MADE IN INDIA

THE SUPPLY OF WEAPONS AND AMMUNITION TO ISRAEL

AMNESTY INTERNATIONAL

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Cover photo: *An aerial view showing devastation in Gaza City in the northern Gaza Strip on October 11, 2025. © AFP via Getty Images*

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1. EXECUTIVE SUMMARY

This report documents India's supply of weapons and ammunition, along with parts and accessories, to Israeli companies after 7 October 2023.

Following the 7 October attack against Israel by Hamas and other Palestinian armed groups, which Amnesty found constituted war crimes and crimes against humanity,[1] Israel has been engaging in a brutal and destructive campaign in the occupied Gaza Strip and continued its aggressive military operations and unlawful practices, including its active campaign of annexation and settler violence in the West Bank. These violations are committed as part of Israel's decades-long, unlawful occupation of the Occupied Palestinian Territory (OPT), its genocide against Palestinians in the Gaza Strip and its system of apartheid against all Palestinians whose rights it controls.[2] The United Nations's Independent International Commission of Inquiry on the Occupied Palestinian Territory, [3] Amnesty International[4] and a growing number of other organizations have determined that Israel is committing genocide against Palestinians in the Gaza Strip. As of 1 July 2026, according to the Palestinian Ministry of Health and as reported by OCHA, Israel's ongoing genocide in Gaza has killed more than 73,000 Palestinians, the vast majority of whom were civilians, and has injured more than 173,500 others.[5]

Israel has been enabled to carry out crimes of this magnitude by an almost uninterrupted supply of weapons and munitions from states that, in facilitating this supply, have been providing material support for the genocide. Amnesty International, the UN Special Rapporteur on the Occupied Palestinian Territory and numerous other entities have documented the transfer of arms from states such as the USA and Germany, and through states including Slovenia and France, to Israel,[6] while there is a substantial risk that they could be used to commit or facilitate serious violations of international human rights or humanitarian law.

Among the states supplying Israel with large quantities of weapons, ammunition, parts and components or dual-use items, some have escaped international scrutiny. The Republic of India, for example, has forged a close partnership with the Israeli defence sector over the years. India has become a significant actor in the supply chains enabling Israel's military operations, including those that Amnesty International, the UN and local NGOs have determined amount to genocide. Several media reports have shown how the Indian-Israeli

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[1] Amnesty International, "Targeting Civilians: Murder, Hostage-Taking and Other Violations by Palestinian Armed Groups in Israel and Gaza" (Index: MDE 15/0283/2025), 11 December 2025, https://www.amnesty.org/en/documents/mde15/0282/2025/en

[2] Amnesty International, "Israel's Apartheid against Palestinians: Cruel System of Domination and Crime against Humanity" (Index: MDE 15/5141/2022), 1 February 2022, https://www.amnesty.org/en/documents/mde15/5141/2022/en

[3] Office of the United Nations High Commissioner for Human Rights (OHCHR), "Israel has committed genocide in the Gaza Strip, UN commission finds", 16 September 2025, https://www.ohchr.org/en/press-releases/2025/09/israel-has-committed-genocide-gaza-strip-un-commission-finds

[4] Amnesty International, "Amnesty International investigation concludes Israel is committing genocide against Palestinians in Gaza", 5 December 2024, https://www.amnesty.org/en/latest/news/2024/12/amnesty-international-concludes-israel-is-committing-genocide-against-palestinians-in-gaza

[5] United Nations Office for the Coordination of Humanitarian Affairs (OCHA), "Reported impact snapshot Gaza Strip", 1 July 2026, https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-1-july-2026

[6] Amnesty International, "Slovenia: Facilitating the transfer of arms to Israel 'alarming' and violates international law", 22 August 2025, https://www.amnesty.org/en/latest/press-release/2025/08/slovenia-facilitating-the-transfer-of-arms-to-israel-alarming-and-violates-international-law; Amnesty International, "U.S.-made weapons used by Government of Israel in violation of international law and U.S law", 29 April 2024, https://www.amnestyusa.org/press-releases/u-s-made-weapons-used-by-government-of-israel-in-violation-of-international-law-and-u-s-law; Amnesty International, "Germany: Resumption of arms transfers to Israel reckless, unlawful and risks complicity in Israel's international crimes", 24 November 2025, https://www.amnesty.org/en/latest/news/2025/11/germany-arms-transfers-to-israel-reckless-unlawful-and-risks-complicity-in-israels-international-crimes/; Disclose, "Arms sales: Delivery of French equipment in Israel imminent", 17 October 2025, https://disclose.ngo/en/article/arms-sales-delivery-of-french-equipment-in-israel-imminent

partnership in the defence sector has grown over the years,[7] and how Indian weapons have been used by Israeli armed forces in the Gaza Strip.[8] In an interview with an Indian current affairs magazine in April 2026, Francesca Albanese, UN Special Rapporteur on the OPT, specifically stated that India, through its continued arms trading relationship with Israel, might be contributing to violations of international law and warned that this could amount to "complicity in international crimes".[9]

This report builds upon publicly available shipment-level trade data to highlight the scope and magnitude of India's material support for the Israeli defence sector and the genocide against Palestinians in Gaza. Amnesty International investigators analysed 2,596 shipments of small arms, ammunition and military vehicles shipped from India to Israel since 7 October 2023. They determined – conservatively – that since that date Indian companies have supplied Israel with at least:

- 390,516 small arms parts for military grade weapons;
- 564,970 parts of explosive ordnance (drone warheads, artillery shell casings and others); and
- 298 components of military vehicles to large Israeli companies that are direct suppliers of the Israeli armed forces.

Amnesty International has systematically excluded from its research data any shipments that may have been destined for civilian use or for purely defensive purposes. Additionally, due to qualitative and quantitative inconsistencies in data reporting by Indian companies and Indian customs, and the exclusion of data that could not be reconciled or verified, the data used in this report only partially covers transfers of weapons, ammunition, parts and components or dual-use items supplied by India to Israel. It is therefore very likely that the scope of the trade in defence products between these two countries significantly exceeds that presented in this report.

In addition, the report identifies corporations in India that are responsible for transferring weapons, ammunition, parts and components or dual-use items to Israel long after clear and public warnings had been made regarding the possible commission of war crimes, crimes against humanity and genocide in the Gaza Strip by the Israeli armed forces and decision makers. Included among these corporations are companies that are directly owned and operated by the Government of India.

As a part of states' obligation to respect and ensure respect for international humanitarian law (IHL), all are prohibited from transferring, or permitting private actors to transfer, weapons to a party involved in an armed conflict – whether a state or non-state armed group – where there is a clear risk that this would contribute to IHL violations. Corporate actors[10] involved in the transfer of weapons to Israel might also be contributing to IHL violations when they act with a sufficient connection to the conflict.[11] Furthermore, if these actors are aware that said weapons are likely be used to commit international crimes, this could entail criminal responsibility.

There is a clear global consensus that companies have a responsibility to respect human rights throughout their global operations, as reflected in the UN Guiding Principles on Business and Human Rights.[12] This responsibility applies to the manufacture, export, import and sale of arms that could be used to commit serious human rights violations. Although states have an obligation to regulate the arms industry, the corporate responsibility to respect human rights exists over and above obligations to comply with national laws and regulations. This responsibility requires companies to conduct human rights due diligence throughout their value chain to identify and prevent any actual or potential involvement in human rights abuses. The standard of human rights due diligence required is heightened with respect to business activity impacting conflict-affected areas. In light of the substantial risk that arms and ammunition being transferred

[7] Palestine Chronicle, "How India replaced Europe as Israel's reliable arms supplier" 28 December 2025, https://www.palestinechronicle.com/how-india-replaced-europe-as-israels-reliable-arms-supplier/; New Internationalist, "Partners in power: Israel, India and the arms trade", 1 January 2025, https://newint.org/arms/2025/partners-power-israel-india-and-arms-trade
[8] Middle East Eye, "Israel using AI weapons system co-produced with Indian firm in war on Gaza", 20 November 2024, https://www.middleeasteye.net/news/israel-india-ai-weapon-arbel-gaza-war; Al Jazeera, "India exports rockets, explosives to Israel amid Gaza war, documents reveal", 26 June 2024, https://www.aljazeera.com/features/2024/6/26/india-exports-rockets-explosives-to-israel-amid-gaza-war-documents-reveal
[9] Frontline, "Today, the world is divided into two. Those who believe Israel's lies and those who don't: Francesca Albanese", 28 April 2026, https://frontline.thehindu.com/interviews/francesca-albanese-gaza-genocide-un-report-interview/article70912873.ece
[10] In this context, "corporate actor" refers to individuals or natural persons acting in the context of business activity, including corporate directors, board members and shareholders.
[11] International Committee of the Red Cross (ICRC), "Private businesses and armed conflict: An introduction to relevant rules of international humanitarian law", 19 November 2024, https://www.icrc.org/en/publication/private-businesses-and-armed-conflict-introduction-relevant-rules-international
[12] UN Office of the High Commissioner for Human Rights, Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, 2011, https://digitallibrary.un.org/record/720245

to Israel will be used by parties to the conflict to commit grave human rights abuses, companies must immediately cease their involvement in this supply of arms to avoid causing or contributing to these abuses. If a company identifies that its products have contributed to such abuses, they should provide for or cooperate in remediation process to any persons harmed as a result.

India and Indian companies supplying weapons, ammunition, parts or components (including dual-use ones) must take urgent action to stop all transfer of arms, including parts and components, to Israel.[13] They must cease all business relationships with Elbit Systems, Rafael Advanced Defense Systems Ltd and Israel Aerospace Industries Ltd.[14] This includes investments; sales of arms, military materiel, security equipment and related services; and participation in arms and security equipment fairs, government meetings, contracts and research grants.

Amnesty International calls for an urgent and comprehensive arms embargo on Israel that covers the direct or indirect supply, sale or transfer of arms and military materiel, including related technologies, parts and components, technical assistance, training, financial or other assistance.

[13] Amnesty International, "Pull the Plug on the Political Economy Enabling Israel's Crimes: What States and Companies Must Do to Stop Fueling Israel's Genocide, Apartheid and Unlawful Occupation" (Index: POL 40/0289/202), 18 September 2025, https://www.amnesty.org/en/documents/pol40/0289/2025/en

[14] Amnesty International has gathered credible evidence regarding the contribution of these companies to Israel's unlawful conduct. Amnesty International, "Pull the Plug on the Political Economy Enabling Israel's Crimes" (previously cited).

2. METHODOLOGY

This report presents research by Amnesty International on India's export of weapons, ammunition, military vehicles, parts and components to Israel between 7 October 2023 and 30 November 2025. Israel's violations of international law, including those related to its unlawful occupation of the OPT and its system of apartheid over Palestinians, long predate the Hamas-led attacks on 7 October 2023. This report, however, focuses on the period between 7 October 2023 and 30 November 2025.

2.1 WEAPONS EXPORT DATA

Amnesty International relied primarily on commercially available, shipment-level trade data to document Indian exports of weapons, ammunition, parts and accessories to Israel. Two different providers were consulted regarding items categorized under Harmonized System (HS) codes 9301-9307 and 8710, which cover most types of arms and ammunition and armoured and fighting vehicles, respectively.[15] Both providers were consulted for items within both series of HS codes.

Weapons, arms and ammunition are primarily categorized under Chapter 93 of the HS nomenclature, entitled "Arms and ammunition; parts and accessories thereof". This chapter covers military weapons, revolvers, pistols, rifles, shotguns, airguns and related ammunition or parts.

TABLE 1: ITEMS CATEGORIZED UNDER HS CODES 9301-9307

HS CODE	CATEGORY	EXAMPLES
9301	Military weapons	Machine guns, artillery, rocket launchers, grenade launchers
9302	Handguns	Revolvers and pistols (excluding muzzle-loaders)
9303	Sporting & flare guns	Hunting rifles, shotguns, muzzle-loaders, signal pistols
9304	Other arms	Air rifles/pistols, spring guns, truncheons, batons
9305	Parts & accessories	Barrels, trigger mechanisms, silencers, stocks, mounts
9306	Ammunition	Bullets, cartridges, shells, bombs, grenades, mines
9307	Bladed side arms	Swords, bayonets, lances, daggers, scabbards

HS Heading 8710 covers tanks and other motorized armoured vehicles, whether or not they are fitted with weapons. Unlike Chapter 93, which focuses on the weapons themselves, this code categorizes specialized transportation and combat platforms for military use.

[15] The Harmonized System (HS) is a global product classification system used to identify goods for calculating duties, applying tariffs, and compiling trade statistics.

TABLE 2: ITEMS CATEGORIZED UNDER HS CODE 8710

HS CODE	DESCRIPTION	EXAMPLES
8710.00	Armoured fighting vehicles	Main battle tanks, light tanks, and other armoured combat vehicles
8710.00.00.30	Tracked vehicles	Vehicles that move on continuous tracks (including half-tracks)
8710.00.00.60	Other (wheeled)	Motorized armoured vehicles that are not tracked (e.g. wheeled armoured cars)
8710.00.00.90	Parts	Components identifiable as suitable for use solely or principally with these vehicles

Amnesty International collected and analysed data on 2,580 shipments categorized within Chapter 93 and 16 shipments under Heading 8710 shipped between 7 October 2023 and 30 November 2025. Any items that could potentially be destined for the civilian market (either domestic or for re-export) were systematically removed from the dataset. The dataset includes items for which there was a clear, direct reference to military purposes in the product description or in the HS code categorization. For example, shipments categorized as HS 9301+ were included as they consist only of military weapons. Shipments that included direct or indirect references to military grade weapons were also included – for instance, references to artillery round calibres, parts specific to machine guns or automatic rifles, because these have no legitimate civilian purpose.

In many cases, shipments are labelled with various proprietary codes and manufacturing part numbers that make it difficult to identify the actual contents of the shipment. When a shipment's contents were not identifiable or did not allow a distinction between military or civilian use, Amnesty excluded these shipments from the analysis. This resulted in the removal from the dataset of hundreds of shipments of weapons parts (triggers, slides, sights, deflectors, etc.) that are used in small arms sold on both civilian and military markets. Amnesty International also excluded from its dataset shipments of weapons, parts and ammunition that were likely used for anti-missile defence technology, often used to defend civilians from indiscriminate attacks. The findings presented in this report are therefore highly likely to underestimate the full scale of the arms trade from India to Israel during this period.

In September 2025, Amnesty International filed a Right to Information request under India's Right to Information Act 2005 to the Directorate General of Foreign Trade. The request sought details about export licences issued to Premier Explosives Limited and Blue Stampings & Forgings Limited for the transportation of arms to Israel Aerospace Industries Limited and Elbit Systems Land Limited, along with information on any policies drafted to conduct due diligence and human rights assessments prior to granting export licenses. The request also sought information on whether the Directorate General's office had knowledge about the final use of these arms transfers. No response was received prior to the publication of this report.

On 16 June 2026, Amnesty International wrote to India's Ministry of Defence and the Directorate General of Foreign Trade, the federal governmental agencies responsible for the development and regulation of country's defense industry and for promoting, facilitating and regulating the export of domestically manufactured defence equipment and services, to give them an opportunity to respond to the findings. Neither agency had responded at the time of writing.

Between 23 June and 10 July 2026, Amnesty International also wrote to the 15 companies documented in the report as having transferred weapons and weapon parts to Israel, as well as to their joint-venture partners and parent companies. Amnesty International had not received any written responses by the time of publication.

2.2 LEGISLATIVE ANALYSIS

In analysing India's national legal framework relating to arms transfers and compliance with international law and standards, Amnesty International reviewed primary legislation, subsidiary regulatory instruments, international treaty obligations, judicial decisions, and official government communications.

