

Representation to the EIRRS on behalf of concerned students at Worcester College, Oxford

This representation to the EIRRS has been made on behalf of concerned students of Worcester College, Oxford. The representation itself was formed as a collaborative effort amongst students; signatures from individuals (whether or not they contributed to the substance of the representation) were then accepted. This representation deals primarily with question (1) of the 2 questions subject to review:

- 1) *'Which of the principles set out in the previous debate no longer apply and why? What else should be considered for the next 15+ years?'*
- 2) *'What should be considered a 'controversial weapon' beyond those already banned under UK law? Do you think the UK government should expand the type of weapons that are illegal? If so, what would you add to this list and why?'*

It is the belief of the undersigned that there is an ethical imperative on Oxford University to restrict its investments - whether they be direct or indirect - in arms and military technology companies. This position will be developed not just with reference to (i) the ethical urgency of divestment, but also to (ii) its consistency with the 'charitable purposes' of the University. 'Arms and/or military technology companies' refers to all companies deriving more than de minimis turnover from strategic military sales including military platforms, whole military systems, weaponry or military parts and services.

Divestment

(i) Ethics

The following taken from 'Recommendation to Council from Arms Manufacturing Companies', a 2010 report issued by the Socially Responsible Investment Review Committee:

'First, we were not persuaded by the argument that investment in arms manufacturers should be banned because individuals, groups or governments use arms for bad purposes. Arms are also used by individuals, groups or governments to defend themselves against those who use arms for bad purposes.'

and

'Third, in the light of the wide variety of views within the University on the ethics of this matter, we felt that the only option was to fall back on the broad issue of legality. That is, the University should not invest in arms manufacturing companies which are behaving illegally in the broadest sense of the word.'

In respect to the first point, it is agreed that individuals, groups or governments may use arms (within the remit of internal law) in the course of self-defence against aggressive and/or

occupying entities. However, the monetary interest held by arms, military technologies or dual purpose companies should not be confused with a humanitarian interest in the right to self defence. The normalisation of war, the escalation of rhetoric within international relations and the protraction of proxy wars at the cost of civilian health and life serve this monetary interest. Moreover, the procurement of arms for the purposes of legitimate self-defence does not preclude the possibility that they will be used for the purposes of offensive campaigns, as global arms and military technology supply chains are difficult to control. Thales, an arms company that multiple UK universities have investments in, sold thermal imaging cameras navigation systems to Russia despite the EU embargo post the annexation of Crimea¹. Likewise, arms and military technologies often hold expiry dates far beyond the period of immediate conflict, posing future risks².

Further to this point, it is submitted that the purposes for which arms and military technologies produced by companies Oxford University holds investments in have been overwhelmingly used for 'bad purposes'. The following case-studies will be utilized to illustrate this point.

Gaza

Expendable capital held in the University's Capital Account with OUem is invested in 'Blackrock iShares Developed World Fossil Fuel Screened Equity Index Fund (UK)'³. This passive equity fund includes investments in Rolls Royce and Elbit Systems⁴, both of whom supply weapons and/or component parts to the IDF. Given that the ICC has demanded that Israel 'take all measures within its power to prevent and punish the direct and public incitement to commit genocide against members of the Palestinian group in the Gaza Strip'⁵, the undersigned believe it to be an ethical imperative that investment in these companies is retracted. Following the issuing of arrest warrants against Israel's Prime Minister Benjamin Netanyahu, former Defense Minister Yoav Galant, and Hamas leader Mohammed Diab Ibrahim Al-Masri (Deif), the standard of legality argued for in the second point is also undermined. The continued investment by the University in the

¹ https://www.europarl.europa.eu/doceo/document/P-9-2022-001087_EN.html

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<https://www.reuters.com/business/aerospace-defense/planes-guns-night-vision-goggles-talibans-new-us-made-war-chest-2021-08-19/>

³ <https://www.ouem.co.uk/news/launch-of-a-fossil-fuel-screened-equity-index-fund/>

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<https://www.blackrock.com/uk/literature/annual-report/blackrock-collective-investment-funds-en-annual-report-2023.pdf>

⁵ <https://www.icj-cij.org/node/203454>

mechanics of Israel's escalation of its occupation of Gaza⁶ sits at odds with the UK's obligation, as a signatory of the Rome Statute, to comply with the arrest warrants.

