

COLLATERAL **PROFIT**

Arms relations between Spain and Israel
since October 7, 2023

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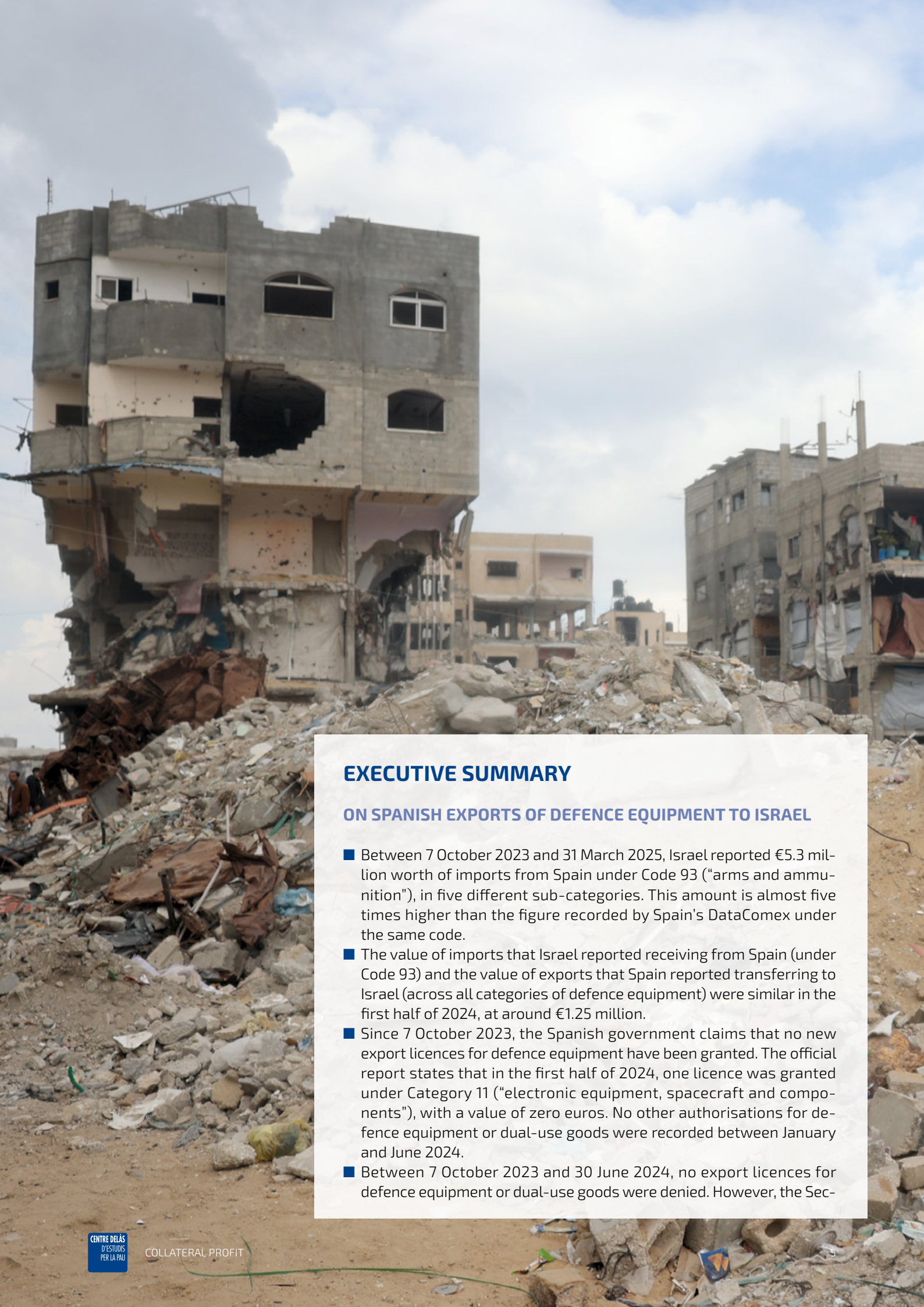
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EXECUTIVE SUMMARY

ON SPANISH EXPORTS OF DEFENCE EQUIPMENT TO ISRAEL

- Between 7 October 2023 and 31 March 2025, Israel reported €5.3 million worth of imports from Spain under Code 93 ("arms and ammunition"), in five different sub-categories. This amount is almost five times higher than the figure recorded by Spain's DataComex under the same code.
- The value of imports that Israel reported receiving from Spain (under Code 93) and the value of exports that Spain reported transferring to Israel (across all categories of defence equipment) were similar in the first half of 2024, at around €1.25 million.
- Since 7 October 2023, the Spanish government claims that no new export licences for defence equipment have been granted. The official report states that in the first half of 2024, one licence was granted under Category 11 ("electronic equipment, spacecraft and components"), with a value of zero euros. No other authorisations for defence equipment or dual-use goods were recorded between January and June 2024.
- Between 7 October 2023 and 30 June 2024, no export licences for defence equipment or dual-use goods were denied. However, the Sec-

retariat of State for Trade reported 47 denials of dual-use export applications to Israel in 2024—an all-time high since records began. This may indicate opportunistic behaviour by industry players in a context perceived as favourable to such exports.

- Official reports on exports make no mention of the lethality of the defence equipment sent to over 100 recipient countries, except in the case of Israel. The term is invoked exclusively in relation to this country.
- Available information suggests that the equipment exported by Nammo Palencia in November 2023 included 12,260 units of 30 mm x 173 calibre ammunition, 200 of which were explosive rounds. The recipient was Elbit Systems, Israel's largest defence company. The Spanish government has claimed that the shipment was for "testing and demonstration", but this is not stated in the official report.
- The 18 Santa Bárbara armoured vehicles exported to Israel (worth around €43 million), which were fitted with a command-and-control turret and 105 mm cannon by Elbit Systems before being delivered to the Philippines, were ordered during the administration of Rodrigo Duterte—now detained by the International Criminal Court and accused of crimes against humanity. Between 2020 and 2024, Israel was the second largest exporter to the Philippines. Duterte openly admired the "Israeli brand" as battle-tested and unrestricted. Elbit Systems secured most of the contracts, and Santa Bárbara benefited from this privileged access. After 7 October 2023, materials related to this product (probably worth at least €908,200) were exported from Spain to Israel.
- Between 7 October 2023 and 28 February 2025, Spain imported more than €15 million worth of goods from Israel under Code 93 ("arms and ammunition") and a further €21.6 million under Code 8710, bringing the total to €36.7 million. The year 2024 recorded the second highest figure of the last decade; the record was set in 2023, with more than half of this value imported in the last quarter. In other words, Spain has never imported more than after 7 October 2023. Nevertheless, codes 93 and 8710 represent only a small part of the total defence equipment "bought" from Israeli companies.

ON THE AWARD OF CONTRACTS TO ISRAELI COMPANIES AND BUSINESS COOPERATION

- Since 7 October 2023, Israeli defence and security companies, their subsidiaries or third-party companies linked to Israeli products have been awarded at least 46 contracts by Spanish institutions, with a total value of more than €1.044 billion. The bulk of the value of these contracts is related with the companies Elbit Systems and Rafael.

- While some of these contracts are for maintenance and/or upgrades of previously acquired products, others are new contracts that may create future dependencies for ongoing maintenance and upgrades.
- The largest part of the economic value of the contracts awarded to Israeli companies also benefit the Spanish industry, and this is precisely what makes it easier for Israeli companies (or its products) to win such contracts.
- Examples of contracts involving Israeli-designed products developed by Spanish companies through technology transfer agreements include the production of the SILAM rocket launcher (from Elbit Systems, to be developed by Escribano E&M and Rheinmetall Expal), the Spike missile (from Rafael, to be manufactured by the same two companies together with Tecnobit and FMG) and the Litening V laser designators (also from Rafael, supplied in collaboration with Indra and Tecnobit).
- Industrial defence cooperation between Spain and Israel is extensive and goes beyond contracts awarded by Spanish institutions to Israeli companies. For example, the 8x8 "Dragón" vehicle—a "Spanish" product manufactured by Escribano M&E, Indra, Santa Bárbara Sistemas and Sapa Palencia—uses at least five components from three Israeli defence companies: Elbit, Rafael and Plasan.
- News reports related to the awarding of two contracts (by Spain's Guardia Civil, a national law enforcement agency, and its Ministry of Defence) to Israeli companies reported revocations that had not yet occurred. As of early April 2025, no administrative procedure had been initiated to allow this to happen.

ON THE TRANSIT AND TRANSSHIPMENT OF DEFENCE EQUIPMENT DESTINED FOR ISRAEL

- Between 2005 and 2023, Spain authorised 9,322 port calls by ships carrying defence equipment and denied 129. None of these denials concerned shipments destined for Israel. In 2024, at least three denials (or threats of denial) were issued for ships carrying military equipment to Israel, and the Spanish government declared that it would not authorise any further transits. However, whether authorised or not, port calls have continued to be frequent, through at least four main channels: ships using the Rota naval base; commercial vessels under the US Maritime Security Programme transshipping in Algeciras; commercial vessels operated by the Israeli company ZIM linking the US and Israel via port calls in Valencia and Barcelona; and ships from Asia calling at Spanish ports on their detour to avoid the threat of attacks in the Red Sea.

- The denial of port access in Algeciras to two Maersk ships carrying US military equipment bound for Israel triggered diplomatic tensions, threats of US sanctions against Spain (encouraged by Maersk itself as reported), and the use of Tangier as an alternative port. This allegedly led to pressure on workers and even threats to those who objected to the transport of arms to Israel.
- In addition to the reported cases of Zaragoza Airport being used for the air transit of military equipment destined for Israel, the Rota base has also been identified as a stopover point for flights from the US. These flights also stopped at bases such as Souda (Crete, Greece) or Akrotiri (Cyprus) before landing in Israel. In some cases, military equipment is even transported between the US and Israel on regular commercial airline flights.
- Vessels carrying JP-8 military aviation fuel destined for Israel have also transited or transshipped in Spanish ports. Although JP-8 is not officially classified as "defence equipment", it arguably should be.
- In 2024, various legal initiatives were launched concerning the defence equipment trade with Israel. These included two motions, two bills calling for an embargo, a legal petition to revoke all existing export licences to Israel, and a formal complaint.





INTRODUCTION

Since 7 October 2023, Spain has stood out among its European and Atlantic partners for its critical stance on rights' violations by the Israeli military operations in the Gaza Strip. However, relations with Israel up to that point had not been neutral, and were characterised by cooperation, opportunism and dependence. The bulk of arms relations between Spain and Israel following 7 October 2023 have not only been maintained, but in different areas are more lively, abundant and lucrative than at any time since the two countries established diplomatic relations in 1986.

This report seeks to explain why. This is the fifth time that the Centre Delàs has published a report on arms relations between Spain and Israel,¹ the second after 7 October 2023. In June 2024, the report "Business as Usual" was surprised at how the bulk of these relations continued despite Israel's actions towards the Palestinian population.² Over time, the Centre Delàs has observed that, far from abating, these relations have thrived, marked by a growing number of high-value contract awards and deeper business cooperation between the two countries. Never before have Spanish or Spain-based companies engaged in so many joint ventures with Israeli companies, nor has Israel's defence industry been awarded such a volume of contracts by the Spanish Ministry of Defence, whether measured by count or by monetary value. At least, that is what the records and available documentation indicate.

As in previous editions, this report delves into arms trade and business cooperation. But it adds two elements. The first is the transit and transshipment through Spanish territory of military materiel destined for Is-

1. The previous reports were published in 2008, 2014, 2021 and 2024. They are all available on the Centre Delàs website.
2. Tica Font, Eduardo Melero and Alejandro Pozo, *Business as usual. Analysis of the Spanish arms trade in 2022-23 and the case for an arms embargo on Israel*, Centre Delàs, June 2024, https://centredelas.org/wp-content/uploads/2024/11/informe64_BusinessAsUsual_ENG.pdf

rael, which was not addressed in depth in the 2024 report. The aim now is to fill that gap with a detailed analysis. This component is particularly alarming, given that the same type of military equipment subject to transit has been widely used in military operations in the Gaza Strip since 7 October 2023. The second element incorporated is the legal initiatives in Spain concerning the arms trade with Israel, which emerged in response to widespread outrage over Israel's actions in the Gaza Strip.

The campaign "End arms trade with Israel", which includes more than 525 organisations, has called for a total arms embargo on Israel. The initiative has been supported by many people in politics, culture and society.³ In response, the Spanish government has suggested on various occasions that this embargo was already implemented in practice, *de facto*. The same has been reported in the international press, which is confused between a political initiative and a legal-administrative one. If an embargo had been imposed after 7 October 2023 that affected all arms relations between Spain and Israel, none of what is detailed in this report would have taken place.

3. "Respaldamos junto a más de 500 organizaciones de la sociedad civil la proposición de ley para el embargo de armas registrada por cinco partidos políticos en el Congreso", *Centre Delàs*, 17 July 2024, <https://centredelas.org/actualitat/la-proposicion-de-ley-para-el-embargo-militar-respaldada-por-mas-de-500-organizaciones-de-la-sociedad-civil-es-registrada-por-cinco-partidos-politicos/?lang=es>

The contents of this report do not represent the entirety of "arms" relations between Spain and Israel, let alone their broader military relations. Further elements are found in the bilateral cooperation between the two countries in matters of intelligence and security, including in the broader framework of the European Union (EU) and NATO; the collaboration between universities, companies and institutions in research and training projects, within the framework of the EU or at an institutional level in both countries or in third countries; or the relations derived from counter-terrorism cooperation; or sensitive communications concerning security managed by Israeli companies and interests. The report also does not address the role of banks in financing defence and other materiel linked to Israel's actions against the Palestinian population and its neighbours. The latter component has been analysed in depth in the report "Armed banking and its joint responsibility in the Gaza genocide".⁴

4. Max Carbonell, Edu Aragón, Gemma Amorós, Lucia Ibáñez y Jordi Calvo, *Armed banking and its joint responsibility in the Gaza genocide*, Centre Delàs, October 2024, https://centredelas.org/wp-content/uploads/2024/11/informe_66_CentreDelas_ArmedBankingGenocide_ENG_DEF.pdf



1. EXPORTS FROM SPAIN TO ISRAEL

1.1 SPANISH REGULATION

The regulatory framework governing arms trade comprises the 2013 Arms Trade Treaty; Council Common Position 2008/944/CFSP, which defines common rules governing the control of exports of military technology and equipment within the European Union; and Spain's Law 53/2007 of 28 December on the control of external trade in defence and dual-use materiel. This legislation establishes the criteria that countries must follow to authorise or deny arms exports.

Most of the criteria established by this legislation are not absolute prohibitions but rather guidelines that States must assess when authorising arms exports. These include considerations such as respect for human rights, the internal situation of the destination country, and the existence of armed conflicts. Moreover, the criteria include vague expressions (technically referred to as indeterminate legal concepts), which

grant a degree of interpretative discretion to the authority responsible for applying the criterion.

An example of such vague expressions is the existence of a "clear risk". In this sense, EU Common Position 2008/944/CFSP does not strictly prohibit the export of arms to countries where "serious violations of human rights have been established" [Criterion 2: Respect for human rights in the country of final destination and respect for international humanitarian law by that country; paragraph (b)].⁵ Although most of the criteria established in Common Position 2008/944/CFSP allow for a certain degree of interpretation by Member States, the extreme severity of human rights violations committed and continuing to be committed by Israel in Gaza should mean that authorisations for the export of defence materiel to Israel are contrary to the legislation. These exports clearly violate

5. Criterion 2 provides that Member States shall "exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the military technology or equipment, to countries where serious violations of human rights have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe".

Criterion 2 ("Respect for human rights in the final destination country and respect by that country for international humanitarian law"), Criterion 3 ("Internal situation in the final destination country with regard to the existence of tensions or armed conflicts"), and Criterion 4 ("Preservation of regional peace, security and stability").

A similar situation applies to Law 53/2007 of 28 December 2007 on the control of foreign trade in defence and dual-use materiel. Its criteria are set out even more openly than in Common Position 2008/944/CFSP. According to Article 8(1)(a) of Law 53/2007, applications for export authorisations are to be denied, and authorisations granted are to be suspended or revoked:

"When there are reasonable grounds to believe that defence materiel, other material, or dual-use goods and technologies may be used in actions that disturb peace, stability or security at a global or regional level; may exacerbate latent tensions or conflicts; may be used in a manner contrary to due respect for and the inherent dignity of the human person, for the purpose of internal repression or in situations of serious violations of international human rights law or international humanitarian law; are destined for countries where there is evidence of diversion of transferred materiel; or may breach the international obligations assumed by Spain".

Given the extreme gravity of the human rights violations that Israel has committed and continues to commit in Gaza, it should be understood that, under this provision, export licences for defence materiel to Israel are contrary to Spanish law. And that the effects of existing export licences for defence material to Israel should be revoked or, at the very least, suspended.

In some cases, the regulatory framework does establish criteria that contain clear prohibitions, leaving little or no room for interpretation. For example, when the United Nations Security Council or the European Union impose an arms embargo, exports of defence materiel to the affected country cannot be authorised⁶. One of the situations in which an outright prohibition applies concerns the commission of genocide, crimes against humanity, and war crimes. In this sense, according to Article (6(3) of the Arms Trade Treaty:

"A State Party shall not authorize any transfer of conventional arms covered under Article 2(1) or of items covered under Article 3 or Article 4 [munitions, parts or components], if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.

The Arms Trade Treaty is a binding international agreement ratified by the Spanish government that is part of the Spanish legal system. Its provisions take precedence over Spanish law.⁷ The prohibition contained in Article 6(3) of the Arms Trade Treaty should apply to arms exports to Israel. The International Court of Justice has not yet ruled on whether Israel is committing genocide in Gaza. In any case, article 6(3) also includes crimes against humanity and war crimes. Crimes against humanity include murder when committed as part of a widespread or systematic attack against a civilian population.⁸ Intentionally directing attacks against the civilian population or civilian objects, among others, are considered war crimes.⁹

The Convention on the Prevention and Punishment of the Crime of Genocide provides that genocide is a "crime under international law" (Article 1) It further defines five acts as constituting genocide, provided they are carried out "with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such" (Article 2). Those five acts are: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group (Article 2). The Convention not only criminalises genocide but also obliges States Parties to prevent and punish the offence (Article 1).

6. Article 6(1) of the Arms Trade Treaty; criterion 2(a) of Common Position 2008/944/CFSP; and Article 8(1)(d) of Law 53/2007.

7. Law 53/2007 does not refer to the Arms Trade Treaty because the latter was adopted later, in 2013. This reference is indeed found in Article 7(1)(c) of Royal Decree 679/2014 of 1 August, which approves the Regulation on the control of external trade in defence materiel, other material, and dual-use goods and technologies.

8. Article 7(1) of the Rome Statute of the International Criminal Court.

9. Article 8(2) of the Rome Statute of the International Criminal Court.

It has been observed that genocide is a highly complex crime with a vague definition. The main difficulty lies in establishing the requirement of intent, since it must be proved that the genocidal acts "were committed with the specific intent to destroy a particular group" or a substantial part of that group. This requirement of intent, legally referred to as *mens rea*, is very difficult to prove.¹⁰

In March 2024, the Special Rapporteur on the situation of Human Rights in the Palestinian territories occupied since 1967, Francesca Albanese, issued a report entitled "Anatomy of a Genocide".¹¹ The Special Rapporteur considers that there are "reasonable grounds to believe" that Israel has committed acts of genocide against Palestinians in Gaza (paragraph 93). Amongst the actions listed in the report are: indiscriminate attacks on the population (paragraph 25), death by starvation (paragraph 26), torment inflicted upon children of all ages (paragraph 33), destruction or serious damage to most life-sustaining infrastructure (paragraph 35), the de facto abolition of the distinction between civilian and military targets (paragraph 67) and the systematic attacks against medical facilities and personnel (paragraph 87). Although the Special Rapporteur frames her report through the lens of genocide, these actions also constitute crimes against humanity and war crimes. One of the Special Rapporteur's recommendations to UN member states is to immediately impose an arms embargo on Israel (paragraph 97(a)).

Amnesty International has concluded that Israel is committing genocide against the Palestinian population in Gaza. It has committed the following acts in breach of the Genocide Convention: killing members of the Palestinian population of Gaza, causing them serious bodily or mental harm and deliberately inflicting on them conditions of life calculated to bring about their physical destruction, in whole or in part. According to Amnesty International, these acts were committed with the specific intent to destroy the Palestinian population of Gaza.¹² And according to *Human Rights Watch*, the actions of the Israeli authorities and military in depriving the people of Gaza of access to

water should be considered acts of genocide for the deaths they are causing.¹³

On 20 May 2024, the prosecutor of the International Criminal Court Karim A.A. Khan filed an application for warrants of arrest for Israel's Prime Minister, Benjamin Netanyahu, and former Minister of Defence Yoav Gallant on charges of crimes against humanity and war crimes.¹⁴ The charges for crimes against humanity are: extermination and murder (Article 7(1)(a) and (b) of the ICC Statute), persecution against any identifiable group or collectivity (Article 7(1)(h)) and other inhumane acts (Article 7(1)(k)), all committed as part of a widespread or systematic attack against the civilian population. The war crimes attributed are: intentionally using starvation of civilians as a method of warfare, [Article 8(2)(b)(xxv)], wilfully causing great suffering or serious injury to body or health [Article 8.2(a)(iii)], cruel treatment [Article 8(2)(c)(i)], wilful killing [Article 8(2)(a)(i)], murder [Article 8(2)(c)(i)], intentionally directing attacks the civilian population [Article 8(2)(b)(i) and Article 8(2)(e)(i)]. On 21 November 2024, the Pre-Trial Chamber of the International Criminal Court issued a warrant for the arrest of Benjamin Netanyahu and Yoav Gallant.¹⁵

The Spanish government is in breach of Article 6(3) of the Arms Trade Treaty in relation to authorisations for the export of defence materiel to Israel. In its literal wording, Article 6(3) refers solely to the granting of authorisations. In light of the Arms Trade Treaty's object and purpose, Article 6(3) should be interpreted as also imposing an obligation to revoke or at the very least suspend the effect of any administrative export licences to Israel that remain in force.

Under Article 7(1)(c) of Royal Decree 679/2014, export licences may be revoked or suspended in the circumstances set out in Article 6 of the Arms Trade Treaty. Although this provision appears permissive for the Government, using the term "may", it should nonetheless be understood as imposing a legal obligation. Firstly, because it is an obligation derived from Article 6 of the Arms Trade Treaty, which takes precedence over Spanish legislation in its application. And, furthermore, Article 8 of Law 53/2007, which is hierarchically superior to Royal Decree 679/2014, em-

10. On the definition of the international crime of genocide, see Sara Calles Gómez, "El Resurgir del Crimen de Genocidio ¿Oportunidad perdida? de la Corte Internacional de Justicia en sus órdenes de medidas provisionales contra Israel?", *Revista electrónica de estudios internacionales*, no. 48, December 2024, pp. 280-285, quoted text can be found at page 284. On the difficulty of proving intent, see also Rosa Ana Alija Fernández: " 'Genocidio' o la complejidad que cabe en cuatro sílabas", *mientrastanto.e*, no. 229, 2023, <https://mientrastanto.org/229/notas/genocidio-o-la-complejidad-que-cabe-en-cuatro-silabas/>

11. "Anatomy of a Genocide. Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese", 25 March 2024, document A/HCR/55/73 (advance version, not reviewed).

12. Amnesty International, "You feel like you are subhuman". *Israel's Genocide Against Palestinians in Gaza*, December 2024, especially p. 31; <https://www.amnesty.org/en/documents/mde15/8668/2024/en/>

13. Human Rights Watch, *Extermination and Acts of Genocide. Israel Deliberately Depriving Palestinians in Gaza of Water*, December 2024, pp. 160-177, in particular p. 176; <https://www.hrw.org/report/2024/12/19/extermination-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza>

14. "Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine", International Criminal Court, 20 May 2024, <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state>

15. "International Criminal Court orders arrest of Benjamin Netanyahu for war crimes and crimes against humanity", 21 November 2024, <https://news.un.org/es/story/2024/11/1534501>

plays mandatory terminology ("shall"). Finally, when applying Article 6(3) of the Arms Trade Treaty, the enormous gravity of Israel's actions in Gaza must be taken into account.

EU Common Position 2008/944/CFSP is a binding regulation that elaborates in considerable detail the criteria to be followed by Member States when making decisions on arms export authorisations. It has been noted that the EU has developed the most advanced international regulation for the control of trade in defence materiel.¹⁶

We should be wary of such claims because EU regulations have not prevented Member States from transferring arms to Israel. This is despite Israel's serious human rights violations in Gaza, violations that qualify as crimes against humanity and serious war crimes, if not genocide. As noted above, the criteria of the Common Position allow some leeway for states in its application. Moreover, this norm was issued within the framework of the EU's Common Foreign and Security Policy. A sphere of action whose compliance is not controlled by the Commission and which, as a general rule, does not fall within the judicial review jurisdiction of the Court of Justice of the European Union.¹⁷ According to EU law, compliance with Common Position 2008/944/CFSP is left to the political will of the Member States.

Ultimately, the regulatory framework governing arms exports has not prevented further exports to Israel because there is no political will to strictly enforce the legislation. This regulatory framework has served to provide legal certainty to arms exporting companies. For example, through the Spanish government's refusal to suspend or revoke authorisations to export defence materiel to Israel granted before 7 October 2023. Legislation has also been used to legitimise the decisions of public authorities in this area. As our authorities never tire of repeating, Spain strictly complies with the legal regulations on the matter. Thus, the Secretary of State for Trade, in her appearance before the Defence Committee of the Congress of Deputies on 25 March, stated that "Spain is firmly committed to external trade control policies for defence materiel and dual-use items and technologies" and that "Law 53/2007, which governs this area, is one of the most comprehensive, strictest and most advanced in its field at the international level."¹⁸

1.2 WHAT DOES SPAIN SAY IT EXPORTS TO ISRAEL?

In Spanish statistics published for the year 2023, the Government states in general terms that:

"Since 2001, the policy enacted for the authorisation of export licenses of defence and dual-use materiel to Israel has been very strict, in line with Spain's international obligations. Furthermore, no exports of lethal equipment, or of equipment that could be used as riot-control gear by Israel's Armed Forces or security services, have been authorised. (...)

Since 7 October 2023, no new final exports of defence materiel to Israel have been authorised."¹⁹

The Foreign Trade database and the DataComex portal of the Secretary of State for Trade provides information on the economic amount and weight exported or imported each month, usually with a delay of two to three months. However, only a small part is clearly identified as defence materiel. Code 93 ("arms and ammunition") refers to such materiel (also civilian use), and code 8710 ("tanks and other armoured fighting vehicles, whether or not fitted with weapons; parts") normally corresponds to category 6 of defence materiel ("ground vehicles and components"), although they may not coincide because this category is more extensive. The same is true for category 9 and code 89060010 ("warships"), which only partially overlap (category 9 is more extensive). The rest of the codes are very difficult to identify in the databases given their unambiguous determination as "defence materiel", due to lack of knowledge of the specific item exported.²⁰

The source that clearly identifies the economic volume of defence exports (not imports) is the official export reports produced by the Secretary of State for Trade. The report with the 2023 data was expected between June 2024 (as has been the usual practice for years) and December 2024 (the 2022 report came out in the last month of 2023). However, it was not published until 21 March 2025. The report for the first half of 2024 was also published on that date. The Secretary of State for Trade appeared before the Defence Committee to explain the report on 25 March, just four days later, including the weekend. She provided no explanation for the delay in the report's publication and limited herself to apologising for the lack of material time for the members of the Defence Committee to analyse its contents, but without justifying

16. Inmaculada Marrero Rocha, "The European Union's Arms Trade Control and European Civil Society", in Piet Eeckhout and Manuel López-Escudero (eds.): *The European Union's External Action in Times of Crisis*, Hart, Oxford, 2019, p. 547.

17. Article 24(1) of the Treaty on European Union and Article 275 of the Treaty on the Functioning of the European Union.

18. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 2.

19. Secretary of State for Trade, *Estadísticas españolas de exportación de material de defensa, de otro material y de productos y tecnologías de doble uso, año 2023*, p. 12.

20. For example, optical devices are not listed under code 93 when they do not accompany the weapons on which they are mounted (they are recorded under 90) or, in the case of military aircraft (code 88), it cannot be clearly determined which parts are for a military purpose.

the urgency of the appearance. The law gives a minimum margin of 48 hours and, strictly speaking, this was exceeded. However, two reports and an annex totalling 181 pages on such a sensitive issue certainly warranted that much space.

This report considers official figures for 2023 and the first half of 2024 - the latest available - and Data-Comex statistics up to February 2025. However, it

should be remembered that code 93 only applies to arms and ammunition, and not to the bulk of what is known as "defence materiel". By way of example, exports under code 93 in the first half of 2024 amount to just €530, whereas the government's total declared exports of defence materiel stand at €1,255,384.

There are at least nine categories that Israel has received from Spain in recent years.

Table 1. Spanish defence exports to Israel, from 2018

Category*	2018	2019	2020	2021	2022	2023 (H1)	2023	2024 (H1)
1		9,424		9,900				
3	295,000	674,350		74,800	11,400		1,112,240	
4			15,500	498,090	314,345	76,760	76,760	
5		256,854	384,048	237,275	1,363,545	636,637	3,806,199	1,225,232
6				2,374,550	9,900		42,986,283	18,743
9		1,000,000		130,000				
10	6,127	2,055	77,740	33,551	14,087		4,941	11,409
11	318,207	171,800						0
15				94,804	632,930			
Total	619,334	2,114,483	477,288	3,452,969	2,346,206	713,397	47,986,423	1,255,384**

* Category 1: Smooth-bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12.7 mm

Category 3: Ammunition and fuze setting devices.

Category 4: Bombs, torpedoes, rockets, missiles, other explosive devices and charges.

Category 5: Fire control systems.

Category 6: Ground vehicles and components.

Category 9: Vessels of war (surface or underwater).

Category 10: Aircraft, lighter-than-air vehicles, unmanned aerial vehicles (UAVs) and engines.

Category 11: Electronic equipment, spacecraft and components.

Category 15: Imaging or countermeasure equipment.

** This amount is incorrectly added up in the official export report, which indicates a total amount of €1,225,384.

Euros

Table 2. Spanish defence exports to Israel, 2023 - first half of 2024

Category	Description	Amount 2023	2023 - H2	2024 - H1
3	Ammunition and fuze setting devices	1,112,240	1,112,240	-
4	Bombs, torpedoes, rockets, missiles, other devices and explosive charges	76,760	-	-
5	Fire control systems	3,806,199	3,169,562	1,225,232
6	Land vehicles and components	42,986,283	42,986,283	18,743
10	Aircraft, lighter-than-air vehicles, unmanned aerial vehicles (UAVs) and engines	4,941	4,941	11,409
11	Electronic equipment, spacecraft and components	-	-	"0"
Total		47,986,423	47,273,026	1,255,384

Euros

Table 3. Spanish exports to Israel under codes 93 and 8710 from October 2023 to February 2025 (the last month with available data)

Code*	2023			2024				2025		Total (EUR)
	October	November	December	January	February	April	June	January	February	
87100000	65,300 (Madrid+Seville)	698,910 (Madrid+Seville)	0	11,570 (Seville)	4,200 (Seville)	2,980 (Seville)				782,960
93051000								8,750 (Cantabria)	5,310 (Cantabria)	14,060
93059900								13,980 (Cantabria)	122,150 (Cantabria)	136,130
93063030		987,000 (Palencia)								987,000
93069010			125,240 (Madrid)							125,240
93070000							530 (Albacete+Araba)			530
								Total		2,045,920

Source: DataComex.

*Code 87100000: «Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles».

Code 93051000: «Of revolvers or pistols» (within 9305: «Parts and accessories of articles of headings 9301 to 9304»).

Code 93059900: «Other» (under 9305).

Code 93063030: «For munitions of war» (under 930630: «Cartridges and other parts»; 9306: «Bombs, grenades, torpedoes, mines, missiles, cartridges and other ammunition and projectiles, and parts thereof, including cartridge cases, shot and cartridge wads».