Amnesty examined six core statues within India's national legislature: the Industries (Development and Regulation) Act 1951, Arms Act 1959, Foreign Trade (Development and Regulation) Act 1992, Customs Act 1962, the Companies Act 2013 and the Constitution of India, alongside subsidiary instruments including gazette notifications, Directorate General of Foreign Trade (DGFT) notices, the updated Special Chemicals, Organisms, Materials, Equipment, and Technologies (SCOMET) list, export guidelines and the Defence Procurement Manual 2025.[16]

The researchers reviewed various international conventions to which India is a party, including the Genocide Conventions, alongside those that India has not ratified such as the Arms Trade Treaty. In addition, the research examines the Articles on State Responsibility for Internationally Wrongful Acts, the UN Guiding Principles on Business and Human Rights, the Organisation for Economic Co-operation and Development (OECD) Due Diligence Guidance for Responsible Business Conduct, the United Nations Development Programme's (UNDP) Guide on Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts, guidance by the International Committee of the Red Cross (ICRC) and statements by UN special rapporteurs. Judicial pronouncements including judgments by the Supreme Court of India and advisory opinions of the International Court of Justice (ICJ) were also analysed.

Amnesty International also reviewed official government press releases, bilateral joint statements between India and Israel, and Indian parliamentary records. It also examined news articles from Indian and international outlets and reports from other human rights organizations published since October 2023 to contextualize India's policy positions and public awareness in India of arms transfers to Israel.

It was not possible to determine the volume of Indian-manufactured items that have been transferred directly to the Israeli military or that may have been re-exported to other countries, because this information does not necessarily appear in shipment-level trade data. Given the ongoing commission of genocide and other crimes under international law, including war crimes, and the system of apartheid imposed on Palestinians by Israel, there is a significant risk, however, that any arms transferred to Israel could be used to commit or facilitate serious violations of international human rights law or international humanitarian law.

[16] Defence Procurement Manual – Volume I, Ministry of Defence, Government of India, October 2025, https://defencecapital.in/wp-content/uploads/2025/10/DPM-2025-VOLUME-I-English.pdf

3. BACKGROUND

This chapter provides an overview of the context for this research with a discussion about Israel's actions in Gaza and India's role in Israel's defence supply chains.

3.1 ISRAEL'S GENOCIDE AGAINST PALESTINIANS IN THE OCCUPIED GAZA STRIP

This report contributes to an important body of research conducted by Amnesty International, as well as other organizations, to document and demand accountability for Israel's genocide against Palestinians in the occupied Gaza Strip, as well as actions by third states and corporations that may have facilitated some of Israel's violations of international law. This research finds that India continued its delivery of offensive weapons to entities with structural links to the Israeli armed forces despite a well-documented pattern of human rights violations perpetrated by Israel in the OPT, including the genocide against the Palestinians in the Gaza Strip.

In the wake of the Hamas-led 7 October 2023 attacks in southern Israel, which killed more than 800 civilians, including at least 36 children, and around 300 Israeli soldiers,[17] Israel embarked on a military offensive against the Gaza Strip, and intensified its illegal blockade on this part of the OPT. Between 7 October 2023 and June 2026, more than 73,000 Palestinians have been killed, the vast majority of them civilians, including more than 20,000 children. Amnesty International has documented cases of direct attacks on civilians or indiscriminate attacks that wiped out entire multigenerational families. The Ministry of Health in Gaza also reported that more than 173,000 Palestinians were injured during that period, including thousands who have been left with life-changing injuries resulting in permanent disabilities.

On 10 October 2025, a so-called ceasefire came into effect between Israel and Hamas, but since then Israeli forces have continued their military operations and attacks.[18] As reported by the Palestinian Ministry of Health in Gaza, by the end of June 2026, the Israeli forces killed over 1,000 Palestinians and injured 3,400 more in the Gaza Strip during the so-called ceasefire.[19] Some were victims of the lethal implementation of the code-named 'yellow line', an arbitrary, constantly shifting demarcating line, which effectively created a no-go zone for Palestinians across nearly 60% of the Gaza Strip, further compounding mass forced displacement of Palestinians and the already inhumane living conditions, while cutting off Palestinians from most of their fertile agricultural zones.[20] While during the so-called ceasefire Israel allowed some limited humanitarian aid into the Gaza Strip, Israeli authorities continue to impose an inhumane blockade, severely restricting the entry of supplies indispensable to the survival of the civilian population against the backdrop the decimated health and sanitation systems.[21] The situation of Palestinians in the Gaza Strip remains critical with the 90% of the population being internally displaced. Some 1.5 million people remain in need of

[17] Amnesty International, "Targeting Civilians" (previously cited).
[18] Amnesty International, "Israel's genocide against Palestinians in Gaza continues unabated despite ceasefire", 27 November 2025, https://www.amnesty.org/en/latest/news/2025/11/israels-genocide-against-palestinians-in-gaza-continues-unabated-despite-ceasefire
[19] United Nations Office for the Coordination of Humanitarian Affairs, "Humanitarian Situation Report", 3 July 2026, https://www.ochaopt.org/content/humanitarian-situation-report-3-july-2026
[20] United Nations Office for the Coordination of Humanitarian Affairs, "Expansion of areas under Israeli control in Gaza endangers civilians and relief efforts", 1 July 2026, https://www.ochaopt.org/content/expansion-areas-under-israeli-control-gaza-endangers-civilians-and-relief-efforts
[21] Amnesty International, "Israel's genocide in Gaza inflicts compounded harms on women and girls", 10 March 2026, https://www.amnesty.org/en/latest/news/2026/03/israels-genocide-in-gaza-inflicts-compounded-harms-on-women

emergency shelter;[22] 81% of all structures in Gaza have been destroyed or damaged[23] and 87% of cropland has been damaged.[24]

In December 2024, Amnesty International published a report concluding that Israel was committing genocide in Gaza by perpetrating acts prohibited under the Genocide Convention with intent to destroy Palestinians in Gaza.[25] These acts included killings, causing serious bodily or mental harm, and deliberately inflicting on Palestinians in Gaza conditions of life calculated to bring about their physical destruction, in whole or in part. This finding was based on a detailed review of Israel's overall pattern of conduct in Gaza over nine months between 7 October 2023 and early July 2024, assessed together with an analysis of statements by senior Israeli government and military officials. The UN Commission of Inquiry similarly concluded that Israel was committing genocide against Palestinians in Gaza in September 2025.[26] In November 2025, Amnesty International published a briefing providing a legal analysis further confirming that Israel's genocide of Palestinians in the Gaza Strip is continuing.[27]

In September 2025, Amnesty International called on states and companies to step up their pressure on Israel and to stop fuelling Israel's genocide, apartheid and unlawful occupation.[28] In addition to a call for a comprehensive arms embargo on Israel, Amnesty International urged states and public institutions to take further action against five arms companies key to the supply of arms to the Israeli military: Lockheed Martin, The Boeing Company, Elbit Systems, the state-owned Rafael Advanced Defense Systems Limited and Israel Aerospace Industries Limited. These actions included: responsible divestment from these companies; ceasing purchases of military and security goods and services from them; and barring them from participation in arms and security equipment fairs, government meetings, contracts and participation in research grants and activities with public bodies related to military or security goods and services.[29] As this report demonstrates, India continued to supply Elbit Systems, Israel Aerospace Industries Limited and Rafael Advanced Defense Systems Limited throughout Israel's military offensive on Gaza.

On 21 November 2024, the International Criminal Court (ICC) Pre-Trial Chamber issued arrest warrants against Israeli Prime Minister Benjamin Netanyahu, then Israeli Defence Minister Yoav Gallant and Mohammed Al-Masri (known as Mohammed Deif), then head of the Al-Qassam Brigades, for war crimes and crimes against humanity committed in Gaza and Israel from at least 7 October 2023. The ICC Office of the Prosecutor notified the court of Deif's death on 14 February 2025, requesting to terminate proceedings following reports of his death in an Israeli strike.[30]

3.2 INDIA'S ROLE IN ISRAELI DEFENCE SUPPLY CHAINS

India did not establish full diplomatic relations with Israel until 1992, largely due to India's non-aligned stance during the Cold War and its support for the Palestinian cause, but since then India has emerged as an important actor in Israel's defence supply chains over the last three decades.

Israel was initially a net exporter of military goods to India, especially following the 1999 Kargil War between India and Pakistan. In recent years, however, local authorities in India have encouraged domestic production of defence products and export-oriented manufacturing. Joint ventures with Israeli companies have been an important component of these policies: Adani-Elbit Advanced Systems India Limited, founded in 2016, established the first military drone manufacturing factory in India.[31] Among the most commonly known products arising from the cooperation between the two states is the Barak-8 missile system, jointly developed by India's Defence Research and Development Organisation and Israel's Israel Aerospace Industries Limited. Various memoranda of understanding (MoU) and bilateral agreements between the governments of India

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[22] Humanitarian Action, "Occupied Palestinian Territory (OPT)" 16 December 2025, https://humanitarianaction.info/plan/1510/article/occupied-palestinian-territory-opt
[23] United Nations, The Question of Palestine, "UNOSAT Gaza Strip comprehensive damage assessment," 31 October 2025, https://www.un.org/unispal/document/unosat-gaza-strip-damage-assessment-31oct25
[24] Food and Agricultural Organization of the UN, "Gaza Strip: Ceasefire opens window for rehabilitation as over a third of cropland Becomes Accessible", 31 October 2025, https://www.fao.org/newsroom/detail/gaza-strip--ceasefire-opens-window-for-rehabilitation-as-over-a-third-of-cropland-becomes-accessible/en
[25] Amnesty International, "Amnesty International investigation concludes Israel is committing genocide against Palestinians in Gaza" (previously cited).
[26] OHCHR, "Israel has committed genocide in the Gaza Strip, UN commission finds" (previously cited).
[27] Amnesty International, "Israel's genocide against Palestinians in Gaza continues unabated despite ceasefire" (previously cited)
[28] Amnesty International, "Pull the Plug on the Political Economy Enabling Israel's Crimes" (previously cited).
[29] Amnesty International, "Pull the Plug on the Political Economy Enabling Israel's Crimes" (previously cited), pp. 5-7.
[30] ICC, "Situation in the State of Palestine", No: ICC-01/18, Pre-trial Chamber I, 14 February 2025, https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180abdcb5.pdf
[31] New Internationalist, "Partners in power" (previously cited).

and Israel bolstering defence cooperation have triggered enhanced exports of weapons via both private companies and government entities.[32]

As this research shows, Indian companies are strongly embedded in the international supply chains of Israel's defence conglomerates. In a context where India has been sharply criticized by civil society organizations and UN bodies over its record of arms supplies to states that are committing serious human rights violations[33], political parties and civil society organizations in India have set up protests against Indian companies supplying defence items to Israel in the midst of the ongoing genocide.[34]

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[32] Ministry of External Affairs, India, "India - Israel joint statement", 26 February 2026, https://www.mea.gov.in/bilateral-documents?dtl/40828/India__Israel_Joint_Statement_February_26_2026; Ministry of Defence, India, "17th India-Israel Joint Working Group meeting on defence cooperation held in Tel Aviv", 4 November 2025, https://www.pib.gov.in/PressReleasePage.aspx?PRID=2186384&reg=3&lang=2

[33] UN Special Rapporteur on the situation of human rights in Myanmar, "The Billion Dollar Death Trade: The International Arms Networks That Enable Human Rights Violations in Myanmar", May 2023, https://www.ohchr.org/sites/default/files/documents/countries/myanmar/infographic-sr-myanmar-2023-05-17.pdf; Business and Human Rights Centre, "Israel/OPT: Union representing over 3000 workers at 11 Indian ports announces boycott of weapon shipments to Israel amid attack on Gaza", 19 February 2024, https://www.business-humanrights.org/en/latest-news/israelopt-union-representing-over-3000-workers-at-11-indian-ports-announces-boycott-of-weapon-shipments-to-israel-in-solidarity-with-palestinians-amid-ongoing-bombardment-of-gaza; The News Minute, "Bengaluru activists slam India's 'complicity' in Gaza attacks, demand severing ties with Israel", 6 April 2026, https://www.thenewsminute.com/karnataka/bengaluru-activists-urge-india-to-end-arms-trade-ties-with-israel

[34] Peoples Dispatch, "Left parties in India protest arms exports to Israel", 24 October 2024, https://peoplesdispatch.org/2024/10/24/left-parties-in-india-protest-arms-exports-to-israel

4. LEGAL FRAMEWORK

This chapter explores the international law and standards relevant to arms transfers, including obligations around international humanitarian law (IHL) and the protection of human rights by states, and the corporations within them. The chapter concludes with a discussion on how these international standards apply to India.

4.1 INTERNATIONAL LAW AND STANDARDS RELATING TO ARMS TRANSFERS

As part of their obligation to respect and ensure respect for IHL,[35] all states are prohibited from transferring or permitting private actors to transfer weapons to a party involved in an armed conflict where there is a clear risk that this would contribute to the commission of IHL violations. Common Article 1 of the Geneva Conventions requires all states to “undertake to respect and to ensure respect for the present Convention in all circumstances”. Pursuant to this obligation, states “must not contribute to violations of the Conventions”, including through “transfers of arms, ammunition or components”. This obligation is breached “if support is provided to a Party to a conflict when it is known, or should have been known, that there is a clear risk of the support provided being used to commit or facilitate violations of the Conventions”.[36]

Under the Genocide Convention, states have an obligation to prevent genocide.[37] The International Court of Justice (ICJ) has clarified that this obligation entails that states “employ all means reasonably available to them, so as to prevent genocide so far as possible. …responsibility is however incurred if the State manifestly failed to take all measures to prevent genocide which were within its power, and which might have contributed to preventing the genocide”.[38] According to the ICJ, “a State’s obligation to prevent, and the corresponding duty to act, arise at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed”.[39] In its order of April 2024 in the *Nicaragua v. Germany* case, the ICJ affirmed that “the Court considers it particularly important to remind all States of their international obligations relating to the transfer of arms to parties to an armed conflict, in order to avoid the risk that such arms might be used to violate the above-mentioned Conventions [Geneva Conventions and Genocide Convention]. All these obligations are incumbent upon Germany as a State party to the said Conventions in its supply of arms to Israel”.[40] The duty to prevent genocide, therefore, requires that states halt any arms transfers towards a state when they know, or should have known, that a serious risk exists that genocide will be or is being committed.

Under Article 6 of the Arms Trade Treaty, states parties are prohibited from authorizing any transfer of arms, ammunition and parts and components where a state has knowledge that the arms being considered for

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[35] Convention (IV) relative to the Protection of Civilian Persons in Time of War, 12 August 1949 (Geneva Convention IV), Article 1; ICRC, Customary IHL, Rule 139: Respect for International Humanitarian Law, https://ihl-databases.icrc.org/en/customary-ihl/v1/rule139
[36] ICRC, “Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949: Commentary of 2025, 2025, https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/Introduction/commentary/2025,
paras 224 and 228.
[37] Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, Article 1.
[38] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, 26 February 2007, para. 430.
[39] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, 26 February 2007, para. 431.
[40] ICJ, Alleged Breaches of Certain International Obligations in Respect of the Occupied Palestinian Territory (Nicaragua V. Germany), Order, 30 April 2024, para. 24.

authorization would be used in the commission of genocide, crimes against humanity, or grave breaches of the Geneva Conventions.[41] Once a state party establishes that a transfer is not prohibited under Article 6, it must carry out an objective and non-discriminatory assessment of each proposed arms export, as required by Article 7. This includes assessing whether there is a substantial risk that the arms or related items could be used to commit or facilitate a serious violation of international human rights law or IHL. If this risk cannot be effectively addressed and mitigated, then the transfer should not take place.[42] India is not a party to the Arms Trade Treaty, as discussed further below.