Elbit Systems is the primary supplier to the IDF of unmanned aerial vehicles. They manufacture the Hermes 450 drone, which has been used extensively in both the current and preceding escalations of the occupation⁷. The IDF's fatal attack on a World Central Kitchen aid convoy in April was carried out using the Hermes 450 drone⁸. Elbit Systems has also marketed its products as 'battle-tested' through their use in 'IDF counter-terror operations'⁹. In practice, 'battle-testing' has killed ¹⁰ ¹¹ civilian populations living in Gaza and The West Bank, where around 47% and 41% of the population are children respectively¹².

It is unclear whether the University holds investments in BAE Systems. The Saïd Business school receives a six figure grant from the company and it is unclear what the purposes and implementation of the grant are¹³. The 2018-2020 research project 'Tempest' (funded by Rolls Royce) is similarly ambiguous, although it is believed that the

⁶ <https://www.atlanticcouncil.org/blogs/menasource/gaza-israel-occupied-international-law/> 'many prominent international institutions, organizations and bodies—including the *International Committee of the Red Cross* (ICRC), the United Nations *Independent International Commission of Inquiry on the Occupied Palestinian Territory*, *UN General Assembly* (UNGA), *European Union* (EU), *African Union*, *International Criminal Court* (ICC) (both *Pre-Trial Chamber I* and the *Office of the Prosecutor*), *Amnesty International*, and *Human Rights Watch*—as well as *international legal experts* and other organizations, argue that Israel has occupied Palestinian territories including Gaza since 1967. ¹ While they acknowledge that Israel no longer had the traditional marker of effective control after the disengagement—a military presence—they hold that with the help of technology, it has maintained the requisite control in other ways.'

⁷ <https://elbitsystems.com/product/hermes-450/>

⁸ <https://www.middleeasteye.net/news/uk-arms-aid-workers-gaza-drone>

⁹ <https://archive.ph/20161118100740/http://elbitsystems.com/products/uas/hermes-450/>

¹⁰ <https://aoav.org.uk/2024/casualties-in-gaza-israels-claims-of-50-combatant-deaths-dont-add-up-at-least-74-of-the-dead-are-civilians/>

¹¹ <https://www.unrwa.org/2014-gaza-conflict>

¹² [https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=4732#:~:text=Children%20constitute%20approximately%2043%25%20of,of%20five%20\(341%2C790%20children\).](https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=4732#:~:text=Children%20constitute%20approximately%2043%25%20of,of%20five%20(341%2C790%20children).)

¹³ <https://isismagazine.org.uk/2019/11/funding-under-fire/>

project is a consortium arms company initiative to create a sixth generation BAE Systems fighter-jet¹⁴¹⁵.

The M109 Self-Propelled Howitzer, manufactured by BAE Systems, has been used by the IDF to fire 155mm artillery into Gaza both before and after the October 7th Hamas-led attack¹⁶. These 155mm artillery shells are sourced from both international and domestic suppliers, including Elbit Systems. 155mm shells are 'particularly hazardous'¹⁷ within the context of the densely populated Gaza strip, as each shell releases 2,000 fragments upon impact¹⁸. In what has been called a breach of international law by multiple human rights organisations, the M109 was also observed being used to launch incendiary white phosphorus artillery from Sderot into northern Gaza, again illustrating its role in the indiscriminate targeting of civilian Palestinians¹⁹²⁰.

