

Israel's Gaza War Threatens to Shut Down West's Fifth-Gen Fighter Programme. A Dutch Court Has Halted Worldwide Production of the F-35

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The Dutch government is urgently appealing a court decision that would bring global production of the West's fifth-generation fighter jet to a halt.

A first instance decision on Monday gave the government a week to stop exporting parts for the F-35 stealth fighter-bomber, which Israel is using in its bombardment of the Gaza strip, where its war has killed more than 28,000 Palestinians, a majority of them women and children.

The Court of Appeal in The Hague cited "a clear risk that Israel's F-35 fighter jets might be used in the commission of serious violations of international humanitarian law."

That could, in turn, implicate the Netherlands, which both manufactures and stocks F-35 parts.

Israel insists its war is aimed at destroying Hamas, after the Palestinian armed group attacked southern Israel on October 7, killing nearly 1,200 people. But the mounting toll of civilian casualties; the bombardment of schools, refugee camps and hospitals; and the forced displacement of almost all of Gaza's population have sparked global outrage. South Africa has hauled Israel to the International Court of Justice, accusing it of genocidal intent. And the court at The Hague this week appeared to share some of the concerns the ICJ is mulling over.

"Israel does not take sufficient account of the consequences of its attacks for the

civilian population,” the Dutch court said. “This means that the export of F-35 parts from the Netherlands to Israel has to be stopped.”

Doing so would have consequences that extend far beyond Israel and the war in Gaza.

The Netherlands hosts one of three warehouses worldwide for F-35 parts, at Woensdrecht. However, the Netherlands argues that Israel cannot be singled out for an embargo, because the Dutch government exports parts to all countries in the F-35 programme under a single licence, labelled AV009.

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Featured image: Dutch soldiers stand guard near a Royal Netherlands Air Force F-35 at Graf Ignatievo Air Base, Bulgaria, April 14, 2022. A Dutch court ruling banning the export of F-35 parts to Israel threatens to upend the West’s use of the aircraft [Stoyan Nenov/Reuters]

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