In its Advisory Opinion of July 2024, the ICJ found that Israel's continued presence in the OPT was unlawful and that states must not render aid or assistance in maintaining that unlawful situation.[43] In interpreting such advisory opinion, the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel concluded that third states "are obliged to demonstrate that any transfer or trade relating to military capability is not being used by Israel to maintain the unlawful occupation or commit violations of international law" and in such a case should cease any such transfer or trade.[44]

Finally, Article 16 of the Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA) is directly relevant when States transfer arms to countries that are committing serious violations of international law. Article 16 provides that a State which aids or assists another State in the commission of an internationally wrongful act incurs responsibility where the State has knowledge of the circumstances of the internationally wrongful act and the assisted conduct would also be unlawful if committed by the assisting State.[45] In the arms-transfer context, this means that the supply of weapons, ammunition, components, or technology to a State found to be committing war crimes, crimes humanity or genocide may amount to unlawful aid or assistance, if the aid and assistance contributed significantly to the unlawful act and the aiding State had knowledge of the commission of the internationally wrongful conduct.[46]

4.2 CORPORATE RESPONSIBILITY TO RESPECT HUMAN RIGHTS AND IHL

There is a clear global consensus that companies have a responsibility to respect human rights throughout their global operations, including with respect to the manufacture, export, import and sale of arms that may be used to commit serious human rights violations, as reflected in the UN Guiding Principles on Business and Human Rights.[47] Moreover, "[p]ersonnel of a private business, including directors and other members of management, can also be subject to relevant rules of IHL if their activities have the necessary 'nexus' with the conflict. Because IHL applies to individuals who act on behalf of a business, IHL also applies to the *activiti*es of the business if those activities are sufficiently connected to an armed conflict".[48] Although states have an obligation to regulate the arms industry,[49] the corporate responsibility to respect human rights and, where relevant, IHL, exists over and above obligations to comply with national laws and regulations.[50] This responsibility requires companies to conduct human rights due diligence across their entire value chain to identify and prevent any actual or potential involvement in human rights abuses.[51]

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[41] Arms Trade Treaty, Article 6.
[42] Arms Trade Treaty, Article 7.
[43] ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf, paras. 261 and 279.
[44] UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, *Legal Analysis and Recommendations on Implementation of the International Court of Justice, Advisory Opinion, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, 18 October 2024, https://www.un.org/unispal/document/position-paper-commissionof-inquiry-18oct24, paras 26 and 28; OHCHR, "States and companies must end arms transfers to Israel immediately or risk responsibility for human rights violations: UN Experts", 20 June 2024, https://www.ohchr.org/en/press-releases/2024/06/states-and-companies-must-end-arms-transfers-israel-immediately-or-risk
[45] ARSIWA, Article 16.
[46] ILC Commentary to Article 16, https://legal.un.org/legislativeseries/pdfs/chapters/book25/english/book25_part1_ch4_art16.pdf, p. 66 para. 5 and 9 combined.
[47] UN Guiding Principles on Business and Human Rights, Principles 11 and 14.
[48] ICRC, *Private Business and Armed Conflict: An Introduction to Relevant Rules of International Humanitarian Law*, 19 November 2024, https://www.icrc.org/en/publication/private-businesses-and-armed-conflict-introduction-relevant-rules-international, p. 11.
[49] Amnesty International, *Outsourcing Responsibility: Human Rights Policies in the Defence Sector* (Index: ACT 30/0893/2019), 9 September 2019, https://www.amnesty.org/en/documents/act30/0893/2019/en, pp. 43-44.
[50] UN Guiding Principles on Business and Human Rights, Commentary to Principle 11.
[51] UN Guiding Principles on Business and Human Rights, Principle 17.

The level of human rights due diligence required is heightened with respect to business activity impacting conflict-affected areas.[52] In such cases, heightened human rights due diligence requires that companies conduct an ongoing assessment of the conflict more broadly, including by reviewing independent reporting on the conflict by inter-governmental organizations, international and local NGOs, and community groups to identify and log all instances of involvement of their products in incidents of suspected violations of human rights and IHL.

The corporate responsibility to respect human rights applies equally to all companies in the arms industry regardless of how directly involved they may be in the transfer of arms to Israel.[53] For instance, where an arms manufacturer receives information or otherwise identifies that their weapons have been used to commit serious human rights violations in the OPT, their products may be directly linked to these abuses within the meaning of the UN Guiding Principles on Business and Human Rights.[54] The term "directly linked" is defined broadly to include all links other than extremely loose connections to a company's operations, products or services. As such, a human rights violation may be directly linked to a company's products via indirect business relationships beyond the first tier.[55]

An arms manufacturer is required to conduct due diligence throughout their entire value chain, from the point of origin to the end-users, in order to determine whether and how their arms ended up in the hands of the party to the conflict that committed these abuses. Once they have mapped this value chain, the manufacturer must use their leverage with the relevant business relationships – whether those are customers, dealers, distributors, brokers, transporters, financiers or others – to prevent future transfers of arms and ammunition when there is a risk that they may be used to commit violations of international law. In light of the substantial risk that any arms and ammunition transferred directly or indirectly to the Israeli military will be used to commit violations of international law, companies must immediately cease their involvement in this supply of arms to avoid causing or contributing to these abuses.[56] If a company identifies that they have contributed to such abuses, they should provide for or cooperate in the remediation process to any persons harmed as a result.[57]

In September 2024, the UNGA adopted with overwhelming majority a resolution based on the ICJ Advisory Opinion demanding that Israel brought its unlawful occupation of the Palestinian territory to an end within 12 months, and calling on states to live up to their legal obligations, including "taking steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the Occupied Palestinian Territory, including with regard to the settlements and their associated regime".[58]

The UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Francesca Albanese, determined that the ICJ's Advisory Opinion of July 2024 "place[s] on corporate entities a prima facie responsibility to not engage and/or to withdraw totally and unconditionally from any associated dealings" that entrench Israel's unlawful presence in the OPT.[59]

Corporations and their personnel involved in these arms transfers risk incurring civil liability and criminal responsibility for complicity in crimes under international law, including genocide, crimes against humanity and war crimes, if the products and services they provide contribute to the commission of those crimes, and if they were aware of the substantial likelihood that their products would be so used.[60] In June 2024, UN

[52] United Nations Development Programme (UNDP), *Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts: A Guide*, 16 June 2022, https://www.undp.org/publications/heightened-human-rights-due-diligence-business-conflict-affected-contexts-guide
[53] UN Guiding Principles on Business and Human Rights, Principle 14.
[54] UN Guiding Principles on Business and Human Rights, Principle 13.
[55] Global Forum on Responsible Business Conduct, "Note by the Chair of the negotiations on the 2011 revision of the Guidelines, regarding the terminology on'directly linked'", *Expert Letters and Statements on the Application of the OECD Guidelines for Multinational Enterprises and UN Guiding Principles on Business and Human Rights in the Context of the Financial Sector*, 26-27 June 2014, pg. 18, https://web-archive-storage.oecd.org/aemint-web-archive-prod/web-archive/fa/faf55395768123cdedeb85d3c63358a4f727e128c323f35a9ef0d1be6c101160.pdf
[56] Amnesty International, *Pull the Plug on the Political Economy Enabling Israel's Crimes* (previously cited).
[57] UN Guiding Principles on Business and Human Rights, Principle 22.
[58] United Nations, "UN General Assembly demands Israel end 'unlawful presence' in Occupied Palestinian Territory", 18 September 2024, https://news.un.org/en/story/2024/09/1154496
[59] UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, From Economy of Occupation to Economy of Genocide, UN Doc. A/HRC/59/23, 2 July 2025, https://docs.un.org/en/A/HRC/59/23, para. 19.
[60] International Commission of Jurists, "Report of the International Commission of Jurists Expert Legal Panel on Corporate Complicity in International Crimes", 2009, https://www.icj.org/resource/report-of-the-icj-expert-legal-panel-on-corporate-complicity-in-international-crimes/; International Criminal Tribunal for the Former Yugoslavia (ICTY), "Prosecutor v. Duško Tadić", Case No. IT-94-1-T, Trial Chamber judgment, 7 May 1997, paras 661-669; The Supreme Court of Netherlands, "The Public Prosecutor v. Guus Kouwenhoven", ECLI:NL:HR:2018:2349, 18 December 2018, https://www.unodc.org/cld/fr/case-law-doc/illicitfirearmscrimetype/nld/2018/the_public_prosecutor_v._guus_kouwenhoven_eclinlhr20182349.html

experts issued a statement calling on arms manufacturers supplying Israel to end transfers or risk being complicit in serious violations of international human rights law and IHL.[61]

4.3 CONDUCT OF CORPORATIONS ATTRIBUTABLE TO THE STATE

Under certain circumstances, the conduct of corporations can be attributed to a state for the purposes of international responsibility. The attribution of a corporation's conduct to a state can occur in two ways. Firstly, this happens when a corporation acts as a de jure or de facto organ of a state; a corporation is a de facto organ when it does not have the de jure status of a state organ under domestic law[62] yet there is a relationship of "complete dependence" between the corporation and the state, to the effect that the former is "ultimately merely the instrument" of the latter.[63] As clarified by the ICJ:

> "to equate…entities with State organs when they do not have that status under internal law must be exceptional, for it requires proof of a particularly great degree of State control over them, a relationship…expressly described as 'complete dependence'".[64]

If this test is met, the entirety of the conduct of a corporation, which includes both acts and omissions, can be attributed to a state.[65]

When a corporation cannot be equated to a de jure or de facto state organ, its conduct can be attributed to a state when acting "on the instructions of or under the direction or control of" that state.[66] The International Law Commission explained that "the three terms 'instructions', 'direction' and 'control' are disjunctive; it is sufficient to establish any one of them".[67] In the ICJ's view, to meet this test:

> "it has to be proved that [the entity] acted in accordance with that State's instructions or under its 'effective control'. It must however be shown that this 'effective control' was exercised, or that the State's instructions were given, in respect of each operation in which the alleged violations occurred, not generally in respect of the overall actions taken by the [entity] having committed the violations".[68]

Unlike a situation of "complete dependence", where the totality of a corporation's conduct can be attributed to a state, in this case only the specific acts or omissions forming part of an operation, carried out by a corporation on the instructions or under the effective control of a state, can be attributed to the state. This requires a case-by-case assessment.

4.4 THE APPLICATION OF INTERNATIONAL STANDARDS TO INDIA

India is party to the Genocide Convention and the four Geneva Conventions.[69] Successive judgments in the Supreme Court of India have confirmed the domestic application of international human rights standards and norms, meaning that India's obligations under these treaties are not merely abstract commitments, but are enforceable as a matter of domestic law.[70] In line with this, the Constitution of India, in its Directive

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[61] The Question of Palestine, UN, "States and companies must end arms transfers to Israel immediately or risk responsibility for human rights violations: UN Experts", 20 June 2024, https://www.un.org/unispal/document/arms-transfers-un-experts-20jun24
[62] Under Article 4 of the Articles on State Responsibility for Internationally Wrongful Acts (ARSIWA), which reflect customary international law, "[t]he conduct of any State organ shall be considered an act of that State under international law".
[63] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Serbia and Montenegro*), Judgment, 26 February 2007, para. 392. See also Military and Paramilitary Activities in and against Nicaragua (*Nicaragua v. United States of America*), Merits, Judgment, 27 June 1986, paras 109, 110 and 115.
[64] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (previously cited), para. 393.
[65] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (previously cited), para. 397.
[66] ARSIWA, Article 8. This provision reflects customary international law. See ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (previously cited), para. 398.
[67] International Law Commission, "Draft articles on responsibility of states for internationally wrongful acts, with commentaries", *Yearbook of the International Law Commission*, 2001, Vol. II, Part Two, p. 48, para. 7.
[68] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (previously cited), para. 400.
[69] India signed the four Genocide Conventions on 29 November 1949 and ratified them on 27 August 1959; India signed the four Geneva Conventions on 16 December 1949 and ratified them on 9 November 1950.
[70] Supreme Court of India, *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1, 2017; Supreme Court of India, *Vishaka v. State of Rajasthan*, (1997) 6 SCC 241, 1997; Supreme Court of India, *Lakshmikant Pandey v. Union of India*, (1984) AIR 469.

Principles of State policy, calls on the Government of India, among others, to “promote international peace and security” and “foster respect for international law and treaty obligations in the dealings of organized peoples with one another”.[71]

The Arms Trade Treaty entered into force on 24 December 2014 to “establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms” with the purpose of “contributing to international and regional peace, security and stability; reducing human suffering; and promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among State Parties”.[72] India is not a party to the treaty and abstained in the vote for its adoption in April 2013. In light of India’s substantial defence manufacturing, export and import footprint, which would ordinarily warrant participation in a global framework designed to regulate transfers, mitigate risks, and demonstrate responsible conduct and due diligence in line with international standards, the country’s non-ratification of the treaty is particularly concerning.[73] India explained its abstention from the vote on the adoption of the treaty by saying that it “cannot accept that the Treaty be used as an instrument in the hands of exporting states to take unilateral *force majeure* measures against importing states parties without consequences”.[74] India also criticized the treaty text as “weak on terrorism and non-state actors” and maintained that the treaty “should make a real impact” on the “illicit use [of conventional arms] especially by terrorists and other unauthorized and unlawful non-state actors”.[75]

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[71] Constitution of India, Directive Principles of State Policy, Part IV, p. 51.
[72] The Arms Trade Treaty, Article 1.
[73] Anondeeta Chakraborty, “India’s rise in global defense exports and the way forward”, *South Asia Voices*, 15 September 2015, https://southasianvoices.org/def-f-in-n-india-defense-exports-09-15-2025
[74] Ministry of External Affairs, India, “India’s explanation of vote by Ambassador Sujata Mehta, Permanent Representative of India to the Conference of Disarmament in Geneva during the UNGA Session on the Arms Trade Treaty”, 2 April 2013, https://www.mea.gov.in/Speeches-Statements.htm?dtl/21502
[75] Ministry of External Affairs, India, “India’s explanation of vote by Ambassador Sujata Mehta” (previously cited).

5. INDIA'S NATIONAL LEGAL FRAMEWORK RELATING TO ARMS TRANSFERS

This chapter focuses on India's national legal framework and its application to the arms trade, including the manufacture and export of defence equipment by state-owned defence public sector undertakings (DPSU) and private companies.

5.1 INDIAN MUNITIONS MANUFACTURERS

To understand how India's legislation applies in practice to companies involved in the arms trade, it is necessary to understand the legal status and roles of those companies. The table below lists the companies identified by this research as having transferred arms or related components to Israel. It also specifies each company's legal status and its principal role within the defence supply chain, whether manufacturing, export or both.

TABLE 3: MUNITIONS MANUFACTURERS IN INDIA

COMPANY	LEGAL STATUS	ACTIVITIES	COMPANY'S OWNERSHIP
Munitions India Limited	Defence public sector undertakings (DPSU)	Manufacture and export of artillery shells	Wholly owned by the Government of India
PLR Systems Private Limited	Private limited company (PLC)	Manufacture and export of small arms parts	Joint venture between the Adani Group and Israel Weapon Industries, an Israeli arms manufacturer
Indo-MIM Private Limited	PLC	Manufacture and export of small arms parts	
Kalyani Strategic Systems Limited	PLC	Manufacture and export of artillery shell casings	Subsidiary of the Bharat Forge Group
Alpha Elsec Defence & Aerospace Systems Private Limited	PLC	Manufacture and export of drone warheads	Joint venture between Alpha Design Technologies and Elbit Systems
Ashoka Manufacturing Private Limited	PLC	Manufacture and export of munitions metal parts	

India Optel Limited	DPSU	Manufacture and export of optical and semiconductor defence products	Wholly owned by the Government of India
Advanced Weapons & Equipment India Limited	DPSU	Manufacture and export of 81mm mortars	Wholly owned by the Government of India
Premier Explosives Limited	PLC	Manufacture and export of rocket parts, explosives and propellants	Listed on stock exchanges

5.2 DEFENCE PUBLIC SECTOR UNDERTAKINGS

The Indian state is not merely a regulator of the private arms sector, but it is also itself a manufacturer and exporter of weapons and weapon parts.