Code 93069010: «For military purposes» (within 930690: «Other», within 9306).

Code 93070000: «Swords, cutlasses, bayonets, lances and other bladed weapons, their parts and sheaths».

WHO WERE THE RECIPIENTS OF EXPORTS TO ISRAEL?

The export reports published by the Secretary of State for Trade specify the percentage of exports to six possible recipients: armouries, the armed forces, public enterprises, private enterprises, the police, and private individuals. Exports to Israel were generally destined to the armed forces and private businesses (years ago, also to public businesses), while exports to armouries, police and private individuals have generally been zero or very small. For example, never between 2006 and 2023 has any defence equipment gone to a "private individual" in Israel, with the sole exception of 0.5% sent in 2012. However, the report for the first half of 2024 showed a staggering 98.5%.

Apparently, this was a human error that has now been corrected, because the report that can now be found on the website of the Ministry of Commerce shows the same table on pages 13 and 14 with the heading modified: where it used to say 'Armería | E.Privada | E.Publica | FFAA | Particular | Polocial' it now reads 'Armería | FFAA | E.Publica | Policial | E.Privada | Particular' (this concepts mean: Armoury, Private Companies, Public Companies, Armoured Forces, Private and Police). Therefore, 98.5% corresponds to 'E.Privada' and the remaining 1.5% to 'FFAA'. This 1.5% coincides with the 18,743 euros in the first half of 2024 for category 6 ('land vehicles and components'), and this amount practically coincides with the 18,750 euros for the exports with the code 8710 in January, February and April 2024 (see table 3), exports that, as reported by DataComex pointed out, were destined for the Philippines. This is that is to say, it would be an export to the Armed Forces of that country.

On 23 October 2024, Minister of Defence Margarita Robles assured that Spanish exports of defence materiel to Israel consisted of spare parts to be returned to Spain.²¹ This was also stated by the Ministry of Defence: "in the last year, Spain has only contracted the repair of parts, especially aeronautical parts, which were temporarily exported to Israel and returned after repair to ensure the operational readiness of Air Force aircraft".²² María Amparo López Senovilla, Secretary of State for Trade, in her appearance before the Defence Committee on 25 March 2025, insisted that "the authorisations are temporary and exclusively - I repeat, exclusively - of materiel for repair and maintenance whose end user is the Spanish Ministry of Defence for the supply and updating of essential systems for our Armed Forces".²³ All these statements are compatible, for example, with the maintenance of some products of Elbit Systems, a private company; or with the drones of Aeronautics, a private company, but part of Rafael. However, Rafael and IAI are owned by the Israeli government. The virtual absence of public companies in table 4 and the notable relationship of dependence on some products of the latter companies, which have also had significant relationships with products used in Spanish aircrafts (e.g. IAI's unmanned vehicles and Rafael's air combat designators and helicopter missiles), leads one to think that these companies may be considered as 'E.Privada'.

21. Andrés Gil, "Robles reconoce contratos con la industria militar israelí para reparación de piezas y dice que se han congelado las compras de armas", *elDiario.es*, 23 October 2024, https://www.eldiario.es/internacional/robles-reconoce-contratos-industria-militar-israeli-reparacion-piezas-dice-han-congelado-compras-armas_1_11755977.html

22. Miguel González, "Defensa responde a Sumar que también ha suspendido las compras de armas a Israel", *El País*, 23 October 2024, <https://elpais.com/espana/2024-10-23/defensa-responde-a-sumar-que-tambien-ha-suspendido-las-compras-de-armas-a-israel.html>

23. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 7.

Table 4. Recipients of Spanish defence exports to Israel

	Armoury	Armed forces	Public B.	Private B.	Police	Private individual
2024 (H1)	-	-	-	1.5	-	98.5
2023	-	89.84	-	10.16	-	-
2022	-	26.98	-	73.02	-	-
2021	0.29	73.12	0.46	26.13	-	-
2020	-	3.25	-	96.75	-	-
2019	-	40.5	-	59.5	-	-
2018	-	51.38	-	48.62	-	-

Percentage (%)

1.3 WHAT DOES ISRAEL SAY SPAIN EXPORTS TO IT?

Israel also provides public information on the products it imports from around the world. The government databases website, which collects information from all ministries, is provided as "part of an open government policy that promotes transparency on the part of ministries".²⁴ The official import statistics

provided by the Israeli government include details of the exporting country and the code of the exported item.

According to this import database, between 7 October 2023 and March 2025 Spain is reported to have exported to Israel, considering only code 93 ("arms and ammunition"), materiel valued at €5.3 million in 88 shipments, as broken down below on table 5.

24. "About the Government Information Website", <https://info.data.gov.il/datagov/about>.

Table 5. Spanish exports under code 93 reported by Israel since October 2023

Code	Description	Number of consignments	Amount (euros) (including VAT)
93051000	9305: "Parts and accessories of the articles of headings 9301 to 9304". 93051000: "Of revolvers or pistols".	34	446,028.78
93059100	"Parts and accessories of the articles of headings 9301 to 9304". 93059100: "of weapons of war of heading 9301", where 9301: "Military weapons other than revolvers, pistols and the arms of heading 9307".	44	3,468,092.71
93069090	9306: "Bombs, grenades, torpedoes, mines, missiles, cartridges and other ammunition and projectiles, and parts thereof, including cartridge cases, shot and cartridge wads". 930690: "other"; 93069090: "other".	2	1,316,370.98
93040090	9304: Other arms (e.g. long guns and spring-powered or air- or gas-operated pistols, batons), excluding those of heading 9307 (the chapter has no subdivisions).	2	5,892.99
93070000	"Swords, cutlasses, bayonets, lances and other bladed weapons, their parts and sheaths" (the chapter has no subdivisions).	6	69,857.97
Total		88	5,306,243.43

Annex 1 provides the details of each shipment, the transaction value and the taxes applied. It also specifies the transport contracting method via *Incoterms* – the international trade rules devised by the International Chamber of Commerce that determine how transport costs are allocated and responsibilities assigned between parties in an international contract.

Incoterms facilitate the conclusion of such contracts by supplementing aspects of their legal framework, with the parties agreeing which specific *Incoterms* govern the contract. Notably, seven different *Incoterms* were used in the “arms and ammunition” exports to Israel: (FOB in 54 shipments, EXW in 15, CPT in

10, FCA in 5, CIF in 2, DDU in 1 and CFR in 1).²⁵ When the FOB *Incoterm* is agreed, the seller bears all transport costs for the goods, whereas under EXW the buyer assumes all transport costs (see Annex 1).

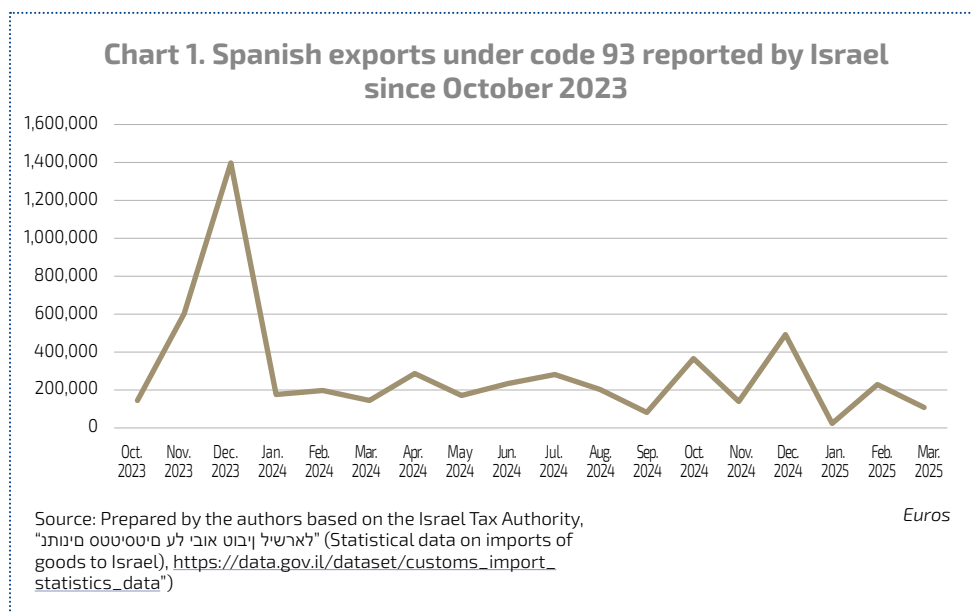
The variety of *Incoterms* suggests differing transfer arrangements, even though the Government has spoken only of two: equipment to be returned to Spain and items to be re-exported to third countries. The Nammo Palencia export at the end of 2023 is recorded under EXW, indicating that Elbit Systems would have borne all costs, consistent with a final purchase in Israel.

25. See Annex 1 for the full shipment list.

Table 6. Spanish exports under code 93 reported by Israel since October 2023, by year

Period	Amount (EUR)
2023 (Oct.–Dec.)	2,144,282.77
2024	2,786,669.94
2025 (Jan.–Mar.)	375,290.72
Total	5,306,243.43

Economic value plus taxes



A comparison of the DataComex data and the information provided by Israel shows that:

- The total materiel that Israel records as imported from Spain under code 93 ('arms and ammunition') amounted to €1,215,399 between January and June 2024, a figure very similar to the €1,225,232 that Spain acknowledges having sent during that period under category 5, the only category compatible with those exports under code 93.²⁶ Depending on the shekel/Euro rate applied, they may even coincide.²⁷
- However, Spain does not recognise this amount under code 93, so if it is the same materiel, Israel and Spain are coding it differently. The list included in the export report for category 5 is as follows: "Weapon sights, bombing computers, gun laying equipment, systems for weapon control and systems for targeting, designation, data fusion, recognition, identification, sensor integration. Field test or alignment equipment" Nearly all imports into Israel in the same six-month period fall under code 9305 ("Parts and accessories" for weapons).
- The International Convention on the Harmonised Commodity Description and Coding System (HS Convention/system) seeks to establish the same criteria for all member countries of the World Customs Organisation. However, for various reasons, including fiscal interests, Israel has sometimes used codes that do not match with those of other countries,²⁸ which may have also occurred with Spain. For example, the export of Nammo ammunition in November 2023: Spain declared €987,000 under code 930630 ("other cartridges and parts"), whereas Israel records an import of €996,970 (tax-exclusive) not in November but in December. The discrepancies may be due to the exchange rate applied and the different recording times (the transfer was made by sea freight, which can take several days). The use of the amount without tax is due to the EXW transfer formula, which charges all costs to the buyer). Israel used the code 930690 ("other").

1.4 LICENSING AND DENIALS OF "NON-LETHAL MATERIEL".

ON LETHALITY

The Spanish government maintains that it has "always" followed an "extremely cautious" policy on exports to Israel, particularly since 2001. Since then,

"no definitive export" of "lethal" equipment has been authorised.²⁹

The denial of lethality has been common practice in Spain. In 2009, then prime minister Jose Luis Rodríguez Zapatero responded to a question on a television programme by saying that Spanish arms exported to Israel were not used to kill the Palestinian population.³⁰ That same year, he described exports of military aircraft and frigates to Venezuela as "peaceful weapons".³¹ Ten years later, then foreign minister Josep Borrell claimed that the type of bomb exported by Spain to Saudi Arabia did not cause "humanitarian dramas" and did not produce "collateral damage in the sense that it hits the intended target with extraordinary precision".³²

Maersk ships have carried code 93 goods, "arms and ammunition", from the US to Israel (the third document in Annex 5 is an example). However, Maersk denied even that what it carried were "arms". According to its e-mail response to questions from a Danish journalist: "The cargo carried on behalf of the US government does not contain arms or ammunition. These shipments contain equipment for military use and are derived from US policy under the US-Israel Security Cooperation Program".³³

In November 2023, items valued at €987,000 were exported from Palencia, classified under code 93. The government claimed that they were "non-lethal", arguing that they were non-explosive cartridges (some were, as we shall see) for training purposes. In the same vein, Maersk can also argue that the Namer and Oshkosh combat vehicles bound for Israel that passed through Algeciras are also non-lethal if they do not carry the munitions that ultimately kill. Stretching the argument, bullets, mortars or missiles, on their own, are also not lethal if they are not accompanied by a weapon to fire them.

In his speech at the Secretary of State's appearance before the Congressional Defence Committee, the spokesman for the Vox parliamentary group, retired Major General Alberto Asarta, said that "weapons sys-

29. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, pp. 6 and 19.

30. "En vivo: 'Saldremos de esta, pero el Gobierno no puede hacerlo solo', según Zapatero", RTVE, 26 January 2009, 22:38 hours, <http://www.rtve.es/noticias/20090126/vivo-saldremos-esta-pero-gobierno-no-puede-hacerlo-solo-segun-zapatero/225229.shtml>

31. Henry Kamen, "Defensa y el comercio de 'armas pacíficas'", *El Mundo*, 6 February 2009.

32. "Borrell dice que las bombas que se enviarán a Arabia Saudí son de precisión y no producen efectos colaterales", *Europa Press*, 13 September 2018, <https://www.europapress.es/nacional/noticia-borrell-dice-bombas-enviaran-arabia-saudi-son-precision-no-producen-efectos-colaterales-20180913101108.html>

33. Manne Scheef and Peter Rasmussen, "Fragtbreve afslører: Mærsk sejler krigsudstyr til Israel", *Ekstra Bladet*, 16 March 2025, <https://ekstrabladet.dk/nyheder/krigogkatastrofer/fragtbreve-afslorer-maersk-sejler-krigsudstyr-til-israel/10504482>

26. Categories 6 and 10, land vehicles and aircraft, fall under TARIIC headings 87 and 88, respectively, not under heading 93.

27. In the table in Annex 1, the average rate for the month has been used, according to the X-Rates converter, <https://www.x-rates.com/average/?from=EUR&to=ILS&amount=1&year=2025>.

28. Omer Wagner, "Legislative Purpose - The Unwritten Criterion in Classifying Goods: A Case Study of Israel Law", *World Customs Journal*, 18(2), 2024, pp. 96-115, <https://doi.org/10.55596/001c.123815>.

tems in general are lethal, meaning they all kill, and they can be used for offensive or defensive purposes. Their use is the sole responsibility of the user and not of the manufacturer.³⁴ If the general is right on this last part, then any regulation of exports would be meaningless. Such regulations exist precisely because the responsibility is shared, albeit to varying degrees.

The interpretation of what is lethal is self-serving. There are no technical categories that classifies arms (or, in the legal term, "defence materiel") as lethal or non-lethal. This is a political and self-serving nuance, related to Israel, and to no other country. In fact, the export report for 2023 and the report for the first half of 2024 together comprise 169 pages. The word "lethal" appears ten times, and nine of these appear in sections discussing Israel. The other instance was as an adjective for "injections" in a paragraph on the death penalty, in a section that appears in every annual report. A review of all reports since 2005 shows that defence exports to any other country have never been referred to as "lethal" or "non-lethal".³⁵ There is one exception, in the 2019 report, when there were two references to lethality of defence materiel, but this was also in texts referring to Israel.

According to reports prepared by the Secretariat of Secretary of State for Trade, Spain has exported to Israel (with no mention of a subsequent re-export): "components, parts and pieces of transport aircraft engines", "30mm.x173 test firing", "image sensors", "all-terrain vehicles", "fuzes for testing and validation in illuminating mortar shells", "UAV components to be installed in an aerial intelligence platform", or "night vision equipment". Indeed, it does not sound the same as "loaded and inert aviation bombs", "aviation bomb bodies", "armoured vehicles", "missile components", "electro-optical mortar systems" or "firing guidance system", which are all exports from Spain to Israel to be re-exported, after dealing with the Israeli industry, to a third destination, be it India, the Philippines, Indonesia or Spain. However, everything that remained in Israel was part of systems, logics, production chains and businesses that kill.

34. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 26.

35. There are occasional references to riot control equipment, but never to defence equipment.

The government should provide more detailed explanations on the specific type of defence materiel exported to Israel and why it considers it to be non-lethal.³⁶

THE LICENCES

The Spanish government assures that from 7 October 2023, no new licences for the export of defence materiel to Israel have been granted. This is reflected in official reports for 2023 and the first half of 2024. With one exception: one licence has been granted in the first half of 2024, in category 11 ("electronic equipment, spacecraft and components") for a value of €0,00. If it had been a donation, it would not yet have materialised in the first half of 2024, as it does not appear in the corresponding table ("leasing, donations, second hand and licensed production").

Nor has there been any denial of defence materiel, and, as far as is known, no revocation or suspension of any authorisation granted before 7 October 2023. This suggests two possibilities: (a) that everything which was authorised has already been exported or the option to export has been waived, and consequently nothing remains pending; or (b) there are pending exports, which is to be expected because of the need for repairs and maintenance, as the Spanish authorities have repeatedly pointed out. The government says it exports but does not authorise. The question is how it can do that, and it has provided no information to clarify this situation.

However, not all arms exports require a prior export licence. In February 2025 (last month with available data), €127,460 were exported from Cantabria under code 93 ("arms and ammunition"). In the explanatory notes that the State Secretariat for Trade has included in DataComex since December 2023 (previously it did not), it is indicated that: "In the month of February

36. Agustín Santos Maraver, a member of the Sumar Parliamentary Group, made a similar statement during the appearance of the Secretary of State for Trade in the Defence Committee on 25 March 2025: "The formula of non-lethal materiel is usually used - 4.7 million non-lethal materiel to Israel - but it is not specified exactly what this non-lethal materiel is. It could be AI, electronics, sensors -this is what appears in the report-, but it should be clarified because, as we have seen in the offensive and in the military operations in Gaza, these types of sensors have been essential for the detection and destruction of targets, and have been one of the reasons for the enormous death toll caused by the Israeli bombardments"; Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 12.

Table 7. Denials of export licences to Israel

	2023 (to Israel, before 7 October)	2023 (total to Israel)	2023 (total Spain)	2024 (to Israel, H1)	2024 (total Spain, H1)	2024 (total to Israel)
Defence Materiel	0	0	1	0	14	0
Other equipment (riot control)	0	0	1	0	0	0
Hunting and shooting sports	0	0	4	0	9	0
Dual-use materiel	1*	1	20	0	11	47

*The denial of dual-use material applied to Israel took place on August 1, 2023. It affected "18 autopilots" (that's all the information provided) and the reason for the refusal is "lack of information about the final user and the existence of refusals from other countries". Official report corresponding to the year 2023, p. 100.

2025, flows appear with CN codes (Combined Nomenclature) 93051000 and 93059900, with exports totalling €122,146 and €5,310 respectively, and imports totalling €575 and €84.98 respectively, all to or from Israel. These concern weapon components that are not considered 'essential components' under Regulation (EU) 258/2012 and are therefore not subject to export licensing".³⁷

As far as dual-use licences and exports are concerned, the situation in the first half of 2024 followed the same logic: nothing was exported, but nothing was denied either. However, in her appearance before the Defence Committee on 25 March, the Secretariat of State for Trade revealed that in 2024 Spain had denied 47 licences for dual-use materiel to Israel, of which, according to the Secretary, "at least 20 were for end-use in the defence sector".³⁸ We do not yet know whether any licences were granted in the second half of 2024, but 47 export licence denials for dual-use materiel to Israel are quite a lot. There have never been so many since statistics have been available (from 2005), the second highest record is 32 (in 2020) and the average for the last 19 years has been 14. Perhaps this high number reflects the opportunism of the Spanish industry in a context so attractive for the sale of dual-use items to Israel.

37. EU Regulation 258/2012 regulates firearms, their parts and components and ammunition in order to prevent illicit trafficking and counterfeiting. "Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012", *Official Journal of the European Union*, ref. L 94/1, 30 March 2012, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0258&qid=1747046875811>. Article 2(3) defines "essential component" as "the breech-closing mechanism, the chamber and the barrel of a firearm which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted". The export of non-essential components for civilian use does not require an export authorisation, according to note 1 of Annex II.(1) of Royal Decree 679/2014 of 1 August, <https://www.boe.es/buscar/pdf/2014/BOE-A-2014-8926-consolidado.pdf>.

38. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 7.

1.5 DETAILS OF EXPORTED DEFENCE MATERIEL

1.5.1 CARTRIDGE EXPORTS. WHAT ELSE WE KNOW

In November 2023, €987,000 worth of ammunition was exported from Spain to Israel.³⁹ This was done by Nammo Palencia, the subsidiary of the Norwegian-Finnish multinational Nammo. Norway has a ban on arms exports to Israel, but these transfers take place from subsidiaries of Norwegian companies in the United States or Spain. The Secretariat of State for Trade in Spain assured the media that what had been sent was "non-explosive ammunition", "of medium calibre", but as Nammo itself (in Norway) acknowledged, at least 200 of these cartridges were "standard", meaning complete with their explosive charge.⁴⁰ These 200 rounds represented, according to the company, 1.5% of the total exported. In fact, the percentage may be 1.63%, given that the Israeli government reported 12,260 units (see Annex 1).

According to Nammo's statement in Norway, the recipient company of the Palencia exports was Elbit Systems, the largest Israeli military company and probably the most controversial (see a description in section 2.2.1 on awarding contracts). The ammunition entered Israel through the port of Haifa. The average calibre is at least 20 mm, although in some publications it starts at 12.7 mm (half an inch). It was most likely 30 mm x 173 ammunition, for the following reasons:

39. Pol Pareja and Olga Rodríguez, "España mandó munición a Israel pese a haber anunciado que tenía suspendidas las exportaciones de armamento", *elDiario.es*, 11 February 2024.

40. Bjørgulv K. Bjåen, "Norske Nammo leverte ammunisjon til Israel under Gaza-krigen", *Vårt Land*, 20 February 2024, <https://www.vl.no/nyheter/2024/02/20/norske-nammo-leverte-ammunisjon-til-israel-under-gaza-krigen/>.

1. In 2022, the official export report prepared by the Secretariat of State for Trade declared, among the equipment exported to Israel, "30mm.x173 test firing", while in 2021 it was "inert 30mm.x173 test firing".⁴¹ In other words, this is a pre-export item.
2. Nammo Palencia is the only manufacturer in Spain of the 30 mm x 173 calibre and, according to the Defensa.com portal, represents Spain on the NATO Experts team tasked with defining and agreeing on the technical aspects of this calibre.⁴² Elbit also manufactures ammunition of this calibre, but its catalogue only lists two versions: M201 HE-T and M200 TP-T, the latter for training.⁴³ The "training" TP-T (Target Practice Tracer) can "penetrate armoured vehicles". This cartridge is used to test the previous cartridge (HE-T, "high explosive, tracer").
3. The 30 mm x 173 TP-T ammunition is the one used by the Pizarro in its MK30-2, but also by Escribano M&E's Guardian 30 turret.⁴⁴ This company has close relations with the Israeli industry (see section 2.3.1 on business cooperation) and the turret is also integrated into the VCR 8x8 Dragón vehicle. According to the official export report of 2023, "the return to origin of various materiel under the VCR 8x8 armoured vehicle programme of the Spanish Ministry of Defence was authorised" (p. 12). 12. The origin referred to is Israel.
4. The price per unit is €90 excluding tax, or at least that was the cost to the Ministry of Defence three years ago for the Nammo contract for 9,500 rounds.⁴⁵ The cost per unit obtained by dividing the €978,000 by the 12,260 units is €80, but exceeds €90 if the VAT rate in Israel is included.

The 2023 report of the Secretariat of State for Trade makes no express mention of this November 2023 export of €987,000, possibly "hidden" within the €1,112,240 of category 3, corresponding to ammunition and fuze setting devices. Instead of providing explanations for this export, the statistical records adhere to a policy of opacity regarding this operation. The Secretary of State for Trade, María Amparo López Senovilla, also failed to provide information on this export when she appeared before the Defence Com-

mittee of the Congress of Deputies on 25 March 2025; no one in the Committee asked her any questions on the matter.

1.5.2 ARMOURED VEHICLE EXPORTS: CAPITALISING ON THE ISRAELI BRAND

The vast majority of the economic value of defence materiel exported to Israel in 2023 is linked to a joint programme between Elbit Systems and Santa Bárbara Sistemas, a subsidiary in Spain of the US giant General Dynamics, the fifth largest arms company in the world according to SIPRI⁴⁶ and one of the largest suppliers of arms and ammunition to Israel.

The armoured vehicles exported to Israel are part of a \$172 million contract for the delivery of "light" armoured vehicles (30 tons), signed between the Philippine armed forces and Elbit Systems, with whom Santa Bárbara has an agreement.⁴⁷ The vehicle is an adapted version of the ASCOD (known as "Pizarro" in Spain), which in Israel is fitted with a command and control turret and a 105 mm gun, and the complete system is then sent to the Philippines. The ASCOD is manufactured by Santa Bárbara at the Trubia Arms Factory near Oviedo, while the turret and gun are supplied by Elbit. The system is called "Sabrah" and, according to its promotional material, has "proven combat effectiveness."⁴⁸ Seventeen armoured vehicles were sent to Israel in July and the last one in September 2023. However, components of this programme continued to be exported after 7 October 2023:

■ Code 93069010: "bombs, grenades, torpedoes, mines, missiles and other munitions and projectiles, and parts thereof (excluding cartridges)", also "of war". The Government of Israel records this shipment as an import, albeit under code 93069090. The declared value is almost identical. Israel lists the quantity imported as "202", and the port of entry was reportedly Ashdod.

■ Code 8710000000 (Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles). Spain has exported to Israel materiel under this code frequently from 7 October 2023 to April 2024.

41. See the history of defence export reports available at: https://comercio.gob.es/ImportacionExportacion/Informes_Estadisticas/Paginas/Historico_Material_Defensa.aspx

42. "Nammo Palencia, clave en el suministro de municiones a las Fuerzas Armadas españolas", *Defensa.com*, 18 May 2023, <https://www.defensa.com/espana/nammo-palencia-clave-fabricacion-abastecimiento-municiones>

43. See Elbit Systems' data sheets "M201 HE-T 30x173mm" and "M200 TP-T 30x173mm", available respectively at <https://elbitsystems.com/media/M201-HE-T-30x173mm.pdf> and <https://elbitsystems.com/media/M200-TP-T-30x173mm.pdf>

44. "El Ejército pondrá a prueba la capacidad del VCR 8x8 para neutralizar pequeñas embarcaciones", *Infodefensa*, 28 August 2023, <https://www.infodefensa.com/texto-diario/mostrar/4409903/lib/inflate>

45. "El Ejército encarga a Nammo Palencia munición de entrenamiento para los Pizarro por un millón", *Infodefensa TV*, <https://www.youtube.com/watch?v=J-4vpEaEeYY>

46. "The SIPRI Top 100 arms-producing and military services companies in the world, 2023", <https://www.sipri.org/visualizations/2024/sipri-top-100-arms-producing-and-military-services-companies-world-2023>

47. Arí Hashomer, "Ejército de Filipinas recibirá tanques ligeros Sabrah de fabricación israelí", *Noticias de Israel*, 23 de diciembre de 2021, <https://israelnoticias.com/militar/ejercito-de-filipinas-recibira-tanques-ligeros-sabrah-de-fabricacion-israeli/>

48. Arí Hashomer, "Filipinas adopta el vehículo de mando ASCOD en su ejército", *Noticias de Israel*, 26 de diciembre de 2023, <https://israelnoticias.com/militar/filipinas-adopta-el-vehiculo-de-mando-ascod-en-su-ejercito/>

Table 8. Spanish exports to Israel under codes 93 and 8710 likely related to the Sabrah product

Code	2023			2024				Total
	October	November	December	January	February	March	April	
87100000	65.300	698.910		11.570	4.200		2.980	782.960
93069010			125.240					125.240
							Total	908.200

Euros

Table 9. Spanish exports of defence materiel to Israel from 2019 to February 2024 under TARIC code 8710

2019	2020	2021	2022	2023									2024		
				Total	Jan.	Mar.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Jan.	Feb.	Apr.
40.07	745.6	2,374.55	803.84	44,824.1	700	11.55	7.17	40,969.23	0.21	2,371.68	65.3	698.91	11.57	4.2	2.98

Thousands of euros

When querying DataComex, a message appears next to the statistical information: "This operation has a purpose of re-export to a third destination, specifically to the Philippines, which is its final destination." This message is shown for exports in December, January, February and April. However, it does not appear prior to December, or in other months or years, or in relation to the Philippines or any other country, despite the fact that there have been numerous examples of exports to Israel intended for re-export to a third country. For example, India, the Philippines, the US and Spain (return) in 2021, or US Indonesia and Spain in 2013. Everything suggests that the explanation lies in the scandal triggered by the Nammo exports in November 2023, when the Spanish government had maintained that no exports had taken place since 7 October.⁴⁹

The following remarks can be made in relation to re-exports to the Philippines:

- The value of the "Pizarro" is approximately €45 million, whereas the contract with the Philippines is worth €172 million. The final share of the profit for Santa Bárbara is not known. Elbit was awarded the contract and it can be assumed that both companies cooperate out of self-interest. Santa Bárbara allegedly took advantage of the "Israeli brand" to do business. That brand had the appeal of being "battle-tested" and the fascination of the then president, Rodrigo Duterte.

- Israel was the world's second-largest arms supplier to the Philippines between 2020-2024, accounting for 27% of the total.⁵⁰ According to various sources, Israeli companies would have supplied turrets for armoured vehicles (in addition to the Sabrah, also for the Czech Pandur II or the US M113), Merkava tanks, Cardom mortars, Atmos 2000 howitzers, Hermes 450 drones, Skylark and Thor, BUL Cherokee pistols, IWI Uzi assault rifles and Torch-X, Combat -NG and E-LynX communication systems. The turrets, mortars, howitzers, drones and communications systems are from Elbit Systems, the Israeli company that is awarded the bulk of the contracts, and from whose privileged relationships Santa Bárbara has benefited.

- The mode of procurement was a "government-to-government" agreement between Israel and the Philippines,⁵¹ implemented under the presidency of Duterte, who had declared in September 2018 that he would only buy arms from Israel because, unlike the US, Russia or China, it did not impose restrictions.⁵² In the case of the US and other countries, these restrictions were related to human rights violations. In March 2018, Duterte withdrew his country from the International Criminal Court

49. Pol Pareja and Olga Rodríguez, *op. cit.*

50. Mathew George, Katarina Djokic, Zain Hussain, Pieter D. Wezeman and Siemon T. Wezeman, "Trends in international arms transfers, 2024", SIPRI, March, https://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf.

51. "Light Tank Acquisition Project of the Philippine Army," PHDefenseResource, June 23, 2019, <https://www.phdefresource.com/2019/06/light-tank-acquisition-project-of.html>.

52. Toi Staff, "Duterte says he'll buy only Israeli weapons... because there are no restrictions", *The Times of Israel*, 4 September, 2018, <https://www.timesofisrael.com/duterte-says-hell-only-buy-israeli-weapons-because-there-are-no-limitations/>.

(ICC). In February 2025, the ICC issued a warrant for Duterte's arrest for crimes against humanity, and he was arrested on 7 March.⁵³ But when the purchase of the armoured vehicles was agreed, the ICC was already investigating the Philippine president for his excesses in the "war on drugs". In his words on 30 September 2016: "Hitler massacred three million Jews (sic). Now, there are three million drug addicts. I would be happy to massacre them. If Germany had Hitler, the Philippines would have..." and pointed to himself.⁵⁴ The comparison caused a stir in Israel, but not so much as to jeopardise the subsequent agreement.

