



Department for International Trade

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7th April 2018

Dear Mr. Kyte,

Thank you for your letter of 3 April, signed by 23 UK and Honduran human rights organisations, expressing concern that the UK Government has licensed the export of telecommunications interception equipment to Honduras.

I would like to begin by assuring you that we take our export licensing responsibilities very seriously. We will only grant an export licence if to do so is consistent with the Consolidated EU and National Arms Export Licensing Criteria.

All export licence applications are assessed on a case-by-case basis against these Consolidated Criteria, which provide a thorough risk assessment framework and require us to think hard about the impact of providing equipment and its capabilities. These are not decisions we take lightly.

Export licence applications include details of the intended end user and end use of the goods to be exported. They also include technical specifications which enable us to understand the capabilities of the exports. Signed end user undertakings from the intended recipient, about the intended end use, form part of our consideration.

A range of other Government Departments conduct expert assessments of the proposed exports against the Consolidated Criteria. DIT always takes these assessments into account when deciding whether to grant or refuse a licence. On a case-by-case basis the FCO advises DIT on Criteria 2 and 3, assessing the risk in relation to internal repression and the situation in the recipient country, taking account of the possible uses of the equipment, the situation in the destination country, and the intended end user. Detailed political and human rights reporting and advice is sought, as necessary, from specialist FCO departments and diplomatic posts overseas. Open source data, including reports from international organisations and NGOs are also considered. Having insight and analysis from a wide range of sources provides a comprehensive picture on which to base an assessment. The licences referred to in your letter which are explained in more detail below, were considered in this way.

A temporary Standard Individual Export Licence was granted in December 2016 for equipment demonstration to a non-government entity, on condition that the goods were returned to the UK within 12 months. Although our records show that this licence was never used and has now expired, we were satisfied that the end use of the goods was the detection of fraudulent use of mobile telecommunications networks.

A Standard Individual Export Licence was granted in August 2017, for a vehicle mounted telecommunications intercept device to be used by a specialist law enforcement agency. In this case the equipment was to aid locating and arresting known criminals and recovering kidnap victims. The licence application was supported by an end user undertaking signed by the recipient. However, we did not rely solely on the assurances given by the intended recipient when deciding whether to grant or refuse this licence. The FCO consulted thoroughly, including with our embassy in Guatemala (which covers Honduras), who in turn consulted US and EU counterparts in Honduras. This included consideration of Criterion 7, the risk that the goods might be diverted to an undesirable end user or to undesirable end use, in addition to Criteria 2 and 3.

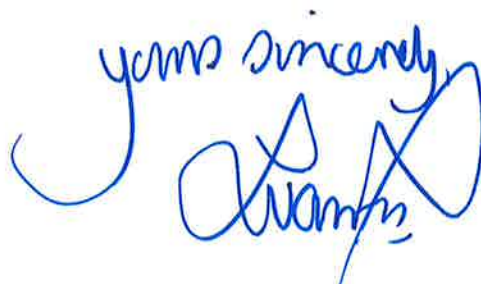
At the time that this licence was granted there was no evidence that the recipient agency had been engaged in any activity other than legitimate law enforcement. Our inquiries into this end user, including information about training undertaken by the agency, led us to determine that the proposed export was consistent with Consolidated Criteria.

We have kept the situation in Honduras under careful review. When the items on this licence were presented for export on 22 February 2018 we remained satisfied that the licence was consistent with the Consolidated Criteria. The licence is now exhausted, and no further goods can be exported using it.

The UK Government has raised concerns about human rights with the Hondurans and the promotion of human rights was the core theme of Baroness Anelay's discussions with the Honduran government during her visit to the country on 14/15 December 2016.

All licence applications for exports to Honduras will continue to be assessed on a case-by-case basis, considering all prevailing circumstances at the time of application, including the internal situation in the country to which the exports are to be used. Risks around human rights are a key part of our assessment. We will not authorise exports where we assess there that is a clear risk they might be used for internal repression.

You may find it helpful to know that the Government publish information about export licences issued, refused and revoked on a quarterly basis on GOV.UK at <https://www.gov.uk/government/collections/strategic-export-controls-licensing-data>



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