India's defence sector includes defence public sector undertakings (DPSUs), which were established as "government companies" under India's Companies Act 2013.[76] In 2021, the 200-year-old Ordnance Factory Board, a government agency that managed the production of arms, ammunition and military equipment, was dismantled and all its assets, staff and operations were transferred to seven DPSUs or government-owned corporate entities, namely: Munitions India Limited (MIL), Armoured Vehicles Nigam Limited, Advanced Weapons and Equipment India Limited (AWEIL), Troop Comforts Limited, Yantra India Limited, India Optel Limited (IOL) and Gliders India Limited.[77]

The dismantling of the Ordnance Factory Board and the creation of DPSUs took place alongside a liberalization of India's defence manufacturing sector. In 2001, the defence manufacturing sector in India was opened to private sector participation for the first time, having previously been the exclusive domain of public sector undertakings.[78] In 2019, the Ministry of Defence prepared a list of "defence items", including parts, components, castings, forgings and test equipment, for which manufacturing would be subject to a licence either under the Industrial (Development and Regulation) Act 1951 or the Arms Act 1959, both analysed later in the section.[79]

This dual structure, through which the state simultaneously manufactures and exports arms directly through DPSUs and licenses private companies to do the same, means that the Indian government bears obligations with respect to arms transfers on two distinct levels: both as a manufacturer and exporter through its own entities and as the regulatory authority overseeing arms transfers by private companies.

[76] Under section 2(45) of the Companies Act 2013, a "government company" is defined as "any company in which not less than fifty-one per cent of the paid-up share capital is held by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments and includes a company which is a subsidiary company of such a government company"; India, The Companies Act, 2013, https://www.indiacode.nic.in/bitstream/123456789/2114/5/A2013-18.pdf
[77] Ministry of Defence, India, "Seven new defence companies, carved out of OFB, dedicated to the Nation on the occasion of Vijayadashami", 15 October 2021, https://www.pib.gov.in/PressReleasePage.aspx?PRID=1764148&reg=3&lang=2; Department of Defence Production, Ministry of Defence, India, "Dissolution of Ordnance Factory Board and transfer of employees (Group A, B & C) of Ordnance Factory Board to new Defence Public Sector Undertakings and the Directorate of Ordnance (Coordination & Services)", 24 September 2021, https://aifap.org.in/wp-content/uploads/2021/10/Defence-prodn.OM_.24.09.21.pdf
[78] Ministry of Defence, India, "Private players in defence manufacturing", 29 July 2022, https://www.pib.gov.in/PressReleasePage.aspx?PRID=1846127&reg=3&lang=2
[79] Government of India, Ministry of Commerce and Industry, Department of Industrial Policy and Promotion, "Press Note No. 1 (2019) series)", 1 January 2019, https://www.dpiit.gov.in/static/uploads/2025/07/7fa5c62a1b325b44377cf98d1cea6fa2.pdf

MIL, IOL AND AWEIL: GOVERNMENT ENTITIES

- DPSUs under the jurisdiction of the Ministry of Defence[80]
- Classified as “GOI” – federal government companies – by Ministry of Corporate Affairs
- Shareholding: 100% held by Government of India[81]
- Capital expenditure: funded by Government of India
- Accounts: audited by Comptroller and Auditor General of India[82]
- Senior leadership recruitment: approved by Appointments Committee of the Cabinet[83]

In 2025, MIL and IOL – documented in this report as having transferred arms to Israel – were transformed from a “government enterprise to a profit-making corporate entity”.[84] This implies greater operational autonomy,[85] but this designation confers only limited board-level financial autonomy within defined thresholds and does not alter MIL and IOL’s ownership, the governance structure, or the Indian government’s controlling interest.

Article 12 of the Constitution of India defines the term “state” as including not only the government and parliament, but also “all local or other authorities within the territory of India or under the control of the Government of India”.[86] Whether MIL, IOL and AWEIL fall within this definition of “state” is, therefore, a legal question of direct relevance to this report. If MIL, IOL and AWEIL are “state” actors under Article 12, their conduct – including the transfer of arms to Israel – is directly attributable to the Indian state, rather than being the act of a company overseen by the state. This distinction is crucial: since if these companies are part of the “state”, India’s obligations under international law are engaged, not as an inadequate regulator of a private actor, but as a direct participant in the transfers themselves.

The Supreme Court of India has, through a consistent line of authority spanning more than five decades, held that government companies incorporated under the Companies Act fall within the definition of “state” under Article 12 where the government exercises deep and pervasive financial, functional, and administrative control over them. In 1981, the Supreme Court identified specific factors for determining whether a body is a government instrumentality:[87]

[80] Department of Defence Production, Ministry of Defence, India, “Dissolution of Ordnance Factory Board” (previously cited).
[81] CareEdge Ratings, “Munitions India Limited”, 25 September 2025, https://www.careratings.com/upload/CompanyFiles/PR/202509120956_Munitions_India_Limited.pdf; CareEdge Ratings, “India Optel Limited”, 16 July 2024, https://www.careratings.com/upload/CompanyFiles/PR/202407130749_India_Optel_Limited.pdf
[82] Department of Public Enterprises, Ministry of Finance, India, “Consolidated and revised guidelines regarding Vigilance Policy for Central Public Sector Enterprises (CPSEs)”, 22 July 2025, https://dtf.in/wp-content/files/DPE_O.M._dated_22.07.2025__Consolidated_and_revised_guidelines_regarding_Vigilance_Policy_for_Central_Public_Sector_Enterprises_CPSEs.pdf; Office of the Comptroller and Auditor General of India, “CAG audit report on defence public sector undertakings tabled in the parliament”, 18 December 2025, https://cag.gov.in/uploads/PressRelease/PR-Press-Brief-ON-REPORT-NO-34-Eng-06944f1d810f985-48377902.pdf; Ministry of Defence, India, 5.13.7, *Defence Procurement Manual - Volume I*, 14 October 2025, https://defencecapital.in/wp-content/uploads/2025/10/DPM-2025-VOLUME-I-English.pdf, pp. 87, 88 and 118.
[83] The Appointment Committee of the Cabinet (ACC) is composed of India’s Prime Minister and Home Minister; ACC, “Composition of the Cabinet Committees”, 8 December 2023, https://cabsec.gov.in/writereaddata/cabinetcommittees/english/1_Upload_3798.pdf; PSUWATCH, “Sanjay Hazari appointed as CMD of Munitions India Limited”, 16 April 2025, https://psuwatch.com/defencewatch/sanjay-hazari-appointed-as-cmd-of-munitions-india-limited; Legend Officers, “Tushar Tripathi selected as CMD of India Optel Limited”, 30 August 2024, https://legendofficers.com/tushar-tripathi-selected-as-cmd-of-india-optel-limited
[84] MIL and IOL were awarded a ’Miniratna’ Category I status by the Government of India. This status is awarded to public sector enterprises that have made profits in each of the last three years, have recorded a pre-tax profit of INR 300 million (USD 3,177,000) or more in at least one of those years, and maintained a positive net worth; Ministry of Defence, India, “Raksha Mantri Shri Rajnath Singh approves Miniratna status to three DPSUs”, https://www.pib.gov.in/PressReleasePage.aspx?PRID=2132499&reg=3&lang=2, 29 May 2025
[85] MIL and IOL were awarded a ’Miniratna’ Category I status by the Government of India. This status is awarded to public sector enterprises that have made profits in each of the last three years, have recorded a pre-tax profit of INR 300 million (USD 3,177,000) or more in at least one of those years, and maintained a positive net worth; Ministry of Defence, India, “Raksha Mantri Shri Rajnath Singh approves Miniratna status to three DPSUs”, https://www.pib.gov.in/PressReleasePage.aspx?PRID=2132499&reg=3&lang=2, 29 May 2025; Department of Public Enterprises, India, “Financial and operational autonomy for profit making public sector enterprises – Mini-Ratnas”, 9 October 1997, https://www.dpe.gov.in/static/uploads/2025/07/405d159f0f6bd55f2e3ebeaee642cd7a.pdf
[86] “In this Part, unless the context otherwise requires, ‘the State’ includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India.”; Constitution of India, Article 12.
[87] Supreme Court of India, *Ajay Hasia and Ors. v. Khalid Mujib Sehravardi and Ors.,* AIR 1981 SC 487; (1981) 1 SCC 722, 13 November 1980, https://indiankanoon.org/doc/1186368

> "(1) One thing is clear that if the entire share capital of the corporation is held by Government, it would go a long way towards indicating that the corporation is an instrumentality or agency of Government... If a department of Government is transferred to a Corporation, it is a strong factor supportive of this inference.
>
> (2) Where the financial assistance of the State is so much as to meet almost entire expenditure of the corporation, it would afford some indication of the corporation being impregnated with governmental character.
>
> (3) It may also be a relevant factor.......whether the corporation enjoys monopoly status which is the State conferred or State protected.
>
> (4) Existence of deep and pervasive State control may afford an indication that the Corporation is a State agency or instrumentality.
>
> (5) If the functions of the corporation of public importance and closely related to governmental functions, it would be a relevant factor in classifying the corporation as an instrumentality or agency of Government.
>
> (6) Specifically, if a department of Government is transferred to a corporation, it would be a strong factor supportive of this inference of the corporation being an instrumentality or agency of Government." If on a consideration of these relevant factors it is found that the corporation is an instrumentality or agency of government, it would, as pointed out in the International Airport Authority's case, be an 'authority' and, therefore, 'State' within the meaning of the expression in Article 12."

All factors are directly satisfied in the case of MIL, IOL and AWEIL: the Government of India's shareholding is 100% and the companies were created through the direct transfer of a government department's functions, assets, and personnel.

In 2002, a seven-judge Constitution Bench of the Supreme Court – the highest authority on this question – set out the governing test:[88]

> "The question in each case would be whether in the light of the cumulative facts as established, the body is financially, functionally and administratively dominated by or under the control of the Government. Such control must be particular to the body in question and must be pervasive. If this is found then the body is a State within Article 12. On the other hand, when the control is merely regulatory whether under statute or otherwise, it would not serve to make the body a State."

MIL, IOL and AWEIL all satisfy this test on all three dimensions, as demonstrated in the boxes below.

DOES MIL SATISFY THE TEST?

- ✓ Financially: 100% of share capital held by the government and directed funded by government (INR 7,450 million (approximately USD 88 million) in 2024/25 alone, with a commitment to fund 75% of future capital expenditure)
- ✓ Functionally: Created through the direct transfer of a government department's functions, assets, and personnel and approximately 54% of MIL's revenue is derived from the Ministry of Defence (MOD)[89]
- ✓ Administratively: Chairman and Managing Director appointed by Appointments Committee of the Cabinet; employees remain government officials on deputation from MOD; accounts audited by Comptroller and Auditor General of India

[88] Supreme Court of India, *Pradeep Kumar Biswas and Ors. v. Indian Institute of Chemical Biology and Ors.*, (2002) 5 SCC 111, Civil Appeal No. 992 of 2002, 16 April 2002, https://indiankanoon.org/doc/471272/

[89] A large share of MIL's revenue comes from government contracts, even if they do not receive a regular budget allocation like other government departments. The initial restructuring of the Ordnance Factory Board into DPSUs also means that the government would have provided initial capital support along with transferring of all governmental assets and liabilities to DPSUs including MIL; CareEdge ratings, "Munitions India Limited" (previously cited); Ministry of Defence, India, "Defence exports surge to a record high of Rs 23,622 crore in financial year 2024-25, a growth of 12.04% over 2023-24", 1 April 2025, https://www.pib.gov.in/PressReleasePage.aspx?PRID=2117348&reg=3&lang=2

DOES IOL SATISFY THE TEST?

- ✓ Financially: 100% of share capital held by the government, with assets worth approximately INR 56,720 million (approximately USD 67 million) transferred from the Ordnance Factory Board to IOL on corporatization[90]
- ✓ Functionally: Created through the direct transfer of a government department's functions, assets, and personnel and over 90% of its revenue has historically been contributed by the Indian Army and other DPSUs, and its total operating income for 2024/25 was INR 15,520 million (approximately USD 18 million)[91]
- ✓ Administratively: Chairman and Managing Director selected through Public Enterprises Selection Board and approve by Appointments Committee of the Cabinet; employees remain government officials on deputation from MOD; accounts audited by Comptroller and Auditor General of India[92]

DOES AWEIL SATISFY THE TEST?

- ✓ Financially: 100% of share capital held by the government; government cumulatively infused approximately INR 23,500 million (approximately USD 280 million) in equity into AWEIL for capital expenditure and meeting legacy liabilities;[93] planned capital expenditure of INR 15,000 million (approximately USD 158 million) in 2027/28, anticipated to be fully government funded[94]
- ✓ Functionally: Created through the direct transfer of a government department's functions, assets, and personnel. The Supreme Court's test focuses on who ultimately benefits from the corporation's activities. Notably, its customers include the Indian armed forces, other DPSUs, and the Ministry of Home Affairs,with the large calibre weapons segment (in which AWEIL holds an estimated 80-90% domestic market share) accounting for approximately 70% of sales[95]
- ✓ Administratively: all board-level appointments selected through Public Enterprises Selection Board and approved by Appointments Committee of the Cabinet; employees remain government officials on deputation from MOD;[96] accounts audited by Comptroller and Auditor General of India[97]

Most recently, in 2024, the High Court of Delhi applied the same test to find that a defence research body, the Manohar Parrikar Institute for Defence Studies and Analyses, is a "state" within the meaning of India's constitution.[98] If a defence research institute was held to meet this threshold because the Ministry of Defence exercised overarching control over its finances, recruitment, functioning and administration, a company that is 100% owned and funded by the Indian government and created from the corporatisation of a former Ministry of Defence apparatus, chaired by a Cabinet-appointed head, and staffed by government employees on deputation does so unambiguously. This position is further confirmed by the Law Commission of India's 145th Report on Article 12 of the Constitution, which concluded that the legal position is "clearly established" that a government company incorporated under the Companies Act falls within the definition of "state" under Article 12, provided it satisfies the relevant tests.[99] As shown clearly above, MIL, IOL and AWEIL fully satisfy all the tests.