- During her appearance, the Secretary of State for Trade was questioned by Agustín Santos, a member of the parliamentary group Sumar, regarding human rights violations in the Philippines. The secretary's brief answer was that the exported materiel was for the "defence" of the Asian country, and that it was not anti-riot equipment.⁵⁵ However, among EU Member States there were at least two denials of defence materiel exports to the Philippines in 2023. One of these refusals concerned the same Category 6 ("ground vehicles and components"), with the reason cited being Criterion 2 (systematic human rights violations).⁵⁶ In 2022, Spain itself denied, in relation to dual-use materiel, "six individual licences and one global export licence to Israel for

418 UAV reference and inertial navigation systems to an adaptation service for clients; two evaluation boards and 18 UAV autopilot units to the Ministry of Defence for re-export to the Philippine Armed Forces, valued at €0.7 million; and computer software to private distributors, valued at €250 million - due to existing denials by other countries and the risk of diversion in use and destination". There was heated debate in the UK that exporting defence materiel to the Duterte regime was controversial.⁵⁷

- The ASCOD/Pizarro vehicles already use Israeli components and technology. Its infantry version uses the Trophy active protection system from Rafael Advanced Defense Systems,⁵⁸ and its engineer version is equipped with an explosive protection system from Pearson Engineering, a company acquired by Rafael.⁵⁹

1.6 EXPORTS OF DUAL-USE MATERIEL

The Secretary of State for Trade, appearing before the Defence Committee on 25 March 2025, revealed that during the whole of 2024, 47 requests for authorisation for the export of dual-use items and technologies to Israel were denied, twenty of which were for end-use in the defence sector.⁶⁰

53. "Duterte Case. The Prosecutor vs. Rodrigo Roa Duterte", ref. ICC-01/21-01/25, <https://www.icc-cpi.int/philippines/duterte>

54. "Jewish leaders react to Rodrigo Duterte Holocaust remarks", *BBC*, 30 de septiembre de 2016, <https://www.bbc.com/news/world-asia-37515642>

55. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 19.

56. "Twenty-Sixth Annual Report according to Article 8(2) of Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment: Per Destination -Georgia to Rwanda", 16 December 2024, p. 128.

57. Joe Sandler Clarke, "How Britain offered the murderous President Duterte materials for 'urban warfare' ", *The New Statesman*, 11 May 2018, <https://www.newstatesman.com/politics/2018/05/how-britain-offered-murderous-president-duterte-materials-urban-warfare>

58. "GDELS Unveils ASCOD Infantry Fighting Vehicle Equipped with Trophy Active Protection System", *MilitaryLeak.com*, 31 May 2024, <https://militaryleak.com/2024/05/31/gdels-unveils-ascod-infantry-fighting-vehicle-equipped-with-trophy-active-protection-system/>

59. See Pearson's Instagram page at: https://www.instagram.com/pearson_engineering/p/C_xZE2fNwVW/?next=%2Fsecretmoonxo%2Ftagged%2F&locale=de&hl=am-et

60. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, pp. 5 and 7.

Table 10. Spanish exports of dual-use materiel to Israel since 2018

Category*	2018	2019	2020	2021	2022	2023 (H1)	2023	2024 (H1)
1	264,112	1,511,364	2,962,601	192,084	2,722,645	1,377,157	3,430,648	31,630
2	11,402,763	507,000	27,500	175,275	506,330	--	2,238,355	43,000
3	162,936	441,522	-	26,442	-	-	29,712	-
4	37,662	477,472	-	8,349	5,515	-	-	-
5	0	0	23,000	1,500	3,000	254,890	442,322	6,464
6	12,000	-	42,900	21,500	10,605	-	-	-
7	50,000	30,000	37,000	5,100	-	-	22,000	17,000
9	151,250	241,414	30,333	115,476	327,016	31,200	31,200	-
Total	12,080,723	3,208,772	3,123,334	545,725	3,575,112	1,663,247	6,194,236	98,094

*Category 1: Materials, chemicals, "microorganisms" and "toxins".

Category 2: Treatment of materials.

Category 3: Electronics.

Category 5: Telecommunications and "information security".

Category 7: Navigation and avionics.

Category 9: Propulsion systems, spacecraft and related equipment.

Euros

Table 11. Spanish exports of dual-use materiel to Israel, 2023 - first half of 2024

Category	Authorised exports			Exports realised		
	2023	2023 - H1	2024 - H1	2023	2023 - H1	2024 - H1
1	1,690,810	1,639,771	-	3,430,648	1,377,157	31,630
2	2,238,356	2,227,750	-	2,238,355	-	43,000
3	68,958	29,712	-	29,712	-	-
5	133,600	130,000	-	442,322	254,890	6,464
7	22,000	22,000	-	22,000	-	17,000
9	31,200	31,200	-	31,200	31,200	-
Total	4,184,924	4,080,433	0	6,194,236	1,663,247	98,094

Euros

Table 12. Denials of export licences for dual-use materiel to Israel

Year	Details in the report
2023	One individual export licence to Israel of 18 autopilots (for demonstration; €10,800), due to lack of end-user information and the existence of denials from other countries.
2022	6+1LG; 418 UAV inertial navigation and reference systems, 2 evaluation boards and 18 autopilot vectors for UAVs; reason: Instances of denials and risks of diversion in use and destination; date: 31.03.22, 31.05.22
2021	4 individual export licences to Israel for 470 inertial measurement units and 1 magnetometer valued at €700,837, which were refused because the end-user was not known.
2019	2 individual export licences to a private company in Israel for 550 inertial measurement units for UAVs valued at €95,550 for the Armed Forces, refused because they are intended for lethal materiel and there is a risk of military use, and an individual export licence to a private company in the IT sector in the same country for various security hardware and software worth €10 million, denied because there is insufficient information on the end-user.



2. ISRAELI IMPORTS, ARMS PROCUREMENT AND BUSINESS COOPERATION

2.1 ISRAELI DEFENCE IMPORTS

2.1.1 IMPORT REGULATION

Israel's military aggression in Gaza highlights the importance of defence imports in maintaining international peace and security. The Spanish government's purchases of Israeli defence materiel are much more important, both quantitatively and qualitatively, than arms exports to Israel. The purchase of Israeli arms promotes the viability of the Israeli defence industry and favours the militarisation and military occupation of Palestine.⁶¹

61. Alejandro Pozo Marín: ¿Quién arma a Israel? El embargo por imperativo moral y legal, Icaria, Barcelona, 2024, p. 27.

Not only exports of defence materiel require an administrative authorisation; also imports of defence materiel listed in the List of Weapons of War⁶². Therefore, imports of Israeli defence materiel must have an administrative authorisation granted by the Secretariat of State for Trade, following a favourable report by the JIMDDU.

However, if the defence materiel acquired by the Spanish government is produced in Spain by a company incorporated in Spain, even if it is a subsidiary of an Israeli arms company, the operation will not be considered an import.⁶³ And, therefore, it will not be subject to administrative authorisation from the Secretariat of State for Trade. The conclusion of an

62. Article 2(1)(a)(3).^o and Annex III.1 of Royal Decree 679/2014.

63. Article 3(8) of Law 53/2007 defines "importation" as "the entry of non-Community goods into Spanish territory included in the customs territory of the European Union, as well as the entry of goods, regardless of their origin, into the territorial scope of Ceuta and Melilla. The entry of goods from exempt areas is assimilated under importation".

administrative contract between the Spanish government and the arms company will suffice. This is the case of the acquisition of the Spike LR2 missiles, manufactured in Spain by a consortium of five companies led by PAP Tecnos Innovación SAU, the Spanish subsidiary of the Israeli arms company Rafael.⁶⁴

When authorising imports, national authorities have a wide margin of discretion. This is because the legally established criteria generally apply only to defence exports. This is the case with the criteria set out in EU Common Position 2008/944/CFSP. The Arms Trade Treaty focuses on the regulation of exports (Articles 6 and 7), limiting itself to establishing that States must take measures to regulate their imports of conventional arms (Article 8). As far as Spanish legislation is concerned, the only criterion that makes sense to apply to imports is that they "contravene the general interests of national defence and the foreign policy of the state".⁶⁵ This criterion grants a wide margin of discretion to the administration when granting or denying authorisations to import defence materiel. Arms imports from a given country could be banned if a UN or EU arms embargo were to be established that included imports.⁶⁶ There are precedents for arms embargoes that also include imports, such as the EU embargo on Russia.⁶⁷ Therefore the government is virtually free to make decisions in this area, unless an arms embargo is imposed that includes imports. Israeli arms imports and purchases are therefore not contrary to arms trade regulation.

64. On the production of Spike LR2 missiles in Spain, see the following news items: "El consorcio que fabricará el misil Spike LR2 para España presenta su plan industrial", *Infodefensa.com*, 15 December 2022, <https://www.infodefensa.com/texto-diario/mostrar/4104323/pap-tecnos-escribano-expal-tecnobit-fmg-rafael-crean-consorcio-desarrollo-misil-spike-lr2>; "España da luz verde a la compra de 1.680 misiles anticarro Spike LR2 por 285 millones de euros", *Infodefensa.com*, 4 October 2023: <https://www.infodefensa.com/texto-diario/mostrar/4462146/espana-da-luz-verde-compra-1680-misiles-anticarro-spike-lr2-285-millones-euros>; o "Así es el misil contracarro Spike LR2 de quinta generación para el Ejército de Tierra", *La Razón*, 4 October 2023, https://www.larazon.es/espana/defensa/asi-misil-contracarro-spike-lr2-quinta-generacion-ejercito-tierra_20231004651d48ebe0d7620001deb38f.html. The other companies in the consortium are Escribano, Expal, FMG and Tecnobit.

65. Article 8(1)(b) of Law 53/2007 of 28 December 2007 on the control of foreign trade in defence and dual-use materiel.

66. The obligation to implement UN or EU arms embargoes is regulated in Article 8.1.d) of Law 53/2007.

67. According to Article 2(3) of Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine: "The direct or indirect sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts therefor, to Russia by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be prohibited". These prohibitions "shall be without prejudice to the execution of contracts concluded before 1 August 2014 or ancillary contracts necessary for the execution of such contracts, and to the provision of spare parts and services necessary to the maintenance and safety of existing capabilities within the Union." (Article 2(4)).

Spanish arms export control legislation does not require publication of data on defence imports.⁶⁸ In fact, the "Estadísticas españolas de exportación de material de defensa, de otro material y de productos y tecnologías de doble uso - Spanish export statistics for defence materiel, other material and dual-use items and technologies", prepared by the Secretariat of State for Trade, do not include any information on the Spanish government's arms imports. The data on Israeli arms purchases that appear in the report come from the Public Procurement Platform and the Ministry of Defence publication entitled "La Industria de Defensa en España - Spanish Defence Industry", which lists the value of the top ten countries of origin of imports into Spain for each year.

Existing legislation is very weak in relation to the control of defence imports. There is clear room for improvement in this area. The objectives of arms trade regulation include respect for human rights, the prevention of armed conflict and the promotion of peace and security. These objectives can be achieved not only by controlling arms exports but also by controlling defence imports. Therefore, a case should be made for prohibiting the import of arms in certain circumstances. For example, a ban on imports of defence materiel manufactured in countries committing genocide, crimes against humanity or war crimes, including arms produced by subsidiaries of companies from such countries headquartered in other states. Such a ban could be incorporated in measures that would form part of a total arms embargo; also, by establishing procurement bans in public sector procurement legislation in the sectors of defence and security.

2.1.2 ISRAELI DEFENCE IMPORTS FROM 7 OCTOBER 2023

Between 7 October 2023 and February 2025, Spain imported from Israel products under code 93 ("arms and ammunition") valued at over €15 million, in addition to another €21.6 million under code 8710. This brings the total to €36.7 million 2024 saw the second highest figure in the previous decade. The record was in 2023, with more than half imported in the last quarter. In other words, imports have never been as high as after 7 October 2023.

68. Article 16 of Law 53/2007 only obliges the government to send to the Congress of Deputies information on exports of defence and dual-use materiel.

Table 13. Imports from Israel under codes 93 and 8710 between 2014 and February 2025

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025 (Jan-Feb)
Total	3,856.59	344.63	82.04	13,464.63	14,841.65	14,547.91	22,251.89	17,378.48	16,904.90	24,036.70	22,348.10	8,614.19
8710				3,256.23	5,987.71	5,170.58	16,695.46	6,551.77	5,481.48	13,748.20	15,344.90	3029.62
Total 93	3,856.59	344.63	82.04	10,208.40	8,853.94	9,377.33	5,556.43	10,826.71	11,423.42	10,288.50	7,003.20	5,584.57
9301				1,873.02		365.20	267.83	1.54	2,541.47	4,301.23		
9302				13.44	19.60	28.01	19.85	863.50	890.02	877.78	98.74	
9303												
9304				2.34	0.49		20.66		2.66	0.88	0.57	
9305	1,763.13	342.82	81.64	2,037.25	2,892.55	3,872.55	815.19	1,746.50	11.26	4,223.80	2003.26	21.83
9306	2,093.17	1.80		6,282.34	5,941.30	5,111.56	4,430.15	8,215.17	7,978.00	884.85	4900.66	5,562.74
9307	0.28		0.40				2.76					

Source: DataComex.

Thousand euros

Table 14. Imports from Israel under codes 93 and 8710 between October 2023 and February 2025

	2023			2024						
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.
Total	3,611.18	0.29	8,619.16	1,856.61	124.04	4,018.07	1,821.85	536.09	1,347.01	1,598.32
8710	3,611.03		2,684.09		124.04	4,017.92	1,808.36	535.58	1,216.63	1,598.15
Total 93	0.15	0.29	5,935.07	1,856.61	0.00	0.15	13.49	0.51	130.38	0.17
9301			1,714.17							
9302									36.49	
9303										
9304	0.06					0.15		0.42		
9305		0.29	4,220.89	1,856.61			13.49	0.09	91.46	0.17
9306	0.09								2.43	
9307										

	2024 (cont.)					2025	
	Aug.	Sep.	Oct.	Nov.	Dic.	Jan.	Feb.
Total	1,514.08	3,291.66	2,915.16	267.50	3,057.75	2,147.85	6,466.34
8710	1,504.08	13.13	2,912.85		1,614.17		3,029.62
Total 93	10.00	3,278.53	2.31	267.50	1,443.58	2,147.85	3,436.72
9301							
9302				62.25			
9303							
9304							
9305		6.21	2.31	19.50	13.42		21.83
9306	10.00	3,272.32		185.75	1,430.16	2,147.85	3,414.89
9307							

Source: DataComex.

Thousand euros

The DataComex portal provides notifications regarding imports by code 93069010, 93020000 and 93059100. In September 2024, it justified them as the result of "return to Spain of Ministry of Defence materiel, previously sent to Israel on a temporary basis, in order to undergo repairs"; in November and December 2024, "operations to cover national defence needs"; and in January and February 2025, imports were linked to "strategic programmes of the Ministry of Defence, for use by the Spanish Ministry of Defence".

However, codes 93 and 8710 represent only a minor part of the defence materiel "purchased" from Israeli companies. For two reasons. The first is that this amount is only a small part of the total imported. In the "La Industria de Defensa en España" reports of 2019, 2018, 2015, 2014 and 2013 Israel did not appear in the list of the top ten exporters to Spain, and in 2016 the imported amount is unknown as data was not provided. In 2022, the latest available report, Israel was ranked seventh, with €56 million or 1.6% of "defence imports", behind Germany (43.4%), France (30.9%), the US (6.1%), the UK (4.1%), Canada (2.8%) and Italy (2.4%).⁶⁹ As the table shows, Spain is importing increasingly more from Israel.

Table 15. Defence materiel imports from Israel

	2017	2020	2021	2022
Volume (million €)	29.15	43	47	56
% Spain imports	0.9	1.8	1.7	1.6
Ranking position	9	6	6	7
Volume 93+8710 (million €)	13.5	22.2	17.4	16.9

The second reason makes the first even more relevant. A few years ago, Spain's overall purchases of Israeli defence materiel were reflected in the volume of imports. This was because the bulk of this materiel was produced in Israel and shipped from there to Spain. However, this is no longer the case, and purchases and imports differ greatly, because a large part of the Israeli products are manufactured in Spain. In two ways: a) through Israeli subsidiaries established in Spain; and b) by Spanish companies that manufacture these products under technology transfer agreements or with certification by the Israeli industry. Or a combination of both, as the example of the Spike missile shows, and that we shall later see.

69. *La Industria de Defensa en España. 2022 Report*, Ministry of Defence, May 2024, p. 28, https://publicaciones.defensa.gob.es/media/downloadable/files/links/L/a/la_industria_de_defensa_en_espa_a_informe_2022.pdf

These reasons suggest a strong increase in industrial relations between Spain and Israel in the defence sector. Although the trend is to import less in favour of local production, imports have increased significantly.

2.1.3 EU IMPORTS

Between 2020 and 2024, European NATO Member States more than doubled their arms imports. Israel was the fifth largest supplier, with 3.9% of the total, behind the US (64%), France (6.5%), South Korea (6.5%) and Germany (4.7%)⁷⁰. According to SIPRI, between 2020-2024 Israel was the eighth largest arms exporter in the world. The seven countries ahead of it have between 6 and 150 times more population.

According to DataComex, 23 EU countries imported materiel from Israel under code 93 ("arms and ammunition"). Latvia stands out with 42% of the total of €238.6 million imported by EU member states between October 2023 and January 2025, followed by the Netherlands with 17%, the Czech Republic with 10%, Sweden with 9%, and Spain and Lithuania with 6%. These six countries together account for more than 90% of total imports (see Annex 2).

Imports of Israeli weapons systems can be as questionable as exports. For three reasons. The first point is that Israeli military occupation and operations, as we know them, are extremely expensive - likely not viable without cost reductions. To bring down expenses and keep costs relatively affordable, Israel's defence industry must produce well beyond its domestic demand; framed as a matter of state policy, it promotes arms exports and access to new international markets. Israel exports more than 70% of its defence production.

The second reason lies in the added value of these weapons. Israel exports cutting-edge military technology advertised as "combat-proven", a label available to few industries and one that has proven to be very lucrative to employ. Israel's military operations in Palestine greatly facilitate the transition between research and development of new weapons and their operational use.

The third relates to the occupation model viewed not as a burden on the State, but as an opportunity for certain individuals to put the state at the service of self-interest and gain discretionary authority to use Palestine as a generator of threats, needs to address them, and thus power and privilege.

70. Mathew George, Katarina Djokic, Zain Hussain, Pieter D. Wezeman y Siemon T. Wezeman, "Trends in International Arms Transfers, 2024", SIPRI, March 2025, https://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf

2.2 CONTRACT AWARDS: STEADILY INCREASING

For more than two decades, various Israeli companies, their subsidiaries or intermediary companies of Israeli security and defence products have been awarded contracts by the Ministry of Defence and other Spanish public administrations to supply goods or services to the Armed Forces and State security forces. These awards create dependency. Military equipment requires constant maintenance and frequent upgrades to more modern versions, and these tasks are carried out by the same companies awarded the contracts, or are delegated to other companies for a fee.

One justification for awarding contracts to Israeli companies after 7 October 2023 is selfish, self-interested, and it is argued that it constitutes a dependency created by others (governments). This would be the case, for example, with the procurement of more modern Spike missiles or the maintenance of Cardom mortar systems or the Minisamson turret. However, new contracts may have generated new dependencies, with full knowledge of what Israel is doing in the Gaza Strip.

Dependency on Israeli armaments has two effects. Firstly, it affects the Armed Forces and State security forces, given that some of their equipment is *made in Israel*. Secondly, it also affects Spanish or Spain-based companies, who can engage in collaborative programmes with Israeli firms. An eventual total arms embargo would greatly affect both actors. One of the first questions to ask is how we came to a situation of strategic collaboration and dependency with a partner who proved untrustworthy in its handling of the very weapons involved in the deals. A possible answer is that Israel's military actions have become normalised. The second question is: what must Israel do for those relationships to cease being normalised – where are the red lines?

The trend in acquiring Israeli defence materiel involves facilitating production in Spain, with Spanish labour, through technology transfer. Several Spanish defence companies manufacture weapons systems that depend on technology transfer from Israel. However, the transfer is not complete, in order to avoid ceding control and thus perpetuating dependence. For example, the "brains" of the Spike missile or the key components of the various Israeli weapons systems that are manufactured in Spain are produced in Israel and then transferred to Spain.⁷¹ Therefore, although

imports may decrease – since nearly the entire product can be manufactured in Spain – they will remain essential. They may not be explosives, but it can be argued that it is their most lethal components that make them work.

2.2.1 CONTRACT AWARDS FROM 7 OCTOBER 2023

Since 7 October 2023, Israeli companies, their subsidiaries or third-party companies linked to Israeli materiel have been awarded at least 46 contracts by Spanish public administrations. The economic volume associated with these contracts amounts to more than €1,044 million. See details in Annex 3.

There are at least four distinct groups of companies that have been awarded contracts. The most significant involve the Elbit Systems and Rafael Advanced Defense Systems groups, two of Israel's three largest arms companies. The other two awardees are Netline Communications Technologies and Guardian Homeland Security.

Elbit Systems and IMI Systems. Elbit is Israel's leading company, ranked 27th in the world in terms of sales.⁷² It supplies most of the ground equipment and drones used by the Israeli army,⁷³ materiel that the company unabashedly advertises as "combat-proven".⁷⁴ IMI Systems is a company owned by Elbit Systems. Its predecessor, IMI, was banned in 2012 in India for 10 years for bribery practices.⁷⁵ Elbit manufactures the Iron Sting guided mortar, which was "deployed in combat" for the first time in October in the Gaza Strip.⁷⁶ Elbit also supplies the Spanish Army with the Cardom mortar system (which is used to fire the Iron Sting, and which has likewise been tested in combat),⁷⁷ as well as rocket launchers, communication equipment, thermal imagers and laser designators. Elbit was excluded from Norway's Global Pension Fund in 2009 for its "conduct" "contrary to international law" and its role in the West Bank sep-

71. Diego Molpeceres, "De misiles a lanzacohetes: las nuevas armas de España con tecnología israelí, pendientes de la crisis diplomática", *El Independiente*, 29 May 2024, <https://www.elindependiente.com/economia/2024/05/29/de-misiles-a-lanzacohetes-las-armas-del-ejercito-con-tecnologia-israeli-mas-sensibles-a-la-crisis-diplomatica/>.

72. "The SIPRI Top 100 arms-producing and military services companies, 2023", SIPRI, https://www.sipri.org/sites/default/files/2024-11/fs_2412_top_100_2023_0.pdf.

73. "Elbit Systems", The Database of Israeli Military and Security Export, <https://www.dimse.info/elbit-systems/#r+10562+1+16>

74. For example, "Hermes 450", *Elbit Systems*, <https://elbitsystems.com/product/hermes-450/>.

75. Ora Cohen, "India Blacklists Israel Military Industries for 10 Years", *Haaretz*, 7 May 2012, <https://www.haaretz.com/israel-news/business/2012-03-07/ty-article/india-blacklists-israel-military-industries-for-10-years/0000017f-db96-db22-a17f-ffb777f70000>. However, India lifted the ban in 2014, Ran Dagoni, "US 'Defense News' reports that the way is now open for IMI to win a battle tank development project", *Globes*, 18 November 2014, <https://en.globes.co.il/en/article-india-cancels-imi-boycott-report-1000987412>

76. "Meet the IDF's newly operational 'Iron Sting' GPS and laser-guided mortar munition", *Israel Defence Forces*, 16 November 2023, <https://www.idf.il/en/mini-sites/hamas-israel-war-24/all-articles/meet-the-idf-s-newly-operational-iron-sting-gps-and-laser-guided-mortar-munition/>

77. "Artillery systems", *Elbit Systems*

aration barrier and the "associated control regime".⁷⁸ However, since 7 October 2023 Spain has awarded it contracts in four different ways:

- Direct award to Elbit Systems. For the maintenance of the Cardom mortar (four contracts totalling €628,231)⁷⁹ or for the maintenance and spare parts of radio link systems (three contracts totalling: €4,518,313).
- Direct contract award to IMI Systems, owned by Elbit Systems. For the supply of ammunition for the Guardia Civil (two lots of one contract, for a total of €5,490,000) and for the acquisition of programmers (two contracts, for €1,850,006).
- Contracts awarded to Spanish companies to manufacture and supply Elbit products under technology-transfer agreements (from which it naturally derives economic benefit). This category includes the largest contract, valued at €576,449,112, for the supply of SILAM rocket launchers.
- Contracts awarded to Spanish companies for the provision of maintenance services, modernisation or supply of Elbit Systems products, with their certification (for which it is assumed that the Israeli company obtains economic benefit), for the maintenance or acquisition of thermal imagers, night vision and laser designators (five contracts for a total of €2,415,193) and for technical assistance related to Elbit E-Lynx radios (one contract for €99,174). The companies awarded the contracts were, respectively, Blanch International and eProxima. The tender requirements included certification by Elbit Systems.

Rafael Advanced Defense Systems LTD, Pap Tecnos and Magal. Emet was founded after the establishment of Israel in 1948 and changed its name to Rafael six years later. Rafael, from the Hebrew "Armament Development Authority", is owned by the Israel Defence Forces. It is based in Haifa and is the third largest Israeli arms company, after Elbit and IAI. Pap Tecnos is its subsidiary in Spain. In its "about us" section, it mentions Spain or "our armed forces" a dozen times, with no reference to Israel or Rafael.⁸⁰ Like Elbit, Rafael also advertises its products as combat-tested. From 7 October 2023, Rafael has been awarded contracts in Spain in three ways:

- Direct contract award to Rafael. A €207.4 million contract for POD designators for air combat systems.
- Contract award to Pap Tecnos. Supply of Spike LR2 missiles (one contract for €237.6 million) and maintenance of the Minisamson weapon station (three contracts, for a total of €396,694).
- Direct contract award to Magal Solutions, a subsidiary of Aeronautics, itself part of Rafael. Magal was founded in 1967 as a division of another Israeli company: IAI (Israel Aerospace Industries). In December 2023 it opened an office in Tarragona.⁸¹ It has been awarded at least two contracts in Spain since 7 October 2023, valued at €3.3 million, for security systems in the ports of Huelva and Tarragona.

Netline Communications Technologies (NCT) Ltd.

Netline Communications Technologies (NCT) Ltd. Is a privately owned Israeli electronic warfare company established in 1998 specialising in counter-drone and IED systems, and communications jamming systems. Since 7 October 2023, it has been awarded the following:

- A contract for €1,316,029 to purchase frequency jamming systems.
- A €390,000 contract for the purchase of jammer synchronisation equipment.

Guardian Homeland Security S.A.

A subsidiary of Guardian LTD Israel, it distributes police and military equipment in Spain from different Israeli manufacturers and sometimes represents Israeli defence companies in Spain. Guardian was founded by former members of Israeli intelligence and security agencies. Since 7 October 2023, it was awarded the following in Spain:

- 19 contracts for a total of 2,997,410 euros, ranging from grips for weapons (the lowest value awarded) to portable X-ray systems for explosives (the highest), including display systems, ballistic plates, spare parts for pistols and rifles, and personal protection equipment, among others, for the Spanish armed forces, the Guardia Civil and the local and national police corps.

2.3 BUSINESS COOPERATION WITH ISRAELI INDUSTRY

Business cooperation between the Spanish and Israeli defence industries has increased after 7 October 2023. Most of the relations that have now materialised in

78. "Supplier of surveillance equipment for the separation barrier in the West Bank excluded from the Government Pension Fund - Global", *Norwegian Ministry of Finance*, 3 September 2009, <https://www.regjeringen.no/en/historical-archive/Stoltenbergs-2nd-Government/Ministry-of-Finance/Nyheter-og-pressemeldinger/pressemeldinger/2009/supplier-of-surveillance-equipment-for-t/id575444/>.

79. One of these contracts was awarded on 5 October 2023, but was formalised on 14 November, after 7 October.

80. <https://www.paptecnos.com/quienes-somos/>

81. "Magal Solutions opens office in Tarragona", *MS3*, 22 December 2023, <https://www.ms3.es/es/magal-solutions-abre-delegacion-en-tarragona/>

contracts were established before 7 October, but there has been no known initiative to condition, qualify, alter, suspend or cancel this cooperation. The explanation given in private is an economic one: money has already been spent that someone will have to cover, and on top of that there are vast business opportunities. However, other explanations concern the fascination and enthusiasm for joint collaboration with an industry, the Israeli industry, considered a leader in the sector, due to its advanced technology and combat experience.

Most of the contracts awarded to the Israeli industry also benefit the Spanish industry, and it is precisely because of this benefit that it is easier for the Israeli industry to be awarded these contracts. Everyone wins. But someone loses. The attractiveness of arms lies in the *Israeli brand*, built on the experience accumulated against the Palestinian population.

Below, we review the three highest-value contracts identified in Annex 3, as well as the case of the Dragón, on account of its significance among the armament programmes of the Ministry of Defence.

8X8 DRAGÓN VEHICLE



The Dragon is a wheeled combat vehicle (VCR for its Spanish acronym). It is manufactured by a consortium of companies called TESS Defence, made up of Escribano M&E, Indra, Santa Barbara Sistemas and Sapa Placencia. The initial production plan was to produce 998 units, of which 348 would be delivered in phase 1, 365 in phase 2 and 285 in phase 3. This is one of the largest defence programmes in Spain, with an estimated original cost of 3.8 billion euros, with several vehicle variants and configurations.⁸² In February 2025, Popular Party (a right-wing party in Spain) called for the program to be suspended because 'it is a failure'.⁸³

82. José María Navarro, "La continua encrucijada del VCR 8x8 Dragón para el Ejército de Tierra", *Defensa.com*, 18 de febrero de 2025, <https://www.defensa.com/opinion/continua-encrucijada-vcr-8x8-dragon-para-ejercito-tierra>

83. Miguel González, "El PP pide la suspensión del mayor programa de armamento del Ejército de Tierra", *El País*, 20 de febrero de 2025, <https://elpais.com/espana/2025-02-20/el-pp-pide-la-suspension-del-mayor-programa-de-armamento-del-ejercito-de-tierra.html>

This proposal suggests that in certain cases the cost of cancelling large contracts, such as some of those involving Israeli industry, could be acceptable. The Dragon is advertised as 'Spanish', but not everything is Spanish at TESS Defence (Santa Barbara, for example, is owned by US-based General Dynamics) and not everything is Spanish at Dragon:

- Armour was provided by the Israeli company Plasan, which signed a contract with TESS Defence to equip the 348 vehicles in the first phase with mine- and projectile-resistant armour⁸⁴.
- E-LynX radio from Elbit Systems, which allows Telefónica under licence to assemble this element in Spain.⁸⁵
- Spike missiles, from Rafael Advanced Defence Systems.
- ELAWS-2 (*Elbit Laser Warning System*) laser illumination warning system manufactured by Elbit Systems, which can detect if the vehicle is being targeted.
- Active protection system. The Guardian 30 remote station developed by Escribano M&E incorporates an Iron Fist active protection system from Elbit Systems. In fact, the Spanish firm itself proposed developing the Elbit protection system in Spain with the collaboration of Indra and Instalaza, with the aim of armouring Army vehicles. The first test of the Iron Fist system on the Escribano turret took place just 15 days before 7 October 2023.⁸⁶ The same Guardian 30 turret uses Rafael's Spike missile.⁸⁷
- Rafael's Trophy Active Protection System, "the world's only fully integrated and combat-proven APS in the world", installed on Israeli Merkava tanks.⁸⁸ The Trophy will not be integrated in the initial phase of the Dragón due to costs, but is planned to be incorporated in the future.⁸⁹

84. Eyal Boguslavsky, "Plasan to Armor Spanish Army's Future Combat Vehicles", *Israel Defense*, 3 February 2022, <https://www.israeldefense.co.il/en/node/53523>

85. "Elbit Systems E-LynX Software Defined Radio Selected again by the Spanish Army", *Elbit Systems*, 4 de enero de 2023, <https://www.elbitsystems.com/news/elbit-systems-e-lynx-software-defined-radio-selected-again-spanish-army>

86. "Escribano prueba el sistema de protección activa Iron Fist de Elbit en su torre Guardian 30", *Infodefensa*, 22 September 2023, <https://www.infodefensa.com/texto-diario/mostrar/4447433/escribano-prueba-sistema-proteccion-activa-iron-fist-elbit-torre-guardian-30l>

87. See Escribano's video of first test in Zaragoza in June 2022: <https://www.youtube.com/watch?v=zuHbx4RQ6m4>

88. "El sistema de protección activa Trophy de Rafael seleccionado para su integración en el tanque de batalla principal Challenger 3 del Reino Unido", *Fuerzasmilitares.es*, <http://fuerzasmilitares.es/el-sistema-de-proteccion-activa-trophy-de-rafael-seleccionado-para-su-integracion-en-el-tanque-de-batalla-principal-challenger-3-del-reino-unido>

89. Víctor Navarro, «La Legión de Almería se prepara para dar cobijo a los Dragones», *La Voz de Almería*, 21 January 2025, <https://www.lavozdealmeria.com/provincia/268377/legion-almeria-prepara-dar-cobijo-dragones.html>

Other Israeli products were designated for the 8x8 Dragon at the time. Among others, the E-LAWS 2 (Elbit Laser Warning System) laser illumination warning system manufactured by Elbit Systems, which can detect if the vehicle is being targeted;⁹⁰ and the 'tested-in-combat' mine plough, for the 'zapadores' version, from Pearson Engineering, which in September 2022 was taken over 100% by Rafael.⁹¹

SILAM (HIGH MOBILITY LAUNCHER SYSTEM)



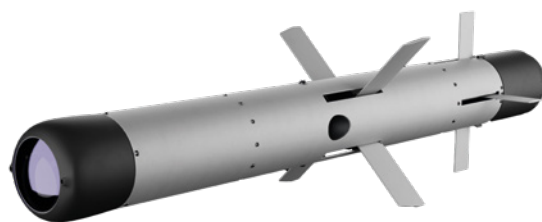
SILAM is a rocket launcher system developed by the Spanish company Escribano M&E, the German company Rheinmetall Expal and the Israeli company Elbit Systems. The two companies awarded the €576 million contract will develop SILAM based on Elbit's PULS (*Precise and Universal Launching System*), which in turn is based on the Lynx developed by IMI (acquired by Elbit in 2018). Both the development of the launching system and the munitions it uses will be carried out under a technology transfer agreement.

