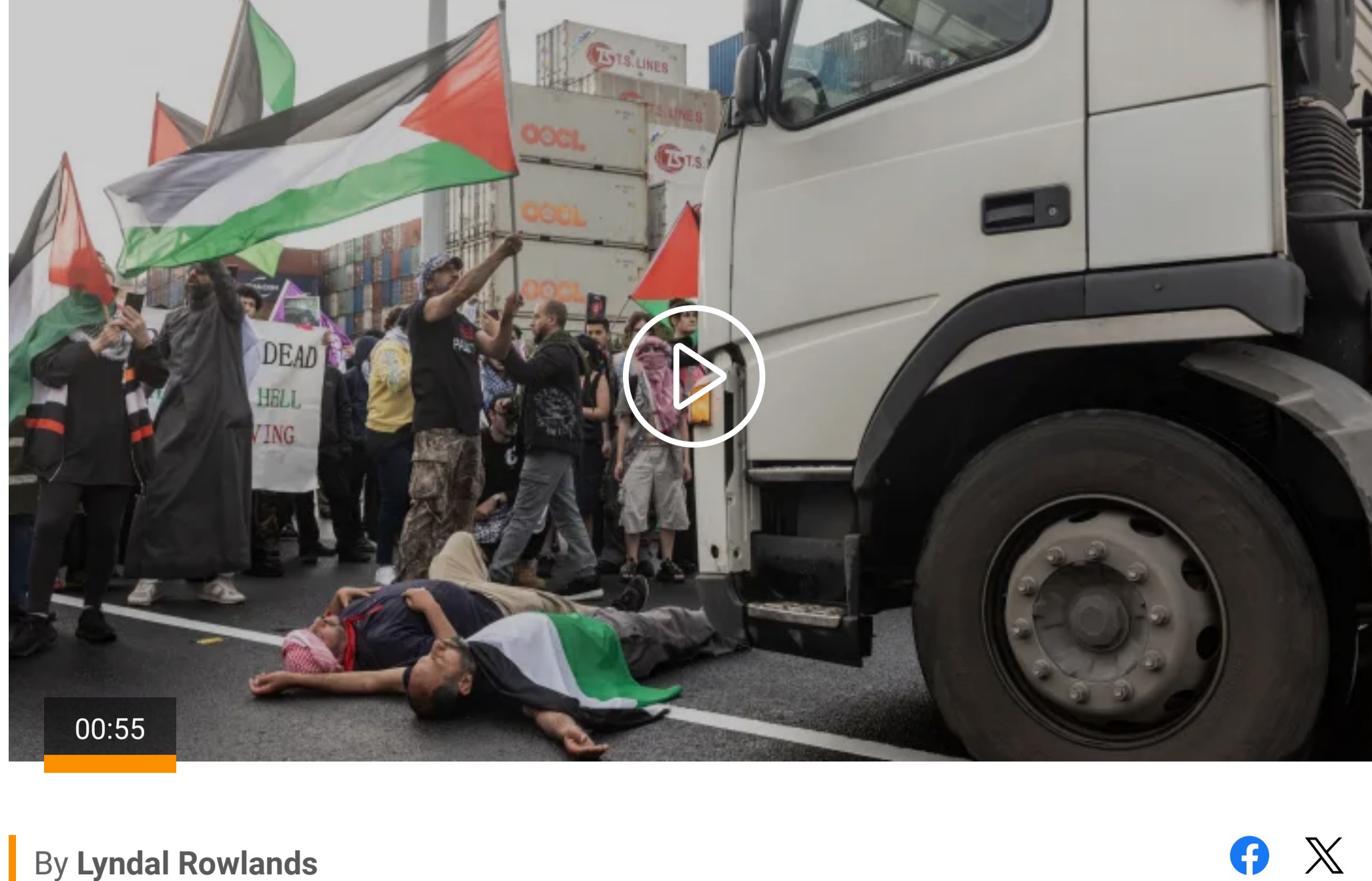


News | Israel-Palestine conflict

# Australian arms exports to Israel in focus amid court case, port protests

Legal action and protests at Australian ports put spotlight on Australian weapons exports to Israel.