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[90] CareEdge Ratings, "India Optel Limited" (previously cited).
[91] CareEdge Ratings, "India Optel Limited" (previously cited).
[92] CareEdge Ratings, "India Optel Limited" (previously cited).
[93] CareEdge Rating, "Advanced Weapons and Equipment India Limited", 22 May 2026, https://www.careratings.com/upload/CompanyFiles/PR/202605130523_Advanced_Weapons_and_Equipment_India_Limited.pdf
[94] CareEdge Rating, "Advanced Weapons and Equipment India Limited" (previously cited).
[95] CareEdge Rating, "Advanced Weapons and Equipment India Limited" (previously cited).
[96] AWEIL, "Requirement of executive finance on contract (Advt. No. AWEIL/04/2026)", 2026, https://karnatakahelp.in/wp-content/uploads/2026/01/AWEIL-Executive-Finance-Recruitment-2026-Detailed-Notification.pdf
[97] PSUWATCH, "Manas Kaviraj appointed as Director (HR) of AWEIL", 23 August 2025, https://psuwatch.com/defencewatch/manas-kaviraj-appointed-as-director-hr-of-aweil; Indian Masterminds, "Kishore Gurdasani appointed Director (Operations) at AWEIL following PESB recommendation", 16 September 2025, https://indianmasterminds.com/news/kishore-gurdasani-director-operations-aweil-2025-145172; Office of the Comptroller and Auditor General of India, "Performance audit report on 'production of small arms in ordnance factories' presented in parliament", 27 March 2023, https://cag.gov.in/uploads/PressRelease/PR-Press-Brief-English-Report-No-5-of-2023-064230a68abcab2-09764714.pdf
[98] High Court of Delhi, *Shri Mukesh Kumar Jha and Ors. v. Manohar Parrikar Institute for Defence Studies and Analyses*, W.P.(C) No. 5864 of 2021 and W.P.(C) No. 7487 of 2021, 16 April 2024, https://images.assettype.com/barandbench-hindi/2024-04/a64fd59f-a516-49f6-9a8d-1209af81587b/Shri_Mukesh_Kumar_Jha_and_Ors_v_Manohar_Parrikar_Institute_for_Defence_Studies_and_Analyses.pdf
[99] Law Commission of India, *One Hundred and Forty Fifth Report on Article 12 of the Constitution of India and Public Sector Undertaking*, 1992, https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080839-1.pdf

Having established that the three DPSUs are "State" for the purposes of Article 12, the same facts bear on a distinct question under international law: whether the conduct of MIL, IOL and AWEIL meet the test of “complete dependence” on the government, a standard drawn from the ICJ's jurisprudence on state responsibility, meaning that they may be equated to a de facto state organ whose conduct is attributable to the Indian state.[100] That test, set out at Section 4.4 above, is not satisfied by governmental control alone; it requires a relationship of “complete dependence”, such that the entity retains no real margin of independence of its own and is ultimately merely the instrument of the State. The features already described meet that threshold. Each DPSU was created through the direct transfer of a government department’s functions, assets, and personnel; the whole of its share capital is held by the State; and its board is appointed and removable by the government. Importantly, staff at three DPSUs serve on deputation to the Ministry of Defence and thus remain government employees. Therefore, despite having separate legal personality, the three DPSUs meet the complete dependence test under international law and the entirety of their conduct, including the transfers at issue, is attributable to India. The proximity of MIL, IOL and AWEIL to the state means that India must ensure full compliance with its international obligations, including under IHL, international human rights law and the Genocide Convention. This is not only in terms of authorizing and overseeing arms transfers by private entities, but as a direct participant in the manufacture and transfer of weapons to Israel, whose commission of genocide, war crimes and other crimes under international law has been extensively documented.[101]

5.3 ARMS MANUFACTURE

India does not have a structured legal framework governing the defence industry and weapons transfer. The regulation of arms manufacture, licensing, export and import is spread across multiple laws, including the Industries (Development and Regulation) Act 1951 (IDRA), the Arms Act 1959, the Foreign Trade (Development and Regulation) Act 1992 and the Customs Act 1962, along with their rules and multiple executive notifications. While this creates a layered regulatory structure involving multiple ministries and authorities, in practice it fragments decision-making and dilutes accountability with no single law or authority assuming clear responsibility. The key structural failure common to all these instruments is the same: none of them requires assessment of the human rights impact of the arms being manufactured or exported.

The IDRA provides for the registration of existing industrial undertakings and the licensing of new industrial undertakings, including for companies involved in manufacturing defence equipment.[102] The factors taken into consideration for registration and licensing under IDRA are, however, limited to the production, capacity, quality and location of the industry, along with conservation of “resources of national importance” and “concerns to public interest”.[103] The IDRA does not require licensing authorities to assess whether a company has conducted human rights due diligence or an assessment of the stated purpose of manufacturing weapons as a condition of granting a manufacturing licence. Ordinarily, the absence of such a requirement might be due to the practical difficulty of assessing the eventual end use of weapons at the point of manufacture, before a buyer or destination is known. This reasoning does not, however, apply when – as in the cases documented in this report – manufacturing is taking place with a stated and documented objective of export to a specific destination. Where a company is manufacturing weapons pursuant to a bilateral government Memorandum of Understanding (MoU), a named joint venture, or an identified export contract with a specified destination, particularly a destination where serious violations of IHL are being committed, the licensing authority is not being asked to speculate about future end use but to assess the actual human rights impact of the stated destination and purpose.

Similarly, licensing for defence equipment manufacture under the Arms Act does not require any assessment of contribution to violations of IHL and international human rights law.[104] The law refers to “security of the public peace” and “public safety”,[105] but the corresponding Arms Rules 2016, which expand on the act, do not refer to any such conditions for granting manufacturing licenses to companies. In any case, the broad language in the Arms Act is not adequate to invite any kind of scrutiny with regard to the human rights impact of granting such licenses.

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[100] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, 26 February 2007, para. 392; see also Military and Paramilitary Activities in and against Nicaragua, *Nicaragua v. United States of America*, Merits, Judgment, 27 June 1986, paras 109, 110 and 115.
[101] Refer to Section 3.1, Israel’s genocide against Palestinians in Gaza, pg. 9.
[102] Even though India has tried to move towards de-licensing of industries, it retains “electronic aerospace and defence equipment” for compulsory licensing under the IDRA.
[103] India, Industries (Development and Regulation) Act 1951 (IDRA), sections 10, 11, 14 and 15.
[104] Gazette of India, The Arms Rules 2016, 15 July 2016, https://thenrai.in/PDF/ed3503ce-c32d-4d97-8dfe-887ec49fd55c.pdf
[105] India, Arms Act 1959, sections 14 and 17.

Arms manufacturing for export to Israel is taking place not as an incidental commercial outcome, but as a result of deliberate state policy pursued simultaneously through multiple channels. At the governmental level, in November 2025, the governments of India and Israel signed an MoU announcing that the two countries "would promote co-development and co-production" on defence cooperation.[106] This MoU appears to be a political commitment by the Indian government to deepen defence manufacturing cooperation with Israel at the very moment when Israel's commission of genocide in Gaza has been extensively documented.[107]

At the corporate level, the joint ventures between Adani Defence & Aerospace and Elbit Systems – one of the largest Israeli arms companies documented by Amnesty International and others to have contributed to maintaining Israel's illegal occupation in the OPT, and its crimes of apartheid against all Palestinians whose rights it controls and genocide against Palestinians in the occupied Gaza Strip[108] – also provide for the establishment of a manufacturing facility in India to "manufacture the Hermes 900 UAV [unmanned aerial vehicle]".[109] International law is clear that India must oversee arms transfers and stop those that may contribute to international law violations. Additionally, where arms or their components are manufactured with the known and stated objective of export to Israel through military partnerships, companies have a responsibility to undertake heightened human rights due diligence on their end use. They must suspend or cease involvement, where risks cannot be effectively mitigated, because of the long-standing and well-documented patterns of violations of international law perpetrated by Israel. Both levels of control – that of the State and that of the company – are independent and must take place in parallel.

5.4 EXPORT OF ARMS

The same absence of human rights scrutiny characterizes the export licensing regime. The Foreign Trade (Development and Regulation) Act 1992 forms the cornerstone of India's export control regime, empowering the government to regulate, restrict or prohibit exports and imports.[110] Defence items and equipment come under the "restricted" category and require federal government's authorization prior to export. The act is implemented through the Directorate General of Foreign Trade (DGFT), which administers the SCOMET (Special Chemicals, Organisms, Materials, Equipment and Technologies) list comprising sensitive, military and dual-use goods (items that can serve both military and civilian purposes). Goods on the SCOMET list are governed by a specific export control system.[111] The list was updated in September 2025.[112] Arms and ammunitions fall under Category 6 of the SCOMET list and may be exported only with prior DGFT authorization.[113] Before granting export permission, the DGFT conducts an inter-ministerial review in consultation with the Ministry of External Affairs, the Ministry of Home Affairs and the Ministry of Defence.[114] This review before the Inter-Ministerial Working Group (IMWG) is confidential, with only the final outcome regarding the grant or denial of the licence being made public. There is therefore no public record of whether India's obligations under international law, including IHL and the Genocide Convention, were ever considered in the decision to grant export licenses to companies transferring arms to Israel.

According to the Guidelines for Export of SCOMET Items, the IMWG conducts a case-by-case review of the application for licences to export items on the SCOMET list.[115] Factors to be taken into account include:

> "credential of end-user, credibility of declaration of end-use of the item or technology, integrity of chain of transmission of item from supplier to end-user, and the potential of item or technology, including timing of its export, to contribute to end uses that are not in conformity with India's national security or foreign policy

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[106] Ministry of Defence, India, "17th India-Israel Joint Working Group meeting on defence cooperation held in Tel Aviv" (previously cited).
[107] Refer to Section 3.1, Israel's genocide against Palestinians in Gaza, pg. 9.
[108] Amnesty International, "Pull the Plug on the Political Economy Enabling Israel's Crimes" (previously cited). Elbit Systems involvement in Israel's violations of international law has been documented by other sources including Action on Armed Violence, "Elbit Systems' weapons supply to Israel and alleged violations of International Humanitarian Law in Gaza", 15 June 2026, https://aoav.org.uk/2026/elbit-systems-weapons-supply-to-israel-and-alleged-violations-of-international-humanitarian-law-in-gaza. Some states took action following the ICJ Advisory Opinion as documented by New Arab, "Japan's Itochu to end cooperation with Israel's Elbit after ICJ Gaza order", 6 February 2024, https://www.newarab.com/news/itochu-end-mou-israels-elbit-after-icj-gaza-order
[109] The Adani Group, "Adani Defence & Aerospace and Elbit Systems inaugurate India's first private UAV manufacturing facility at Hyderabad", 13 December 2018, https://www.adani.com/newsroom/media-releases/adani-defence-and-aerospace-and-elbit-systems-inaugurate-india-first-private-uav-manufacturing
[110] India, Foreign Trade (Development and Regulation) Act 1992, section 3(2).
[111] India, Foreign Trade (Development and Regulation) Act 1992, section 6(1).
[112] DGFT, Ministry of Commerce and Finance, India, "Updated SCOMET List 2025", 23 September 2025, https://www.dgft.gov.in/CP/?opt=scomet
[113] DGFT, "SCOMET Policy rationalised", DGFT Notification No. 5, 24 April 2017, worldtradescanner.com/05-Ntfn-24.04.2017.htm; DGFT, Ministry of Commerce and Finance, India, "Updated SCOMET List 2025", 23 September 2025, https://www.dgft.gov.in/CP/?opt=scomet
[114] DGFT, Handbook of Procedures, 2023, Chapter 10, para 10.06, https://www.dgft.gov.in/CP/?opt=ft-procedures
[115] DGFT, *Guidelines for Export of SCOMET Items*, https://media.nti.org/pdfs/Guidelines_for_Export_of_SCOMET_Items.pdf, p. 3.

> goals and objectives, objectives of global non-proliferation or its obligations under treaties to which it is a State Party".[116]

The reference to "obligations under treaties to which it is a State Party" means that India's obligations under the Genocide Convention and the Geneva Conventions should be taken into account.

The recently updated SCOMET framework also provides for periodic verification of the end-use of exported weapons, enabling Indian authorities to monitor the final use of exported items and ensure compliance with the stated end-use.[117] The guidelines further state that violation of any of the licence conditions "shall invite civil and/or criminal prosecution"[118] and the DGFT allows for voluntary disclosure of diversion of the end-use of the weapons to be used as a mitigating factor in determining penalties.[119]

Because the inter-ministerial review is confidential, there is no means of verifying whether treaty obligations have in fact been considered, whether end-use conditions have been applied to transfers to Israel, or whether any enforcement action has ever been taken. Amnesty International requested information under India's Right to Information Act 2005 from the Directorate General of Foreign Trade but received no responses. This absence of transparency renders human rights scrutiny unverifiable and therefore unaccountable.

The Customs Act 1962 serves as another key legal instrument for enforcement of export regulations at India's borders. It plays a crucial role in controlling the export and import of weapons and defence equipment. The act empowers federal government to prohibit or restrict the export of any goods, including arms and ammunitions, for the "fulfilment of obligations under the Charter of the United Nations for the maintenance of international peace and security...".[120]

The Customs Act operates in coordination with India's export control system, particularly the Foreign Trade (Development and Regulation) Act 1992 and the DGFT's SCOMET list (Category 6), which governs the export of military and dual-use items.[121] Customs authorities are responsible for enforcing these controls at ports and borders. In cases of non-compliance, customs officers may confiscate goods and prosecute offenders if goods are exported in contravention of licensing requirements. This could lead to imprisonment and fines for illegal exports.[122] Once again, however, there is no public record of these powers having been exercised in relation to arms exports from India to Israel, despite extensive international documentation of serious violations of international law by Israel.

All these licensing requirements apply to all the companies including private limited companies listed in Table 3.

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[116] DGFT, *Guidelines for Export of SCOMET Items* (previously cited), p.3; Ministry of Defence, India, "Revision of guidance for issuance of End User Certificate (EUC) for Indian companies (public and private) against requirement of defence goods and technologies from abroad – reg", 26 February 2024, https://www.defenceexim.gov.in/WriteReadData/EUC_guidelines_26%20feb_2024.pdf
[117] DGFT, "Amendments to para 10.10 of the Handbook of Procedures (HBP) 2023 – Revised framework for stock & sale authorization of SCOMET items – reg", 6 May 2025, https://a2ztaxcorp.net/wp-content/uploads/2025/05/PN-04-English.pdf
[118] DGFT, *Guidelines for Export of SCOMET Items* (previously cited), p.3.
[119] DGFT, *Standard Operating Procedure/Guidelines for Voluntary Disclosure of Non Compliance/Violations related to Export of SCOMET Items and SCOMET Regulations*, 15 January 2025, on file with Amnesty International.
[120] India, Customs Act 1962, section 11(2)(q).
[121] DGFT, *Customs Import and Export Procedures*, undated, https://content.dgft.gov.in/Website/CIEP.pdf
[122] India, Customs Act 1962, section 111, 113 and 135.

6. WEAPONS, PARTS AND AMMUNITION SHIPPED TO ISRAEL

This chapter examines the shipment-level trade data analysed by Amnesty International, which details the transfer of weapons and related parts from India to Israel between 7 October 2023 and 30 November 2025. It also explores the different types of weapons, ordnance and parts exported by different Indian companies, including state-owned companies.

6.1 SHIPMENT-LEVEL DATA

Shipment-level trade data reviewed by Amnesty International shows that between 7 October 2023 and 30 November 2025, 2,581 shipments of arms, parts and ammunition under HS codes 9301-9307 originating from India were exported to Israel. In addition, Amnesty International was able to obtain details about 15 shipments categorized under HS code 8710+ "armoured and fighting vehicles".

Amnesty International analysed the contents description for each shipment, as well their HS code categories and determined that at least 788 out of the 2,596 shipments contained items that have military use. This figure excludes equipment whose sole purpose is to be used in air defense systems.

TABLE 4: ANALYSIS OF SHIPMENT CONTENTS

NUMBER OF SHIPMENTS	HS CODE	DESCRIPTION	REMARKS
1,838	93051000	"Parts and accessories for revolvers or pistols"	Possible civilian and military use; 54 of the shipments under HS code 93051000 are linked to product descriptions that strongly suggest military end-use; other shipments under 93051000 can potentially have both civilian or military end-users
354	93059100	"Military weapons, other than revolver or pistol"	Military use; 39 of these shipments included parts of missile interceptors for air defence (to Rafael Advanced Defense Systems)
389	93069000	"Others"	Mainly consist of parts of ordnance, missiles, rockets and some items that cannot be identified based on product descriptions
15	8710	"Armoured and fighting vehicles"	Given the type of commodities categorized under HS 8710+ and the nature of the consignees, Amnesty International considers that all of these shipments were intended for military actors

Among these shipments, 354 are labelled “military weapons, other than revolver or pistol”. Thirty-nine of these shipments of military weapons consisted of various parts of interceptors used in missile defence systems exported to Rafael Advanced Defense Systems. The remaining 315 shipments of military weapons mostly consisted of small arms parts.