SILAM is produced in Córdoba, in the Rabanales 21 technology park, just 15 kilometres from the future Army Logistics Base. The agreement was to start deliveries in 2024, munitions in 2025 and conclude the programme in 2028. The most important item is the production and delivery of 12 rocket launcher systems and some 680 rockets, mostly guided, but also including vehicles, radars, tactical drones and "loitering ammunition", i.e. suicide drones.⁹² To date, the only such product was the Q-SLAM-40 produced by Arquimea Aerospace & Defence. Israel is probably, alongside Iran, the most prominent country in the production and supply of suicide drones.

The business for the companies involved extends beyond Spain. In March 2024, Rheinmetall, the owner of Expal, announced an order worth more than €300 million to supply a NATO Member State in Europe with a similar system based on PULS, in which Rheinmetall Expal will provide the rockets.⁹³ Germany, the Netherlands and Denmark are also among those who have procured the system.⁹⁴

In Israel, PULS is transported in an Oshkosh Defence Heavy Expanded Mobility Tactical Truck (HEMTT), the same vehicle that has transited through Algeciras on several occasions (see section on transit below).

SPIKE MISSILES



The Spike is an anti-tank missile developed by Rafael, offered in several variants according to its range, including long range (the LR and LR II versions, up to 4 km) and very long range or extended range versions (the ER, up to 8 km). To secure contracts with the Spanish Army (and the Navy), Rafael initially partnered with General Dynamics European Land Systems-Santa Bárbara Sistemas (GDELS-SBS) under one of the Special Armament Programmes of the Ministry of Defence. This cooperation later expanded to other prospective programmes in Portugal and South America. Under a technology-transfer agreement, GDELS-SBS manufactured the missiles in Spain, while the Spanish firm Tecnobit handled the supply and maintenance of the Spike LR for infantry and the Spike ER for Tigre helicopters under licence from Rafael. Between 2009 and 2014, missiles and fire-control units worth €364 million were delivered. On 3 October 2023, the Council of Ministers authorised a second phase purchase of 1,680 fifth-generation LR II missiles, a more advanced version of the LR, and 168 fire-control units for €285 million, destined for the Army and the Marines. The contract was signed on 22 November, while

90. José M^a Navarro García, "Con 35 toneladas de peso el VCR 8x8 Dragón para el Ejército de Tierra limita su capacidad de crecimiento", *Defensa.com*, 10 de abril de 2021, <https://www.defensa.com/espana/n-35-toneladas-peso-vcr-8x8-dragon-para-ejercito-tierra-limita>

91. "Pearson prueba su nuevo arado de minas en el VCR 8x8 Dragon del Ejército español", *Infodefensa*, 8 de junio de 2022, <https://www.infodefensa.com/texto-diario/mostrar/3782244/pearson-pruebanuevo-arado-minas-vcr-8x8-dragon-ejercito-espanol>

92. Eyal Boguslavsky, "Elbit's PULS Selected as Spanish Army's Mobile Rocket Launcher", *Israel Defense*, 24 December 2023, <https://www.israeldefense.co.il/en/node/60706>.

93. Eyal Boguslavsky, "Rheinmetall Secures NATO Contract Valued at Over €300 Million for Rocket Munitions Supply", *Israel Defense*, 5 March 2024, <https://www.israeldefense.co.il/en/node/61420>.

94. "Europa consolida su preferencia por el sistema de artillería israelí PULS frente al Himars de EEUU con un encargo nacional de más cohetes", *Infodefensa*, abril 2025, https://www.infodefensa.com/texto-diario/mostrar/5238823/europa-consolida-preferencia-sistema-artilleria-israeli-puls-frente-himars-eeuu-encargo-nacional-cohetes?utm_source=newsletter&utm_medium=email&utm_campaign=Newsletter%20www.infodefensa.com

Rafael was testing the new sixth-generation Spike NLOS missiles in the Gaza Strip.

The consortium of companies that will manufacture these new missiles includes the Spanish companies Escribano, TecnoBit, FMG and Expal, but is led by Pap Tecnos, a firm which, although Spanish, is the Spanish subsidiary of Rafael.⁹⁵

FURTHER BUSINESS COOPERATION

- Litening V. laser designator A laser designator is used to detect, identify and track targets using high-resolution sensors. The Litening V, manufactured by Rafael, is fitted to combat aircraft, and Spain has acquired – at a cost of €207.4 million – 46 of these targeting systems for 45 Eurofighter jets due to be delivered to the Air Force. Indra and TecnoBit-Grupo Oesía are also participating in the supply.⁹⁶
- Leopard tanks. Recently, the Army announced its intention to replace some 80 2A4 Leopard tanks with 2A8 tanks equipped with the EuroTrophy "active protection system" developed by Rafael.⁹⁷
- Outsourced maintenance. Sometimes the maintenance or use of Israeli military products is carried out by other companies. This is the case of eProxima with Elbit E-Linx radios or Blanch International for cameras, night vision devices and laser designators. The tender for one of these contracts stipulated that bidders must demonstrate "technical and professional capacity", requiring "a certification from the equipment manufacturer, authorised by Elbit Systems Ltd (...), to perform maintenance on its equipment in Spain".⁹⁸
- Arms fairs. The exclusion of Israeli companies from arms fairs, specifically the International Defence and Security Fair (FEINDEF 25), represents a triumph of social mobilisation. The fair will be held in May, with hundreds of companies participating. The government's argument, delivered by the Secretary of State for Defence, Amparo Valcarpe, was impeccable: "there will be no institutional partici-

pation by Israel, nor by any Israeli company at this fair". "Spain is committed to peace and security in Palestine and Lebanon and respect for international humanitarian law, and FEINDEF cannot be indifferent to this," she said.⁹⁹ Elbit Systems and Rafael participated in the 2024 edition of Feindef. The same exclusion has occurred at the Eurosatory (June 2024) and Euronaval (November 2024) fairs, both in Paris. The question to ask is why then contract awards by Spanish public administrations can be "indifferent" to peace and security in Palestine and Lebanon.

2.2.2 REVOCATION (OR NON-REVOCATION) OF ARMS PROCUREMENT CONTRACT AWARDS TO ISRAELI COMPANIES

On 22 October 2024, the Minister for Social Rights, Consumer Affairs and the 2030 Agenda, Pablo Bustinduy, sent a letter to the Minister of Defence, Margarita Robles, requesting the cancellation of existing contracts with Israeli arms companies and that these companies cease to be invited to public tenders.¹⁰⁰ The following day, the Minister of Defence reportedly stated that all Israeli arms procurement contracts had been suspended, except for those related to the repair of parts.¹⁰¹

In this context, at the end of October 2024, the Spanish government expressed its intention to revoke two defence procurement contracts that had been awarded to Israeli companies. The subject of the first contract is the "supply of 9 mm ammunition for various units of the Guardia Civil" (file number R/0003/A/24/2). Two lots of the above contract were awarded to the company Guardian Homeland Security S.A. for €2,178,000 and €4,464,900.

On 29 October 2024, the Ministry of the Interior issued a news release entitled "Interior initiates the process to rescind the ammunition purchase contract with an Israeli company", which stated the following:

"The Ministry of the Interior has launched the process to rescind the award to an Israeli company of a contract for

95. "Defensa cierra con Pap Tecnos y MBDA España la compra de misiles Spike LR2 y Mistral 3 por 611 millones", *Infodefensa*, 24 November 2023, <https://www.infodefensa.com/texto-diario/mostrar/4626028/defensa-cierra-pap-tecnos-mbda-espana-compra-misiles-spike-lr-mistral-3-825-millones>

96. Diego Molpeceres, "De misiles a lanzacohetes: las nuevas armas de España con tecnología israelí, pendientes de la crisis diplomática", *El Independiente*, 29 May 2024, <https://www.elindependiente.com/economia/2024/05/29/de-misiles-a-lanzacohetes-las-armas-del-ejercito-con-tecnologia-israeli-mas-sensibles-a-la-crisis-diplomatica/>.

97. Eyal Boguslavsky, "Spain to Upgrade Its Leopard 2A4 Tanks to the Advanced Leopard 2A8", *Israel Defense*, 27 January 2025, <https://www.israeldefense.co.il/en/node/64189>.

98. State Procurement, tender document, file number 2024/AR43U/00002183E, <https://contrataciondelestado.es/FileSystem/servlet/GetDocumentByIdServlet?DocumentIdParam=JUmmlTFDUe2lz06V1XuzLffDEPzaSh1unlhmh%2BhvjNK6j9We2nhsCjH/QYu1QBjYa0cOUicAmLcmKbi6XiWvMkYRvHY7p9kvRwCYwr%2BieApJOVDbGCDM%2BMgrvuVS7Rv&cfirado=QUC1GjXXSiLkydRHJBmbpw%3D%3D>.

99. "FEINDEF 25, la Feria Internacional de Defensa y Seguridad de España, crece y se internacionaliza", *Ministry of Defence*, 30 October 2024, <https://www.defensa.gob.es/gabinete/notasPrensa/2024/10/DGC-241030-presentacion-feindef.html>.

100. Andrés Gil, "Sumar pide la rescisión inmediata de los últimos contratos de compra que España mantiene con la industria militar israelí", *elDiario.es*, 22 October 2024, https://www.eldiario.es/internacional/sumar-pide-rescision-inmediata-ultimos-contratos-compra-espana-mantiene-industria-militar-israeli_1_11754309.html; "Bustinduy pide a Defensa cancelar los contratos activos de compraventa de armas con Israel", *Público*, 22 October 2024, <https://www.publico.es/politica/bustinduy-pide-defensa-cancelar-contratos-activos-compraventa-armas-israel.html>.

101. Miguel González, "Defensa responde a Sumar que también ha suspendido las compras de armas a Israel", *El País*, 23 October 2024, <https://elpais.com/espana/2024-10-23/defensa-responde-a-sumar-que-tambien-ha-suspendido-las-compras-de-armas-a-israel.html>.

the procurement of 9×19 mm PB NATO cartridges for the Guardia Civil.

That contract was tendered on 21 February 2024. The award was made on 21 October 2024, and two of the three lots contracted were awarded to an Israeli company.

The Spanish government has maintained its commitment to not sell or purchase arms to or from the State of Israel since the outbreak of the armed conflict in Gaza.

Furthermore, other Israeli companies will be excluded as bidders in other arms procurement files currently being processed by the Directorate General of the Guardia Civil"¹⁰²

The ministry's announcement did not state that the contract award had been invalidated, but rather that the procedure for its termination had been initiated. Nevertheless, press headlines assumed that the cancellation had already taken place.¹⁰³ "Interior Ministry cancels the purchase of 15 million bullets from an Israeli firm for 6.6 million" (El País, 29 October 2024)¹⁰⁴ ; "Interior Ministry cancels the contract for the purchase of bullets from an Israeli firm for the Guardia Civil for €6.5 million" (El Mundo, 29 October 2024)¹⁰⁵ ; "Interior Ministry cancels the purchase of 15 million Israeli bullets for the Guardia Civil following information from SER" (Cadena SER, 29 October 2024);¹⁰⁶ "Interior Ministry cancels the purchase of ammunition from an Israeli firm after criticism from some of its left-wing partners" (RTVE, 29 October 2024);¹⁰⁷ or "Interior Ministry rescinds a 6.6 million ammunition contract with an Israeli company and vetoes others in new tenders" (Vozpópuli, 29 October 2024).¹⁰⁸

The second contract awarded to Israeli companies was for the "procurement of M339 SETTER

120 mm fuze programmer" (file number 2024/ET-SAE0906/00001604E).¹⁰⁹ The contract was awarded to Israel Military Industries (IMI Systems LTD) for €2,226,407.5. There does not appear to be an official note on this contract. Press headlines once again reported the contract's cancellation as a *fait accompli*. The origin of the information can be found in a news article in Vozpópuli of 26 November 2024, "The army cancels a contract with an Israeli company to improve the ammunition of its battle tanks".¹¹⁰ The Huffington Post of 27 November 2024 ran a more propagandistic headline: "Spain immediately halts a munitions deal for battle tanks with Israel".¹¹¹ Also Infodefensa.com, on 28 November 2024, took for granted the cancellation of the contract award: "The Spanish Army cancels the purchase of an Israeli programmer for the ammunition of its Leopard tanks".¹¹²

With respect to these reports, it should first be noted that legally nullifying an administrative contract award – its revocation in the strict legal sense – is not as straightforward as the press seems to suggest. This is because the safeguards laid down in public procurement legislation and the law on administrative procedure must be complied with. Safeguards that make it difficult to revoke contracts that have already been awarded.

A contract award may be revoked on grounds of legality or on grounds of expediency. If it is revoked on grounds of legality, that means the legal framework was breached in the contract award. The competent administrative body cannot annul the contract award on its own, but must follow the *ex officio* review procedure.¹¹³ If the illegality is particularly serious (absolute nullity), the competent administrative body

102. "Interior inicia el proceso para rescindir el contrato de compra de munición a una empresa israelí", *Ministerio del Interior*, 29 October 2024, <https://www.interior.gob.es/opencms/es/detalle/articulo/Interior-inicia-el-proceso-para-rescindir-el-contrato-de-compra-de-municion-a-una-empresa-israeli/>

103. Europa Press did report correctly: "Interior inicia el proceso para anular el contrato de compra de munición a una empresa israelí", *Europa Press*, 29 October 2024, <https://www.europapress.es/nacional/noticia-interior-inicia-proceso-anular-contrato-compra-municion-empresa-israeli-20241029115512.html>

104. Miguel González, "Interior cancela la compra de 15 millones de balas a una firma israelí por 6,6 millones", *El País*, 29 October 2024, <https://elpais.com/espana/2024-10-29/interior-compra-balas-por-66-millones-de-euros-a-una-firma-israeli-para-la-guardia-civil.html>

105. José M. Rodríguez Silva, "Interior cancela el contrato de compra de balas a una empresa israelí para la Guardia Civil por 6,5 millones de euros", *El Mundo*, 29 October 2024, <https://www.elmundo.es/espana/2024/10/29/671bbc69fc6c83c8528b458f.html>

106. Javier Bañuelos, "Interior anuncia que anulará la compra de 15 millones de balas israelíes para la Guardia Civil tras la información de la SER", *Cadena SER*, 29 October 2024, <https://cadenaser.com/nacional/2024/10/29/interior-anula-la-compra-compra-de-15-millones-de-balas-israelies-para-la-guardia-civil-tras-la-informacion-de-la-ser-cadena-ser/>

107. "Interior cancela la compra de munición a una firma israelí tras las críticas de algunos de sus socios de izquierda", *RTVE*, 29 October 2024, <https://www.rtve.es/noticias/20241029/interior-proceso-anular-contrato-compra-municion-empresa-israeli/16307851.shtml>

108. Gonzalo Araluce, "Interior rescinde un contrato de 6,6 millones en munición a una empresa israelí y veta a otras en nuevas licitaciones", *Vozpópuli*, 29 October 2024, <https://www.vozpopuli.com/espana/interior-rescinde-contrato-66-millones-municion-empresa-israeli-veta-otras-nuevas-licitaciones.html>

109. The M339 Setter programmer uses 120mm ammunition, allowing four modes of operation: detonation during target wall penetration; detonation after target wall penetration; detonation in the air, on the ground and in front of the target at a pre-set distance; and training mode. "El Ejército de Tierra cancela la compra de un programador israelí para la munición de sus carros Leopard", *Infodefensa*, 28 November 2024, https://www.infodefensa.com/texto-diario/mostrar/5086284/ejercito-anula-compra-programador-israeli-municion-carros-leopard?utm_source=newsletter&utm_medium=email&utm_campaign=Newsletter%20www.infodefensa.com

110. Gonzalo Araluce, "El Ejército anula un contrato con una empresa israelí para mejorar la munición de sus carros de combate", *Vozpópuli*, 26 November 2024, <https://www.vozpopuli.com/espana/ejercito-anula-contrato-empresa-israeli-mejorar-municion-carros-combate.html>

111. "España frena de manera inmediata un negocio de municiones para carros de combate con Israel", *El HuffPost*, 27 November 2024, <https://www.huffingtonpost.es/politica/espana-frena-manera-inmediata-negocio-municiones-carros-combate-israel.html>

112. "El Ejército de Tierra cancela la compra de un programador israelí para la munición de sus carros Leopard", *Infodefensa*, 28 November 2024, https://www.infodefensa.com/texto-diario/mostrar/5086284/ejercito-anula-compra-programador-israeli-municion-carros-leopard?utm_source=newsletter&utm_medium=email&utm_campaign=Newsletter%20www.infodefensa.com

113. See Article 41.1 of Law 9/2017, of 8 November, on Public Sector Contracts and, by reference, Article 106 of Law 39/2015, of 1 October, on the Common Administrative Procedure for Public Administrations (for the *ex officio* review of the contract award that is null and void) and Article 107 of Law 39/2015 (for the *ex officio* review of the contract award that is considered voidable).

must request a report from the Council of State. Only if the Council of State concludes that absolute nullity has occurred can the competent administrative body annul the contract award to an Israeli company. If the illegality is lesser (voidable), the competent administrative body must declare the contract award to the Israeli company as detrimental to public interest, and then appeal the award before the administrative courts. It will therefore be up to impartial judges to decide whether an illegality occurred in the contract award. In principle, the awarding of defence procurement contracts to Israeli companies does not appear to have violated the law, because no arms embargo has been agreed and no other sanctions have been imposed on Israel.

Contract awards can also be revoked for reasons of expediency at the political discretion of the government or the competent ministry. In this case as well, the government does not have complete freedom to revoke the award of contracts. A contract award is a favourable administrative act, it is a right that has been recognised in favour of a company. Revocation for reasons of political expediency would imply, materially, a forced expropriation of the contract award to the Israeli companies. And, as it constitutes an expropriation, the company must be compensated for the damage caused to it by revoking the contract, including loss of profits, i.e. the profit it would have made had the contract been carried out. This would be the most feasible way to revoke contract awards to Israeli companies, with compensation for the damage caused. However, this is not an immediately applicable route either, but rather an administrative procedure must be followed, as provided for in the Law of 16 December 1954 on forced expropriation.

In reality, it appears that no administrative procedure to revoke the two contract awards mentioned above has been initiated. This is apparent from the very limited information provided by the administrations involved in response to requests for public information. Nor has there been any relevant change in the information contained in the Public Sector Procurement Platform on contract awards to Israeli defence companies (see Annex 3 of this report for a list of public contracts awarded to Israeli security and defence companies or their subsidiaries since October 2023).

The director of the office of the Secretary of State for Security of the Ministry of the Interior, by resolution of 5 December 2024, refused to hand over a copy of the ministry's agreement to initiate the administrative procedure to compensate the contract award for the acquisition of 9mm ammunition for the Guardia Civil (file number 001-098154); documentation that had

been requested based on Law 19/2013, of 9 December, on transparency, access to public information and good governance.

The resolution was appealed before the Council for Transparency and Good Governance. In the context of this appeal, the Secretary of State for Security provided the following information in its response:

"In the statement dated 29 October 2024 issued by the Ministry of the Interior, the following was stated: 'The Ministry of the Interior has initiated the process to rescind the award to an Israeli company of a contract for the purchase of 9x19 mm PB NATO cartridges for the Guardia Civil'.

It was communicated that actions were being initiated in accordance with the applicable provisions and that the Ministry of the Interior had begun analysing the various possible courses of action, including those suggested by the claimant.

In any event, it was reiterated that all available information regarding the contract in question is contained in file R/0003/N24/2, which can be accessed via the Public Sector Procurement Platform at the following link. <https://contrataciondelestado.es/wps/portal/plataforma>".¹¹⁴

In other words, what initially appeared to be the launch of an administrative procedure to annul the contract award for the purchase of ammunition from an Israeli company is, in fact, merely the start of analysing the possible ways to carry it out. If that is the case, the Ministry of the Interior would have lied in its 29 October 2024 statement or, at the very least, told a half-truth. The headline of its statement was clear: "Interior initiates the process to terminate the contract for the purchase of ammunition from an Israeli company". But that headline was not accurate; the appropriate headline, based on what the Ministry had actually done, should have been something along the following lines: "The Ministry of the Interior has begun to analyse the possible ways of terminating the contract for the purchase of ammunition from an Israeli company". This headline would not have given rise to confusion about what the Interior Ministry was actually doing. It seems clear what the Ministry's intention was with this communiqué and why it wrote it as it did. The intention was to make it clear that the government was taking concrete steps to prevent the purchase of arms from Israel and to assume that the termination of the contract would take place.

On 25 March 2025, in her appearance before the Defence Committee of the Congress of Deputies, the Secretary of State for Trade, María Amparo López Sevovilla, reiterated that the contract for the purchase

114. Oficio del Secretario General Técnico del Ministerio del Interior, 28 January 2025 (S/REF: SEDE CTBG 50/2025; N/REF: EXPTE. 001-098154).

of ammunition for the Guardia Civil had been revoked, in these terms: "I've also been asked about the imports, particularly those by the Ministry of the Interior. In that case, we refer inquiries to them but, indeed, the Civil Guard asserts that those imports did not take place. I would simply like to point out that this department and this Secretary of State have no competence over the purchase of defence materiel".¹¹⁵

In response to a request for access to public information related to the procurement contract for the scheduled M339 SETTER, the Second JEME General, Alejandro Gonzalo Escámez Fernández, responded as follows:

"Having analysed the question, the following information is provided by the Army General Staff:

All resolutions issued to date concerning the file in question are published on the Public Sector Procurement Platform.

In accordance with Article 22(3) 'Formalising access' of Law 19/2013 of 9 December on transparency, access to public information and good governance, you can find all available information related to contract 2024/ETSAE0906/00001604E at the following web address: Plataforma de Contratación del Sector Público (Public Sector Procurement Platform)

Any new resolution concerning the aforementioned file will be published on the same platform".¹¹⁶

As of 16 April 2005, the Public Sector Procurement Platform does not contain any reference to the revocation of the two contracts analysed. Only one amendment has been made concerning the award of the ammunition supply contract to the Civil Guard (file number R/0003/A/24/2). The amendment names as awardee 'IMI SYSTEMS LTD – Awardee – Guardian Homeland Security S.A. – Representative. This appears to correct an error, since both the procurement committee's minutes and the award proposal refer only to IMI Systems, with no mention of Guardian Homeland Security S.A. As for the second contract - concerning the acquisition of the M339 SETTER 120 mm fuze programmer (file reference 2024/ETSAE0906/00001604E) - it remains listed as awarded to Israel Military Industries (IMI Systems LTD). The Public Sector Procurement Platform likewise shows no other changes to the forty contracts awarded to Israeli companies or to their Spanish subsidiaries since October 2023, as detailed in Annex 3 of this report. For all these reasons, we conclude that none of the defence materiel contracts awarded since 7 October 2023 to Israeli companies or to their Spanish subsidiaries has been revoked.

It appears that the Ministry of the Interior consulted the State Attorney's Office on the possibility of terminating the contract for the purchase of ammunition for the Guardia Civil. The State Attorney's Office recommended not to terminate the contract, since once the contract was awarded, it could not be annulled.¹¹⁷ According to the State Attorney's Office, if the contract award were revoked, a substantial indemnity might have to be paid to IMI Systems, the awardee.¹¹⁸ Finally, the contract for the purchase of ammunition for the Guardia Civil was formalised on 16 April 2025, and was published on the Public Sector Procurement Platform on 18 April, Good Friday, a public holiday in Spain. The Ministry of the Interior has not included any reference to the formalisation of the contract in the news section of its website, but this fact has become known through the media.

One final issue related to the Ministry of the Interior's 29 October 2024 statement is its mention that other Israeli companies would be excluded from future weapons-procurement tenders handled by the Guardia Civil Directorate-General. Excluding a bidder from a procurement process is not as simple as the Ministry would have us believe. Companies may only be excluded where they fall under the statutory grounds for exclusion set out in the procurement legislation.

The contract for the procurement of ammunition for the Guardia Civil is governed by Law 24/2011, of 1 August, on public sector contracts in the sectors of defence and security. The law provides for exclusion where a company: a) has been convicted by a final court sentence for one or more acts of terrorism or for offences linked to terrorist activities; b) has been found to lack the necessary reliability to exclude risks to State security or defence; and c) has been finally sanctioned for serious professional misconduct.¹¹⁹ This law also refers to the exclusion grounds set out in Law 9/2017 of 8 November on Public Sector Contracts.¹²⁰ These procurement prohibitions do not include any issue related to the violation of in-

115. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 19.

116. Resolution of 25 February 2025, of the Second General JEME, Alejandro Gonzalo Escámez Fernández (file number 001-099843). This resolution is being appealed before the Council for Transparency and Good Governance (file number 598/2025).

117. Olga Rodríguez, "España cierra un contrato de compra de armamento a Israel a pesar de haber dicho que lo cancelaría", *elDiario.es*, 23 April 2025, https://www.eldiario.es/internacional/espana-cierra-contrato-compra-armamento-israel-pegar-haber-dicho-cancelaria_1_12235890.html.

118. Javier Bañuelos, "El Gobierno reula y formaliza la compra millonaria de balas israelíes que se comprometió a anular", *Cadena SER*, 23 April 2024, <https://cadenaser.com/nacional/2025/04/23/el-gobierno-reula-y-formaliza-la-compra-millonaria-de-balas-israelies-que-se-comprometio-a-anular-cadena-ser/>; and Miguel González, "Interior rectifica y formaliza la compra de 15 millones de balas a Israel", *El País*, 23 April 2025, <https://elpais.com/espana/2025-04-23/interior-rectifica-y-formaliza-la-compra-de-15-millones-de-balas-a-israel.html>.

119. Article 12(1) of Law 24/2011 of 1 August 2011 on public sector contracts in defence and security sectors.

120. Article 71 of Law 9/2017, of 8 November, on Public Sector Contracts. None of the exclusion grounds set out in this article apply to Israeli companies or to subsidiaries of Israeli companies by virtue of the crimes the State of Israel is committing in Gaza.

ternational law. Therefore, it will be very difficult to exclude Israeli companies without breaching Spanish law. Most likely, the Ministry of the Interior would again have simply begun to consider the possibility of excluding these companies. The exclusion of Israeli companies could only occur by means of a statutory instrument – potentially including a legislative decree – since, according to Supreme Court law, grounds for exclusion must be laid down in legislation.¹²¹ Another option would be to adopt the ban as a complementary measure to an arms embargo.

Questioned by Cadena SER, the Ministry of the Interior has not provided information on how many Israeli

companies have been excluded from the tenders.¹²² In any case, according to data from the Public Sector Procurement Platform, Israeli companies have not been excluded from other contracts for the supply of equipment for the Guardia Civil. As detailed in Annex 3, in November 2024, the company Guardian Homeland Security S.A. was awarded the contract for the acquisition of ballistic plates for units of the Guardia Civil deployed in international peacekeeping missions; and in February 2025, Guardian Homeland Security S.A. was awarded the contract for the supply of personal protection equipment for Operational Units of the Guardia Civil. They consider armoured suits or protective clothing and components as defence materiel (category ML13.d.2 of Annex I(1) of Royal Decree 679/2014).

121. Judgement of the Supreme Court of 18 September 1996, Third Chamber, Contentious-Administrative (appeal number 10536/1990), sixth legal ground; and Judgement of the Supreme Court of 9 March 1999, Third Chamber, Contentious-Administrative (appeal number 8979/1992), second legal ground.

122. Javier Bañuelos, "El Gobierno recula y formaliza la compra millonaria de balas israelíes que se comprometió a anular", *Cadena SER*, 23 April 2024, <https://cadenaser.com/nacional/2025/04/23/el-gobierno-recula-y-formaliza-la-compra-millonaria-de-balas-israelies-que-se-comprometio-a-anular-cadena-ser/>.



3. THE TRANSIT THROUGH SPANISH TERRITORY OF DEFENCE MATERIEL DESTINED FOR ISRAEL

3.1 TRANSIT REGULATION

Transit occurs when a shipment of defence materiel originating outside the European Union enters Spanish national territory - or the maritime or airspace under Spanish sovereignty - with its final destination being a country that is not a member of the Union.¹²³ Transits of defence materiel are authorised by the Ministry of Foreign Affairs, European Union and Cooperation, while transits of dual-use equipment and technologies are authorised by the Secretary of State for Trade of the Ministry of Economy, Trade and Enterprise.¹²⁴ When granting authorisations for the transit of defence materiel, the Ministry of Foreign Affairs must apply the same criteria that are taken into account when authorising arms exports, including the

obligations established by the Arms Trade Treaty.¹²⁵ Accordingly, the Ministry of Foreign Affairs should refuse any transit of defence materiel through national territory, or through the maritime or airspace under Spanish sovereignty, when destined for Israel.

The Spanish customs authorities may detain defence materiel, dual-use items and technologies, and police and riot control equipment in transit through Spanish national territory or airspace or maritime space subject to Spanish sovereignty. Detention may be carried out where the circumstances requiring refusal of an export licence for defence materiel are met.¹²⁶ Article 11 of Law 53/2007 employs permissive language: "may proceed with immediate detention". Consistent with the mandatory wording of Article 8 of Law 53/2007, it must be understood that the Spanish authorities are obliged to detain the materiel if the

123. Transit also includes dual-use items and technologies and police and riot control equipment.

124. Article 10, paragraphs 1 and 2 of Royal Decree 679/2014, of 1 August, approving the Regulation on the control of foreign trade in defence materiel, other materiel and dual-use items and technologies.

125. Neither Law 53/2007 nor Royal Decree 679/2014 establishes the criteria to be taken into account by the Ministry of Foreign Affairs, European Union and Cooperation when granting transit authorisations. This issue is governed by Article 1(2) of Council Common Position 2008/944/CFSP of the European Union. The article refers to applications for "transit" or "transshipment" licences.

126. Article 11(1), by reference to Article 8 of Law 53/2007 of 28 December on the control of external trade in defence materiel and dual-use items.

cases provided for in the article occur. It would make no sense that, in the presence of an arms embargo, Spanish authorities chose not to detain such materiel. A final interpretation of the provision likewise requires that Spanish authorities must detain the materiel.