Yemen

Rolls Royce has historically supplied EJ200 engines to the Royal Saudi Air Eurofighter Typhoon Fleet²¹. Saudi intervention in the Yemen civil war has attracted broad criticism from international human rights organisations. Whilst there has been a de-escalation in violence from warring parties since the lapsed 2022 cease-fire, the long term humanitarian impacts of the sustained Saudi-led blockade, has also contributed to the conditions of famine that have been reported, putting 17 million people at risk²². The university has also disclosed that it has received £17.5m from Rolls Royce, but has failed to be transparent in the purpose and uses of the fund due to its 'confidential'

¹⁴ <https://isismagazine.org.uk/2019/11/funding-under-fire/>

¹⁵ <https://www.baesystems.com/en/product/combat-air-demonstrator>

¹⁶ <https://armssalesaccountabilityproject.com/wp-content/uploads/8.28.24-Artillery-White-Paper.pdf>

¹⁷ <https://www.theguardian.com/world/2023/dec/27/gaza-war-puts-us-extensive-weapons-stockpile-in-israel-under-scrutiny>

¹⁸ <https://www.oxfamamerica.org/explore/research-publications/artillery-shells-transfer/>

¹⁹ <https://citizenevidence.org/2023/10/13/israel-opt-identifying-the-israeli-armys-use-of-white-phosphorus-in-gaza/>

²⁰ <https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon>

²¹ <https://www.rolls-royce.com/media/press-releases-archive/yr-2009/151209-saudi-engine-contracts.aspx>

²² <https://www.unicef.org/emergencies/yemen-crisis#:~:text=The%20conflict%20has%20exacerbated%20the,to%20education%20and%20health%20services.>

nature²³. BAE Systems is also involved in the 'training of pilots, ground crew and technical staff for the Royal Saudi Air Force'²⁴ as well as the supplying of the Typhoon, Tornado and Hawk jets²⁵.

(ii) The 'charitable purposes' of Oxford University

As a charity, the University of Oxford's investment policy should be oriented around its charitable purpose; the standard of legality, as per the second point above, is less relevant to a charitable institution as opposed to a Governmental one. One of the University's stated commitments is:

*'Through our international engagement the University will aim to maximise the global social, cultural and economic benefit derived from our research and scholarship.'*²⁶

It is the belief of the undersigned that continued investment in arms companies contradicts with the University's charitable purpose. The aforementioned case-studies reveal as much; the negative 'social, cultural and economic' impact that the arms industry has had on populations in warring countries is devastating. In Gaza, over 80% of school buildings have been damaged and all universities have been damaged or destroyed²⁷. In Yemen, over 12 million children are in need of humanitarian assistance²⁸. In Sudan, 8.5m Sudanese people have been internally displaced²⁹. It is suspected that Lockheed Martin arms are being exported to the Rapid Support Forces (RSF) in Sudan, despite the arms embargo³⁰. The

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<https://www.opendemocracy.net/en/dark-money-investigations/universities-millions-defence-companies-israel-gaza/>

²⁴

<https://www.baesystems.com/en/our-company/our-businesses/bae-systems-saudi-arabia/our-people/training>

²⁵ <https://caat.org.uk/challenges/arms-companies/bae-and-saudi-arabia/>

²⁶ <https://www.ox.ac.uk/about/organisation/strategic-plan-2018-24/engagement-and-partnership>

²⁷

<https://www.ohchr.org/en/press-releases/2024/04/un-experts-deeply-concerned-over-scholasticide-gaza>

²⁸

<https://www.unicef.org/emergencies/yemen-crisis#:~:text=Yemen%20is%20experiencing%20largest%20humanitarian.WAR%20at%20the%20same%20time.>

²⁹ <https://data.unhcr.org/en/documents/download/113134> ('Sudan Situation UNHCR Appeal 2025')

³⁰

<https://www.reuters.com/world/us-lawmakers-seek-halt-weapons-sales-uae-citing-sudan-2024-11-21/>

university has been a recipient of Lockheed Martin grants and there is a lack of transparency in respect to the purpose and use of the grant³¹.

Moreover, the formal processes for determining international criminal liability are typically lengthy and complex. Therefore, it should not be the case that the University's investment policy is limited by the requirement of legality; it is unethical to stand by an investment choice until a humanitarian crisis progresses to the point where the evidential legal thresholds are met and processed.