

**Professor Colin Bailey CBE and
Senior Leadership team
Queen Mary University
Bancroft Rd,
London
E1 4DG**

By email only: k.tangalova@qmul.ac.uk

[DATE]

Dear Mr Bailey,

RE: DEMAND FOR REFUND OF TUITION FEES PAID

I, (full name), hereby place you on notice that I request a refund of my tuition fees as a result of the University's complicity in Israel's occupation of the West Bank and Gaza referred to as the 'Occupied Palestinian Territories' ("OPT") and now it's 'plausible' genocide of the Palestinians in Gaza.¹

I was not informed prior to my joining the University's degree programme that the University was profiteering from Israel's illegal occupation, crimes against humanity and now Israel's genocide of the Palestinians. The University failed to provide frank disclosure to me that my tuition fees were contributing to Israel's illegal occupation and Israeli's widely accepted war crimes against the Palestinians. Israel's military actions in Gaza is extremely distressing and wholly unacceptable. If I had known that my university is complicit in Israel's illegal occupation, it is likely that I will have selected an alternative University or asked the University to end its complicity prior to accepting the course. There was no informed consent so I am absolutely appalled to now learn that I am unconsciously complicit in Israel's war crimes. My account details have been set out for you at the end of this Notice.

The University's own Investment policy² states:

"The University aims to invest in companies where the activities of the company are, on ethical grounds, consistent with the educational and/ or research objectives of the University. The University will operate the responsible investment policy in accordance with the Charity Commission guidelines to:

- *avoid direct investments that would for practical reasons conflict with the charitable aims of the University;*

¹ [Gaza: ICJ ruling offers hope for protection of civilians enduring apocalyptic conditions, say UN experts | OHCHR](#)

² <https://www.qmul.ac.uk/governance-and-legal-services/media/arcs/policyzone/QMUL-Investment-Policy-June-2022-approved.pdf>

- *avoid direct investments that might result in alienating supporters or other stakeholders.”*

The policy sets out criteria where it 'aims to minimise investment, in armaments including conventional weapons, nuclear weapons and controversial weapons.' However, the University has invested £1,117,069 in Barclays, Booking.com and Siemens which either invests directly into Israeli war crimes or it invests in settlements and maintaining the occupation. The University has failed to adhere to its own ethical investment policy, A breakdown of the University's unethical investments is attached.

The brutality of the Israeli war crimes is evident to all of us who are witnessing the images and videos from within Gaza. I am astounded that the University still has investments that support Israel's war crimes and the continuation of its illegal occupation of the Palestinians despite the significant death toll of recorded deaths which currently stands at 40,005 civilians killed including at least 15,700 children and 92,401 civilians injured.³ On 4th July, The Lancet issued a report estimating that the actual number of Palestinians killed are far greater and could be 186,000.⁴ Israel is also now deliberately starving civilians in Gaza⁵ which is a war crime.⁶ There is ample evidence including video footage which highlights that Israel is indiscriminately killing Palestinian civilians or killing civilians including young children by intentionally starving them.⁷ It is totally unacceptable to me that my University aids and abets the war crimes committed by Israel.

There is ample evidence that atrocities and human rights violations are being committed in Gaza and the West Bank by Israel. I understand that my tuition fees are paid into the University's investment portfolio which in turn facilitates, in part, activities which can be deemed as criminal activities to which I am personally liable.

I set out the relevant legislation for you as follows:

- It is an offence for a person to commit genocide, a crime against humanity (s.51 of the International Criminal Court Act 2001);
- It is an offence for a person to 'engage in conduct ancillary to committing genocide (s.52 of the International Criminal Court Act 2001);
- It is an offence for a person to aid or abet in the commission of the offence (s.55 of the International Criminal Court Act 2001);

As highlighted above, it is a criminal offence to aid or abet complicity in Israel's war crimes and genocide of the Palestinians. Prosecution of these offences has no time limit and carries a maximum sentence of 30 years imprisonment.⁸

³ <https://www.reuters.com/world/middle-east/gaza-death-toll-how-many-palestinians-has-israels-campaign-killed-2024-07-25/>

⁴ [Counting the dead in Gaza: difficult but essential - The Lancet](#)

⁵ [LPHR legal briefing on starvation of civilians in Gaza - Lawyers for Palestinian Human Rights](#)