Items categorized as “parts and accessories of pistols and handguns” (HS 93051000) constituted the large majority of shipments analysed by Amnesty International, with 1,838 shipments. As the HS categorization excludes handguns and pistols from the “military weapons” category, Amnesty International was only able to conservatively determine that at least 54 of these shipments (adding up to tens of thousands of parts) consisted of parts of weapons destined for military use, based on the description of the items shipped. As explained in more details below, Amnesty investigators selected parts that are either designed to allow automatic fire (such as auto sears) or that can only be used in military weapons (such as feeding trays).

While some of these 1,838 shipments are clearly destined for the civilian market (with identifiable references to civilian products), this figure is very likely an underestimate for several reasons. Firstly, many items are miscategorized as pistols and revolver parts, but close analysis of the product descriptions indicates that shipments in fact included rifle parts, with reference to elements or calibres that are specific to rifles: plungers, 5.56 x 45 bolts, 7.62 gas blocks, buttstocks connectors, etc. Secondly, the vast majority of the shipments consisted of weapons parts that are for both civilian and military use; from the product descriptions Amnesty was only able to confirm that 40 of the 1,838 shipments were destined for the civilian market.

The remaining 389 shipments in the dataset are loosely categorized as “other”, mostly consisting of parts of ordnance, missiles, rockets and unidentified items.

In addition to shipments categorized as HS 9301-9307, Amnesty International was able to obtain details about 15 shipments categorized under HS 8710+ – “armoured and fighting vehicles”. These mostly consisted of parts of armoured vehicles (rubber tracks or road wheels for light tanks, sensors, as well as launching tubes for vehicle-mounted mortars). Given the type of commodities categorized under HS 8710+ and the nature of the consignees, Amnesty International considers that all of these shipments were intended for military actors.

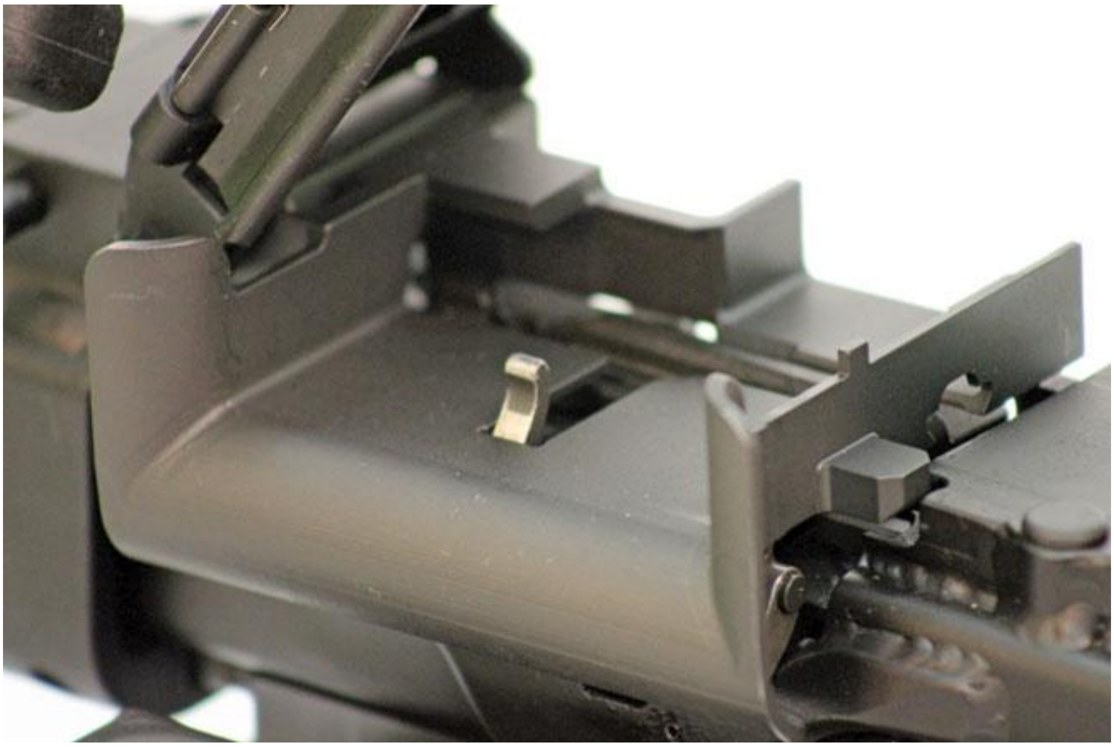
6.2 WEAPONS PARTS

The overwhelming majority of the 354 shipments categorized as “military weapons” consisted of small arms parts, adding up to a total of at least 339,065 parts for rifles and handguns. Below are highlighted several key items exported in large quantities, but the selection if for illustrative purposes and is not exhaustive.

MACHINE GUN FEEDING TRAYS

Between 7 October 2023 and 30 November 2025 (the reporting period), the Indian company PLR Systems Private Limited, a joint venture between the Adani Group and the Israeli weapons manufacturer Israel Weapon Industries (IWI), exported 10,571 parts for IWI Negev machine guns used by Israeli forces units. Shipment-level trade data analysed by Amnesty indeed shows that in 2024 and 2025, PLR Systems exported 30 separate shipments of feeding trays, a metal plate that helps direct belted ammunition into machine gun chambers. IWI only manufactures one model of machine gun (with several variants), the IWI Negev. The Israeli military uses various variants of the Negev, either as squad automatic weapons or as co-axial guns mounted on Merkava tanks. These are suspected by various media and investigative outlets to have been used, in several instances, against civilians.[123] One single shipment, from PLR Systems to IWI and categorized as “military weapons”, actually includes a direct reference to the Negev, with the product description labelled as “barrel case for Negev”.

[123] CNN, “Videos, expert analysis and witnesses point to Israeli gunfire in deadly Gaza aid site shooting”, updated 5 June 2025, https://www.cnn.com/2025/06/04/middleeast/israel-military-gaza-aid-shooting-intl-invs



A Negev machine gun feeding tray, 15 August 2023 © Small Arms Defense Journal

Israeli soldier equipped with a Negev in Gaza, November 2023 © TWZ

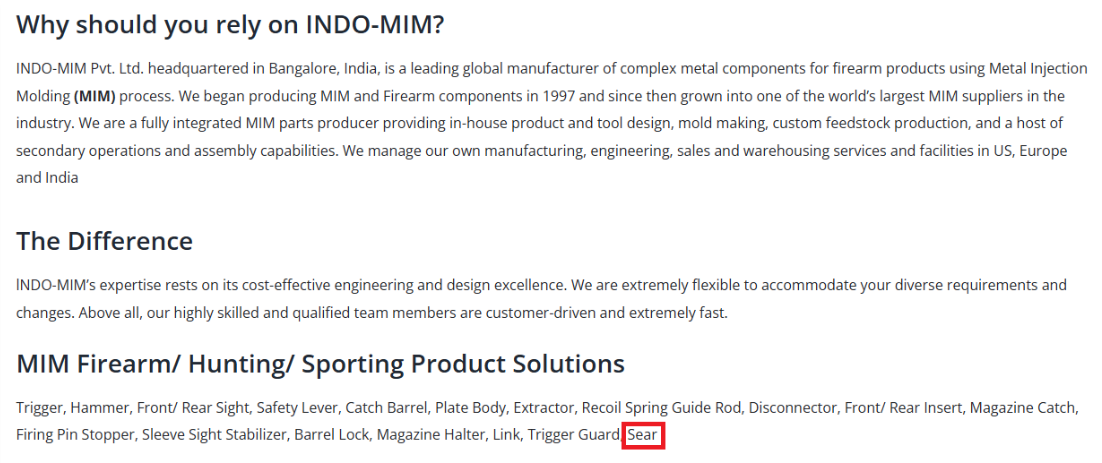
BOLT CARRIERS

Bolt carriers are components that house the bolt of a firearm, which, in most modern self-loading weapons, loads and extracts the cartridge as it cycles backwards and forwards after each shot. It is an essential part of a firearm. During the reporting period, PLR Systems exported 33,033 bolt carriers and associated subassemblies to IWI. All the shipments are categorized under HS 93059100 which refers to "Parts and accessories of military weapons".

AUTOMATIC SEARS

Sears are internal components of a firearm that are central to the firing process. In semi-automatic weapons (which are usually destined for the civilian market), they hold the hammer backwards, preventing fire until released by a trigger pull. Military firearms capable of fully automatic fire, however, are equipped with automatic sears that, once the trigger is pulled, do not block the cycling of the hammer, thereby enabling automatic fire.

Over the reporting period, Indo-MIM Private Limited exported more than 59,637 automatic sears to IWI. This figure does not include two shipments (totalling 28 kilograms) where the number of items is unspecified. Based on the average ratio of shipment weight/number of items seen in other shipments of automatic sears, this could amount to approximately 4,000 additional pieces. Indo-MIM Private Limited exported 1,273 shipments of weapons parts to Israel after 7 October 2023, representing hundreds of thousands of components. Based on the product description, 54 of these shipments were identified as destined for military use. The remaining 1,219 shipments, almost all shipped to IWI, have both civilian and military applications.


Why should you rely on INDO-MIM?

INDO-MIM Pvt. Ltd. headquartered in Bangalore, India, is a leading global manufacturer of complex metal components for firearm products using Metal Injection Molding **(MIM)** process. We began producing MIM and Firearm components in 1997 and since then grown into one of the world's largest MIM suppliers in the industry. We are a fully integrated MIM parts producer providing in-house product and tool design, mold making, custom feedstock production, and a host of secondary operations and assembly capabilities. We manage our own manufacturing, engineering, sales and warehousing services and facilities in US, Europe and India

The Difference

INDO-MIM's expertise rests on its cost-effective engineering and design excellence. We are extremely flexible to accommodate your diverse requirements and changes. Above all, our highly skilled and qualified team members are customer-driven and extremely fast.

MIM Firearm/ Hunting/ Sporting Product Solutions

Trigger, Hammer, Front/ Rear Sight, Safety Lever, Catch Barrel, Plate Body, Extractor, Recoil Spring Guide Rod, Disconnector, Front/ Rear Insert, Magazine Catch, Firing Pin Stopper, Sleeve Sight Stabilizer, Barrel Lock, Magazine Halter, Link, Trigger Guard, Sear

Screenshot from Indo-MIM Private Limited website, advertising the company's ability to manufacture sears for the defence sector © Indo-MIM Private Limited

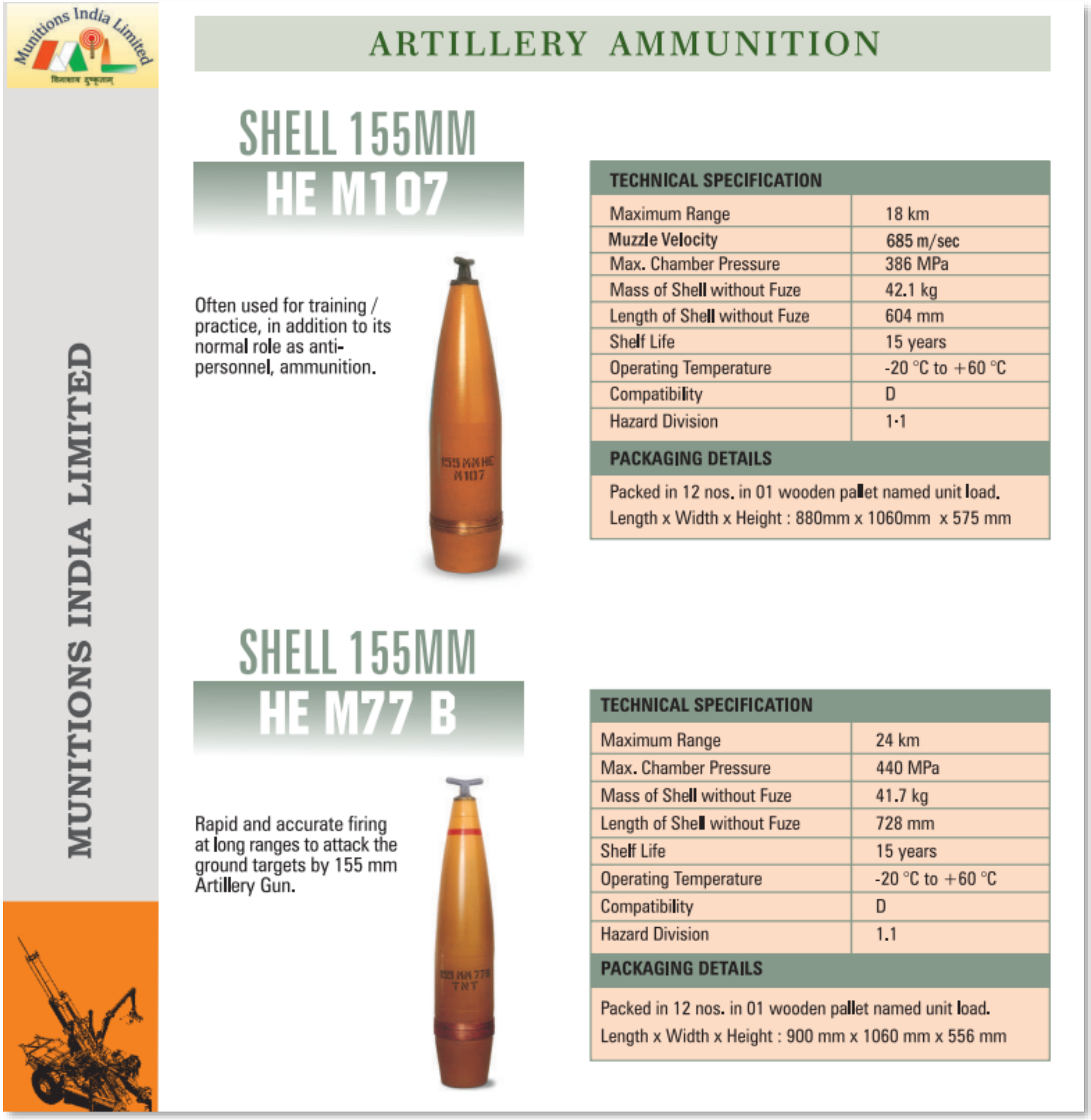
6.3 ORDNANCE

155MM ARTILLERY ROUNDS AND CASINGS

During the reporting period, Kalyani Systems Strategic Limited, a subsidiary of the Bharat Forge Group, exported 9,600 "bodies" of 155mm artillery rounds. The term "bodies" here likely refers to the external metal casing of 155mm artillery rounds. Israel Military Industries, the importer of these shipments, is owned by Elbit Systems,[124] which is the largest suppliers of 155mm artillery rounds to the Israeli forces.[125] Numerous organizations, including Amnesty International, have found evidence of the use of 155mm artillery rounds in Gaza, including several cases in which the ordnance struck hospitals dating as far back as 2009.[126]

The shipment-level trade data reviewed by Amnesty International also reveals that the Indian state-owned company MIL supplied one shipment of 1,000 155mm artillery rounds to Elbit Systems. This shipment likely refers to finished products because it is labelled "Defence goods 155mm Shell HE", with HE meaning "high explosive". The MIL website indicates that the company produces two different types of 155mm high explosive rounds, as seen in the image below.[127]

[124] Seth Frantzman, "Israel ordered $760M in ammunition from Elbit Systems in 2023", Breaking Defense, 22 May 2024, https://breakingdefense.com/2024/05/israel-ordered-760m-in-ammunition-from-elbit-systems-in-2023; Tzally Greenberg, "Israel orders tens of thousands of 155mm artillery shells from Elbit", Defense News, 4 August 2024, https://www.defensenews.com/industry/2023/08/04/israel-orders-tens-of-thousands-of-155mm-artillery-shells-from-elbit
[125] Ministry of Defense, "Israel MOD Signs Approx $48M Deal with Elbit Systems for Tens of Thousands of Land Munitions | Homepage", https://mod.gov.il/en/press-releases/press-room/israel-mod-signs-approx-48m-deal-with-elbit-systems-for-tens-of-thousands-of-land-munitions (accessed on 16 June 2026).
[126] Le Monde, "Shelling at Gaza's Al-Shifa Hospital: Evidence points to Israeli responsibility", 16 November 2023, https://www.lemonde.fr/en/international/article/2023/11/16/shelling-at-gaza-s-al-shifa-hospital-evidence-points-to-israeli-responsibility_6260569_4.html; Amnesty International, "Israel / OPT: Fuelling Conflict: Foreign Arms Supplies to Israel/Gaza", February 2009. Url: https://www.amnesty.org/en/wp-content/uploads/2021/07/mde150122009en.pdf.
[127] MIL, "All products", https://munitionsindia.in/all-products



ARTILLERY AMMUNITION

MUNITIONS INDIA LIMITED

SHELL 155MM HE M107

Often used for training / practice, in addition to its normal role as anti-personnel, ammunition.

