The Rt Hon Jonathan Reynolds MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building, Admiralty Place
London SW1A 2DY

Cc: The Rt Hon David Lammy MP, Secretary of State for Foreign, Commonwealth and Development Affairs,
The Rt Hon Lord Hermer KC, Attorney General,
Hamish Falconer MP, Parliamentary Under-Secretary of State (Middle East)

18 September 2024

Dear Secretary of State,

Reviewing trade relations with Israel to ensure full compliance with the UK's international legal obligations and uphold respect for human rights

We write as human rights, development, humanitarian and faith-based organisations concerned that the UK government should actively commit to upholding human rights and international law through its trade and diplomatic relationships.

We believe that one of your most urgent and critical actions is to address trade relations with Israel and to ensure the UK's full compliance with its international legal obligations. We note your statement on 29 July 2024 which committed to delivering trade talks with Israel, amongst other priority countries.

On 19 July 2024, the International Court of Justice (ICJ) issued legal findings that Israel's serious breaches of international law in the occupied Palestinian territory render its presence there to be a continuing “internationally wrongful act” that must “end as rapidly as possible”. The ICJ’s advisory opinion, together with international humanitarian law, entails legal responsibilities on all third States to take measures to ensure the termination of Israel's unlawful occupation.

As clarified by the authoritative ICJ advisory opinion, it is essential for the UK and all other third States to ensure that they act in full conformity with their obligations under international law not to recognise as lawful, nor aid or assist, the situation created by Israel's “unlawful presence” in the occupied Palestinian territory. The UK must also fully comply with its related obligation under international law to cooperate to lawfully bring this illegal situation to an end.

We accordingly believe it is a clear matter of necessity for your department to immediately undertake a **thorough review** of the existing UK-Israel Trade and Partnership Agreement and its associated trade privileges, as well as its current negotiating strategy with Israel on a new free trade agreement, so as to ensure that the UK government is acting in full compliance with its international obligations in response to Israel's internationally wrongful acts.

Given the gravity of Israel's serious breaches of international law as determined by the ICJ, in addition to recent exceptionally serious findings of violations of international humanitarian and human rights law made by several independent international bodies on Israel's use of force and accompanying policies in Gaza, we further believe it is necessary for the UK government to suspend its existing trade agreement with Israel and the current negotiations over a free trade agreement, pending the outcome of a thorough review and the end of widespread and systematic human rights violations committed by Israeli authorities in Gaza, the West Bank and Israel. You will be aware that the existing trade agreement incorporates respect for human rights as an 'essential element' of the agreement, entitling the UK to invoke its breach as a ground to terminate or suspend the agreement in whole or in part.

This action would be consistent with the ICJ's order on 26 January 2024 – reaffirmed on 28 March 2024 and 24 May 2024 – when it imposed provisional measures requiring Israel to prevent the commission of all acts of genocide and related prohibited acts against the Palestinian people in Gaza, and the Court's related clarification in Bosnia v. Serbia that the legal '*duty to prevent*' extends to all third States, including where: "if the State has available to it means likely to have a deterrent effect on those suspected of preparing genocide, or reasonably suspected of harbouring specific intent, it is under a duty to make such use of these means as the circumstances permit."

In addition to these core requests, we would be grateful for clarity from your department to related key questions:

- **What assessment has the government made of the legality of continuing to allow entry of imports made in whole or in part in Israel's illegal settlements into the UK?** Settlements are illegal and also constitute a material act of *de facto* annexation. Consecutive Conservative and Labour governments have correctly adopted the position of non-recognition of Israeli settlements due to their illegality under international law. But there is a glaring anomaly: settlement products are permitted entry into the UK. This is not logically consistent with the legal obligation of non-recognition, and manifestly appears to amount to aiding and assisting the maintenance of an unlawful situation given that such imports help to sustain Israel's settlement economy and to further the forcible transfer of Palestinians from their homes and land. In our view it is unquestionable that this anomaly must be rapidly rectified by your government through banning the import of settlement products. To buttress this position, we note that the violations of human rights associated with the settlements are pervasive and devastating, with the recent ICJ advisory opinion finding that Israel's settlement related measures and legislation treating "Palestinians differently from settlers" in the West Bank and East Jerusalem constitutes a breach of Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination. This provision refers to two particularly severe forms of racial discrimination: racial segregation and apartheid.
- **Please can you provide specific assurance that it shall indeed be a clear red line for your government department that any future trade agreement with Israel must incorporate a territorial clause that unequivocally excludes the agreement's applicability to the territories occupied by Israel since June 1967?**
- **What tangible steps will the UK government take on the specific issue of preventing investment support for settlements** in light of the ICJ's determination on 19 July 2024 that the duty of distinguishing dealings with Israel between its own territory and the occupied Palestinian territory encompasses, among other things, the obligation "to take steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the Occupied Palestinian Territory"?
- **What assessment has the government made of the risks of its ongoing and enhanced security, defence, science and technology relationships with Israel under the 2030 roadmap?**
- **Has the government obtained legal advice, or is it in the process of obtaining legal advice, on suspending the UK-Israel Trade and Partnership Agreement in light of the present grave context?**

Finally, we emphasise that Israel's serious breaches of international law as found by the ICJ, coupled with decades of lack of application of consequences, is a core driver of poverty, deprivation and the perpetual humanitarian crisis in the occupied Palestinian territory.

We would like to express our willingness to meet in constructive conversation with you and your colleagues to ensure that our common aim of upholding human rights and international law is vitally achieved by your government.

Thank you in advance for your kind attention and we would be grateful for your carefully considered response.

Yours sincerely,

1. Tareq Shrourou, Director, Lawyers for Palestinian Human Rights
2. Nick Dearden, Director, Global Justice Now
3. Sacha Deshmukh, Chief Executive, Amnesty International UK
4. Asad Rehman, Executive Director, War on Want
5. Hannah Bond, Co-CEO, Action Aid UK
6. Rt Rev Daniel Burton, Chair, Action around Bethlehem Children with Disability
7. Othman Moqbel, CEO Action for Humanity
8. Chris Rose, Director, Amos Trust
9. Dr Christine Allen, Executive Director, CAFOD
10. William Bell, Head of Middle East Region, Christian Aid
11. Chris Doyle, Director, Council for Arab-British Understanding
12. Jamie Eyre, Chief Executive, Embrace the Middle East
13. Jamie Peters, CEO (interim), Friends of the Earth England, Wales and Northern Ireland
14. Nehad Khanfer, Chair, Friends of Nablus and Surrounding Areas
15. George Graham, Chief Executive, Humanity & Inclusion UK
16. Dr Essam Mustafa, Managing Trustee, Interpal
17. Steve Cutts, Interim CEO, Medical Aid for Palestinians
18. Halima Begum, CEO, Oxfam GB
19. Paul Parker, Recording Clerk, Quakers in Britain
20. Charlotte Marshall, Director, Sabeel-Kairos UK
21. Susana Klien, CEO, Saferworld
22. Lorraine Currie, Chief Executive, Scottish Catholic International Aid Fund
23. Tom Wills, Director, Trade Justice Movement
24. Caoimhe de Barra, CEO, Trocaire
25. Caroline Qutteneh, Director, Welfare Association