⁶ [BSG-WP-2019-031.pdf \(ox.ac.uk\)](#)

⁷ <https://www.yanisvaroufakis.eu/2023/10/15/list-of-war-crimes-and-crimes-qualifying-as-genocide-committed-by-israel-in-gaza-since-7th-october-2023/>

⁸ s.53 of the International Criminal Court Act 2001

International Arms Treaty

It is also relevant here that the UK ratified the International Arms Treaty in 2014. The “*Treaty sets common international standards for arms export controls, and puts international law and human rights at the heart of the global arms trade. The ATT has the real potential to reduce human suffering, and increase security across the globe.*”^{9 10}

There does not appear have been any credible assessment of Britain’s arm sales to Israel in light of the ICJ ruling and the countless pieces of evidence which show that the Israelis are at the very least indiscriminately killing Palestinians without care for the significantly high number of casualties including women and children.

ICJ Ruling and Order

On 26th January 2024, the ICJ affirmed in their ruling¹¹ that on the facts presented showed that it is plausible that Israel's conduct amounts to genocide of the Palestinians in Gaza. To prevent genocidal acts from continuing, they further ordered that the following provisional measures must be taken by Israel:

(1) “*By fifteen votes to two,*

The State of Israel shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to Palestinians in Gaza, take all measures within its power to prevent the commission of all acts within the scope of Article II of this Convention, in particular:

(a) killing members of the group;

(b) causing serious bodily or mental harm to members of the group;

(c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and

(d) imposing measures intended to prevent births within the group.”¹²

Queen Mary University's complicity

On 8 December 2023, Human Rights Watch, Amnesty International, Campaign Against Arms Trade as well as other civil rights organisations wrote to Government calling for an immediate halt to UK arms transfers to Israel. The Government decided to take no action despite the flagrant disregard of international law by Israel in Gaza.¹³

Since the start of Israel’s military action, 31,184 Palestinians were killed in the first 4 months alone.¹⁴ The entire Gaza strip has been bombed. Israel has repeatedly asked the Palestinians

⁹ Arms Trade Treaty enters into force - GOV.UK (www.gov.uk)

¹⁰ Treaty Series No. 1 (2015) - Arms Trade Treaty (publishing.service.gov.uk)

¹¹ <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>

¹² [Order of 26 January 2024 \(icj-cij.org\)](https://www.icj-cij.org/Order%20of%2026%20January%202024)

¹³ [Letter to the UK Government Calling for an Immediate Halt to UK Arms Transfers to the Government of Israel | Human Rights Watch \(hrw.org\)](#)

¹⁴ [Gaza death toll set to pass 30,000, as Israel prepares assault on Rafah | Gaza | The Guardian](#)

to relocate to certain parts of the Gaza strip only to then launch a military attack on civilian populated areas. In the words of Josep Borell, European Union Foreign Chief who recently said Israel says *“They are going to evacuate. Where? To the moon? Where are they going to evacuate these people? If the international community believes that this is a slaughter, that too many people have been killed, maybe they need to think about the provision of arms.”*¹⁵

As stated in the *Nuremberg War Crimes Tribunal in 1946*

“The very essence of the Charter is that individuals have international duties which transcend the national obligations of obedience imposed by the individual State. He who violates the laws of war cannot obtain immunity while acting in pursuance of the authority of the State, if the State is authorising action moves outside its competence under international law...”

I understand that it is personally and legally obligatory for me to stop any facilitation of supporting or financing warfare, crimes against humanity, possible genocide, fraud or any criminal activity that leads to the injury or death of innocent civilian men, women and children. As a tuition fee payer to Queen Mary University, I demand that the University divests from its investments that are directly involved in upholding the illegal Israeli occupation and its war crimes against the Palestinians. I will also require proofs that the University’s investments are in full accordance with its own charitable objectives,¹⁶ its own investment policy, UK law, UN Charter, UN Declaration on Principles of International Law and international law.