By Lyndal Rowlands 10 Nov 2023

Protests at shipping ports and a unique court case are bringing attention to Australian weapons exports to Israel amid the war on Gaza, a trade that critics describe as secretive and unaccountable.

"Few people know that Australia has one of the most secretive, unaccountable weapons export systems in the world," Australian Greens Senator David Shoebridge told the Australian Senate on Tuesday.

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A legal challenge launched in Australia's high court on Monday by Palestinian and Australian human rights organisations is also seeking to shed light on the shadowy trade.

The case, which is a first of its kind in Australia, comes as Australian supporters of Palestine have joined the international "block the boat" movement to protest against arms shipments to Israel.

A protest at Sydney's Port Botany expected on Saturday followed a similar protest at the Port of Melbourne on Wednesday where activists lay down in front of trucks carrying cargo for the Israeli shipping company Zim.

But determining whether shipments from Australia do, in fact, include weapons that are being sent to Israel is difficult due to a general lack of transparency around Australia's growing military export industry.

"Our government doesn't tell us who we're exporting weapons to; doesn't tell us what the weapons are; doesn't tell us who profits here in Australia from the sale of weapons," Shoebridge said in the Senate this week.



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Shoebridge said such information is much less available in Australia than in other countries, including the United States.

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What is known is that Australia has issued 350 defence export permits to Israel since 2017, including 52 this year alone, according to the Australian Department of Defence. That information was only made publicly available after direct questions from Shoebridge during Senate hearings this year.

## 'A large and growing arms industry'

Antony Loewenstein, an Australian journalist and author of the book, The Palestine Laboratory, said there is "damning evidence" that Western states, including Australia, have been selling weapons that are "potentially being used in Gaza as we speak".

Loewenstein, who was based in East Jerusalem between 2016 and 2020, has investigated how Israeli weaponry and surveillance technology is used on Palestinians and exported around the world.

"There is bipartisan support [from major political parties] in Australia for a large and growing arms industry, regardless of the serious human rights concerns around that," Loewenstein said.

"Secrecy benefits the arms industry", he told Al Jazeera.

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"What matters ultimately is making money," he said.

"That's all it's about."

Australia was the 15th largest exporter of major arms globally in 2022, according to the Stockholm International Peace Research Institute (SIPRI) which monitors global arms sales.

Protesters show their support for Palestinians during a rally in Sydney on October 9, 2023 [David Gray/AFP] (AFP)

Like Shoebridge, Loewenstein has welcomed the legal challenge announced by Palestinian and Australian human rights organisations on Monday. He says it could be a "landmark case" that the Australian government will likely "fight furiously" in the courts.

Al-Haq, one of the three Palestinian human rights organisations involved in the court case, is also involved in other legal challenges, including another potential case focused on arms exports by the United Kingdom to Israel.

Last month Al-Haq and the UK-based Global Legal Action Network (GLAN) wrote to the UK Secretary of State for International Trade, Kemi Badenoch, asking her to "suspend all weapons export licences to Israel".

If the export licences were not suspended, Al-Haq and GLAN said a judicial review challenge would be brought before the UK High Court.

