Gaza.

1.6 Use of the F-35 OGEL

While the government does not collect information on the amount or value of goods exported using OGELs, companies registered for an OGEL are required to make annual returns to the government stating *how many times* they have used the OGEL to make a shipment to each destination country. This information is only published in a highly aggregated form, showing the total number of times all OGELs have been used by *any* company to export to each country.

However, in 2024 CAAT obtained information through Freedom of Information (FOI) requests on the total number of times the F-35 OGEL was specifically used to deliver equipment to Israel each year since it was issued in 2016.⁶ The figures are shown in the table below.

Table: Number of usages of the F-35 OGEL to export equipment to Israel per year, 2017-2023

Year	Number of uses
2017:	5
2018:	2
2019:	1
2020:	2
2021:	5
2022:	5
2023:	14

⁶ FOI responses by the Department for Business and Trade available from CAAT on request

This only covers direct exports of material to Israel, not exports to the US of components to build new F-35s to go to Israel, nor exports of spares to the global stockpiles that were subsequently delivered to Israel.

The surge in the number of shipments in 2023 is noteworthy. We do not know *when* in any year deliveries occurred, or how much was delivered each time, but this jump very likely indicates an increased demand by Israel for spare parts since 7 October.

1.7 The F-35 exemption

As stated at the beginning of this briefing, in announcing the suspension of licences for military equipment that Israel was likely to use in Gaza, the government made a specific exception for components for the F-35. To be precise, they have amended the F-35 OGEL so that it can no longer be used to send components directly to Israel (the deliveries discussed in 1.6 above) – but it still allows components to be exported freely to Israel, provided they go via another country involved in the F-35 first.⁷ This includes both components that go to the US to be put into new aircraft for Israel, and spare parts going into the global stockpiles that may then go to Israel.

This means that the government is allowing the single most significant part of UK arms sales to Israel to continue, and with it the UK's complicity in the genocide in Gaza.

1.8 Bending the rules: why is the government exempting the F-35 from the suspension?

The government claims that it is not possible to stop UK components for the F-35 going to Israel via other partner countries without disrupting the entire global supply chain for the F-35, on which both the UK and its allies depend. It therefore argues that stopping these spare parts would harm the UK's security and defence. But there are several problems with this claim.

Firstly, the government is admitting that there is a 'clear risk' that UK components for military equipment sent to Israel could be used to commit or facilitate serious violations of IHL – potentially, war crimes. It has suspended licences for components for fighter aircraft, and has even suspended the *direct* supply of components for the F-35 to Israel, thus acknowledging that this clear risk applies specifically to the F-35s. **This risk must therefore also exist for components supplied indirectly.** UK law on arms export licences *requires* that exports must be stopped when such a clear risk exists. The government is making up a special exception to the rules as it goes along.

⁷ The section of the OGEL that has been amended is Section 4.1.

1.9 International law

Moreover, the UK has commitments under international law. This includes the Genocide Convention, which requires that all states must take whatever steps they can to prevent the crime of genocide. The International Court of Justice (ICJ) in The Hague has ruled that it is at least ‘plausible’ that Israel is committing crimes covered by the Genocide Convention.

The International Court of Justice (ICJ) ruling imposed provisional measures on Israel to prevent genocide against the Palestinian people in Gaza. The ICJ found that the measures were necessary “to protect the rights claimed by South Africa that the Court has found to be plausible,” including “the right of the Palestinians in Gaza to be protected from acts of genocide.” The UK government is at risk of failing to take action to prevent genocide.

Under both relevant international and domestic law, the UK is required to prevent the transfer of military equipment and technology, including parts and components, where there is a clear or overriding risk that such equipment and technology might be used to commit or facilitate a serious violation of international humanitarian law or international human rights law. These binding obligations are contained within Articles 6 and 7 of the International Arms Trade Treaty (ATT) as well as criteria one and two of the UK’s Strategic Export Licensing Criteria (SELC).

The UK is prioritising the supply chain for one particular weapon system above upholding international law, and above avoiding complicity in war crimes and even genocide.

1.10 Impossible... or inconvenient?

Finally, the government’s claim that it is impossible to stop the indirect supply of F-35 components to Israel without disrupting the supply chain for all countries involved is highly questionable. Legally, there is nothing to stop the government from simply removing Israel completely from the list of authorised recipient countries on the OGEL. Logistically, while it might add complications to ensure that no component from the UK sent to one of the other F-35 partners ends up in Israel, given modern electronic stockpile management techniques that allow for the tracing of every single item, it is hard to believe it is impossible.

CAAT suspects that the real reason the government is refusing to stop the supply of F-35 parts to Israel is that this would damage relations with the US, and might lead to the US reducing the UK’s role in the F-35 programme in the future. While only a small proportion of F-35s go to Israel, overall, **the F-35 programme is worth billions a year to the UK arms industry.** UK arms companies have **\$7.8 billion** worth of open contracts for production for the F-35, of which BAE Systems alone accounts for \$6.6 billion. **The reality is that the UK is placing its relations with the US and the profits of the arms industry above international law and the lives of Palestinian people.**

Section 2 – Other export licences

In its announcement of 2 September, the government said they were suspending around 30 export licences for arms to Israel, out of 350 export licences that were valid at the time. This seems like a very small proportion. What about the other 320 licences? How concerned should we be about these?