Spanish customs authorities must also detain defence materiel, dual-use items and technologies, and police and riot-control equipment when they could be used to commit genocide, crimes against humanity, attacks against civilians or civilian objects, or other war crimes. This is in application of the prohibition set out in Article 6(3) of the Arms Trade Treaty. However, Article 8 of Law 53/2007 does not incorporate the prohibitions laid down in the Arms Trade Treaty, because the Arms Trade Treaty postdates that law." International treaties take precedence over national legislation. Furthermore, Article 7(1)(c) of Royal Decree 679/2014 expressly refers to the prohibitions laid down in the Arms Trade Treaty. Article 6(3) of the Arms Trade Treaty refers to both transit and transshipment, as well as export, import and brokering. Transit suggests a stopover or port call where the same ship or aircraft continues its journey, whereas "transshipment" denotes the transfer of cargo to another vessel or vehicle.

Israel has received hundreds of planes and ships with military supplies from the US. On 26 August 2024 the Israeli Ministry of Defence celebrated on its Facebook and X accounts^{127 128} the arrival of its 500th supply flight since 7 October 2023, in addition to a further 107 ships. In total, "more than 50,000 tons of military equipment" had been transferred in just 10 months. Such traffic between the US and Israel is therefore very frequent: an average of two planes or ships every day.

127. Post of Israel's Ministry of Defense, Facebook, <https://www.facebook.com/IsraelMOD/posts/pfbid02xtYytJU7Pnkw7zXjakVhujmaa4ocC9Rf71fHNgawjWqC7CMcjXnozLm527EeaYVjl>
128. https://x.com/Israel_MOD/status/182795919775921278

Not all of them pass through Spain, of course, but some do. In ships, above all, given their almost inevitable entry into the Mediterranean via the Strait of Gibraltar. Transit through Spain is regular and very common, due to its strategic position between the Atlantic Ocean and the Mediterranean Sea. According to the official export report, the Ministry of Foreign Affairs, European Union and Cooperation authorised 795 transits of defence materiel in 2023, but did not deny any of them. 795 transits is a high number - higher than ever, except in 2021. The following table shows the evolution of authorised and denied transits since statistics have been published. The trend is clear: more authorisations, fewer denials.

The high number of authorisations in 2022 and 2023 suggest a link to Ukraine, while the reasons for the sharp increase in 2021 are not identified. How many cases have there been of transits to Israel? Official export reports do not specify destinations, they never do. However, Trade sources reported that in the first half of 2024 "no defence materiel transits to Israel have been authorised"¹²⁹. Regarding denials, in March 2024, when the Marianne Danica was denied berthing at the port of Cartagena, the Minister of Foreign Affairs, José Manuel Albares, said it was "the first time" the Government had denied authorisation for a ship carrying arms to Israel to call at port.¹³⁰ However, we know that since 7 October 2023, both transits and transshipments of defence materiel for Israel have taken place in Spain.

129. Miguel González, "España vendió a Israel armamento "no letal" por casi 50 millones en 18 meses, según un informe del Gobierno", *El País*, 22 March 2025.
130. "España deniega la escala a un buque con armas para Israel mientras el Borkum recalará este viernes en Cartagena", *RTVE*, 16 May 2024, <https://www.rtve.es/noticias/20240516/espana-deniega-escala-buque-armas-israel-borkum-llegara-viernes-puerto-cartagena/16106750.shtml>

Table 16. Authorisations and denials of transit through Spain of military materiel

Year	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Authorised	795	738	1240	496	460	475	431	550	395	333
Denied	0	1	0	0	0	0	0	0	3	3

Year	2013	2012	2011	2010	2009	2008	2007	2006	2005
Authorised	437	354	526	497	463	391	359	208	174
Denied	5	7	17	19	28	8	19	5	14

Source: official export reports of the Secretariat of State for Trade.

3.2 MARITIME TRANSIT THROUGH SPANISH TERRITORY

The transit through Spain of defence materiel bound to Israel is amply documented. It is the norm, not the exception. It happens in at least four ways:

1. US military ships calling at Rota.
2. Military or commercial vessels enrolled in the "Maritime Security Programme", which have generally called at the port of Algeciras.
3. Commercial vessels of the Israeli company ZIM which, through regular lines, connect ports in the US and Israel via Valencia and/or Barcelona.
4. Merchant vessels from Asia that have had to circumnavigate Africa to reach Israel via the Strait of Gibraltar, in order to avoid the threat of attack in the Red Sea.

3.2.1 TRANSIT THROUGH ROTA

According to an investigation by Progressive International and the Palestinian Youth Movement, the MV Sagamore called at the Rota naval base in October and November 2024. Its final destination was the Israeli port of Ashdod for a shipment of defence materiel ordered by the US Military Sealift Command. The origin of the MV Sagamore's voyage was the MOTSU (Military Ocean Terminal Sunny Point) port in Wilmington, North Carolina (USA), a port belonging to the US Department of Defense. It is the largest military port in the world and is used exclusively for the transport of ammunition and explosives.¹³¹

Calls by US Forces vessels at the Rota naval base are governed by the NATO agreement STANAG 1100 ("Procedures For Visits To NATO And Non-NATO Ports By Naval Ships Of NATO Nations").¹³² The STANAG 1100 agreement is a classified document.¹³³ However, it can be deduced from the content of the "Agreement of Defence Cooperation between the U.S.A. and the Kingdom of Spain" that ships chartered by the US Department of Defence may use the Rota naval base. Thus, under section 3(3) of Annex 1 to the Agreement, for call-in purposes, in addition to US Navy vessels, US-flagged ships wholly chartered by the US Department of Defense are also regarded as such. In this regard, on 11 October 2024, Rear Admiral Santiago Vila Barrón, Chairman of the Spanish

section of the Spanish-American Standing Committee, stated that:

"Additionally, it should be noted that the definition of 'vessels of the United States Armed Forces' in Annex 1 of the Agreement includes merchant vessels flying the flag of Spain, the United States, or any NATO Member State that are wholly chartered by the United States Department of Defense. Therefore, the rules of Annex 3 indicated above are also applicable to merchant ships that regularly dock at the Rota Naval Base".¹³⁴

Ships chartered by the US Department of Defense, such as the MV Sagamore, thus benefit from the regulation established in the Spain-US Defence Cooperation Agreement. According to this agreement, authorisations to call will be granted by the Spanish authorities "without requesting information on the type of arms on board the vessels";¹³⁵ and "vessels of the United States Forces of America shall be exempt from inspections".¹³⁶ The Cooperation Agreement thus favours secrecy and the absence of controls on defence shipments to Israel by the US government. And in practice it prevents the exercise of the transit controls over defence materiel provided for in Article 11 of Law 53/2007 of 28 December on the control of external trade in defence materiel and dual-use items.

3.2.2 THE "MARITIME SECURITY PROGRAMME" AND ALGECIRAS

In 1996, US President Bill Clinton established the so-called Maritime Security Program (¹³⁷MSP) which following an extension in 2020, will be in effect until 30 September 2035. The programme maintains a fleet of commercial or military vessels that is "available to support the US Department of Defense's sustained sealift requirements during times of conflict or in other national emergencies" and "also provides the Department of Defense with access to the global intermodal transportation network of terminals, facilities, logistics management services, and US citizen merchant mariners of MSP participants".

The programme consists of 60 agreements with individual vessels of various types, described as "commercially viable, militarily useful, merchant ships in international trade", whereby, in exchange for money

131. On the information contained in this paragraph, see Olga Rodríguez: "EEUU ha hecho uso de la base española de Rota para llevar armas a Israel", *elDiario.es*, 16 December 2024, https://www.eldiario.es/internacional/eeuu-hecho-base-espanola-rota-llevar-armas-israel_1_11905703.html.

132. Paragraph 1 of Annex 3 to Agreement of Defence Cooperation between the U.S.A. and the Kingdom of Spain <https://publicaciones.defensa.gob.es/media/downloadable/files/links/c/o/convenio-de-cooperacion.pdf>

133. "STANAG-1100 'Complete Document History", <https://www.document-center.com/standards/show/STANAG-1100/history/>

134. Written allegations to the complaint submitted to the Council for Transparency and Good Governance, by Rear Admiral Santiago Vila Barrón, President of the Spanish section of the Spanish-American Standing Committee, signed on 11 October 2024 (CTBG file number: 1619/2024; request for public information 001-094396).

135. Paragraph 7 of Annex 3 to the Agreement of Defence Cooperation between the U.S.A. and the Kingdom of Spain.

136. Paragraph 9(3) of Annex 3 to the Agreement of Defence Cooperation between the U.S.A. and the Kingdom of Spain

137. "Maritime Security Program (MSP)", <https://www.maritime.dot.gov/national-security/strategic-sealift/maritime-security-program-msp>

("incentives") from congressional funds, they are to have their ships and commercial transportation assets "available on demand to the Secretary of Defense during times of war or national emergency". The benefit to the Department of Defence is primarily economic: it has a cost of \$318 million that, according to Congress itself, would cost "tens of billions" for the government if it were to replicate these maritime structures on its own.¹³⁸ By Maersk's own admission to Danwatch, each MSP ship receives \$5.3 million a year, and Maersk has 18 MSP ships, plus another five from its Farrell Line subsidiary.¹³⁹ MSP ships carried more than 50 per cent of all military equipment used by the US in its military interventions in Afghanistan and Iraq¹⁴⁰. However, Maersk stated that its ships' voyages to Israel were not part of the MSP, but part of another military programme under the US authorities, of which Maersk is a part.¹⁴¹

Annex 4 contains the list of ships that are part of the MSP.¹⁴² The list is up to date, although it indicates August 2022: for a new vessel to enter, there must be a vacancy. If one of these ships transits through a Spanish port, it is likely to be carrying arms cargo, and given that the MSP programme applies to Gaza, there is a possibility that the cargo is destined for Israel. For example, two of the more than seventy ships attacked in the Red Sea accused of carrying arms to Israel were the Maersk Detroit (24 January 2024)¹⁴³ and the Maersk Sentosa (9 July 2024)¹⁴⁴, two ships in the MSP programme. According to Maersk, the Maersk Detroit carried "cargo belonging to the US Department of Defense the US State Department USAID and other US government agencies".¹⁴⁵ According to a report by the Palestinian Youth Movement, the other vessel, the Maersk Sentosa, arrived at Algeciras on 16 September 2024 carrying 866 tonnes destined for the Israeli military establishment, including military vehicles and their parts, with most of the cargo listed under

hidden descriptions. All of this was transshipped to another vessel on 28 September, the Nexoe Maersk, which arrived in the Israeli port of Ashdod on 13 October 2024.¹⁴⁶ It was not the only vessel to have passed through Algeciras carrying military materiel bound for Israel: the same report identified up to 2,110 shipments since 7 October 2023, 944 of which transited the port of Cádiz after the Spanish government announced it would not authorise such transit or transshipment. These 2,110 shipments, carrying more than 23,300 tonnes, included at least 15 Namer combat vehicle hulls, 92 Oshkosh JLTVs (a US-made tactical combat vehicle), 104 Oshkosh MTVs and 20 Oshkosh HEMTTs (US-made tactical trucks). These models are among the most widely used in Gaza after 7 October 2023. The internet abounds with photos and reports attesting to this.¹⁴⁷ Other items that are reported to have called at Algeciras include nine shipments totalling 110 tonnes of projectile bodies (the inert portion of a grenade or missile) under code 9306.90 (bombs, grenades, torpedoes, mines and similar explosive devices, and other munitions and projectiles), and 609 tonnes in 31 shipments under code 9306.30 (other cartridges and parts thereof, excluding shotgun cartridges), which included cartridge case heads.¹⁴⁸

The Maersk Denver and Maersk Seletar vessels are also part of the MSP programme. They are the same vessels for which, as a result of social pressure, the Spanish Government refused docking in November 2024 because they were carrying arms to Israel. The US grew concerned and the Federal Maritime Commission (FMC) launched an investigation. The FMC says the consequences could include refusing Spanish ships entry to US ports or fines of up to "\$2,304,629 per voyage".¹⁴⁹ The investigation acknowledged that these ships operated under the MSP programme in "times of need". According to Marine Insight, the investigation expressed concern over "the growing influence of politics on trade", warning that if countries begin blocking ships on the basis of political disagreements, it could disrupt the global flow of goods and services".¹⁵⁰

138. Eric Ebeling, "Steps Congress Can Take to Address the National Maritime Security Gap", *The Defense Post*, September 30, 2024 <https://thedefensepost.com/2024/09/30/us-maritime-security-gap/>

139. Thomas Gosta Svensson and Kaare Kronberg, "Mærsk tjener milliarder på amerikanske militær-transporter", *Danwatch*, 27 March 2025, <https://danwatch.dk/maersk-tjener-milliard-paa-amerikanske-militaer-transporter/>.

140. Ibidem. Original en: "Statement of Paul N. Jaenichen, administrator, Maritime Administration U.S. Department of Transportation before the committee on Agriculture", *U.S. House of Representatives*, 17 November 2015, https://agriculture.house.gov/uploadedfiles/11.17.15_jaenichen_testimony.pdf

141. Thomas Gosta Svensson and Kaare Kronberg, *op. cit.*

142. "Maritime Security Program Fleet (MSP)", 1 August 2022, <https://www.maritime.dot.gov/sites/marad.dot.gov/files/2022-08/MSP%20Fleet%20%208-1-2022.pdf>.

143. <https://x.com/CENTCOM/status/1750205198067237095>

144. "Houthi Launch Multiple Missile Attacks On Container Ship In The Arabian Sea", *Marine Insight*, 10 July 2024, <https://www.marineinsight.com/shipping-news/houthi-launch-multiple-missile-attack-on-container-ship-in-the-arabian-sea/>.

145. Tomer Raanan, "Maersk suspends US-flag operations in Red Sea after two ships targeted", *Lloyd's List*, 24 de enero de 2025, <https://www.lloydslist.com/LL1148047/Maersk-suspends-US-flag-operations-in-Red-Sea-after-two-ships-targeted>

146. Palestinian Youth Movement, *Evidence of Maersk shipments to Israeli military*, November 2024, p. 5.

147. The Palestinian Youth Movement report and the Danwatch article cited above also provide graphic evidence.

148. See the Palestinian Youth Movement report and also the report Manne Scheef and Peter Rasmussen, "Fragtbreve afslører: Mærsk sejler krigsudstyr til Israel", *Ekstra Bladet*, 16 March 2025, <https://ekstrabladet.dk/nyheder/krigogkatastrofer/fragtbreve-afslorer-maersk-sejler-krigsudstyr-til-israel/10504482>

149. Federal Maritime Commission, "Investigation Into Conditions Affecting Shipping in the Foreign Trade and Denial of Entry of Vessels Into Spanish Ports", Federal Register, ref. 2024-28709 (89 FR 96973), 6 December 2024, <https://www.federalregister.gov/documents/2024/12/06/2024-28709/investigation-into-conditions-affecting-shipping-in-the-foreign-trade-and-denial-of-entry-of-vessels>.

150. "FMC Investigates Spain's Denial Of U.S. Ships Suspected Of Carrying Military Cargo For Israel", *Marine Insight*, 6 December 2024, <https://www.marineinsight.com/shipping-news/fmc-investigates-spains-denial-of-u-s-ships-suspected-of-carrying-military-cargo-for-israel/>

Diplomatic sources attribute the opening of the U.S. inquiry to Maersk,¹⁵¹ a claim the company denies. The Danish outlet Ekstra Bladet reported that the company made direct contact (via Signal) with the Danish Foreign Minister, and that the Government of Denmark launched a vigorous diplomatic initiative, including in Spain.¹⁵² Since then, Maersk transshipments from the US to Israel have been routed through Tangier. Protests have erupted and continued there, as have instances of resistance within Maersk in Morocco, which, according to the Danish outlet ¹⁵³, led the company to exert pressure and threats against its workers and even to withhold the cargoes' final destination from its own staff.

3.2.3 OTHER TRANSITS

Although Maersk is Danish, the ships in the MSP programme fly the US flag. Interestingly, the ship that did fly the Danish flag was the *Marianne Danica*, which left Chennai (India) for Haifa (Israel) and intended to call at the port of Cartagena (Murcia). It carried 28.6 tonnes of explosives and was refused authorisation by the Spanish government on 21 May 2024. Foreign Minister José Manuel Albares said at the time: "This is the first time we have done this, because it is the first time we have detected a ship carrying a shipment of arms to Israel that wants to call at a Spanish port".¹⁵⁴

The international situation and geography suggest that arms shipments to Israel are highly likely to transit through Spanish territory, whether they originate in the US or elsewhere in the world. Washington is by far the largest exporter of arms to Israel and has significantly increased transfers since 7 October 2023 and, geographically, the only way to make such transfers by ship from North America (or northern Europe) is through the Strait of Gibraltar. The alternative would be to go around Africa and access via the Red Sea, a longer, more expensive and dangerous route. However, attacks on this route have affected traffic through the Suez Canal, causing exports from Asian countries to circumnavigate South Africa to access the Mediterranean Sea. According to the International Monetary Fund, in the first two months of 2024, traffic through

the Suez was down 50% compared to 2023, while the number of vessels opting to sail around Africa increased by 74%.¹⁵⁵ Since late 2023, cargoes bound for the Mediterranean have increasingly passed through the Strait of Gibraltar, significantly boosting transit through Spanish ports, particularly container traffic: in the first quarter of 2024, the increase was 10.1%, with some ports seeing even higher growth: Barcelona (47.7%), Las Palmas (28.5%), Valencia (18.2%) and Algeciras (6.5%).¹⁵⁶ According to Puertos del Estado, the increase in traffic in 2024 was "largely driven by the instability in the Red Sea, which has forced the diversion of traditional maritime routes from Asia, resulting in a temporary rise in movements at certain Spanish ports".¹⁵⁷

In June 2024, the cases of two ships came to light: the Borkum and the Vertom Odette, which were scheduled to call at Spanish ports carrying defence materiel suspected to have Israel as its final destination. The case of the Borkum, being the first, caused a great stir. The interpretation shared by much of the political and media establishment was that it was a shipment bound to the Czech Republic, and/or that the Borkum had been confused with the *Marianne Danica*. However, it should be recalled that the Borkum case began with a leak from within the logistics chain, and that this episode left many questions unanswered and contained numerous elements pointing to Israel as the possible final destination for a part of it.¹⁵⁸

In addition to the vessels that form part of the US military transport programmes, in November 2024 it was reported that several ships of the regular ZIM Container Atlantic line¹⁵⁹ were transiting Valencia and Barcelona carrying US defence materiel destined for Israel.¹⁶⁰ The interest in this route was manifold: first-

151. Miguel González, "Tres congresistas estadounidenses piden que se anule el expediente a España por vetar los barcos con armas para Israel", *El País*, 24 December 2024.

152. Manne Scheef, Peter Rasmussen and Louise Enstrøm, "Mærsk sorte fragt: Nu skal Løkke stå skoleret", *Ekstra Bladet*, 2 April 2025, <https://ekstrabladet.dk/nyheder/samfund/maersks-sorte-fragt-nu-skal-loekke-staa-skoleret/10575571>.

153. Peter Rasmussen and Manne Scheef, "Mærsk-chefens panikture: - Vi følger os som kriminelle", *Ekstra Bladet*, 18 March, <https://ekstrabladet.dk/nyheder/samfund/maersk-chefens-panikture-vi-foeler-os-som-kriminelle/10542829>.

154. Olga Rodríguez and Pol Pareja, "España actúa como puerto de tránsito de material militar a Israel a pesar de la suspensión anunciada por el Gobierno", *elDiario.es*, November 3, 2024, https://www.eldiario.es/internacional/espana-actua-puerto-transito-material-militar-israel-pegar-suspension-anunciada-gobierno_1_11782908.html.

155. Parisa Kamali, Robin Koepke, Alessandra Sozzi, Jasper Verschuur, "Red Sea Attacks Disrupt Global Trade", *IMF Blog*, 7 March 2024, <https://www.imf.org/en/Blogs/Articles/2024/03/07/Red-Sea-Attacks-Disrupt-Global-Trade>.

156. "El tráfico de mercancías por los puertos de interés general creció el 1,4% en el primer trimestre de 2024", *Puertos del Estado*, 23 April 2024, <https://www.puertos.es/comunicacion/el-trafico-de-mercancias-por-los-puertos-de-interes-general-crecio-el-14-en-el-primer>.

157. "El tráfico de mercancías por los puertos de interés general cierra 2024 con más de 557,7 millones de toneladas", *Puertos del Estado*, 31 January 2025, <https://www.puertos.es/comunicacion/el-trafico-de-mercancias-por-los-puertos-de-interes-general-cierra-2024-con-mas-de-5577-millones-de-toneladas>.

158. For details of these questions and elements, see Alejandro Pozo Marín, "Por qué es probable que más barcos con armas a Israel pasen por España", *elDiario.es*, 4 June 2024, https://www.eldiario.es/internacional/probable-barcos-armas-israel-pasen-espana_129_11421887.html.

159. The route was as follows: "Alexandria - Mersin - Ashdod - Haifa - Izmir (Aliaga) - Piraeus - Genoa - Barcelona - Valencia - Halifax - New York - Norfolk - Savannah - Valencia - Barcelona - Alexandria". ZIM, "Global Network", <https://www.zim.com/global-network#trades>. The main Israeli port is Haifa, while Ashdod is the second and the closest to the Gaza Strip, just 30 km away.

160. Alejandro Pozo Marín, "El tránsito por España de envíos de armas a Israel es la norma y no la excepción", *elDiario.es*, 7 November 2024, https://www.eldiario.es/internacional/transito-espana-envios-armas-israel-norma-no-excepcion_129_11799338.html.

ly, ZIM is Israel's largest cargo shipping company, although the vessels it uses on that service typically fly flags of convenience such as Liberia or the Marshall Islands; secondly, it calls at the three main US ports for arms and ammunition exports to Israel (New York, Norfolk and Savannah), according to the US Census Bureau¹⁶¹ trade database; and thirdly, it had been established that those very ships had carried arms in the recent past. For example, five of them, the ZIM Eagle, the ZIM Asia, the ZIM China, the ZIM Atlantic and the Navios Indigo, have carried ammunition on the same regular service in the opposite direction: from Israel to the US, calling at Valencia and Barcelona. In every case, the cargoes originated in Haifa and the transfer was carried out by IMI Systems, part of Elbit Systems. In the twelve months following 7 October 2023, on those five vessels and at least five other vessels on the same regular service, "GOI/MOD agents" (Government of Israel/Ministry of Defense) would have transported at least 8,618 tonnes of material from the US to Israel after calling at Valencia and Barcelona. These shipments included code 8710 materiel ("tanks and other armoured fighting vehicles" and their parts).¹⁶²

3.3 AIR TRAFFIC

As in the case of ships, there are also agreements with commercial aircraft for the transport of military materiel. On 29 January 2024, the US Department of Defense awarded a contract worth \$873 million to 20 airlines to provide "charter air transportation services for one-time movements of passengers, cargo, and combined movements at military and commercial airfields."¹⁶³ The airlines include what are perhaps the four largest airlines in the world (Delta Air Lines, United Airlines, American Airlines and Southwest Airlines), but also other airlines such as Federal Express (the leading cargo airline), Atlas Airlines (the fifth) or National Air Cargo. These last two are among the three airlines identified by an investigation conducted by Progressive International, the Palestinian Youth Movement, and the American Friends Service Committee as suspected of having transferred 60,000 pieces of weaponry to Israel after a stopover in Zaragoza, and of having previously shipped military cargo to Israel under contract from the US Transportation Command.¹⁶⁴ The third is Challenge, possibly the airline most frequently appearing by name in

flight tracking search engines as having landed at the Nevatim military base, located about 15km from the city of Beersheba, in the Negev Desert. In March 2024, the Israeli newspaper Haaretz had recorded at least 40 C-17 heavy military transport aircraft (large enough to carry anything from tanks to combat helicopters) and another 60 chartered civilian 747 cargo planes that were believed to have delivered weapons and military equipment from bases in the US and Europe to the Nevatim base. These supplies reportedly departed from various military bases: Dover (USA), Ramstein (Germany), Al-Udeid (Qatar), Alexandroupoli (Greece), Sigonella (Italy) and Rota in Cádiz.¹⁶⁵

The Defence Cooperation Agreement with the US allows the use of the military transport terminal at the Rota Naval Base for the "transit of aircraft" from the US.¹⁶⁶ This includes both US Forces aircraft and "aircraft operated by or for the Forces of the United States of America".¹⁶⁷ US Forces aircraft permanently or rotationally deployed in Spain do not require authorisation to overfly, enter, or exit Spanish airspace, nor to use the military airfield at the base. Other aircraft operated by or on behalf of US Forces do require authorisation from the Spanish authorities. This matter is governed by the "Operational Procedure for the Authorisation of Calls and Overflights by United States Military Aircraft".¹⁶⁸ In any event, Spanish authorities must be notified of the purpose of US aircraft missions, whether under a general authorisation or when individual case-by-case authorisation is required.¹⁶⁹

In reality, there are numerous airlines that may have transported that equipment to Israel. For example, The Ditch reported that the German flag-carrier Lufthansa flew F-35 fighter-jet components on at least two occasions from the US to Nevatim Air Base on 6 and 13 February 2025: flight LH453 on 6 February, which carried parts from Los Angeles to Munich before onward delivery to Israel; and flight LH439 on 13 February from Fort Worth (Texas), conveying F-35 components manufactured by Lockheed Martin in Fort Worth to Israel.¹⁷⁰ Another example is LATAM Colombia airline, which operated the direct flight 4C784

161. United States Census Bureau, <https://usatrade.census.gov>

162. Data from the paragraph in Alejandro Pozo Marín, "El tránsito por España de envíos de armas a Israel es la norma y no la excepción", *op. cit.*

163. "Contracts For Jan. 29, 2024", *U.S. Transportation Command*, <https://www.defense.gov/News/Contracts/Contract/Article/3659456/>

164. Olga Rodríguez and Pol Pareja, "Más de 60.000 piezas de armamento han salido en aviones desde España a Israel en una ruta que continúa en 2025", *elDiario.es*, 19 February 2025, https://www.eldiario.es/internacional/60-000-piezas-armamento-han-salido-aviones-espana-israel-ruta-continua-2025_1_12065190.html

165. Avi Scharf, "OSINT Reveals Unprecedented Extent of U.S. Arms Airlift to Israel Since Oct. 7", *Haaretz*, 7 March 2024, <https://www.haaretz.com/israel-news/security-aviation/2024-03-07/ty-article/.premium/open-source-intelligence-reveals-the-unprecedented-extent-of-u-s-arms-airlifts-to-israel/0000018e-1976-d021-adeb-9f77c76c0000>

166. Paragraph 2(1) of annex 2 of the Agreement of Defence Cooperation between the U.S.A. and the Kingdom of Spain.

167. Article 25 of the Agreement of Defence Cooperation between the U.S.A. and the Kingdom of Spain.

168. BOE of 28 March 2011, pp. 32313-32318.

169. Paragraphs 3(4) and 3(5) and Annex A, paragraph 9 of the Operational Procedure for the Authorisation of Calls and Overflights by United States Military Aircraft.

170. "German national airline resumes munitions flights through Irish territory to Israel", *The Ditch*, 17 February 2025, <https://www.ontheditch.com/german-national-airline-resumes/>

between Dover military base in the US and Nevatim, with a 747-4EVERF aircraft registered in Israel.¹⁷¹

Another way to identify which aircraft are carrying arms to Israel via Spain is to look at their origin (for example, a US armament centre) and then trace their destination (for example, a military base). The information available is limited, as the databases do not provide all the information, hide part of it or even delete entire flights. This is the case with the AirNav Radar database. According to its website, "AirNav takes the privacy and security of VIP's, military aircraft, and other private jet operators very seriously. To protect the operational security of military operations, as well as the privacy of certain private jet operators, AirNav either blocks & censors their tracking and in some cases has their tracking information removed from the AirNav flight tracking database entirely. Removal of private aircraft is done on a per request basis".¹⁷² For example, most arrivals at Nevatim Air Base have their flight number, operator, or both, redacted. As for the website Flightradar24, it states on its portal that "Information about a small number of flights may be limited or blocked at the request of owners or operators" and "some military and government aircraft are blocked and are not displayed. Most other aircraft subject to restrictions are shown but are anonymous by aircraft type".¹⁷³

All in all, we have enough information to argue that Spain is an air transit country. Many military and other aircraft originating from US military bases land here. Although there are several military airports in Spain, the Rota military base, which is also used by the US, is frequently mentioned as a destination. Such aircraft rarely continue their journey directly to Israel, although this option cannot be ruled out: for example, on 28 March 2024, flight MC2180 operated by the US Air Force departed from Rota. It was a Lockheed C-5M Super Galaxy aircraft, registration 84-0060. We have no confirmation of where it landed, but it was

"last seen near Masada, Israel".¹⁷⁴ In some cases, other transfers could have occurred after making another stopover. One example follows.

Pope Field is a military base operated by the US Air Force located 19 km from Fayetteville, North Carolina. It is part of a military conglomerate known as Fort Bragg. On 2 June 2023, its name was changed to Fort Liberty because Braxton Bragg had owned slaves and was blamed for bungling the battles that led to the Confederacy's defeat in the Civil War (it remains unclear which of these reasons prompted the new designation).¹⁷⁵ Trump's Secretary of Defense objected to the change and restored the base's original name, Bragg - this time in honour of Roland Bragg, a paratrooper who fought in World War II.¹⁷⁶ Fort Bragg/Liberty is none other than the world's largest military base by population, with 52,000 service members.

A B752 aircraft operated by the US Air Force departed Pope Field at 11pm on 14 November bound for Rota. After just over an hour at the Cádiz base, it proceeded to Souda Bay on the Greek island of Crete, home to a major NATO naval base and an airport with three functions—civilian, Hellenic Air Force, and NATO. After a technical stop, the aircraft continued its journey to Tel Aviv. The flight was MC959 and the aircraft a Lockheed C-5M Super Galaxy with registration 85-0010.¹⁷⁷

Souda has frequent connections to Rota, and also to Tel Aviv. However, the main stopover for military aircraft arriving from the US, UK or Germany appears to be elsewhere: the Royal Air Force (RAF) air base at Akrotiri, on the western side of Cyprus. This base has traditionally been used to facilitate British military operations in the Middle East, including in Yemen against the Ansar Allah group in Operation

171. "Flight 4C784", *AirNav Radar*, <https://www.airnavradar.com/data/flights/4C784/2213422845>

172. <https://www.airnavradar.com/faq#tracking-and-ads-b>

173. "Why is some aircraft information limited or not visible?", *Flightradar24*, <https://support.fr24.com/support/solutions/articles/3000117426-why-is-some-aircraft-information-limited-or-not-visible->

174. "Flight MC2180", *AirNav Radar*, <https://www.airnavradar.com/data/flights/MC2180/2130120029>

175. "Fort Bragg drops Confederate namesake for Fort Liberty, part of US Army base rebranding", *Spectrum News*, 2 June 2023, <https://ny1.com/nyc/all-boroughs/ap-top-news/2023/06/02/fort-bragg-to-drop-confederate-namesake-for-fort-liberty-part-of-us-army-base-rebranding>.

176. "Secretary of Defense Pete Hegseth Renames Fort Liberty to Fort Bragg," *US Department of Defense*, 10 February 2025, <https://www.defense.gov/News/Releases/Release/Article/4062245/secretary-of-defense-pete-hegseth-renames-fort-liberty-to-fort-bragg/>.

177. "Flight MC959", *AirNav Radar*, <https://www.airnavradar.com/data/flights/RCH959/2061842636>

ACTIVIDAD DE VUELO											
FECHA	ORIGEN	STD	ATD	DESTINO	STA	AVIÓN	RETRASO	ESTADO	DURACIÓN	REPASAR	
2024 16 nov.	Tel Aviv (TLVLLBG)	12:30 IST	12:23 IST	Cairo (CAJMECA)	13:34 EET	B752 (ONFILE)		Landed	01h04m		
2024 15 nov.	Tel Aviv (TLVLLBG)	15:30 IST		Souda (CHQ/LGSA)	17:20 EET	B752 (ONFILE)		Estimated	01h50m		
2024 15 nov.	Souda (CHQ/LGSA)	12:50 EET	12:21 EET	Tel Aviv (TLVLLBG)	14:07 IST	B752 (ONFILE)		Landed	01h17m		
2024 15 nov.	Rota (ROZ/LERT)	08:00 CET	08:18 CET	Souda (CHQ/LGSA)	12:49 EET	B752 (ONFILE)		Landed	03h29m		
2024 14 nov.	Fayetteville, NC (POB/KPOB)	17:00 EST		Rota (ROZ/LERT)	06:44 CET	B752 (ONFILE)		Estimated	07h44m		

Source: AirNav Radar, screenshot of the flight detail of the aircraft with registration 85-0010.