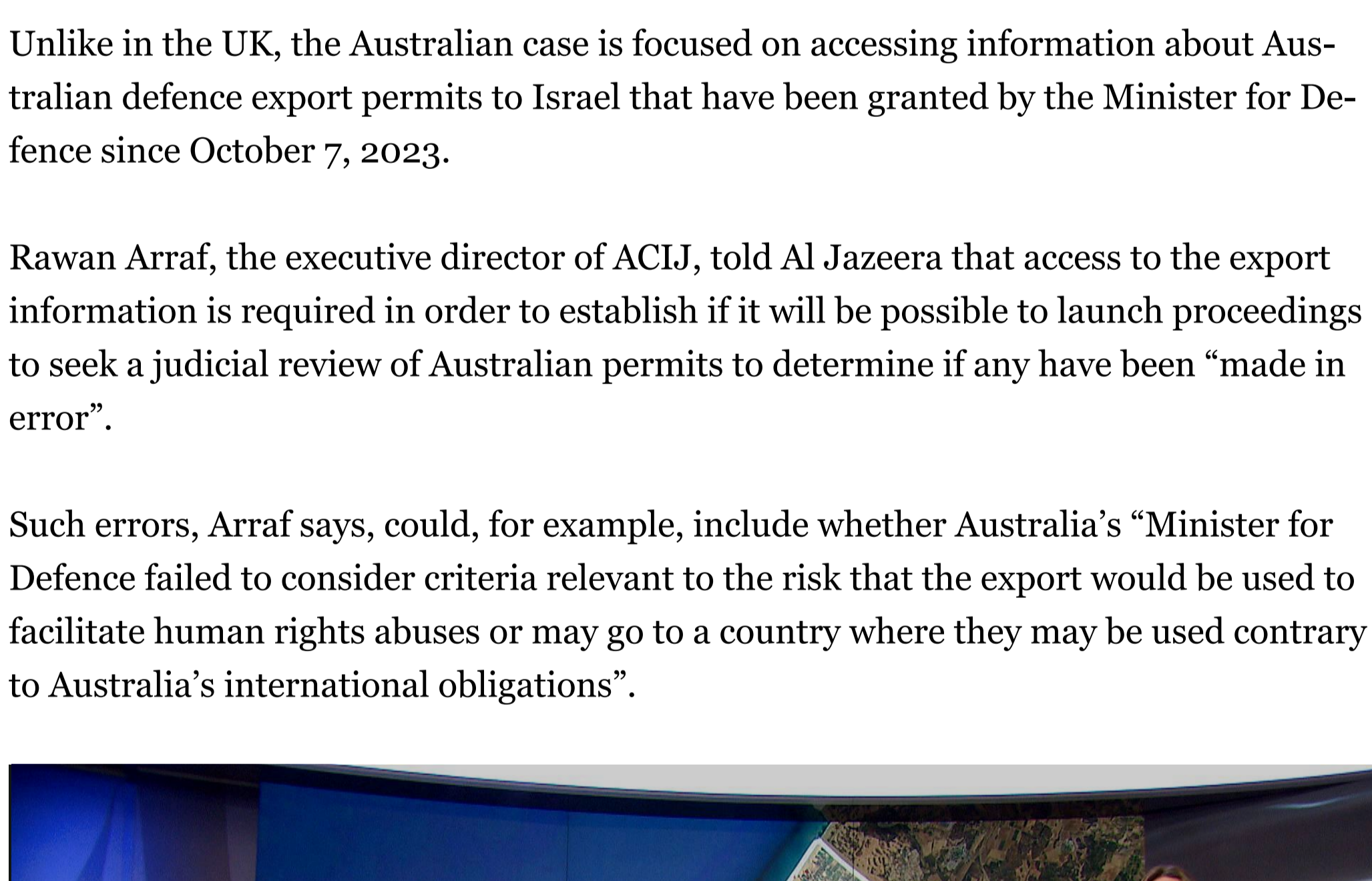
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In Australia, Al-Haq, along with the Al Mezan Center for Human Rights and the Palestinian Centre for Human Rights (PCHR), has launched legal action in the Federal Court of Australia with the support of the Australian Centre for International Justice (ACIJ).

Unlike in the UK, the Australian case is focused on accessing information about Australian defence export permits to Israel that have been granted by the Minister for Defence since October 7, 2023.

Rawan Arraf, the executive director of ACLJ, told Al Jazeera that access to the export information is required in order to establish if it will be possible to launch proceedings to seek a judicial review of Australian permits to determine if any have been "made in error".

Such errors, Arraf says, could, for example, include whether Australia's "Minister for Defence failed to consider criteria relevant to the risk that the export would be used to facilitate human rights abuses or may go to a country where they may be used contrary to Australia's international obligations".



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The international obligations include the Geneva Conventions, the Genocide Convention and other international human rights law, she said.