TECHNICAL SPECIFICATION	
Maximum Range	18 km
Muzzle Velocity	685 m/sec
Max. Chamber Pressure	386 MPa
Mass of Shell without Fuze	42.1 kg
Length of Shell without Fuze	604 mm
Shelf Life	15 years
Operating Temperature	-20 °C to +60 °C
Compatibility	D
Hazard Division	1·1

PACKAGING DETAILS

Packed in 12 nos. in 01 wooden pallet named unit load.
Length x Width x Height : 880mm x 1060mm x 575 mm

SHELL 155MM HE M77 B

Rapid and accurate firing at long ranges to attack the ground targets by 155 mm Artillery Gun.

TECHNICAL SPECIFICATION	
Maximum Range	24 km
Max. Chamber Pressure	440 MPa
Mass of Shell without Fuze	41.7 kg
Length of Shell without Fuze	728 mm
Shelf Life	15 years
Operating Temperature	-20 °C to +60 °C
Compatibility	D
Hazard Division	1.1

PACKAGING DETAILS

Packed in 12 nos. in 01 wooden pallet named unit load.
Length x Width x Height : 900 mm x 1060 mm x 556 mm

Partial screenshot from MIL "Artillery Ammunition" brochure © MIL[128]

ORDNANCE LINER

Another Indian company, Ashoka Manufacturing Private limited, exported one shipment of 320 items labelled as "Con liner MT-02-1043 (6A003-Munitions Metal Parts)". The 6A003 code refers to the categorization of goods requiring an export license under Indian law, known as the SCOMET list.[129] The 6A003 code refers to "munitions metal parts", which in this case can only be military ammunition as, according to the description in the Society of Indian Defence Manufacturers members' directory, Ashoka Manufacturing does not produce small calibre ammunition, rather only "medium to large calibre ammunition" including "copper liners".[130] Copper liners are used in ordnance to create shape charges designed to perforate armoured targets. The consignee of the shipment is an Israeli company called MCT Materials Limited, which specializes in the import of "special metals", and counts Elbit Systems and Rafael Advanced Defense Systems as its clients, as illustrated on its website.[131]

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128 MIL, "Artillery ammunition", https://munitionsindia.in/wp-content/uploads/2-Artillery-Ammunition-2.pdf
129 DGFT, "Appendix III: Special chemicals, organisms, materials, equipment and technologies (SCOMET) export of which is regulated", undated, https://content.dgft.gov.in/Website/append3_0.pdf
130 Society of Indian Defence Manufacturers, *Members Directory 2020-2021*, 2020, https://www.sidm.in/files/SIDM%20Members%20Directory%202020-21.pdf, p. 71.
131 MCT Materials, ["Our customers"], https://www.mct-materials.com (accessed on 23 July 2026)

Partial screenshots from MCT Materials website showing the Elbit Systems (below) and Rafael Advanced Defense (above) in the "our customers" section.
© MCT Materials

LOITERING MUNITION WARHEADS

Alpha Elsec Defence & Aerospace Systems Private Limited, a joint venture between Alpha Design Technologies and Elbit Systems,[132] provides explosive warheads to Elbit Systems. One shipment of 122 warheads, labelled "WH 5 KG Armed Assy", was supplied by Alpha Elsec Defence & Aerospace Systems to Elbit Systems in December 2025. Alpha Elsec Defence & Aerospace Systems specializes in unmanned systems and the company has promoted its work on the Skystriker drone – a loitering munition (also known as "suicide drones") manufactured by Elbit Systems – during defence exhibitions.[133] The Skystriker is the only munition manufactured by Elbit Systems that is equipped with a 5kg warhead;[134] many have been identified among debris in Gaza over the last two years.[135]

[132] *The Times of India*, "Indo-Israeli Fire Control Systems Clear Field Trials, Fitted on 96 Army T-72 Tanks," 27 February 2026, https://timesofindia.indiatimes.com/defence/news/indo-israeli-fire-control-systems-clear-field-trials-fitted-on-96-army-t-72-tanks/articleshow/128837310.cms
[133] Major General RK Arora, "Alpha Elsec Defence & Aerospace Systems at DEFEXPO 2022", 19 October 2022, https://www.youtube.com/watch?v=0DlfYEyP8TQ, minute 2:17.
[134] 10kg warheads also exist.
[135] Open Source Munitions Portal, https://osmp.ngo/?model=skystriker&location=palestine

An annotated screenshot from a Youtube video showing a model of a Skystriker drone on the Alpha Elsec Defence & Aerospace Systems booth at the 2022 India DEFEXPO © Major General RK Arora[136]

A Skystriker loitering munition identified from debris in Khan Younis, Gaza, 17 April 2025 © Open Source Munition Portal[137]

[136] Major General RK Arora, "Alpha Elsec Defence & Aerospace Systems at DEFEXPO 2022" (previously cited), minute 2:17.
[137] Open Source Munition Portal, "OSMP1353", 17 April 2025, https://osmp.ngo/osmp1353

6.4 LAUNCHERS AND VEHICLES PARTS

SENSORS AND PARTS

During the reporting period, Indian companies exported large quantities of sensors and electronic components to the Israeli defence sector. These military-use components have wide applications such as surveillance, monitoring and targeting. Although lack of transparency makes it impossible to document the ultimate end-use of these items, all exports of military or dual-use goods to the Israeli defence sector carry a very high risk of misuse for serious IHL or human rights violations.

At least one Indian company, IOL, exported large quantities of these items to Semiconductor Devices Ltd.[138], another prominent supplier to the Israeli Ministry of Defence.[139] IOL is a state-owned enterprise, which is a public sector undertaking under the Department of Production of the Ministry of Defence.[140] It exported various semi-conductor products categorized under HS code 8710+, a total of 178 items, including vanadium oxide 640 x 480 sensors and extender boards interface cards. The consignee of these shipments, Semiconductor Devices Ltd., is an Israeli defence sector company that was founded as a joint venture between Elbit and Rafael.[141] In 2025, Amnesty International called for all states and private entities to cease all business activities with these firms because of “risk of complicity in the crime against humanity of apartheid, genocide, and other crimes under international law”.[142]

81MM MORTAR LAUNCHERS

AWEIL, also an Indian fully state-owned enterprise,[143] manufactures variants and copies of foreign-designed weapons systems. These include 81mm mortar launchers that are exported to Elbit Systems. Shipment-level trade data shows that in February 2024 AWEIL exported 120 81mm launchers to Elbit Systems, under the HS code 8710.

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138 Semiconductor Devices, https://www.scd-infrared.com/about-us/#our_team, (accessed on 25 June 2026).
139 Colton Jones, “Israel signs $115M deal to expand IR production”, Defence Blog, 1 September 2025, https://defence-blog.com/israel-signs-115m-deal-to-expand-ir-production; Minstry of Defence, India, “Israel MOD signs approximately $115 million contract with SCD for advanced infrared sensor manufacturing”, 1 September 2025, https://mod.gov.il/en/press-releases/press-room/israel-mod-signs-approximately-115-million-contract-with-scd-for-advanced-infrared-sensor-manufacturing
140 IOL, “History”, About us, https://indiaoptel.in/about-us
141 Rojoef Manuel, “Israel taps Rafael-Elbit venture to boost domestic infrared sensor production”, *The Defense Post*, 3 September 2025, https://thedefensepost.com/2025/09/03/israel-infrared-sensor
142 Amnesty International, *Pull the Plug on the Political Economy Enabling Israel’s Crimes* (previously cited).
143 Advanced Weapons and Equipment India Limited, “Particulars of its organisation, function and duty”, undated, https://www.aweil.in/download/rti/manuals_standard/1.1-RTI.pdf

7. INDIA'S KNOWLEDGE OF ISRAEL'S VIOLATIONS OF INTERNATIONAL LAW

This chapter discusses India's awareness of the violations of IHL and human rights perpetrated by Israel in Gaza after 7 October 2023 and the risk of complicity in these violations resulting from the transfer of arms to the Israeli defence sector. It goes on to examine the lack of action by the India judicial system to compel the government to prevent further exports.

7.1 REQUISITE KNOWLEDGE

Amnesty International believes that the Indian authorities knew, or should have known, that arms transfers to Israel carried a substantial risk of contributing to serious violations of international law.

By January 2024, in the context of the *South Africa v. Israel* case, the ICJ had ordered provisional measures, stating that "Israel must, in accordance with its obligations under the Genocide Convention, in relation to Palestinians in Gaza, take all measures within its power to prevent" the commission of acts prohibited under the Genocide Convention, putting all states on notice of a serious risk that acts of genocide could be committed in Gaza.[144] Moreover, as mentioned above, in its order of April 2024 in the *Nicaragua v. Germany* case, the ICJ affirmed:

> "The Court considers it particularly important to remind all States of their international obligations relating to the transfer of arms to parties to an armed conflict, in order to avoid the risk that such arms might be used to violate the above-mentioned Conventions [Geneva Conventions and Genocide Convention]. All these obligations are incumbent upon Germany as a State party to the said Conventions in its supply of arms to Israel."[145]

In April 2024, the UN Human Rights Council expressly called on all states to cease the sale, transfer and diversion of arms, munitions and other military equipment to Israel to prevent further violations of international humanitarian and human rights law.[146] India abstained on that resolution, which may suggest that it was aware of the specific call for halting of arms transfers and the legal concerns underlying it.[147] As mentioned above, in its July 2024 advisory opinion, the ICJ held that Israel's continued presence in the OPT

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[144] ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (*South Africa v. Israel*), Order, 26 January 2024, https://www.icj-cij.org/node/203447, para 78.
[145] ICJ, Alleged Breaches of Certain International Obligations in Respect of the Occupied Palestinian Territory (*Nicaragua V. Germany*), Order, 30 April 2024, para. 24.
[146] OHCHR, "Human Rights Council adopts five resolutions, including a text calling for an immediate ceasefire in Gaza, urging states to prevent the continued forcible transfer of Palestinians within or from Gaza, and calling on states to cease the sale or transfer of arms to Israel", 5 April 2024, https://www.ohchr.org/en/press-releases/2024/04/le-conseil-adopte-cinq-resolutions-dont-celle-demandant-quun-cessez-le-feu
[147] The Wire, "India abstains from UN vote calling for arms embargo on Israel, Gaza ceasefire", 5 April 2024, https://thewire.in/diplomacy/india-abstains-from-un-resolution-calling-for-ceasefire-in-gaza

was unlawful and that states must not render aid or assistance in maintaining that unlawful situation.[148] The UN General Assembly subsequently endorsed the ICJ advisory opinion in September 2024.[149] India also abstained on that resolution.[150] This was reinforced by repeated warnings from UN experts that arms transfers to Israel should stop because of the risk that they would be used to commit serious violations.[151]

Several states, including Japan[152], Canada[153], Belgium[154], Italy[155], Spain[156] and Germany[157] have implemented various restrictions on their supply of weapons to Israel. This constitutes evidence of state actions that further substantiate India's knowledge of the severe human rights violations committed by Israel in the Gaza Strip.

In addition, international and Palestinian human rights organizations, humanitarian agencies and civil society organizations have repeatedly called for states to halt arms transfers to Israel, warning that continued transfers risked being used to commit or facilitate serious violations of international human rights law or IHL and could expose supplying states to complicity in such violations. In January 2024, more than 250 humanitarian and human rights organizations, including Amnesty International, called on all states to stop transfers of weapons, parts and ammunition to Israel and Palestinian armed groups where there was a risk of their use in serious violations of IHL or international human rights law.[158]

Public reporting places India-Israel defence transfers squarely in the public domain, including reports that Indian firms supplied arms or explosives to Israel during the armed conflict in Gaza.[159] In addition, India's own parliamentary and official responses show that the government was aware of such transfers, yet chose to justify its position with reference to "national interest" and existing commitments rather than denying knowledge of the legal risks.[160]

Overall, it seems clear that the threshold has been met for India having the requisite knowledge to trigger relevant obligations under international law, including the duty to prevent genocide and the obligation to ensure respect for IHL.

7.2 JUDICIAL INACTION

On 9 September 2024, the Supreme Court of India dismissed a petition brought by 24 former civil servants, scholars, activists and experts seeking directions to the federal government "to cancel existing licenses/permissions and to halt the grant of new licenses" to Indian entities exporting "arms and military equipment to Israel during the ongoing conflict in Gaza".[161] This included both a public sector enterprise

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148 ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, 19 July 2024, https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf
149 UN General Assembly, *Advisory Opinion of the International Court of Justice on the Legal Consequences Arising from Israel's Policies and Practices in the Occupied Palestinian Territory, including East Jerusalem, and from the Illegality of Israels Continued Presence in the Occupied Palestinian Territory*, 18 September 2024, https://docs.un.org/en/A/RES/ES-10/24
150 The Print, "India abstains in UNGA on resolution demanding Israel leave Occupied Palestinian Territory within 12 months", 18 September 2024, https://theprint.in/world/india-abstains-in-unga-on-resolution-demanding-israel-leave-occupied-palestinian-territory-within-12-months/2273782
151 UN Human Rights Special Procedures, "Arms transfers to Israel in the Gaza conflict", 17 April 2024, https://www.ohchr.org/sites/default/files/documents/issues/terrorism/sr/statements/2024-04-17-briefing-australian-parliamentarians.pdf
152 The New Arab, "Is a global arms embargo on Israel possible?", 04 April 2024. https://www.newarab.com/analysis/global-arms-embargo-israel-possible
153 Le Monde, "Canada stops arms shipments to Israel", 20 March 2024. https://www.lemonde.fr/en/international/article/2024/03/20/canada-stops-arms-shipments-to-israel_6636777_4.html?srsltid=AfmBOootI-YzcJdSPF_96hNyDPccwMVoJGHSaYPZ825Sg2_iK5Vd-Cq9
154 The Brussels Times, "Wallonia bans transit of all arms towards Israel", 28 May 2024. https://www.brusselstimes.com/1064804/wallonia-bans-transit-of-all-arms-towards-israel
155 BBC, "Italy suspends defence agreement with Israel", 14 April 2026, https://www.bbc.com/news/articles/cr71184ex91o
156 Al-Jazeera, "Spain's parliament formally approves Israel arms embargo", 8 October 2025. https://www.aljazeera.com/news/2025/10/8/spains-parliament-formally-approves-israel-arms-embargo
157 Deutsche Welle, "Germany suspends arms exports to Israel for use in Gaza", 08 August 2025. https://www.dw.com/en/germany-suspends-arms-exports-to-israel-for-use-in-gaza/a-73569858
158 Amnesty International, "More than 250 humanitarian and human rights organizations call to stop arms transfers to Israel and Palestinian armed groups", 12 April 2024, https://www.amnesty.org/en/latest/news/2024/01/more-than-250-humanitarian-and-human-rights-organisations-call-to-stop-arms-transfers-to-israel-palestinian-armed-groups
159 Business and Human Rights Centre, "India: Amid ongoing conflict in Gaza, report finds Indian companies continue to supply arms to Israel", 22 May 2024, https://www.business-humanrights.org/en/latest-news/india-report-finds-that-amidst-the-ongoing-conflict-in-the-occupied-palestinian-territories-several-companies-continue-to-supply-arms-to-israel
160 Al Jazeera, "Why India refused to join SCO condemnation of Israel's attacks on Iran", 16 June 2025, https://www.aljazeera.com/news/2025/6/16/why-india-refused-to-join-sco-condemnation-of-israels-attacks-on-iran; Middle East Eye, "India doubles down on pro-Israel policy saying 'national interest' drives arms transfers", 5 December 2024, https://www.middleeasteye.net/news/india-doubles-down-pro-israel-policy-national-interest-drives-arms-sales
161 Supreme Court of India, *Ashok Kumar Sharma & Ors v. Union of India*, Writ Petition (Civil) 551 of 2024, 9 September 2024, https://api.sci.gov.in/supremecourt/2024/37354/37354_2024_1_12_55461_Judgement_09-Sep-2024.pdf; The Hindu, "Retired diplomats,

under the Ministry of Defence and private companies allegedly licensed after October 2023.[162] The petition relied on the ICJ orders related to Israel's conduct in the OPT and India's obligations under the Genocide Convention and other international laws.