Prosperity Guardian following attacks on ships in the Red Sea.

RAF Akrotiri base is very close to Israel, 340 km from Tel Aviv or a 50-minute flight. RAF Akrotiri is one of two "sovereign base areas" the UK has on the island. The other is Dhekelia in the east. Between them they account for 2.5% of the island's territory. A relic of colonial history: a condition imposed by the British as part of granting Cyprus its independence.

These bases are highly secret, so the information provided by databases and search services is very limited, and it is very difficult to prove what these planes are carrying. However, RAF Akrotiri is believed to play a key role in the supply of arms to Israel, especially from the US. This is the conclusion, for example, of Turkish Foreign Minister Hakan Fidan, who described the base as "a logistical base for arms and ammunition for Israel", as reported by media and witnesses, especially Greek Cypriot workers at RAF Akrotiri.¹⁷⁸ According to a report by the British Palestinian Committee, the RAF Akrotiri base has been used to transfer "arms, personnel and intelligence" from the US, UK and Germany to Israel.¹⁷⁹

Databases and specialised information sources are not going to confirm a controversial commodity in a context like Gaza. However, we are talking about US Air Force military cargo aircraft, the very country supplying the vast majority of military equipment, arms and ammunition to Israel (which clamours for them), that stopover at military bases en route to their destinations, especially Tel Aviv, where Israel records arms arrivals in its official import data. This is not to say that arms are transferred to Israel through Akrotiri every day.

The Israeli daily *Haaretz* reported on 31 October 2023 that more than 40 US transport planes, another 20 UK transport planes and seven heavy-duty helicopters had landed at the RAF Akrotiri base carrying equipment, weapons and soldiers.¹⁸⁰ The Declassified UK portal also noted in November 2023 that US weapons are supplied from RAF Akrotiri, coming from US mili-

tary bases in Turkey, Germany and Spain.¹⁸¹ On 18 and 24 October, for example, two giant US Air Force C-17A Globemaster military transport planes flew from Rota to Akrotiri.¹⁸² According to Declassified, such flights were previously rare, as it could not find any flights between these bases in the two months prior to 7 October 2023.

After that date, these previously rare flights multiplied, and some were also originating from Spain. At least three other aircraft operated by the US Armed Forces have flown from Rota to RAF Akrotiri: on 1 December 2024, a C-17 with reference 09-9209, on flight MC455 (it returned to Rota shortly afterwards); on 18 December 2024, another C-17 with reference 04-4133, on flight MC346 (it continued to Ramstein on the same day); and on 30 October 2024, a B752 with reserved reference, on flight RCH344.¹⁸³ Also flying to RAF Akrotiri was an Airbus Voyager KC3, a RAF A332 (registration ZZ343) from Santiago de Compostela (flight RRR2300),¹⁸⁴ which had arrived there on the same day from the British military base Brize Norton, the largest of the RAF bases, to which it later returned from RAF Akrotiri. The same flight connects Brize Norton directly with RAF Akrotiri every week, the stopover in Santiago was an exception. The cargo, however, is unknown.

Since 7 October 2023, flights between RAF Akrotiri and Israeli airports have operated virtually every day. These flights range from giant C-17s (e.g. the one above, ZZ177)¹⁸⁵ to Spanish CASA CN-235-300s or small Beech Shadow R1 surveillance aircraft. The CASA CN-235-300 was jointly developed jointly by Spain's Construcciones Aeronauticas SA (CASA) and the predecessor of Indonesian Aerospace. From 23 July 2024 to 14 January, it has flown four return flights between RAF Akrotiri and Tel Aviv under flight code "REACH55" (between July and September) and a further 11 operated by the US Air Force under flight code "RCH760". The CASA CN-235-300 aircraft with registration 96-6042 has made four return flights between RAF Akrotiri and Tel Aviv in recent months and many more before July 2024. Another aircraft of the same model, registration 96-6046 made two more return flights on the same route in May and June with the same REACH55 code. Flights with code "Gonzo62"¹⁸⁶

178. Zeynep Conkar, "Akrotiri & Dhekelia: Are UK bases on Cyprus island fueling Israeli arsenal?", *TRTWorld*, undated, <https://www.trtworld.com/middle-east/akrotiri-and-dhekelia-are-uk-bases-on-cyprus-island-fueling-israeli-arsenal-17493357>.

179. Khem Rogaly, *British military collaboration with Israel*, British Palestinian Committee, January 2025, <https://static1.squarespace.com/static/611a64c35baa3f33556d5454/t/6798b1604694e819057b4184/1738060146895/British+Military+Collaboration+Report>

180. Avi Scharf and Anshel Pfeffer, "OSINT Shows Third U.S. Naval Group Arrives in Mideast, Countries Prep to Evacuate Thousands", *Haaretz*, 31 October 2023, <https://www.haaretz.com/israel-news/security-aviation/2023-10-31/ty-article-magazine/.premium/osint-third-u-s-naval-group-arrives-in-mideast-countries-prep-to-evacuate-thousands/0000018b-854f-d805-a98f-b5df147e0000>

181. Matt Kennard and Mark Curtis, "U.S. military is secretly supplying weapons to Israel using UK base on Cyprus", *Declassified UK*, 17 November 2023, <https://www.declassifieduk.org/u-s-military-is-secretly-supplying-weapons-to-israel-using-uk-base-on-cyprus/>.

182. Details of the second journey: "Flight MC400", *AirNav Radar*, <https://www.airnavradar.com/data/flights/mc400/2053654753>

183. "Flight RCH344", *AirNav Radar*, <https://www.airnavradar.com/data/registration/ONFILE/2258655829>

184. "RRR2300 Flight", *AirNav Radar*, <https://www.airnavradar.com/data/registration/ZZ343/2267522905>

185. "Flight ZZ177", *AirNav Radar*, <https://www.airnavradar.com/data/registration/ZZ177/2366318967>

186. "Vuelo Gonzo62", *AirNav Radar*, <https://www.airnavradar.com/data/flights/GONZO62/2191086761>

have also made a dozen return flights between RAF Akrotiri and Tel Aviv between April and August 2024.

3.4 FUEL FOR MILITARY AIRCRAFT

Military aircraft use a special fuel, a mixture of kerosene and additives that prevent corrosion, freezing at extreme temperatures and improve connectivity and storage.¹⁸⁷ Military aircraft generally use JP-8 type fuel, except for carrier-borne jets, which use JP-5 to avoid the increased risk of fire.¹⁸⁸

Military aircraft fuel is an essential commodity for committing genocide, crimes against humanity, attacks on civilians and other war crimes being carried out by the Israeli Defence Forces in the Gaza Strip. According to the report "Fuelling the flames in Gaza. Exploring the legal consequences for states and corporations involved in supplying jet fuel to the Israeli military", by the Centre for Research on Multinational Corporations (SOMO) in the Netherlands, between October and December 2023, the Israeli Air Force reportedly carried out 10,000 airstrikes in Gaza.¹⁸⁹

The United States, through its military aid, is the main external supplier of military fuel to Israel. According to Data Desk, approximately every two months a US tanker loaded with JP-8 fuel crosses the Atlantic and the Mediterranean to reach Israel. These are the Overseas Santorini and Overseas Suncoast vessels.¹⁹⁰

The report 'Fuelling the Flames in Gaza' documents two port calls by the vessel Overseas Santorini, laden with military aviation fuel, at the port of Algeciras.¹⁹¹ In the first one, the Overseas Santorini left on 14 March 2024 from the port of Corpus Christi in Texas, where the company Valero has a refinery, loaded with military fuel for JP-8 aircraft. It called at Algeciras on 1 April 2024. On 6 April, near Crete, its transponder was seemingly deactivated. When it reappeared a few

days later, there had been a significant decrease in its draught. From US Customs data and tracking of the ship's voyage it can be presumed that the JP-8 military fuel was unloaded in Israel. On a second voyage, the Overseas Santorini left the port of Corpus Christi on 12 May 2024 for the port of Ashkelon in Israel, according to US Customs and Border Protection data. At the time of writing of the report, the ship was estimated to dock in the port of Algeciras on 28 May 2024. Based on these data, the information provided by the Palestine Solidarity Network Against Occupation (RESCOP) appears plausible: the Overseas Santorini departed Corpus Christi on 15 July 2024, was scheduled to call at Algeciras on 30 July 2024, and its final destination was an Israeli port where it would unload JP-8 military fuel.¹⁹² Finally, the Overseas Santorini called at an anchorage in Gibraltar and then continued on to Israel.¹⁹³

In general, "fuels for 'aircraft' specially formulated for military purposes" are included in the list of defence materiel (product category 8(c)(1)). However, military aircraft fuels JP-4, JP-5 and JP-8 have been excluded. In literal terms, it reads: "Note 1: 8(c)(1) does not apply to the following 'aircraft' fuels: JP-4, JP-5, and JP-8". This exclusion has been confirmed by the High Representative of the Union for Foreign Affairs and Security Policy, Josep Borrell Fontelles, who, in response to a parliamentary question, stated that "JP-8 aircraft fuel is explicitly excluded from that list [referring to the EU Common Military List]".¹⁹⁴ The Ministry of Economy, Trade and Entrepreneurship has given a more ambiguous answer to the question whether the export of JP-4, JP-5 and JP-8 military aircraft fuels requires an administrative authorisation on the basis of the legislation on arms trade control. According to the department's Directorate General for Trade Policy, "a priori, it is not possible to determine whether an export of a given product should be subject to a licence or not; the exporter bears responsibility for that determination".¹⁹⁵

187. "JP-8, the best fuel for military aviation", Repsol, undated, <https://www.repsol.com/es/productos-y-servicios/aviacion/jp-8/index.cshhtml>

188. SOMO, "Fuelling the flames in Gaza. Exploring the legal consequences for states and corporations involved in supplying jet fuel to the Israeli military", p. 4. <https://www.somo.nl/fuelling-the-flames-in-gaza/>

189. SOMO, "Fuelling the flames in Gaza. Exploring the legal consequences for states and corporations involved in supplying jet fuel to the Israeli military", p. 3.

190. Data Desk: "Israel crude and fuel supply chains", 8 March 2024, <https://docs.datadesk.eco/public/976ce7dcf00743dc/#israeli-crude-and-fuel-supply-chains>. See also the August 2024 report by Data Desk for Oil Change International: "Behind the Barrel: New Insights into the Countries and Companies Behind Israel's Fuel Supply", pp. 8-9; <https://www.oilchange.org/wp-content/uploads/2024/08/behind-the-barrel-august-2024-v3.pdf>.

191. SOMO, "Fuelling the flames in Gaza. Exploring the legal consequences for states and corporations involved in supplying jet fuel to the Israeli military", pp. 7-8.

192. "Llamado de acción urgente: Ningún puerto para el genocidio. Bloquear el suministro de combustible militar a Israel", 21 July 2024, <https://rescop.org/bds/llamado-de-accion-urgente-ningun-puerto-para-el-genocidio-bloquear-el-suministro-de-combustible-militar-a-israel/>

193. "The 'Overseas Santorini' on its way to Israel after a brief stop in Gibraltar and a change of crew", *EuropaSur*, 31 July 2024, https://www.europasur.es/gibraltar/overseas-santorini-israel-parada_0_2002138754.html

194. Response of 5 September 2024 to Question P-001392/2024 by Irene Montero and Isabel Serra Sánchez of *The Left Group* in the European Parliament.

195. Ruling on Information Request number 00001-00094349, issued by the Directorate General for Trade Policy of the Ministry of Economy, Trade and Enterprise, dated 26 August 2024. The Transparency and Good Governance Council (CTBG) considered this to be an adequate response by Resolution of the President of the CTBG, dated 17 December 2024 (reference number 1620/2024).

The decision to delist JP-4, JP-5 and JP-8 aircraft fuels was taken at the 7 December 2017 meeting of the Wassenaar Arrangement.¹⁹⁶ The Wassenaar Arrangement is an international forum of the world's major arms exporting countries. Subsequently, the exclusion of these fuels was included in the Common Military List of the European Union, adopted by the Council on 26 February 2018.¹⁹⁷ And, finally, it was incorporated into Spanish legislation by Order ICT/697/2019, of 25 June, amending Annex I(1) of the Regulation on the control of foreign trade in defence materiel, other materiel and dual-use goods and technologies, approved by Royal Decree 679/2014, of 1 August.¹⁹⁸ The exclusion of JP-4, JP-5 and JP-8 fuels is maintained in the legislation currently in force.¹⁹⁹

This exclusion means that JP-4, JP-5 and JP-8 military aircraft fuels are not considered defence materiel. Therefore, neither their export nor their transit through Spanish territory requires an administrative authorisation granted on the basis of Law 53/2007, of 28 December, on the control of foreign trade in defence and dual-use materiel. The exclusion does not make sense if the aim is to strictly control exports of defence materiel, including military fuels, in order to prevent serious human rights violations. If aircraft fuel of types JP-4, JP-5 and JP-8 were considered as defence materiel, it would be relatively simple to prevent their export by suspending or revoking the authorisations previously granted by the Spanish authorities. Their transit through Spanish territory could also be prohibited. This would make it difficult to carry out bombing raids such as those carried out by the Israeli Air Force in Gaza.

Military aircraft fuels JP-4, JP-5 and JP-8 should be considered as defence materiel. This is a measure that could be agreed unilaterally by the government

in exercise of Spanish sovereignty. Decisions taken in the framework of the Wassenaar Arrangement are not legally binding on the states that are party to the Wassenaar Arrangement (the political significance is another matter). The Arrangement does not restrict the exercise of Spanish national sovereignty. Moreover, it states that the guidelines to be adopted will serve as a "basis for decision-making through the implementation of their own national legislation and policies".²⁰⁰ In this way, it seems to recognise some leeway for state policies, although it does not expressly mention the possibility for states parties to unilaterally extend the products subject to control. For its part, Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment recognises the right of EU Member States to apply stricter national rules (Article 3). The inclusion of military fuels JP-4, JP-5 and JP-8 may be carried out by Order of the Ministry of Economy and Competitiveness, following a report by the JIMDDU (based on the fourth final provision of Royal Decree 679/2014).²⁰¹ The export and transit of these fuels could also be prohibited through an arms embargo. In fact, the "Bill reforming Law 53/2007, of 28 December, on the control of foreign trade in defence and dual-use materiel, introducing the embargo and its legal regime", drafted by the campaign "End arms trade with Israel", includes such a ban. An interesting precedent is the ban on coal exports to Israel adopted by the Colombian government, through Decree 1047 of 14 August 2024, "which establishes a ban on coal exports to Israel". This ban will be in force "until the orders for provisional measures issued by the International Court of Justice in the proceedings for *the application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)* are fully complied with".²⁰²

196. <https://www.wassenaar.org/app/uploads/2019/consolidated/WA-DOC-17-PUB-006-Public-Docs-VolII-2017-List-of-DU-Goods-and-Technologies-and-Munitions-List.pdf>. The reasons for the exclusion of these three fuel types have not been made public. Please note that information shared and discussions between the Participating States of the Wassenaar Arrangement are confidential (paragraph IX of the Wassenaar Arrangement Guidelines and Procedures, including the Initial Elements).

197. [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018XG0315\(01\)&qid=1747353156480](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018XG0315(01)&qid=1747353156480).

198. <https://www.boe.es/buscar/doc.php?id=BOE-A-2019-9596>.

199. The latest version of the Wassenaar Arrangement's "List of Dual-Use Goods and Technologies and Munitions List" is dated December 2024 (<https://www.wassenaar.org/app/uploads/2024/12/List-of-Dual-Use-Goods-and-Technologies-and-ML-2024.pdf>). The most current Common Military List of the European Union was adopted by the Council on 24 February 2025 (C/2025/1499), published in the OJEU, C series, 6 March 2025 (<https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=OJ:C.202501499>). For Spanish legislation, see "Annex I(1) General defence materiel" of Royal Decree 679/2014, of 1 August, approving the Regulation on the control of foreign trade in defence materiel, other material and dual-use goods and technologies (<https://www.boe.es/buscar/act.php?id=BOE-A-2014-8926&p=20240608&tn=1#ani1>).

200. Paragraph II (7) of the document "Guidelines & Procedures, including the Initial Elements", December 2019, of the Wassenaar Arrangement, <https://www.wassenaar.org/app/uploads/2021/12/Public-Docs-Vol-I-Founding-Documents.pdf>.

201. Final provision 4(1) of Royal Decree 679/2014 states that "The content of Annexes I, II, III, IV, and V of the Regulation on the control of foreign trade in defence materiel, other material and dual-use goods and technologies may be updated by order of the Minister of Economy and Competitiveness, with a prior report from the JIMDDU, in accordance with changes approved in international organisations, international treaties, international non-proliferation and export control regimes and European Union regulations". It could be argued that this provision precludes Spanish authorities from applying defence materiel export controls to items not included in the list agreed under the Wassenaar Arrangement. As it is a non-binding agreement, nothing would prevent the Government from modifying the content of the fourth final provision of Royal Decree 679/2014 by a subsequent Royal Decree (by a regulatory rule approved by the Government, it would not be necessary to approve a decree law).

202. Decree 1047 prohibits the export to Israel of "Thermal (Coal) pullets" (Article 1), although it does not apply to contracts concluded before the entry into force of the Decree (Article 2). Its validity is governed by Article 4. The text of the Decree is available <https://dapre.presidencia.gov.co/normativa/normativa/DECRETO%201047%20DE%2014%20DE%20AGOSTO%20DE%202024.pdf>.



4. LEGAL INITIATIVES IN RELATION TO THE ARMS TRADE

In response to the government's failure to comply with the legislation on the arms trade, various legal initiatives have been launched, most of them spearheaded by civil society. These initiatives have taken the form of proposals for bills, one of which was passed, proposals for bills, and even the filing of a contentious-administrative appeal before the Audiencia Nacional (National High Court). All these initiatives have had hardly any practical results.

4.1 MOTIONS

Motions are non-binding. In other words, compliance with them is not obligatory. They are political declarations that reflect the position of the Parliament on a given issue.

The Coordinating Committee of Development Organisations drafted a proposal for a motion on the crisis in Gaza. Presented by the Plurinational Parliamentary Group Sumar, it was approved in the Foreign

Affairs Committee on 12 March 2024 (file number 161/000417).²⁰³ Among other issues, the Congress of Deputies urged the Government to:

"4. Put an end to the arms trade between the Kingdom of Spain and Israel. In compliance with the Arms Trade Treaty and in line with the provisional ruling of the International Court of Justice (ICJ), revoke the Government's authorisations for export defence materiel and dual-use goods and technologies to Israel, taking into account the Government's past suspensions of export licences in response to comparatively less severe humanitarian crises, and recognising that this arms trade is helping to accelerate the escalation of violence. Therefore, the Government of Spain is urged to end all arms trade with Israel, both exports (including dual-use materiel) and imports."

A second motion drafted by the group Jurists for Palestine was registered in the Congress of Deputies on 25 March 2025. Among the forty-seven measures it proposes, four are related to the arms trade. 1) Enact the proposed law of 19 June 2024 as a royal de-

²⁰³ Boletín Oficial de las Cortes Generales. Congress of Deputies. XV Legislature, Series D. General, 27 March 2024, no. 114, pp. 16 to 18.

cree-law to amend Law 53/2007, thereby urgently imposing an arms embargo on Israel. 2) Revoke all current import and export authorisations for defence materiel between Spain and any Israeli company. 3) Establish a system for inspecting and monitoring shipments originating from or destined for Israel. 4) Amend Law 9/1968 on Official Secrets. This initiative has the support of Sumar, Podemos, ERC, EH Bildu and BNG and is pending debate in the Congressional Foreign Affairs Committee.²⁰⁴

4.2 PROPOSED EMBARGO LEGISLATION

Despite the extreme gravity of the human rights violations that Israel is committing in Gaza, the international community has not imposed sanctions on the country. Neither the United Nations Security Council nor the European Union has imposed an arms embargo on Israel. That does not prevent Spain, in exercise of its sovereignty, from unilaterally imposing an arms embargo on Israel.

Law 53/2007 of 28 December 2007 on the control of foreign trade in defence and dual-use materiel does not foresee the possibility for Spain to adopt arms embargoes. It does not prevent the Spanish government from imposing an arms embargo on Israel through a decree law.²⁰⁵ However, the government does not intend to impose an arms embargo on Israel. This is consistent with its general policy, as military relations between Spain and Israel have remained essentially unchanged since 7 October 2023. Imposing an arms embargo on Israel would have an important symbolic effect, as no country in the Global North has adopted such a measure.

To date, two bills have been tabled to impose an arms embargo on Israel. Bills are not government-sponsored and must first undergo a preliminary vote, known as "taking into consideration". If there is a simple majority in favour of consideration, the bill will follow the parliamentary procedure for the approval of laws, first in the Congress of Deputies and then in the Senate. During this procedure, the parliamentary groups will be able to introduce amendments to the original text of the bill. The two bills mentioned in this text have not yet been voted on for consideration.

In June 2024, Podemos, as part of the Mixed Parliamentary Group, presented a "Bill for the authorisation of a total arms embargo and reduction of military spending".²⁰⁶ This bill does not propose to impose an arms embargo on Israel, but rather it includes the possibility for the Congress of Deputies, at the request of the government or parliamentary groups, to approve an arms embargo on a given State, without specifying the measures in which this embargo would be implemented.²⁰⁷

In July 2024, the campaign "End the arms trade with Israel", comprising more than 525 civil society organisations, drafted a proposal to incorporate the concept of an arms embargo in Law 53/2007 and to apply this legal mechanism to Israel. On 12 July, the proposal was registered as a bill in the Congress of Deputies by the Bloque Nacionalista Galego, EH Bildu, Esquerra Republicana de Catalunya, Podemos and Sumar.²⁰⁸ The text was published in the Boletín Oficial de las Cortes Generales, under the title "Proposición de Ley por la que se reforma la Ley 53/2007, de 28 de diciembre, sobre el control del comercio exterior de material de defensa y de doble uso, introduciendo la figura del embargo y su régimen jurídico" (Bill reforming Law 53/2007, of 28 December, on the control of foreign trade in defence and dual-use materiel, introducing the concept of embargo and its legal regime).²⁰⁹

As to its substance, the bill establishes a general framework for the legal concept of an arms embargo. It mandates the imposition of an arms embargo on any country that has committed genocide, crimes against humanity, attacks directed against civilian objects or civilians, or other war crimes. As a guarantee of legal certainty, it requires that the State targeted by the embargo have been indicted before an international tribunal whose jurisdiction Spain has ratified, and that such proceedings have not been dismissed. The products covered by the embargo would be: defence materiel; goods and technologies subject to the Missile Technology Control Regime; firearms; police and anti-riot equipment; dual-use goods and technologies; and fuels specifically formulated for military purposes. The proposal expressly includes military aircraft fuels JP-4, JP-5 and JP-8, which are not currently regarded as defence materiel under the legislation.

204. Francesca Cicardi, "Juristas por Palestina presenta una Proposición No de Ley para exigir a España que actúe frente a Israel", *elDiario.es*, 25 March 2025, https://www.eldiario.es/internacional/juristas-palestina-registra-proposicion-no-ley-exigir-espana-tome-medidas-frente-israel_1_12158350.html. The text of the PNL can be found in the Boletín Oficial de las Cortes Generales, Congreso de los Diputados, XV Legislatura, Serie D: General, no. 316, 3 April 2025, pp. 4-15.

205. A royal decree-law is a law-level measure adopted by the Government that must subsequently be validated by the Congress of Deputies under Article 86 of the Constitution.

206. The text of the bill is published at Boletín Oficial de las Cortes Generales. Congreso de los Diputados, XV Legislatura, Serie B: proposiciones de ley, 14 June 2024.

207. See article 2.Five of the bill.

208. The Republican Parliamentary Group withdrew its sponsorship of the bill, which came into effect on 10 September 2024. Boletín Oficial de las Cortes Generales. Congreso de los Diputados. XV Legislatura, Series B: Bills, 13 September 2024.

209. Boletín Oficial de las Cortes Generales. Congreso de los Diputados, XV Legislatura, Series B: bills, 19 July 2024.

Under the bill, the products covered by the embargo may neither be exported nor imported. In this way, the embargo would apply not only to arms exports but also to the procurement of arms by the embargoed country. Furthermore, it prohibits technical assistance, product maintenance, the provision of funding or financial assistance related to military activities, the transit of these products through national territory, and military and security cooperation. The imposition of the embargo will entail the revocation of previously granted export authorisations and the denial of any new authorisations. It also stipulates that export authorisations granted to third countries must include a clause expressly prohibiting the re-export of the materiel to the country or countries subject to the embargo.

The bill's general provisions establish an obligation to inspect shipments originating from or destined for an embargoed country where there are reasonable grounds to believe they contain embargoed items. This obligation likewise applies to ships or aircraft bound for a third country if it can be reasonably inferred that their cargo may ultimately be destined for an embargoed state.

Moreover, the bill imposes an automatic embargo on states that are being tried before an international tribunal for genocide, crimes against humanity, attacks directed against civilians or civilian property, or other war crimes. This provision, included in the bill's first final clause, would automatically impose an arms embargo on the State of Israel. Hence, the bill is intended not only to introduce a general, abstract framework for embargoes but also to apply it immediately to the State of Israel.

Both bills are pending debate in the Plenary of the Congress of Deputies. The bill presented by Podemos has been on the table since 21 September 2024 and the second bill since 7 October 2024.

4.3 CONTENTIOUS-ADMINISTRATIVE APPEAL LODGED BY THE COMUNITAT PALESTINA DE CATALUNYA

On 23 February 2024, the association Comunitat Palestina de Catalunya (Palestinian Community of Catalonia) submitted a request to the State Secretariat for Commerce of the Ministry of Economy, Trade and Enterprise.²¹⁰ It requested that a procedure be initiated to revoke all existing authorisations for defence and dual-use materiel destined for or originating from Israel, including both export and import authorisations. It also sought the immediate suspension of the execution of those authorisations.

The request argued that the authorisations for arms exports to Israel breach Article 8(1) of Law 53/2007, the prohibitions of Article 6(3) of the Arms Trade Treaty, and those of EU Common Position 2008/944/CFSP (criteria 2, 3 and 6). It also referred to the Convention on the Prevention and Punishment of the Crime of Genocide, which imposes on States Parties the duty to prevent the commission of this international crime. In this regard, it was argued that the Spanish authorities must employ all means at their disposal to avert genocide. And that the Spanish Government's inaction would amount to a failure to fulfil its obligation to prevent genocide in Gaza, while the provision of arms would constitute an act of complicity with Israel.

Given the State Secretariat for Commerce's failure to respond within the legally stipulated three-month period, the Comunitat Palestina de Catalunya filed a contentious-administrative appeal, on grounds of negative administrative silence, before the Audiencia Nacional (National Court) on 31 May 2024. In their statement of claim, they requested, as a precautionary measure, the suspension of all existing export and import authorisations whose destination or origin is Israel.

The Audiencia Nacional, by Order of 12 July 2024 (00655/2024), denied the precautionary measures sought by the Comunitat Palestina de Catalunya, which comprised the suspension of the effects of the contested authorisations. It is interesting to note that one of the arguments used by the Audiencia Nacional to deny the interim measures is that the Comunitat Palestina de Catalunya had not identified "in a concrete and individualised manner the specific object of each of the authorisations in force, whose suspension is sought" (legal ground 4). This is impossible for the appellant, since the content of export authorisations remains within the reserved domain of the Administration. On 13 March 1987, the Council of Ministers agreed to classify as secret the minutes of the Inter-ministerial Regulatory Board for the Foreign Trade in Defence and Dual-Use Materiels (JIMDDU). The JIMDDU is the body that decides, by means of a mandatory report, whether to grant export authorisations for defence materiel; a decision formally approved by the Secretariat of State for Trade. The principal argument for denying the precautionary measures was that, given the complexity of the matter under review, a provisional decision would necessarily pre-judge the merits of the case, which must be resolved in the final judgement with the full guarantees of adversarial proceedings and evidence. Account was also taken of the interests of third parties, namely those of arms-manufacturing companies.

210. We thank the lawyer Benet Salellas i Vilar for sharing all the documentation related to this litigation.

Outside the legally prescribed three-month period, on 18 July 2024 the Secretariat of State for Trade declared inadmissible the request submitted by the Comunitat Palestina de Catalunya on 23 February 2024. According to the State Secretariat, the Comunitat Palestina de Catalunya lacks standing to seek the revocation of export authorisations for defence materiel and dual-use materiel destined for Israel, on the grounds that this petition bears no connection to the collective interests protected by the association, nor does it, directly or indirectly, further its statutory objectives.

On 27 July 2024, the Comunitat Palestina de Catalunya filed an appeal for reconsideration against the Order of 12 July 2024. The Audiencia Nacional, by Order of 22 October 2024, dismissed that appeal, relying on reasoning substantially identical to that set out in its 12 July Order. Finally, the Supreme Court, by Ruling of 12 March 2025, dismissed the appeal for reversal lodged by the Comunitat Palestina de Catalunya against the denial of the requested precautionary measures.

The Audiencia Nacional has adopted a restrictive approach to the admission of evidence. Initially, by Order of the Audiencia Nacional of 17 January 2025, the following evidence was admitted proposed by the Comunitat Palestina de Catalunya : I) To request the Ministry of Economy, Trade and Enterprise to produce the reports on the reviews of export authorisations to Israel conducted since November 2023; II) To require the Ministry of Economy, Trade and Enterprise to produce the risk-control analyses and related documents referred to in the Administration's express resolution; and III) To require the Ministry of Economy, Trade and Enterprise to produce the administrative files for the current authorisations for the transfer of defence and dual-use materiel destined for Israel.

This order was challenged by the State Attorney on 29 January 2025 by way of a reconsideration appeal, on the grounds that the admission of evidence was insufficiently reasoned. Furthermore, that the information sought from the Ministry was unrelated to the proceedings and abusive in its breadth; and that the administrative files are confidential. By Order of 10 February 2025, the Audiencia Nacional clarified that the evidence proposed under points I, II and III above was not admitted on the basis of irrelevance.

The Audiencia Nacional has not yet ruled on this appeal. The Comunitat Palestina de Catalunya lodged its statement of claim on 7 November 2024, requesting that the Administration be ordered to initiate pro-

ceedings to revoke all current export authorisations for defence and dual-use materiel destined for Israel. The State Attorney's Office filed its defence on 23 December 2024, principally arguing that the Comunitat Palestina de Catalunya lacks standing to seek the revocation of export authorisations for defence materiel to Israel. It also contended that the specific authorisations subject to revocation must first be identified. It will be several more months, over a year, before the Audiencia Nacional delivers its judgement.

4.4 COMPLAINT TO THE EXAMINING MAGISTRATES' COURT OF BARCELONA REGARDING THE TRANSIT OF DEFENCE MATERIEL DESTINED FOR ISRAEL

On 15 April 2025, the "End Arms Trade with Israel" campaign filed a complaint with the Examining Magistrates' court of Barcelona against the captain of the Nexoe Maersk.²¹¹ The complaint documented the involvement of several Maersk vessels, including the Maersk Detroit and the Nexoe Maersk, in supplying military materiel to Israel via the port of Algeciras. It provided evidence that the Nexoe Maersk was to call at the port of Barcelona on 20 and 21 April, before proceeding to the port of Tangier to collect F-35 fighter-aircraft components, which the Maersk Detroit would transport to Tangier. The Nexoe Maersk's ultimate destination was the Israeli port of Haifa, from where the F-35 components would be conveyed to the Israeli air base at Nevatim. The complaint accused the vessel's captain of being an accessory, or alternatively a joint principal, in the offences of genocide (Article 607 of the Spanish Criminal Code), crimes against humanity (Article 607 bis), and other international crimes under Articles 609, 610, 611 and 615. It sought the opening of investigative and precautionary proceedings, including: the detention and search of the vessel Nexoe Maersk, the requisition of all documentation relevant to its cargo and final destination, and the identification and potential arrest of the captain of the Nexoe Maersk.