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In the UK, information pertaining to companies that are making requests for export permits, as well as the nature of the exports, and "even the dollar amount", is available, she added.

Asked about the legal action, Australian Defence Minister Richard Marles told the Australian public broadcaster ABC on Tuesday that "Israel has not sought any weapons from Australia and we have not provided any".

He added that he could not comment further while the matter was "before the court".

Marles's office sent a transcript of the interview to Al Jazeera when asked for the defence minister's position on the case.

## Port protests

Australian activists who protested at the Port of Melbourne on Wednesday stopped trucks, including those carrying cargo for the Israeli shipping company Zim.

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The protests join other similar protests including one at the Port of Tacoma in the US and airport workers in Belgium who are refusing to handle military shipments to Israel.

A truck from the shipping company Zim can be seen behind a pro-Palestine protest on November 08, 2023 in Melbourne, Australia [Diego Fedele/Getty Images]

Zim is a publicly listed Israeli shipping line, and it is not clear if any of the ships or trucks targeted by Australian protests have been carrying military equipment.

Organisers of the Sydney protest claimed Zim's role "in the Israeli war machine, has been relentless".

In an interview with Australian radio station 2GB about a protest planned at Sydney's Port Botany on Saturday, the Premier of NSW Chris Minns described Israel as "a long-standing trading partner and ally of Australia".

"It's ridiculous to suggest or think that trade will be stopped because of the personal preferences of individual protesters," he said.

"I didn't see these people down the port when it comes to trading with Cuba, or Saudi Arabia or China or any other country there may be disagreements with," Minns added.

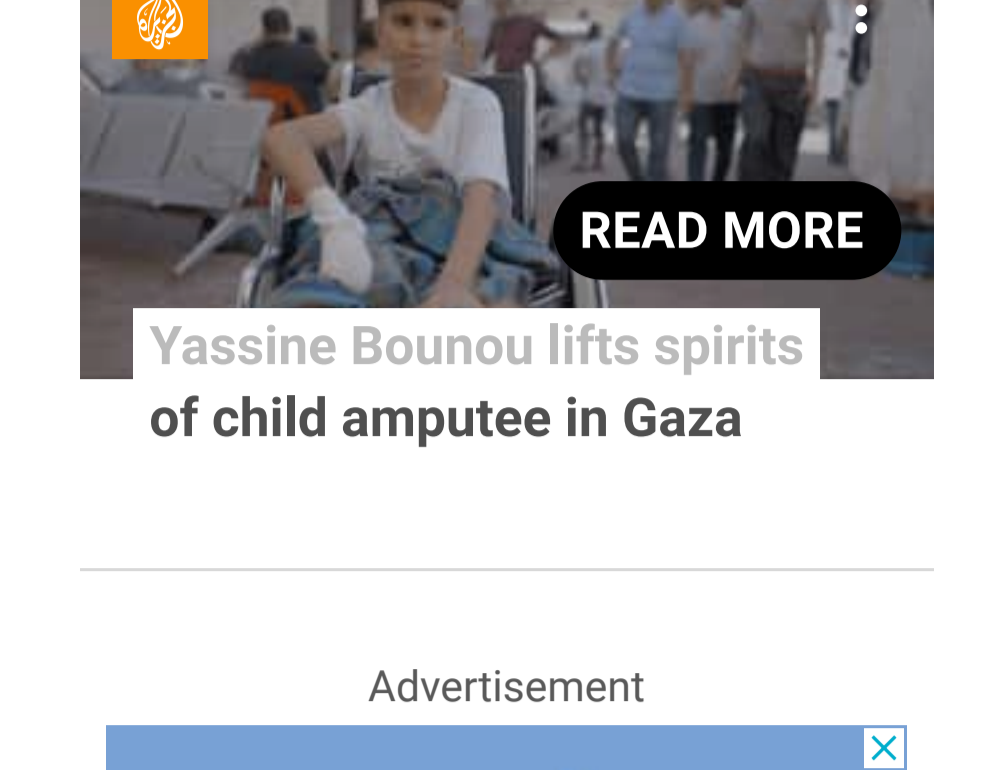
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