The Supreme Court, while dismissing the petition, ruled that adjudicating on the cancellation of export licenses would require it also to decide on the allegations against "an independent sovereign nation, namely, Israel", which "is not and cannot be made amenable to the jurisdiction of this Court".[163] Secondly, it noted that cancelling the license would potentially compel breaches of "international contracts and agreements", exposing Indian companies to damages and affecting their financial liability – consequences that the Supreme Court considered not appropriately assessable judicially.[164] Thirdly, the Supreme Court emphasized that the federal government already has statutory powers to impose prohibitions under the Foreign Trade (Development and Regulation Act) and the Customs Act, and that whether to act is for the executive to decide in light of "economic, geo-political and other interests" in international relations.[165]

Read against extensive international documentation of the armed conflict in Gaza, including binding provisional measures ordered by the ICJ in January, March and May 2024,[166] and calls by the Human Rights Council for an immediate ceasefire and for states to cease the transfer of arms and related materiel to Israel,[167] it suffices to say that no effective judicial recourse exists with regard to cancellation of licenses to export arms to Israel from India, as evidenced by the Supreme Court's decision.

intellectuals move Supreme Court to halt Indian firms' 'supply' of arms to Israel during Gaza conflict", 4 September 2024, https://www.thehindu.com/news/national/pil-in-supreme-court-seeks-direction-to-centre-to-halt-export-of-arms-military-equipments-to-israel/article68604698.ece

[162] Supreme Court of India, *Ashok Kumar Sharma & Ors v. Union of India* (previously cited).

[163] Supreme Court of India, *Ashok Kumar Sharma & Ors v. Union of India* (previously cited).

[164] Supreme Court of India, *Ashok Kumar Sharma & Ors v. Union of India* (previously cited).

[165] Supreme Court of India, *Ashok Kumar Sharma & Ors v. Union of India* (previously cited).

[166] See, for example: ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (*South Africa v. Israel*), Request for the Indication of Provisional Measures, Order, 26 January 2024, https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf; ICJ, *South Africa v. Israel*, Request for the Modification of the Order Indicating Provisional Measures, Order, 28 March 2024, https://www.icj-cij.org/sites/default/files/case-related/192/192-20240328-ord-01-00-en.pdf; ICJ, *South Africa v. Israel*, Order, 24 May 2024, https://www.icj-cij.org/node/204091

[167] OHCHR, "Human Rights Council adopts five resolutions" (previously cited); UN High Commissioner for Human Rights, *Human Rights Situation in the Occupied Palestinian Territory, including East Jerusalem, and the Obligation to Ensure Accountability and Justice*, 23 February 2024, UN Doc. A/HRC/55/28, https://www.ohchr.org/en/documents/country-reports/ahrc5528-human-rights-situation-occupied-palestinian-territory-including

8. CONCLUSION

India has been a supplier of weapons, ammunition, parts and components to Israel and Israeli companies that are deeply integrated into Israeli military and security operations, including with respect to Israel's military offensive in the Gaza Strip. Amnesty International, the UN Commission of Inquiry on the Occupied Palestinian Territory and many other Palestinian, Israeli and international organizations, and experts have determined that Israel's actions in Gaza constitute genocide.[168]

In January 2024, the ICJ has issued binding provisional measures in the *South Africa v. Israel* case, signalling the existence of a serious risk of genocide in Gaza, and separately, in its Advisory Opinion of 19 July 2024 on *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, concluded that Israel's continued occupation of the OPT is unlawful and that its policies and practices violate international law, including the prohibition of racial segregation and apartheid. In December 2024, the UN General Assembly reaffirmed "the right of the Palestinian people to self-determination, including the right to their Independent State of Palestine", and called on all states not to render aid or assistance in maintaining Israel's unlawful presence in the OPT. [169]

Amnesty International identified at least 2,596 shipments of arms, parts and ammunition exported from India to Israel between 7 October 2023 and 30 November 2025. These include machine gun components for weapons deployed by Israeli forces in Gaza, 155mm high explosive artillery shells supplied to Elbit Systems, explosive warheads for the Skystriker loitering munition similar to those identified from debris in Khan Younis, Gaza Strip, and armoured vehicle components destined for the main suppliers of the Israeli military. The findings presented in this report, by Amnesty International's own conservative methodology, very likely underestimate the full scope of India's contribution to Israel's military supply chain.

India is involved in the manufacture of arms transferred to Israel through its ownership of key supplier companies and has also failed to regulate arms exports of private companies to Israel in line with international law and standards. The Indian companies MIL, IOL and AWEIL are fully owned by the Government of India, with their leadership appointed by the Appointments Committee of the Cabinet and their employees serving formally as government officials on deputation from the Ministry of Defence. These companies have supplied finished high explosive munitions to Elbit Systems and to Semiconductor Devices Ltd, a joint venture between Elbit Systems and Rafael Advanced Defense Systems throughout the period during which the genocide against Palestinians in Gaza has been committed. As confirmed by the Supreme Court of India and the Law Commission of India, entities of this character fall within the definition of "state" under Article 12 of the Constitution of India. When MIL, IOL and AWEIL transfer arms to Israel, they do so as state entities, which means the Indian state transfers arms to Israel, and India's obligations under international law are engaged as a manufacturer.

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[168] Al Haq, "How to Hide a Genocide: The Role of Evacuation Orders and Safe Zones in Israel's Genocidal Campaign in Gaza", 1 January 2025, https://www.alhaq.org/publications/25781.html; Al Mezan, "Israel's Genocide in Gaza: The Latest Episode in the Ongoing Nakba Against the Palestinian People", 15 May 2024, https://www.mezan.org/public/en/post/46444/Israel%E2%80%99s-Genocide-in-Gaza:-The-Latest-Episode-in-the-Ongoing-Nakba-Against-the-Palestinian-People; Palestinian Centre for Human Rights, "Israeli Occupation Forces Persist in Genocide by Bombing Houses and Shelters Over its Residents", 16 January 2025, https://pchrgaza.org/israeli-occupation-forces-persist-in-genocide-by-bombing-houses-and-shelters-over-its-residents; ADDAMEER, "Prisons as a Frontline of Genocide: Two Years of War Crimes Against Palestinian Political Detainees", 7 October 2025, https://addameer.ps/news/5618; The Israeli Information Center for Human Rights in the Occupied Territories, "Our Genocide", July 2025, https://www.btselem.org/sites/default/files/publications/202507_our_genocide_eng.pdf

[169] UN General Assembly (UNGA), Resolution 79/163 "The right of the Palestinian people to self-determination", adopted on 17 December 2024, UN Doc. A/RES/79/163, https://www.un.org/unispal/document/the-right-of-the-palestinian-people-to-self-determination-general-assembly-resolution-a-res-79-163

As a state party to the Genocide Convention, India is obliged to employ all means reasonably available to prevent genocide. This obligation arose at the instant when India learned, at the latest by January 2024 through the ICJ's provisional measures order in *South Africa v. Israel*, of the serious risk that genocide could be committed in Gaza. Any subsequent transfer of weapons to Israel has thus violated India's obligation to prevent genocide and fulfil its responsibilities under international law and standards.

As a state party to the Geneva Conventions, India is prohibited from transferring arms to a party to an armed conflict where there is a clear risk that they will be used to commit or facilitate violations of the Geneva Conventions. India abstained in the April 2024 UN Human Rights Council resolution calling on all states to cease arms transfers to Israel, in so doing suggesting awareness of the specific legal concern at play, rather than ignorance of it. India not only failed to halt transfers in the face of this knowledge, it deepened the defence relationship, signing a new bilateral MoU on co-development and co-production with Israel in November 2025. In this respect, India has not complied with its obligation to ensure respect under Common Article 1 of the Geneva Conventions and customary IHL.

Moreover, by transferring weapons to Israel in the knowledge that this could be used to commit crimes under international law, including genocide, crimes against humanity, war crimes, and other serious violations of international law against Palestinians in the OPT, under the law of state responsibility, India may risk complicity in such violations and breached its obligation not to render aid or assistance in the maintenance of an unlawful situation.[170]

In addition to state owned companies, private companies – such as PLR Systems Private Limited, Indo-MIM Private Limited, Kalyani Systems Strategic Limited, Alpha Elsec Defence & Aerospace Systems Private Limited, Ashoka Manufacturing Private Limited and Premier Explosives Limited – have also exported offensive military equipment to Israeli actors with links to the Israeli military, in violation of international law.

Indian companies that supplied weapons and components to Israel's military supply chain throughout a documented genocide and the unlawful occupation of the Palestinian territory, including joint ventures with Israeli defence companies operating on Indian soil, bear independent responsibilities in line with the UN Guiding Principles on Business and Human Rights, which exist over and above compliance with domestic law. The heightened standard of human rights due diligence required in conflict-affected contexts demands that these companies cease their involvement with Israel immediately.

Companies and their personnel face significant legal risk, including civil liability and, in some circumstance, criminal responsibility. Where companies and their personnel, including executives, directors and other members of management, were aware of the substantial likelihood that their products or services would be used to commit crimes under international law, they could risk criminal responsibility for complicity in genocide, crimes against humanity and/or war crimes.

India's domestic legal framework has provided no corrective mechanism to these transfers of arms by private companies. Its arms manufacturing and export licensing regime does not contain clear requirements for human rights due diligence. It operates through a confidential inter-ministerial process that is entirely opaque and has produced no public record of India's treaty obligations ever being assessed in the context of arms transfers to Israel. India has declined to become party to the Arms Trade Treaty. Furthermore, civil society's attempt to petition the Supreme Court to compel the government to act has also failed with the court ruling that the matter requires executive discretion and not legal scrutiny, foreclosing judicial recourse entirely.

As a sitting member of the UN Human Rights Council, and a state that has repeatedly participated in multilateral human rights processes, India must ensure that international legal norms are upheld and reinforced, and that all transfers of arms, including parts and components, to Israel are immediately ceased. India's continued transfer of arms to Israel despite the commission of ongoing crimes under international law in the OPT, including Gaza, raises serious concerns regarding impunity, accountability and the credibility of India's international legal commitments.

[170] ARSIWA, Articles 16 and 41(2).

9. RECOMMENDATIONS

TO INDIA

In light of Israel's ongoing genocide against Palestinians in Gaza, its unlawful occupation of the Palestinian territory and its system of apartheid against all Palestinians whose rights it controls, India must do the following:

- Immediately cease all transfers of arms, including parts and components, to Israel.
- Impose a comprehensive arms embargo on Israel that covers the direct or indirect supply, sale or transfer of arms and military materiel, including related technologies, parts and components, technical assistance, training, financial or other assistance.
- Cease all business relationships, including investments, purchases of arms, military materiel, security equipment and related services, participation in arms and security equipment fairs, government meetings, contracts, and participation in research grants with Elbit Systems, Rafael Advanced Defense Systems Limited and Israel Aerospace Industries Limited. These measures must remain in place until these companies can demonstrate that they are not contributing to Israel's serious violations of international law.
- Take all measures necessary to effectively regulate the arms industry in line with international law and standards on arms transfers, by strictly implementing rigorous licensing procedures for the export, import, transit, trans-shipment and brokering of arms on a case-by-case basis to ensure compliance with international human rights law and IHL.
- Amend its domestic export control laws and regulations to bring them into line with international law and standards on arms transfers. This includes implementing rigorous risk assessments in an objective and non-discriminatory manner to ensure that no arms are authorized for export where there is a substantial risk that they could be used to commit or facilitate serious violations of international human rights law and/or IHL.
- Require companies to conduct and share the findings of their human rights due diligence to receive a license to transfer arms as a matter of national legislation.
- As part of India's obligation under the Genocide Convention, launch independent investigations into the potential civil and criminal responsibility of the nine companies and their responsible officers for potential complicity in genocide, where there are reasonable grounds to believe their conduct including the approval, licensing, and continued execution of arms transfers despite widely documented risk may have contributed to commission of genocide in Gaza;
- Enact comprehensive implementing legislation to give full effect to India's obligations under the Genocide Convention and the Geneva Conventions, including by establishing genocide and war crimes as offences under domestic law and providing for their effective investigation and prosecution.
- Accede to the Arms Trade Treaty.

TO COMPANIES

- Immediately cease any involvement in the transfer of arms and ammunition to Israel, including related technologies, parts and components, technical assistance, training, financial or other assistance.
- Cease all business relationships, including investments, purchases of arms, military materiel, security equipment and related services, and participation in joint research and development with Elbit Systems, Rafael Advanced Defense Systems Limited and Israel Aerospace Industries Limited; and review all other business relationships with Israel's arms industry to ensure that they do not contribute to Israel's serious violations of international law.
- Urgently conduct heightened human rights due diligence throughout the company's value chain to identify, prevent and mitigate any actual or potential involvement in human rights abuses that are directly linked to the manufacture, export, import or sale of arms.

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MADE IN INDIA

THE SUPPLY OF WEAPONS AND AMMUNITION TO ISRAEL

This report builds upon publicly available shipment-level trade data to highlight the scope and magnitude of India's material support for the Israeli defence sector and international crimes committed against Palestinians in Gaza. Amnesty International investigators analysed 2,596 shipments of small arms, ammunition and military vehicles shipped from India to Israel since 7 October 2023.

The report identifies corporations in India that have continued to export weapons, ammunition, parts and components or dual-use items to Israel long after clear and public warnings had been made regarding the possible commission of war crimes, crimes against humanity and genocide in the Gaza Strip by the Israeli armed forces and decision makers. Included among these corporations are companies that are directly owned and operated by the Government of India. Under the law of state responsibility, by transferring weapons to Israel in the knowledge that these could be used to commit crimes under international law, India may risk complicity in such violations. Companies and their personnel also face significant legal risk, including civil liability and, in some circumstances, criminal responsibility.

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