2.1 Dual use

Firstly, export licences are required for the export of both military and ‘dual-use’ goods – that is goods that can have military or civilian uses. Typically, the great majority of dual use licences are for civilian applications, e.g. for (civil) industrial purposes. We don’t know how many of these 350 licences were military or dual-use, but from 2019-2023, a little over half of all export licences to Israel were dual-use. Since 7 October 2023, this proportion has increased. In June, the government reported that between 7 October 2023 and 31 May 2024, it had issued 42 military and 66 dual-use export licences to Israel. There are suggestions that since the Labour government took power the processing of new arms export licence applications to Israel was ‘paused pending review’. This would likely make the dual-use share of the 350 still valid licences even higher.

Does that mean there isn’t a problem with these licences and that they are not being used in Israel’s genocide and occupation? Not necessarily. Some dual use equipment, such as ‘information security equipment’, may well be used as part of Israel’s system of surveillance and repression of Palestinian people. Other equipment and materials for industrial use may be for companies that are not themselves arms companies, but which supply the Israeli arms industry, along with other civil customers. Without knowing more about the type of goods covered by these licences, and their end-users within Israel, it is not possible to be certain whether some of the goods exported might ultimately contribute to Israel’s war machine.

2.2 Military licences – who is the end user?

This still probably leaves a large number of military licences that have not been suspended. How big a problem this is depends on what sort of equipment it is, and who it is for.

Some military equipment, such as armoured vehicles or body armour, is licenced for export for use by the UN, NGOs, or diplomatic missions operating in Israel and the Occupied Palestinian Territories. Several such licences were issued in the last quarter of 2023, for example. These are not a problem, and CAAT would accept that such licences could be exempted from any arms embargo against Israel.

2.3 'Incorporation' licences for onward export

Some licences, called “incorporation licences”, allow the export of components to country A, typically to the arms industry in that country, to be used (‘incorporated’) in the production of weapons or weapons systems that are then exported to country B. Companies seeking to export components in this way must declare the ultimate recipients of the equipment (one or more country B), as well as the initial recipient (country A).

As Israel is itself a major arms producer and exporter, there are many such incorporation licences allowing UK companies to export components to Israel to be incorporated into equipment then sold to other countries. India, for example, is a major importer of Israeli arms, and is a regular final destination for incorporation licences to Israel.

These licences have almost certainly not been suspended, as the government would say that they are ultimately going to a third country, and therefore would not be used in Gaza. But there are two big problems with this:

1) There is no guarantee that all the components exported to Israel under incorporation licences end up being re-exported. The exporting company must declare any possible third country recipients they know about – but it is still possible that, while some of the components go into weapons that are re-exported, others go into weapons for Israel’s own use. **The government does not even track what happens to such components after they are exported from the UK.**

2) The Israeli arms industry is large, highly advanced, and growing. Like the UK arms industry, it exports arms to repressive regimes and fuels conflicts around the world. It is also a crucial supplier to the Israeli military - for example almost all of Israel’s UAVs (drones) are domestically produced. As Israel is a relatively small country, this industry depends crucially on exports to remain viable.

UK exports that help the Israeli arms industry produce weapons for export therefore help sustain and strengthen that industry, and therefore support Israel’s brutal repression of the Palestinian people.

2.4 Other licences for the Israeli military

Some of the roughly 320 licences that were not suspended are nonetheless for the Israeli military, the Israel Defence Forces (IDF). The statement said that this was for equipment the government considered would not be used in Gaza. As examples, the statement cited components for trainer aircraft and some naval equipment.

But while trainer aircraft may not be used directly to bomb Gaza or the West Bank, they are obviously essential for training the pilots that do carry out these bombings. Even if – as we certainly hope – the current Gaza war ends before any current trainee pilots are in action, so long as Israel’s illegal occupation of the

Palestinian territories continues, all arms exports for the Israeli military risk complicity with the occupation.

As for naval equipment, Israel has used warships, specifically German Saar-class corvettes, to shell Gaza, as recently as July. In 2009, the then-Labour government admitted these ships contained UK components. The licences in question may be for other types of warship (published export licence information is never specific), but in general, even if Israel is not using certain weapons now, there is no guarantee it will not do so in the future.

Conclusion: So what should the government do?

CAAT has, for a long time, called for a complete two-way arms embargo on Israel – no arms exports, and no arms imports, as the latter support Israel’s deadly arms industry. No exceptions for F-35s, and no exceptions based on exactly what weapons Israel might or might not use in its genocidal campaign and illegal occupation and apartheid regime right now. The only exceptions should be, as noted, for equipment for use by the UN, humanitarian organisations, diplomatic missions, etc. A full dual-use embargo may not be necessary, but the government should exercise the strictest caution over exactly what is exported, who it is used by, and how.

When Russia annexed Crimea and invaded eastern Ukraine in 2014, the EU (including the UK) imposed an arms embargo, which was further tightened after Russia’s full invasion in 2022. There was no quibbling about exactly what weapons Russia was using in Ukraine, or whether certain components were for export to other countries. The same should apply to Israel. Its military has killed over 41,500 Palestinians in Gaza, continues to kill dozens more every day, and has reduced the entire Gaza Strip to a virtually uninhabitable wasteland, and is now extending this brutal war to Lebanon. This is no time for excuses or half-measures.