By Order of 15 April 2025 (preliminary proceedings no. 608/2025), the Examining Magistrates' Court No 30 of Barcelona dismissed the measures sought in the complaint. The Examining Court found that there were no "rational indications of the commission of any criminal act in relation to the navigation and declared cargo of the vessel Nexoe Maersk, berthed in the port of Barcelona today, 15 April 2024."

211. We thank the lawyer Diego Francisco Miñano Frutos for providing the documentation relating to this case.



5. THE LACK OF TRANSPARENCY AND THE DEMOCRATIC DEFICIT IN SPAIN CONCERNING ITS ARMS RELATIONS WITH ISRAEL

5.1 TRANSPARENCY OR DISINFORMATION

Arms trade with Israel is, fundamentally, a matter that affects the lives and rights of the Palestinian population. But it also has a domestic dimension, concerning the quality of democracy in Spain and the role that public opinion must play. The Prime Minister, the Minister of Foreign Affairs, the Minister of Defence and the Ministry of the Interior have all taken part of a governmental disinformation campaign on this issue. The aim of this campaign has been to hinder the Spanish public from learning the truth about the arms trade between Spain and Israel. In that campaign, they have used most of the media, which have limited themselves to relaying the statements and information they received from the Government without carrying out sufficient fact-checking or critical analysis of its content.

The European Commission defines disinformation as "information that is verifiably false or misleading that is created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm. Public harm comprises threats to democratic political and policy-making processes as well as public goods such as the protection of EU citizens' health, the environment or security. Disinformation does not include reporting errors, satire and parody, or clearly identified partisan news and commentary."²¹²

Table 17 presents a selection of statements by Spanish public authorities that range from merely ambiguous to outright misleading.

In our opinion, these statements contain elements of disinformation. The Government has disseminated "verifiably false or misleading" information, resulting

212. Communication from the Commission "Combating online disinformation: a European approach", 26 April 2018, COM (2018) 236 final, p. 4, <https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52018DC0236>.

in public harm by impeding informed debate among the public on the Government's policy regarding the arms trade with Israel, thereby undermining the quality of democracy in Spain. The ultimate aim of this

governmental disinformation is ultimately to conceal the close relationship between Spain and Israel in the arms sector.

Table 17. Statements by Spanish public authorities requiring clarification

#	Declaration	Objection
1	José Manuel Albares, Minister of Foreign Affairs, plenary session of the Congress of Deputies, 5 December 2023: "Since 7 October there have been no Spanish arms exports to Israel. Therefore, rest assured that they will not resume". ⁱ	Since 7 October, €5.3 million (Israeli figures) code 93 products ("arms and ammunition") have been exported. At the time the statement was issued, €987,000 of ammunition had already been exported from Palencia. ⁱⁱ
2	José Manuel Albares, the Foreign Minister, in his reply to Àngels Barceló on Cadena SER, when asked about an arms embargo: "It has already been implemented". ⁱⁱⁱ	Spain has not imposed any arms embargo on Israel, nor have the UN or the EU. Had that been the case, nothing in this report could have taken place.
3	Pedro Sanchez, President, reply to Gabriel Rufián in Congress, 10 April 2024: "Rest assured, since 7 October Spain has not engaged in any arms deal with Israel, not a single one". ^{iv}	Arms purchases and sales have been frequent since 7 October, as detailed in this report.
4	Secretary of State for Trade, in the official 2023 export report: "no exports [to Israel] of lethal equipment have been authorised".	The "lethality" argument regarding exported defence materiel has never been used (since 2005) in official export reports for any destination other than Israel. This is not a technical argument but purely a political statement applied solely to Israel.
5	Margarita Robles, Minister of Defence, in her reply to the Minister of Social Rights, Consumer Affairs and the 2030 Agenda, Pablo Bustinduy: "No arms have been sold to or acquired from the State of Israel since 7 October", "The pending temporary export licences with Israel relate not to weapons but to spare parts , and are currently suspended". ^v Ministry of the Interior, 29 October 2024: "The Spanish government maintains its commitment not to sell or purchase arms to or from the State of Israel since the outbreak of the armed conflict in the territory of Gaza". ^{vi}	These statements are not reflected in acquisitions by way of technology transfer, nor in the numerous imports unrelated to those spare parts and components. Exports from Nammo Palencia to Elbit Systems, or those connected with the Sabrah vehicle, would fall outside what has been declared unless "State of Israel" is understood in the strict sense, since the recipient was Elbit, a private company. However, at least seven contracts have been awarded to companies owned by Rafael, a state-owned company.
6	María Amparo López Senovilla, Secretary of State for Trade, appearing before the Defence Committee on 25 March 2025: The authorisations are temporary and exclusively - I repeat, exclusively - for repair and maintenance material, the end user being the Spanish Ministry of Defence , for the supply and upgrading of essential systems for our Armed Forces". ^{vii} In another moment, she adds the possibility of re-export from Israel to other countries.	In November 2023, Nammo Palencia exported ammunition valued at €987,000, with no final recipient declared other than Israel (the recipient being Elbit Systems).
7	José Manuel Albares, Minister of Foreign Affairs, after denying port to the Marianne Danica: "I can assure you that this is going to be a consistent policy for any ship carrying arms [...] to Israel wishing to call at Spanish ports"... "The Ministry of Foreign Affairs will systematically reject these calls ". ^{viii} In a column for Agenda Pública, on 29 November 2024: "[...] we do not authorise any vessels carrying arms bound for Israel to call at our ports. I repeat, Spain neither sells nor authorises the transit of arms whose final destination is Israel". ^{ix}	Since these statements, vessels laden with military materiel bound for Israel have repeatedly transited or been transshipped through the ports of Algeciras, Valencia and Barcelona.

#	Declaration	Objection
8	RTVE, 29 October 2024: "The Interior Ministry cancels purchase of ammunition from Israeli company following criticism from some of its left-wing partners". ^x From the Interior Ministry: "The Interior Ministry has initiated the proceedings to rescind the award to an Israeli company of a contract for the procurement of 9\19 mm PB NATO cartridges for the Guardia Civil". ^{xi}	It was a message repeated in the press (as was the one concerning the 120 mm fuzes from IMI Systems), yet no process to cancel or revoke either of the two awarded contracts was ever initiated or carried out. In fact, the contract has since been formally executed.
9	Interior Ministry website: "Furthermore, other Israeli companies will be excluded as bidders from additional arms-procurement proceedings currently being processed by the Directorate-General of the Guardia Civil". ^{xii}	The Guardia Civil has awarded contracts to Israeli companies and their subsidiaries after that date.
10	María Amparo López Senovilla, Secretary of State for Trade, appearing before the Defence Committee on 25 March 2025: "Spanish law does not provide the means for Spain to impose an embargo through its own control authorities; however, we do have the capacity to enforce one if it is imposed by a court or an international organisation". ^{xiii}	Neither the UN Security Council nor the EU have imposed an arms embargo on Israel, and Law 53/2007 on the control of external trade in defence and dual-use materiel does not envisage the adoption of such embargoes. However, that does not prevent the Spanish State, in exercise of its sovereignty, from unilaterally imposing an arms embargo on Israel, for example by means of a decree-law.

I. Diario de sesiones del Congreso de los Diputados. Plenary and permanent deputation, no. 11, 5 December 2023, p. 34

II. Alejandro Pozo Marín, "Dijo la verdad el ministro Albares sobre las ventas de armas a Israel?", *elDiario.es*, 12 February 2024, https://www.eldiario.es/internacional/dijo-ministro-albares-ventas-armas-israel_129_10916558.html

III. <https://youtu.be/tl9Zy3l8E8M?t=11120>

IV. Diario de sesiones del Congreso de los Diputados. Plenary and permanent deputation, no. 37, 10 April 2024, p. 50.

V. Andrés Gil, "Robles reconoce contratos con la industria militar israelí para reparación de piezas y dice que se han congelado las compras de armas", *elDiario.es*, 23 October 2024, https://www.eldiario.es/internacional/robles-reconoce-contratos-industria-militar-israeli-reparacion-piezas-dice-han-congelado-compras-armas_1_11755977.html

VI. "Interior inicia el proceso para rescindir el contrato de compra de munición a una empresa israelí", *Ministerio del Interior*, 29 October 2024, <https://www.interior.gob.es/opencms/es/detalle/articulo/Interior-inicia-el-proceso-para-rescindir-el-contrato-de-compra-de-municion-a-una-empresa-israeli/>

VII. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 7.

VIII. "España deniega escala a buque cargado de armas para Israel", *DW*, 17 May 2024, <https://www.dw.com/es/espa%C3%B1a-deniega-escala-a-buque-cargado-de-armas-para-israel/a-69105371>

IX. José Manuel Albares, "No podemos lamentar el sufrimiento en Oriente Medio Medio y quedarnos de brazos cruzados", *Agenda Pública*, 29 November 2024, <https://agendapublica.es/noticia/19490/albares-escribe-agenda-publica-no-podemos-lamentar-sufrimiento-oriente-medio-quedarnos-brazos-cruzados>

X. "Interior cancela la compra de munición a una firma israelí tras las críticas de algunos de sus socios de izquierda", RTVE, 29 October 2024, <https://www.rtve.es/noticias/20241029/interior-proceso-anular-contrato-compra-municion-empresa-israeli/16307851.shtml>

XI. "Interior inicia el proceso para rescindir el contrato de compra de munición a una empresa israelí", *Interior Ministry*, <https://www.interior.gob.es/opencms/es/detalle/articulo/Interior-inicia-el-proceso-para-rescindir-el-contrato-de-compra-de-municion-a-una-empresa-israeli/>

XII. Eduardo Melero Alonso, "¿Realmente ha revocado el Gobierno la adjudicación de contratos de adquisición de armamento a favor de empresas israelíes?", *Mientras Tanto*, 22 December 2024, <https://mientrastanto.org/241/notas/realmente-ha-revocado-el-gobierno-la-adjudicacion-de-contratos/>

XIII. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025, p. 19.

5.2 POLITICAL USE OF OFFICIAL STATISTICS BY THE GOVERNMENT

Article 16 of Law 53/2007 obliges the Government to submit to the Congress of Deputies, twice yearly, information on exports of defence materiel and dual-use goods and technologies. In practice, a simplified report on first-half exports is provided, followed by a more comprehensive, detailed annual report that includes supplementary data.²¹³ The same Article also requires the Secretary of State for Trade to appear annually before the Defence Committee of the Congress of Deputies to present export statistics.

Usually, the annual statistics were published in June or July, months in which the Secretary of State for Trade also appeared before the Defence Committee. The session on the 2022 statistics took place on 19

March 2024.²¹⁴ The delay of more than nine months compared with the customary timetable can be attributed to the early general election in 2023, which led to the dissolution of the Cortes in May and meant that Pedro Sánchez was not appointed Prime Minister until November 2023.

During 2024, the Secretary of State for Trade did not publish the "Spanish statistics on exports of defence materiel, other equipment and dual-use goods and technologies" for 2023 Nor did the Secretary of State for Trade appear before the Defence Committee of the Congress of Deputies in 2024 to report on the 2023 statistics. Finally, the appearance took place on 25 March 2025, to present the statistics for 2023 and for the first half of 2024.

The Government and the Secretary of State for Trade thus breached Article 16 of Law 53/2007. The breach

213. The historical record of these reports can be found on the following website: https://comercio.gob.es/ImportacionExportacion/Informes_Estadisticas/Paginas/Historico_Material_Defensa.aspx.

214. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 79, 19 March 2024.

has no legal consequence, as Law 53/2007 contains no sanctioning regime. The Government made political use of the official statistics by deliberately delaying their submission to the Congress of Deputies and their publication. This reflected a clear political intent to conceal relevant information on Spain's exports of defence materiel to Israel, therefore preventing the Cortes Generales (parliament) from exercising political oversight of Government action (Article 66(2) of the Constitution) and hindered public debate on the matter.

It also made it difficult for the Defence Committee to carry out an in-depth analysis of the statistics for 2023 and 2024. The statistics were transmitted on Friday 21 March 2025 at 13:34, according to the stamp of the General Registry of the Congress of Deputies. The 180-page document was scheduled for debate on Tuesday 25 March 2025 at 11:00. The complaint of the members of the Defence Committee was unanimous, save for the representative of the Socialist Parliamentary Group²¹⁵. The tight deadlines also prevented NGOs working on these issues from submitting a critical analysis of the official figures.

5.3 PROPOSALS FOR LEGISLATIVE AMENDMENT

Under current legislation, the Spanish Government has sufficient legal mechanisms to decisively halt the arms trade with Israel. Pursuant to Article 6(3) of the Arms Trade Treaty and Law 53/2007, Spanish authorities must refuse applications for export authorisation of defence materiel destined for Israel. They must also revoke, or at the very least suspend, any authorisations granted before 7 October 2023 that remain in force. The Government claims that no new authorisations have been granted. However, it appears to have kept in force the authorisations issued before 7 October 2023. Those authorisations cover the export of armoured-vehicle components to Israel with a final destination in the Philippines; they also appear to have provided Nammo Palencia with cover to export ammunition to Israel in November 2023, valued at €987,000."

Law 53/2007 also empowers the Spanish Government to control transits of defence materiel whose final destination is Israel. These transits should have been monitored by the customs authorities and denied by the Ministry of Foreign Affairs. The Spanish customs authorities may carry out any inspections they deem appropriate and may even detain defence materiel destined for Israel.

215. Diario de Sesiones del Congreso de los Diputados, Comisiones. Defence, XV Legislature, no. 299, 25 March 2025.

Legally, Spanish authorities face greater difficulties in controlling transits carried out via military bases, especially those by ship, as provided for in the Defence Cooperation Agreement between the Kingdom of Spain and the United States of America. UU. Under current legislation, the Government cannot prohibit the transit through Spanish ports of vessels carrying military fuels such as JP-4, JP-5 and JP-8, since these are not classified as defence materiel.

There is no legal regulatory deficit to prevent arms trade with Israel. Rather, it stems from a lack of political will to apply Article 6(3) of the Arms Trade Treaty and Spanish legislation. The government could even have amended Spanish law to incorporate an embargo. Had it possessed the political will, it could have done so by means of a decree-law, on the grounds that circumstances of "extraordinary and urgent necessity" exist (Article 86(1) of the Constitution). "By means of an embargo, it could have imposed a general prohibition on granting export licences for defence materiel destined for Israel, suspended or revoked existing export licences, prohibited the import or purchase of Israeli arms, established a blanket ban on transits with a final destination of Israel, prohibited the transit of military aircraft fuels JP-4, JP-5 and JP-8, or barred the financing of the Israeli military industry, among other measures."

It is urgent that the legislation be amended to incorporate the concept of an embargo into Law 53/2007 of 28 December on the control of external trade in defence and dual-use materiel. According to UN and EU practice, the arms embargo should not be limited to exports. It should also encompass imports, domestic procurement, transits, financing and technical assistance, among other matters. A suitable vehicle for this reform is the Bill to amend Law 53/2007 of 28 December on the control of external trade in defence and dual-use materiel by introducing an embargo regime and its legal framework, which was tabled in July 2024.²¹⁶

Law 53/2007 must also be amended to restrict the wide discretion the Government currently enjoys over imports of defence materiel. A first step would be to legally prohibit the Spanish government from acquiring defence materiel from arms companies of countries that have committed genocide, crimes against humanity or have carried out attacks on civilians or civilian objects, in line with the provisions of Article 6(3) of the Arms Trade Treaty. This ban should also apply to any subsidiaries of those companies established in Spain.

216. Boletín Oficial de las Cortes Generales. Congreso de los Diputados, XV Legislature, Series B: bills, 19 July 2024.

Spanish regulations should include JP-4, JP-5 and JP-8 military aircraft fuels in the category "defence materiel". These fuels have been an indispensable component in the serious human rights violations perpetrated by the Israeli Air Force in Gaza. It is a measure that the Spanish government can adopt on its own, by amending Royal Decree 679/2014, of 1 August, which approves the Regulation on the control of foreign trade in defence materiel, other material and dual-use goods and technologies. It could even be done by means of an Order of the Ministry of Economy and Competitiveness, following a report by the JIMDDU.

The content of the control documents that the authorities in the destination country for arms exports are required to complete should also be improved. In this regard, the use of non-re-export clauses should be made standard practice,²¹⁷ in order to prevent

weaponry from reaching undesirable countries. This is a measure that the government can adopt on its own, by amending Royal Decree 679/2014.

Official arms export statistics provide a very limited picture of Spain's arms relations. In this report we have shown that, in the case of Israel, exports represent only very small fraction of the arms relations between Spain and Israel. Therefore, we consider it necessary that the content of Spain's export statistics should, for certain countries, be supplemented with data on imports and acquisitions from those countries.

217. An example of this type of clause is: "The products specified in Section B shall not be re-exported, resold or transferred, whether temporarily or permanently, without the prior consent of the competent authorities.". This clause is set out in the regulatory template for the End-Use Certificate completed by the Spanish Ministry of Defence for imports of defence materiel destined for Spanish territory (see Annex VI(18) of Royal Decree 679/2014 of 1 August, which approves the Regulation on the control of external trade in defence materiel, other equipment and dual-use goods and technologies). Please note that this model is not the one to be completed by the authorities of the countries of destination of Spanish exports.



CONCLUSIONS

Since 7 October 2023, the Spanish Government has taken decisions that set it apart, in a positive light, from many of its EU and NATO allies. These include publicly acknowledging that trading arms with Israel is wrong, refusing port calls to three vessels carrying weapons bound for Israel in Spanish ports, recognising the State of Palestine and suspending new export licences. Yet since that 7 October, arms relations between Spain and Israel have been more prolific than ever since diplomatic ties were established in 1986. Never before have so many Spanish or Spain-based companies undertaken so many joint ventures with Israeli companies, and never before has the Israeli defence industry secured so many contracts, both by number and by value, from the Spanish Ministry of Defence. At least, that is what the records and available documentation indicate.

However, this is not a paradoxical situation but rather a deliberate double standard, a duplicitous practice pursued in self-interest.

Spain has exported defence materiel since 7 October 2023. Government statements have varied from outright denial to careful acceptance on the grounds that the shipments were solely for repair or for re-export to third countries. This report has identified exports that are inconsistent with those assertions. However, the most contentious aspect of the arms relations between Spain and Israel is not Spain's arms exports, but rather the procurement of Israeli defence materiel, the military-industrial cooperation between the two countries, and the use of Spanish territory for the transit and transshipment of materiel for war that was likely intended for use in the Gaza Strip.

Since 7 October, Israeli companies, their subsidiaries, or Spanish companies with Israeli technology-transfer agreements have been awarded at least 46 contracts, totalling more than €1.044 billion. Not all of that money goes to Israel, and it is likely that most of it remains in Spain in the form of wages for those who manufacture these products or profits for the Spanish companies benefiting from these awards. However, in all these cases, huge sums of money are

paid to Israeli companies, both state-owned and private, to purchase weapons, munitions and technology advertised as “combat-proven”. Israel needs access to external markets to sustain its military occupation and its mode of military operations, and Spain serves both as a market and as a gateway to other markets.

Among the companies awarded the contracts are arms-industry giants Elbit Systems and Rafael Advanced Defense Systems LTD, as well as their subsidiaries IMI Systems (owned by Elbit) and Pap Tecnos and Magal (both owned by Rafael). Elbit and Rafael, together with IAI, are the three major companies accounting for the bulk of Israeli arms exports and the military equipment used in the Gaza Strip. Netline and Guardian have also been awarded contracts.

Some of these contracts reflect a relationship of past dependence, products that were acquired in the past and require, like almost all military products, maintenance and modernisation in a sector where programmed obsolescence is intrinsic. At least three of the MPs consulted have attributed this dependence to past mistakes. However, some of the contract awards after 7 October 2023 have nothing to do with the past. These are new agreements which, as we know, may imply fresh ties and renewed dependence on a country accused of committing almost every one of the most serious crimes that humanity has succeeded in codifying. Had any of those 46 contracts been awarded to Russian companies closely linked to Moscow, it would have sparked a huge scandal in Spain. Yet, in turn, we celebrate those supplying Gaza.

The presence of the Israeli military industry in Spain extends beyond contracts awarded by the Ministry of Defence or other Spanish institutions. The 8x8 Dragón vehicle, for example, is marketed as “Spanish”. However, it contains at least five components developed by three Israeli companies.

Due to its location at the gates of the Mediterranean Sea and because it is halfway between the US – the major supplier – and Israel, Spain is a strategic hub for transit and transshipment. On numerous occasions after 7 October 2023, ships loaded with

defence materiel, most notably combat and military transport vehicles, have made regular calls at Algeciras. Likewise, the use of the Rota base for this transit has also been documented. Moreover, vessels of the Israeli carrier ZIM carrying military equipment have periodically called at Valencia and Barcelona on a regular service linking the United States with Israel. Moreover, attacks on vessels in the Red Sea have forced merchant ships transporting arms and ammunition from Asia to Israel to reroute via the Strait of Gibraltar. Some of these ships have probably called at Spanish ports.

Air transit through Spanish airports is less documented. We are aware of the possibility of routing via Zaragoza, but we suspect that such transit also takes place via Rota. Although direct connections between that military base and Israeli airports are not recorded (either because they have not occurred or because such information is concealed or removed from flight-tracking services), some cases are known (and quite a few more suspected) of routes between Rota and Israel making additional stops in other military bases. Such transport is so normalised that it even takes place using commercial airliners.

Confronted with these transits, the Government claims it has no record of them. But it has no record because it doesn't look, and almost certainly chooses not to look so as to remain unaware. Were it aware, it would be forced to act; and by acting, it would embroil itself in problems it prefers to avoid. It took that stance with the two vessels under the US MSP programme, and the consequences have yet to come, though further difficulties are expected. An embargo would force us to look, and look we must. However, it should be remembered that denial of transit is not merely a political initiative by the government, an option it might not take. It is, we emphasise, a legal measure, since transit and transshipment are expressly prohibited by the Arms Trade Treaty and by Spanish law when they may be used to commit genocide, crimes against humanity, serious breaches of the 1949 Geneva Conventions or other war crimes. And all this seems to be happening in the Gaza Strip.

ANNEX

ANNEX 1

Imports into Israel from Spain under code 93 (arms and ammunition)

Mo.	Code	Entrance	Quan.	Agree.	Inco terms	Cost (ILS)	Curr.	Pref.	VAT (ILS)	VAT (%)	Cost+VAT (ILS)	Rate ILS/€	Total (EUR)
Oct. 23	93051000	Ben Gurion	7,532	EU	FOB	143,065.90	EUR	0	24,986	0.15	168,051.90	4.03	41,718.86
	93059100	Ben Gurion	12,030	EU	FOB	348,316.10	EUR	1	61,806	0.15	410,122.10	4.03	101,812.74
	Total October 2023										578,174.00	4.03	143,531.60
Nov. 2023	93059100	Ben Gurion	6	EU	CPT	61.48	EUR	1	106	0.63	167.48	4.27	39.20
	93059100	Ben Gurion	9,306	EU	FOB	138,917.10	EUR	1	24,856	0.15	163,773.10	4.27	38,333.70
	93051000	Ben Gurion	1,139	EU	FCA	18,827.20	EUR	1	3,406	0.15	22,233.20	4.27	5,204.04
	93051000	Ben Gurion	49,656	EU	FOB	190,699.40	EUR	1	33,260	0.15	223,959.40	4.27	52,421.27
	93059100	Ben Gurion	245		CIF	1,726,611.00	EUR	0	293,524	0.15	2,020,135.00	4.27	472,844.88
	93070000	Ashdod	1,460		CPT	52,778.53	EUR	0	9,474	0.15	62,252.53	4.27	14,571.20
	93059100	Ben Gurion	9,982		FOB	67,888.23	EUR	0	12,390	0.15	80,278.23	4.27	18,790.40
	Total November 2023										2,572,799.00	4.27	602,204.69
Dec. 2023	93069090	Ashdod	202		FCA	498,631.50	EUR	0	87,430	0.15	586,061.50	4.06	144,431.95
	93059100	Ben Gurion	5,918		FOB	58,424.82	EUR	0	10,948	0.16	69,372.82	4.06	17,096.59
	93051000	Ben Gurion	6	EU	CPT	61.48	EUR	1	106	0.63	167.48	4.06	41.27
	93051000	Ben Gurion	7,056	EU	FOB	36,693.38	EUR	0	6,363	0.15	43,056.38	4.06	10,611.03
	93051000	Ben Gurion	12,191	EU	FCA	110,513.70	EUR	0	19,671	0.15	130,184.70	4.06	32,083.38
	93059100	Ben Gurion	3,388	EU	FCA	23,268.11	EUR	1	4,174	0.15	27,442.11	4.06	6,762.97
	93059100	Ben Gurion	12		EXW	836.02	EUR	0	237	0.22	1,073.02	4.06	264.44
	93069090	Haifa	12,260	EU	EXW	4,045,409.00	EUR	0	709,968	0.15	4,755,377.00	4.06	1,171,939.03
	93059100	Ben Gurion	4,760	EU	FOB	38,434.25	EUR	0	6,665	0.15	45,099.25	4.06	11,114.49
	93051000	Ben Gurion	1,728		FOB	14,447.73	EUR	0	2,600	0.15	17,047.73	4.06	4,201.33
	Total December 2023										5,674,882.00	4.06	1,398,546.48
Jan. 2024	93059100	Ben Gurion	25,732	EU	FOB	445,352.50	EUR	1	77,732	0.15	523,084.50	4.05	129,202.58
	93051000	Ben Gurion	4,093	EU	FOB	84,725.76	EUR	0	14,643	0.15	99,368.76	4.05	24,544.22
	93070000	Ashdod	1,739		CIF	63,525.06	EUR	0	11,581	0.15	75,106.06	4.05	18,551.30
	93051000	Ben Gurion	5	EU	CPT	60.17	EUR	1	104	0.63	164.17	4.05	40.55
	93059100	Ben Gurion	1,619		EXW	8,626.09	EUR	0	1,566	0.15	10,192.09	4.05	2,517.46
	93051000	Ben Gurion	15		CPT	121.80	EUR	0	208	0.63	329.80	4.05	81.46
	93070000	Ben Gurion	1		DDU	1,625.40	GBP	0	403	0.20	2,028.40	4.05	501.02
	Total January 2024										710,273.80	4.05	175,438.58
Feb. 2024	93051000	Ben Gurion	5,991	EU	FOB	50,165.10	EUR	0	8,786	0.15	58,951.10	3.94	14,976.46
	93051000	Ben Gurion	9		CPT	39.05	EUR	0	99	0.72	138.05	3.94	35.07
	93059100	Ben Gurion	21,021	EU	FOB	236,245.80	EUR	1	42,254	0.15	278,499.80	3.94	70,752.58
	93059100	Ben Gurion	29,282		FOB	370,287.20	EUR	0	67,002	0.15	437,289.20	3.94	111,092.83
	93051000	Ben Gurion	75		FOB	1,543.14	EUR	0	365	0.19	1,908.14	3.94	484.76
	Total February 2024										776,786.30	3.94	197,341.71
Mar. 2024	93059100	Ben Gurion	4,257	EU	FOB	123,540.50	EUR	0	21,999	0.15	145,539.50	3.94	36,906.01
	93051000	Ben Gurion	18		CPT	79.89	EUR	1	107	0.57	186.89	3.94	47.39
	93059100	Ben Gurion	15,070		FOB	214,459.30	EUR	0	38,409	0.15	252,868.30	3.94	64,122.52
	93051000	Ben Gurion	1,199		FOB	15,716.28	EUR	0	2,773	0.15	18,489.28	3.94	4,688.53
	93070000	Ashdod	2,498		EXW	65,450.88	EUR	0	11,900	0.15	77,350.88	3.94	19,614.69
	93059100	Ben Gurion	4,796		EXW	66,646.28	EUR	0	12,736	0.16	79,382.28	3.94	20,129.82
	Total March 2024										573,817.10	3.94	145,508.96
Apr. 2024	93059100	Ben Gurion	7,693		FOB	155,169.70	EUR	0	30,103	0.16	185,272.70	4.03	45,984.20
	93051000	Ben Gurion	6,476	EU	FOB	56,917.24	EUR	1	10,099	0.15	67,016.24	4.03	16,633.26
	93059100	Ben Gurion	59,009	EU	FOB	637,258.20	EUR	1	111,990	0.15	749,248.20	4.03	185,961.51
	93051000	Ben Gurion	3,284		FOB	59,421.64	EUR	0	10,510	0.15	69,931.64	4.03	17,356.86
	93059100	Ben Gurion	749		EXW	71,585.79	EUR	0	13,303	0.16	84,888.79	4.03	21,069.18
	Total April 2024										1,156,358.00	4.03	287,005.01

Mo.	Code	Entrance	Quan.	Agree.	Inco terms	Cost (ILS)	Curr.	Pref.	VAT (ILS)	VAT (%)	Cost+VAT (ILS)	Rate ILS/€	Total (EUR)
May 2024	93059100	Ben Gurion	10		EXW	202.61	EUR	0	138	0.41	340.61	4.00	85.13
	93059100	Ben Gurion	12,453	EU	FOB	520,093.60	EUR	1	91,047	0.15	611,140.60	4.00	152,751.77
	93051000	Ben Gurion	2,026		FOB	33,259.61	EUR	0	5,852	0.15	39,111.61	4.00	9,775.77
	93059100	Ben Gurion	30		FOB	247.48	EUR	0	336	0.58	583.48	4.00	145.84
	93051000	Ben Gurion	5,841	EU	FOB	35,584.64	EUR	0	6,303	0.15	41,887.64	4.00	10,469.62
	Total May 2024					589,387.90					693,063.90	4.00	173,228.13
Jun. 2024	93059100	Ben Gurion	24,019	EU	FOB	553,847.00	EUR	0	96,874	0.15	650,721.00	4.02	162,042.34
	93051000	Ben Gurion	196		FOB	2,435.78	EUR	0	616	0.20	3,051.78	4.02	759.95
	93051000	Ben Gurion	3,248	EU	FOB	64,445.26	EUR	1	11,307	0.15	75,752.26	4.02	18,863.80
	93051000	Ben Gurion	5		CPT	40.45	EUR	0	110	0.73	150.45	4.02	37.47
	93051000	Ben Gurion	20	EU	CPT	59.94	EUR	1	105	0.64	164.94	4.02	41.07
	93059100	Ben Gurion	14,184	EU	EXW	188,397.00	EUR	1	33,000	0.15	221,397.00	4.02	55,132.21
Jul. 2024	Total June 2024					809,225.50					951,237.50	4.02	236,876.85
	93059100	Ben Gurion	1,024		FOB	103,646.80	EUR	0	18,357	0.15	122,003.80	3.99	30,612.25
	93051000	Ben Gurion	3,198	EU	FOB	27,752.99	EUR	0	4,812	0.15	32,564.99	3.99	8,170.96
	93051000	Ben Gurion	3,925		FOB	26,489.46	EUR	0	5,106	0.16	31,595.46	3.99	7,927.69
	93059100	Ben Gurion	42,972	EU	FOB	796,678.80	EUR	0	139,978	0.15	936,656.80	3.99	235,018.66
	Total July 2024										1,122,821.00	3.99	281,729.55
Aug. 2024	93059100	Ben Gurion	12,162		EXW	286,684.70	EUR	0	52,493	0.15	339,177.70	4.10	82,629.86
	93051000	Ben Gurion	4,802		EXW	79,566.63	EUR	0	14,122	0.15	93,688.63	4.10	22,824.25
	93059100	Ben Gurion	12,859		FOB	349,094.30	EUR	0	63,604	0.15	412,698.30	4.10	100,540.81
	93051000	Ben Gurion	12	EU	FOB	255.85	EUR	1	141	0.36	396.85	4.10	96.68
	Total August 2024										845,961.50	4.10	206,091.60
Sep. 2024	93070000	Ben Gurion	176		CFR	7,740.14	EUR	0	1,598	0.17	9,338.14	4.14	2,254.14
	93051000	Ben Gurion	2,469		FOB	51,929.41	EUR	0	9,071	0.15	61,000.41	4.14	14,724.90
	93059100	Ben Gurion	1,534	EU	FOB	64,106.51	EUR	0	11,464	0.15	75,570.51	4.14	18,241.98
	93059100	Ben Gurion	2,000		FOB	175,379.00	EUR	0	32,595	0.16	207,974.00	4.14	50,202.88
	Total September 2024										353,883.00	4.14	85,423.90
Oct. 2024	93059100	Ben Gurion	19,364	EU	FOB	1,110,276.00	EUR	0	194,400	0.15	1,304,676.00	4.10	318,012.32
	93070000	Ashdod	1,123		EXW	47,276.15	EUR	0	8,972	0.16	56,248.15	4.10	13,710.38
	93059100	Ben Gurion	7,042		FOB	64,588.77	EUR	0	11,621	0.15	76,209.77	4.10	18,575.98
	93051000	Ben Gurion	1,006		FOB	21,532.82	EUR	0	3,854	0.15	25,386.82	4.10	6,187.99
	93051000	Ben Gurion	2,138	EU	FOB	45,762.59	EUR	0	7,942	0.15	53,704.59	4.10	13,090.39
	Total October 2024										1,516,226.00	4.10	369,577.05
Nov. 2024	93059100	Ben Gurion	10,720	EU	FOB	168,610.30	EUR	0	29,228	0.15	197,838.30	3.96	49,952.69
	93040090	Ben Gurion	2		EXW	16,177.57	USD	0	2,789	0.15	18,966.57	3.96	4,788.92
	93059100	Ben Gurion	1,909	EU	FCA	171,426.60	EUR	0	30,103	0.15	201,529.60	3.96	50,884.73
	93051000	Ben Gurion	2,646	EU	FOB	54,229.25	EUR	0	9,401	0.15	63,630.25	3.96	16,066.16
	93059100	Ben Gurion	1,176		FOB	68,226.49	EUR	0	12,595	0.16	80,821.49	3.96	20,406.82
	Total November 2024										562,786.20	3.96	142,099.32
Dec. 2024	93059100	Ben Gurion	7,923	EU	FOB	488,215.10	EUR	0	85,040	0.15	573,255.10	3.80	150,993.56
	93059100	Ben Gurion	21,575		FOB	894,701.90	EUR	0	157,074	0.15	1,051,776.00	3.80	277,034.44
	93059100	Ben Gurion	4,571	EU	EXW	70,072.49	EUR	0	12,319	0.15	82,391.49	3.80	21,701.66
	93051000	Ben Gurion	7,261		FOB	134,046.80	EUR	0	23,389	0.15	157,435.80	3.80	41,468.10
	Total December 2024										1,864,858.00	3.80	491,197.75
Jan. 25	93059100	Ben Gurion	1,807		FOB	75,173.74	EUR	0	14,128	0.16	89,301.74	3.74	23,857.93
Total January 2025											89,301.74	3.74	23,857.93
Feb. 2025	93051000	Ben Gurion	12,746		FOB	136,112.00	EUR	0	25,691	0.16	161,803.00	3.71	43,593.03
	93059100	Ben Gurion	10,724		FOB	573,214.60	EUR	0	106,057	0.16	679,271.60	3.71	183,009.65
	93059100	Ben Gurion	3,000		EXW	14,535.86	EUR	0	2,831	0.16	17,366.86	3.71	4,678.99
	93040090	Ben Gurion	1		CPT	3,854.00	EUR	0	694	0.15	4,548.00	3.71	1,225.32
	Total February 2025										862,989.50	3.71	232,506.99

Mo.	Code	Entrance	Quan.	Agree.	Inco terms	Cost (ILS)	Curr.	Pref.	VAT (ILS)	VAT (%)	Cost+VAT (ILS)	Rate ILS/€	Total (EUR)
Mar. 2025	93059100	Ben Gurion	4,258		FOB	292,775.30	EUR	0	53,922	0.16	346,697.30	3.94	87,958.68
	93059100	Ben Gurion	15,000		EXW	4,513.95	EUR	0	861	0.16	5,374.95	3.94	1,363.65
	93059100	Ben Gurion	2		FOB	54,385.08	USD	0	10,458	0.16	64,843.08	3.94	16,450.98
	93051000	Ben Gurion	1,000		FOB	19,927.21	EUR	0	3,812	0.16	23,739.21	3.94	6,022.75
Total March 2025											440,654.60	3.94	111,796.06

Source: Israel Tax Authority "לארשיל ויבוט אובי לע מיטסיטס מיונת" (Statistical data on imports of goods to Israel), https://data.gov.il/dataset/customs_import_statistics_data

	Loading, port delivery and export	Unloading	Loading at port	Transit to destination	Cargo insurance	Unloading at port	Carriage at port	Carriage destination	Customs clearance	Import duties
EXW (ex works delivery)										
CFR (cost and freight)										
CIF (cost, insurance and freight)										
CPT (carriage paid to)										
CIP (Carriage/Insurance Paid to)										
DDP (delivered, duty paid)										
DAP (delivery at place)										
DPU (terminal delivery)										
FAS (free alongside ship)										
FCA (free carrier)										
FOB (free on board)										

Legend: ■ Buyer ■ Seller ■ Negotiable

Source: "¿Qué son los Incoterms y cuáles son los tipos que existen?", *Partida Logistic*, 19 December 2017, <https://www.partidalogistics.com/incoterms-fob-cif-ex-works/>

ANNEX 2

Exports and imports under code 93 in EU Member States

	Oct. 2023	Nov. 2023	Dec. 2023	Jan. 2024	Feb. 2024	Mar. 2024	Apr. 2024	May 2024	Jun. 2024	Jul. 2024
Czech Rep.	411.12	566.63	1,088.97	-	6,409.84	628.18	895.90	2,208.85	573.04	694.15
Romania	-	-	-	1,480.27	1,725.11	2,474.08	1,484.84	1,445.41	1,469.78	3,125.73
Slovakia	1,230.16	153.65	863.54	773.19	1,216.37	1,267.41	1,262.41	434.68	1,134.03	203.50
Italy	233.03	437.39	373.82	64.22	158.07	49.31	17.28	42.87	40.16	80.46
Croatia	60.42	45.96	59.20	-	101.78	66.96	73.36	62.20	63.78	82.69
Portugal	97.25	209.72	237.38	159.10	156.44	216.86	143.47			
Spain	-	987.00	125.24	-	-	-			0.53	
Germany	76.95	2.72	12.54	28.04	2.28	11.93	0.93	102.78	2.15	96.49
Austria	-	-	35.37	161.81	6.28	69.86	121.47		84.86	16.07
Sweden	193.17	-	-	-	-			0.09	0.09	
Cyprus										128.40
Bulgaria		126.25								
The Netherlands	70.00	0.18	-	-	0.19					12.11
France	2.94	0.46	-	-	-	0.12	2.98		0.06	
Poland							9.97			12.44
Hungary	-	-	9.05	-	-	0.01	10.62	0.66		
Denmark								1.43		27.90
Belgium										
Finland	-	0.05	-	0.05	-					
Estonia										
Lithuania										
Greece										
Latvia										
Malta										
Luxembourg										
Ireland										
Total	2,375.04	2,530.01	2,805.11	2,666.68	9,776.36	4,784.72	4,023.23	4,298.97	3,368.48	4,479.94

	Aug. 2024	Sep. 2024	Oct. 2024	Nov. 2024	Dec. 2024	Jan. 2025	Total	Importación Oct23-Jan25
Czech Rep.	659.45	3,164.10	13,928.76	2,409.97	208.82	1,825.66	35,673.44	24,086.48
Romania	1,711.09	3,614.86	2,595.04	1,580.86	1,465.23	2,433.37	26,605.67	818.30
Slovakia	676.90	537.92	1,389.72	950.19	338.43	488.78	12,920.88	2,377.96
Italy	37.75	83.23	4.34	31.90	27.03	7.71	1,688.57	286.15
Croatia	27.48	451.73	73.00	27.25	410.33		1,606.14	2,338.51
Portugal							1,220.22	3.62
Spain						22.73	1,135.50	15,087.82
Germany	221.99	20.19	0.02	66.17	36.53	61.33	743.04	3,744.96
Austria			47.12		6.34	33.08	582.26	2,134.93
Sweden			0.04	0.21			193.60	22,355.65
Cyprus	14.05				35.65		178.10	-
Bulgaria			9.79				136.04	-
The Netherlands							82.48	40,383.96
France			64.66		0.02		71.24	267.10
Poland	9.46		17.64	0.15		15.73	65.39	9,293.56
Hungary	26.24	13.89					60.47	4.33
Denmark							29.33	21.86
Belgium		8.00					8.00	1,956.27
Finland							0.10	236.85
Estonia							-	99,181.57
Lithuania							-	13,953.92
Greece							-	67.97
Latvia							-	2.09
Malta							-	1.84
Luxembourg							-	1.29
Ireland							-	0.40
Total	3,384.41	7,893.92	18,130.13	5,066.70	2,528.38	4,888.39	83,000.47	238,607.87

Source: DataComex, data in thousands of euros.

ANNEX 3

Public contract awards to Israeli security and defence companies, their subsidiaries or intermediaries since October 2023

#	Awardee	Description	Estimated value of the contract (excluding taxes) (€)	Date of Formalisation	Date of the Award Agreement	Motivation and procedure
1	Escibano - EXPAL (consortium with Elbit Systems)	Contract for the supply of the high mobility rocket launcher system (SILAM).	576,449,112	Not formalized	15/12/2023	"Because [...] it is the only company technically qualified to develop the project from a technical standpoint, and several improvements which are of interest to the administration have been negotiated". Procedure: negotiated without prior publication.
2	Elbit Systems C4I&Cyber Solutions	Maintenance and Procurement of Spare Parts for Spare parts for Radio Link Systems	3,719,008	15/01/2024	28/11/2023	Most advantageous tender", "the contract can only be performed by a specific economic operator due to the absence of competition for technical reasons" Procedure: negotiated without prior publication.
3	Elbit Systems Land & C4T Ltd	Maintenance and procurement of class IX items of the Cardom on-board mortar	82,644	13/12/2023	13/12/2023	"Most advantageous offer". Procedure: Open.
4	Elbit Systems C4I and Cyber LTD	Maintenance and procurement of spare parts for grc408 radio-relay systems	57,731.09	16/5/2024	16/05/2024	Based on Framework Agreement. Only bid received.
5	Elbit Systems Land Ltd	Maintenance and Procurement of Class IX items of the Cardom on-board mortar	496,000	14/11/2023	05/10/2023	"Best value for money".
6	Elbit Systems C4I and Cyber LTD	Maintenance and procurement of spare parts for Radio Relay Systems GRC408	741,574.08	29/05/2024	29/05/2024	Based on Framework Agreement. Only bid received.
7	Elbit Systems Land Ltd	Maintenance and procurement of Class IX items of the Cardom on-board mortar	8,264.46	12/08/2024	12/08/2024	Based on Framework Agreement.
8	Elbit Systems Ltd.	Maintenance and procurement of Class IX items of the Cardom on-board mortar	41,322.31	04/12/2024	04/12/2024	Based on Framework Agreement.
9	IMI Systems LTD	Supply of 9 mm ammunition for various units of the Guardia Civil - 9x19 MM PB NATO cartridges (lot 1)	3,690,000	16/04/2025	21/10/2024	Contract representative: Guardian Homeland Security SA (the successful tenderer is IMI Systems).
10	IMI Systems LTD	Supply of 9 mm ammunition for various units of the Guardia Civil - 9x19 MM semi-armoured cartridges (lot 3)	1,800,000	16/04/2025	21/10/2024	Contract representative: Guardian Homeland Security SA (the successful tenderer is IMI Systems).
11	IMI Systems LTD	Acquisition of programmer M339 SETTER fuze 120 mm	1,840,006.2	Not formalized	25/11/2024	Negotiated with advertising. Only bid received. For the improvement of firing from Leopard tanks.
12	IMI Systems	Procurement of programmers m339 fuze setter 120mm	10,000	Not formalized	14/03/2024	Minor contract procedure. Only one bid received.
13	Rafael Advanced Defense Systems LTD	POD Designator for air combat systems	207,414,102	23/04/2024	26/02/2024	(2 bids received) "only [company] technically qualified for the development of the project from a technical point of view".

#	Awardee	Description	Estimated value of the contract (excluding taxes) (€)	Date of Formalisation	Date of the Award Agreement	Motivation and procedure
14	PAP Tecnos Innovation SAU	Comprehensive maintenance support service for the RCWS Mini Samson Station of the Spanish Army.	82,644	23/11/2023	23/11/2023	Procedure: Based on Framework Agreement.
15	PAP Tecnos Innovation SAU	Supply of 168 SPIKE LR2 anti-tank missile systems	237,558,439	Not formalized	22/11/2023	"Because [...] it is the only company technically qualified to develop the project from a technical standpoint, and several improvements which are of interest to the administration have been negotiated".
16	PAP Tecnos Innovation SAU	Maintenance of weapon station RCWS MINISAMSON of RG-31	289.256,20	16/08/2024	16/08/2024	Based on Framework Agreement. Only bid received.
17	PAP Tecnos Innovation SA	Maintenance of weapon station RCWS minisamson	24,793.39	22/11/2024	22/11/2024	Based on Framework Agreement. Only bid received.
18	Magal Solutions SL	Comprehensive maintenance of the Tarragona Port Authority's security systems.	2.339.758,92	02/12/2024	07/11/2024	Only one bidder.
19	Magal Solutions SL	Single Access Control for the area designated as the Outer Harbour of the Port of Huelva	985.750	21/11/2024	31/10/2024	Ordinary open procedure. 5 bidders. Financed by EU Next Generation funds.
20	Netline Communications Technologies (NCT) Ltd	Procurement of complementary goods for Armed Forces vehicular frequency jamming systems (2023)	1,316,029	Not formalized	22/11/2023	Procedure: Negotiated without advertising. Only bid received. "For considering that [...] it is the only company technically qualified for the development of the project from the technical point of view and improvements of interest to the administration have been negotiated".
21	Netline Communications Technologies (NCT) Ltd	Acquisition of Inhibitor Synchronisation Equipment	390,000	26/08/2024	16/08/2024	Negotiated with prior publication. Only bid received. "To supply the C-Guard RJ vehicle system for use in all military branches of the Spanish Armed Forces"; "show of confidence similar to that of the Israel Defence Forces".
22	Guardian Homeland Security S.A.	Supply of personal protection materiel for Operational Units of the Guardia Civil (lot 1)	182,400	10/04/2025	27/02/2025	Only one bidder.
23	Guardian Homeland Security S.A.	Supply of spare parts for pistols and rifles Ramón, for various units of the Guardia Civil.	14,995.6	Not formalized	03/09/2024	Minor contract procedure. Only one bid received. Not published until 13/01/2025.
24	Guardian Homeland Security S.A.	Acquisition of ballistic plates for Guardia Civil units deployed in international peacekeeping missions.	206,610	09/12/2024	14/11/2024	6 bids received.
25	Guardian Homeland Security S.A.	Supply of RX-15 display system	349,100	08/10/2024	01/10/2024	Only offer received.
26	Guardian Homeland Security S.A.	Acquisition of portable radiography system for EOD	444,150	25/09/2024	25/09/2024	Only offer received
27	Guardian Homeland Security S.A.	Supply of area image detector system for X-ray source (Navy)	42,700	25/09/2024	17/09/2024	Negotiated without prior publication. Only bid received.
28	Guardian Homeland Security S.A.	Static targets (Zaragoza air base)	2,880	Not formalized	19/09/2024	Minor contract procedure. 3 bids received.

#	Awardee	Description	Estimated value of the contract (excluding taxes) (€)	Date of Formalisation	Date of the Award Agreement	Motivation and procedure
29	Guardian Homeland Security S.A.	Acquisition of fireproof hydration backpacks for the UME basic equipment	59,616	19/08/2024	06/08/2024	
30	Guardian Homeland Security S.A.	Modular structure for shooting training in buildings EMMOE	10,909.09	Not formalized	22/08/2024	Minor contract procedure. 3 bids received.
31	Guardian Homeland Security S.A.	Supply of ballistic protection waistcoats for the Local Police of Avilés Town Council	157,900	27/05/2024	18/04/2024	Only offer received.
32	Guardian Defense & Homeland Security	Supply of vertical grips for SEADA light ground armament	1,239.67	23/11/2023	23/11/2023	Minor contract procedure. Only one bid received. Not published until 07/11/2024.
33	Guardian Homeland Security S.A.	Portable radiography system for EOD	190,350	13/12/2023	13/12/2023	Procedure: Based on Framework Agreement.
34	Guardian Homeland Security S.A.	Procurement of a minimum of 920 individual UV illumination devices and 90 individual IR illumination devices for the National Police.	59,530	20/11/2023	15/11/2023	"As the sole bidder and in compliance with the requirements set out in the tender specifications." Procedure: Simplified open procedure.
35	Guardian Homeland Security S.A.	Portable radiography system for EOD	190,350	13/12/2023	13/12/2023	Only offer received.
36	Guardian Homeland Security S.A.	Acquisition of portable radiography system for EOD	951,750	04/12/2023	03/11/2023	Only offer received.
37	Guardian Homeland Security S.A.	Procurement of a minimum of 920 individual UV illumination devices and 90 individual IR illumination devices for the National Police	59,530	20/11/2023	15/11/2023	Only offer received.
38	Guardian Homeland Security S.A.	Supply of one hundred vests for personal protection against knife and firearm threats for the officers of the Local Police of the City Council of Ourense.	69,000	23/10/2023	19/10/2023	Procedure: Simplified open procedure.
39	Guardian Homeland Security S.A.	Minor Contract Supply of battery elements	2,250	Not formalized	30/10/2023	Minor contract.
40	Guardian Homeland Security S.A.	50 hk gun holsters	2,150	Not formalized	18/10/2023	Minor contract. 3 bids received.
41	Blanch International	Support on thermal imagers CORAL COYOTE, CORAL-CR, night vision devices MINI NSEAS, NVG mod. XACT NV32/33, UTC-XII devices and RATTLER laser designator.	103,305.79	12/12/2023	12/12/2023	These are products of Elbit Systems or its subsidiaries (such as Elop).
42	Blanch International	Repair of elements, calibrations and spare parts for Coral cameras Lot 1: Repair of camera CORAL CR-P	75,000	31/10/2024	28/10/2024	These are products of Elbit Systems or its subsidiaries.
43	Blanch International	Sustainment of Marine Corps units' coral thermal imagers, night vision scopes and laser rattler designator.	82,644.63	15/11/2024	04/11/2024	The only bid submitted. These are products of Elbit Systems or its subsidiaries.

#	Awardee	Description	Estimated value of the contract (excluding taxes) (€)	Date of Formalisation	Date of the Award Agreement	Motivation and procedure
44	Blanch International	Procurement of SW for JTAC RATTLER XR laser designator and HUB Procurement	1,232,342.4	12/12/2024	12/11/2024	These are products of Elbit Systems or its subsidiaries. "Absence of competition on technical grounds".
45	Blanch International	Procurement of laser designators for JTAC	921,900	12/12/2024	04/11/2024	These are products of Elbit Systems or its subsidiaries. "Absence of competition on technical grounds".
46	eProxima	Technical support for obtaining optimal QoS values for the use of the tactical data interface with the Elbit E-Linx family of radios.	99,173.55	30/09/2024	25/09/2024	Only one bid submitted.

Source: State Procurement Platform, accessed 24 April 24, 2025.

Note: Blanch International and eProxima are not Israeli companies or subsidiaries. Their inclusion in the table is due to the fact that they supply materials and services for Elbit System products, with the corresponding certification from the Israeli company.

ANNEX 4

US Maritime Security Program (MSP) fleet

Contract No. MSP	Name of ship	Holder of the agreement	Type
MA/MSP-48	ENDURANCE	Fidelio Limited Partnership	RO/RO
MA/MSP-49	PRESIDENT CLEVELAND	APL Marine Services, Ltd.	Container ship
MA/MSP-50	PRESIDENT KENNEDY	APL Marine Services, Ltd.	Container ship
MA/MSP-51	PRESIDENT FD ROOSEVELT	APL Marine Services, Ltd.	Container ship
MA/MSP-52	PRESIDENT TRUMAN	APL Marine Services, Ltd.	Container ship
MA/MSP-53	APL GULF EXPRESS	APL Marine Services, Ltd.	Container ship with cranes
MA/MSP-54	CMA CGM HERODOTE	APL Maritime, Ltd.	Container ship with cranes
MA/MSP-55	PRESIDENT EISENHOWER	APL Marine Services, Ltd.	Container ship
MA/MSP-56	PRESIDENT WILSON	APL Marine Services, Ltd.	Container ship
MA/MSP-57	CMA CGM DAKAR	APL Marine Services, Ltd.	Container ship with cranes
MA/MSP-58	GREEN COVE	Waterman Transport, Inc.	RO/RO
MA/MSP-59	GREEN BAY	Waterman Transport, Inc.	RO/RO
MA/MSP-60	GREEN LAKE	Waterman Transport, Inc.	RO/RO
MA/MSP-61	GREEN RIDGE	Waterman Transport, Inc.	RO/RO
MA/MSP-62	ALLIANCE NORFOLK	Farrell Lines Incorporated	RO/RO
MA/MSP-63	ALLIANCE ST. LOUIS	Farrell Lines Incorporated	RO/RO
MA/MSP-64	MAERSK OHIO	Farrell Lines Incorporated	Container ship
MA/MSP-65	MAERSK MONTANA	Farrell Lines Incorporated	Container ship
MA/MSP-66	MAERSK IOWA	Farrell Lines Incorporated	Container ship
MA/MSP-67	OCEAN FREEDOM	Fidelio Limited Partnership	Heavy transport
MA/MSP-68	ARC DEFENDER	Fidelio Limited Partnership	RO/RO
MA/MSP-69	ARC COMMITMENT	Fidelio Limited Partnership	RO/RO
MA/MSP-70	ARC INTEGRITY	Fidelio Limited Partnership	RO/RO
MA/MSP-71	ARC RESOLVE	Fidelio Limited Partnership	RO/RO
MA/MSP-72	PATRIOT	Fidelio Limited Partnership	RO/RO
MA/MSP-73	LIBERTY PRIDE	Liberty Global Logistics LLC	RO/RO
MA/MSP-74	COLORADO EXPRESS	Hapag-Lloyd USA, LLC	Container ship
MA/MSP-75	POTOMAC EXPRESS	Hapag-Lloyd USA, LLC	Container ship
MA/MSP-76	HUDSON EXPRESS	Hapag-Lloyd USA, LLC	Container ship
MA/MSP-77	DELAWARE EXPRESS	Hapag-Lloyd USA, LLC	Container ship
MA/MSP-78	MISSOURI EXPRESS	Hapag-Lloyd USA, LLC	Container ship
MA/MSP-79	MAERSK SENTOSA	Maersk Line, Limited	Container ship
MA/MSP-80	MAERSK CHICAGO	Maersk Line, Limited	Container ship
MA/MSP-81	MAERSK PITTSBURGH	Maersk Line, Limited	Container ship
MA/MSP-82	MAERSK SARATOGA	Maersk Line, Limited	Container ship with cranes
MA/MSP-83	MAERSK DURBAN	Maersk Line, Limited	Container ship with cranes
MA/MSP-84	MAERSK HARTFORD	Maersk Line, Limited	Container ship
MA/MSP-85	MAERSK DETROIT	Maersk Line, Limited	Container ship
MA/MSP-86	MAERSK YORKTOWN	Maersk Line, Limited	Container ship with cranes
MA/MSP-87	MAERSK COLUMBUS	Maersk Line, Limited	Container ship
MA/MSP-88	MAERSK SELETAR	Maersk Line, Limited	Container ship
MA/MSP-89	ALLIANCE FAIRFAX	Maersk Line, Limited	RO/RO
MA/MSP-90	MAERSK KENSINGTON	Maersk Line, Limited	Container ship
MA/MSP-91	MAERSK DENVER	Maersk Line, Limited	Container ship
MA/MSP-92	MAERSK KINLOSS	Maersk Line, Limited	Container ship
MA/MSP-93	SAFMARINE NGAMI	Maersk Line, Limited	Container ship
MA/MSP-94	MAERSK KANSAS	Maersk Line, Limited	Container ship
MA/MSP-95	MAERSK TENNESSEE	Maersk Line, Limited	Container ship

Contract No. MSP	Name of ship	Holder of the agreement	Type
MA/MSP-96	LIBERTY PROMISE	Liberty Global Logistics LLC	RO/RO
MA/MSP-97	MAERSK ATLANTA	Maersk Line, Limited	Container ship
MA/MSP-98	ARC INDEPENDENCE	American International Shipping, LLC	RO/RO
MA/MSP-99	OVERSEAS SANTORINI	Santorini Tanker LLC	Tanker
MA/MSP-101	OVERSEAS MYKONOS	Mykonos Tanker LLC	Tanker
MA/MSP-102	OCEAN GRAND	Patriot Shipping LLC	Heavy transport
MA/MSP-103	OCEAN GLORY	Patriot Shipping LLC	Heavy transport
MA/MSP-104	OCEAN GLADIATOR	Waterman Steamship Corporation	Heavy transport
MA/MSP-105	OCEAN GIANT	Waterman Steamship Corporation	Heavy transport
MA/MSP-108	SLNC YORK	Argent Marine Operations, Inc.	Heavy transport
MA/MSP-109	LIBERTY	Fidelio Limited Partnership	RO/RO
MA/MSP-110	LIBERTY PASSION	Liberty Global Logistics LLC	RO/RO

Source: MSP "Maritime Security Program Fleet (MSP)", 1 August 2022,
<https://www.maritime.dot.gov/sites/marad.dot.gov/files/2022-08/MSP%20Fleet%20%208-1-2022.pdf>

ANNEX 5

Cargo details of vessels that have called at Algeciras en route between the US and Israel^a

Contact info			
Type	Name	Address	Follow company
SHIPPER	GOVERNMENT OF ISRAEL	AS AGENTS FOR GOIMOD 1A COLONY RD J NEW YORK NY 100174709 US	<button>Follow</button>

Product details	
Container no.	Description area
	1 SKID(S) 19000.000LBS 1190.6887CF OSHKO SH JVL VEHICLE NOT-RESTRICTED AS PER IMDG SP 961.2 HS CODE 8710.00 VIN # 822782 DIMS 221 X 98 X 102 BELOW DECK STOWAGE REQUIRED MLL WAYBILL AES X20240424518393

Transit details	
Transit name	Transit value
Departure Date	2024-04-30T00:00:00.000Z
Shipping Weight (LB / KG)	19000.00 / 8636.36
Quantity	1 SKD
Voyage	undefined
Zip Code	
Shipper Country Code	
Destination Country	ISRAEL
Vessel Name	MAERSK HARTFORD
USCS Port	New York/Newark Area, Newark, New Jersey
Foreign Port	Algeciras

Document 1: Details (screenshot) of cargo bound to Israel aboard the Maersk Hartford, carrying Oshkosh tactical vehicles (JLTV/JLT) from the US on 30 April 2024, with transshipment at Algeciras.

Contact info			
Type	Name	Address	Follow company
SHIPPER	GOVERNMENT OF ISRAEL	AS AGENTS FOR GOIMOD 1A COLONY RD NEW YORK NY 100174709 US	<button>Follow</button>

Product details	
Container no.	Description area
	1 SKID(S) SLAC 16500.001LBS 1651.0002CF 1 P IECE(S) REFURB. HEMTT VEHICLE NOT-REGULATED PER IMDG (AMDT.37-14) SP 961. HS CODE 8710.00 LIC #990017 DIMS 1 @ 280 X 99 X 112 2 PIECE(S) VEHICLE PARTS HS CODE 8710.00 MLL WAYBILL AES X20240408584816

Transit details	
Transit name	Transit value
Departure Date	2024-04-16T00:00:00.000Z
Shipping Weight (LB / KG)	16500.00 / 7500.00
Quantity	1 SKD
Voyage	undefined
Zip Code	
Shipper Country Code	
Destination Country	ISRAEL
Vessel Name	MAERSK DENVER
USCS Port	New York/Newark Area, Newark, New Jersey
Foreign Port	Algeciras

Document 2: Details (screenshot) of cargo bound to Israel aboard the Maersk Denver, carrying Oshkosh Defense HEMTT tactical trucks from the US on 16 April 2024, with transshipment at Algeciras.

a. Sources: Manne Scheef and Peter Rasmussen, "Fragtbreve afslører: Mærsk sejler krigsudstyr til Israel", *Ekstra Bladet*, 16 March 2025, <https://ekstrabladet.dk/nyheder/krigogkatastrofer/fragtbreve-afsloerer-maersk-sejler-krigsudstyr-til-israel/10504482>; and Astrid Simone Kjær, "Fragtbreve afslører Mærsk's last til Israel: Fylt med militært isenkram", *Danwatch*, 9 February 2025, <https://danwatch.dk/fragtbreve-afsloerer-maersks-last-til-israel-fylt-med-militaert-isenkram/>; all based on data from the ImportGenius database.

Contact info			
Type	Name	Address	Follow company
SHIPPER	GOVERNMENT OF ISRAEL	AS AGENTS FOR GOIMOD 1A COLONY RD J NEW YORK NY 100174709 US	Follow

Product details	
Container no.	Description area
	AES X20240419269513 CTR#MRSU3232156 SEAL# 5 50189 SIZE 40' 40 FT HIGH CUBE 20 SKID(S) 31000.000LBS 666.6667CF CONTAINER CARGO NOS PROJECTILE BODY HS CODE 930690 MLL W AYBILL

Transit details	
Transit name	Transit value
Departure Date	2024-04-27T00:00:00.000Z
Shipping Weight (LB / KG)	31000.00 / 14090.91
Quantity	20 SKD
Voyage	undefined
Zip Code	
Shipper Country Code	
Destination Country	ISRAEL
Vessel Name	MAERSK SELETAR
USCS Port	New York/Newark Area, Newark, New Jersey
Foreign Port	Algeciras

Document 3: Details (screenshot) of cargo bound to Israel aboard the Maersk Seletar, carrying 14 tonnes of artillery shell bodies from the US on 27 April 2024, with transshipment at Algeciras.

16.01.2025, 14.13ImportGenius

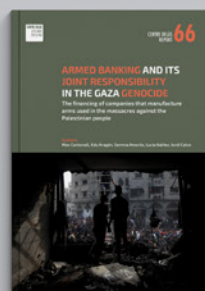
Contact info			
Type	Name	Address	Follow company
SHIPPER	GOVERNMENT OF ISRAEL	AS AGENTS FOR GOIMOD 1A COLONY RD NEW YORK NY 100174709 US	Follow

Product details	
Container no.	Description area
	1 SKID(S) 33062.000LBS 2592.5926CF OSHKOSH V EHICLE NOT-RESTRICTED AS PER IMDG SP961 & PA RTS HS CODE 8710.00 VIN # 821942 DIMS 400 X 100 X 112 BELOW DECK STOWAGE REQUIRED M LL WAYBILL AES X20240514591213

Transit details	
Transit name	Transit value
Departure Date	2024-05-18T00:00:00.000Z
Shipping Weight (LB / KG)	33062.00 / 15028.18
Quantity	1 SKD
Voyage	undefined
Zip Code	
Shipper Country Code	
Destination Country	ISRAEL
Vessel Name	MAERSK KINLOSS
USCS Port	New York/Newark Area, Newark, New Jersey
Foreign Port	Algeciras
Bill of Lading	MAEI239437962
Cargo Sequence No.	0
Equipment Code	
Booking City	
Booking State	

Document 4: Details (screenshot) of cargo bound to Israel aboard the Maersk Kinloss, carrying Oshkosh tactical vehicles (JLTV/JVLT) from the US on 18 April 2024, with transit at Algeciras.

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