Alicia Kearns MP recently said *“I remain convinced the government has completed its updated assessment on whether Israel is demonstrating a commitment to international humanitarian law, and that it has concluded that Israel is not demonstrating this commitment, which is the legal determination it has to make,”* she said. *“Transparency at this point is paramount, not least to uphold the international rules-based order.”*¹⁷

On 12 December 2023, Martin Docherty-Hughes MP stated in Parliament, *“We are asking the UK Government to cease extending arms licences to the state of Israel and to immediately halt the export of weapons or components, as has been mentioned, to the state of Israel, alongside our calls for an immediate ceasefire, the recognition of the Palestinian state and the support of the International Criminal Court’s investigation into potential war crimes.*

*But let us be clear: the United Kingdom will pay dearly for the moral equivalence that its current policy entails. While even the Labour leadership might not want to say it, we in the SNP are more than happy to remind the Government of this fact: violating international law may be a great wheeze to try and impress Daily Mail readers, but it has a habit of eating away at the state’s international reputation like acid. In this case, it is a great tragedy that the people of Gaza and others now involved in this conflict have to suffer so.”*¹⁸

¹⁵ [Israel-Hamas war: European Union foreign policy chief Josep Borrell criticises the US's rhetoric on protecting civilians in Gaza while it amps up military aid to Israel | World News | Sky News](#)

¹⁶ <https://register-of-charities.charitycommission.gov.uk/charity-search/-/charity-details/4019048/governing-document>

¹⁷ <https://www.theguardian.com/world/2024/mar/30/uk-government-lawyers-say-israel-is-breaking-international-law-claims-top-tory-in-leaked-recording>

¹⁸ [Arms Export Licences: Israel - Hansard - UK Parliament](#)

On 25th March 2024, the UN's Special Rapporteur on Human Rights in the OPT, produced a report which concluded that *there “are reasonable grounds to believe that the threshold indicating Israel’s commission of genocide is met. More broadly, they also indicate that Israel’s actions have been driven by a genocidal logic integral to its settler-colonial project in Palestine, signalling a tragedy foretold” and called for an arms embargo on Israel.*¹⁹

When calling for a ceasefire, Brendan O’Hara MP stated in Parliament, *“No one would deny that Israel has the right to defend itself—every country has that right. What no country has the right to do, however, is lay siege to a civilian population, carpet-bomb densely inhabited areas, drive people from their homes, erase an entire civilian infrastructure, and impose a collective punishment involving the cutting off of water, electricity, food, and medicine from civilians. And no country, regardless of who it is, can, in the name of self-defence, kill civilians at such a pace, and on such a scale, that in just 16 weeks almost 30,000 are known to have died, with a further 80,000 injured. We cannot allow the core principle of self-defence to be so ruthlessly exploited and manipulated in order to legitimise the slaughter of innocent civilians. If we do that, what hope is there for the future of the international rules-based order, an order created to protect people from atrocities, not to be used as a smokescreen to hide the execution of them?”*²⁰

Karim Khan, the Chief Prosecutor of the International Criminal Court (ICC) issued a statement to say that he is seeking an arrest warrant against Netanyahu and his defence minister, Yoav Gallant for war crimes and crimes against humanity.²¹

Khan announced that his office had “reasonable grounds” to believe that Israeli Prime Minister Benjamin Netanyahu and Defence Minister Yoav Gallant bear “criminal responsibility” for “war crimes and crimes against humanity”. Khan also confirmed that his team has found evidence that Israel has *“intentionally and systematically deprived the civilian population in all parts of Gaza of objects indispensable to human survival... This took place alongside other attacks on civilians, including those queuing for food; obstruction of aid delivery by humanitarian agencies; and attacks on and killing of aid workers, which forced many agencies to cease or limit their operations in Gaza.”*²²

The announcement by the ICC now means that the UK Government is obliged to arrest Netanyahu and Gallant should they enter any UK sovereign territory. It further requires the same obligation from all 124 member states of the ICC.

In mid-August, Mark Smith, a senior civil servant and pen holder on arms exports licensing resigned. In his resignation letter, he stated, *“Senior members of the Israeli government and military have expressed open genocidal intent, Israeli soldiers take videos deliberately*

¹⁹ <https://www.ohchr.org/en/documents/country-reports/ahrc5573-report-special-rapporteur-situation-human-rights-palestinian>

²⁰ <https://hansard.parliament.uk/commons/2024-02-21/debates/610A4D12-A333-4885-9D0B-0A225C35C043/CeasefireInGaza>

²¹ [Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine | International Criminal Court \(icc-cpi.int\)](https://www.icc-cpi.int/statement-of-icc-prosecutor-karim-a.a.-khan-kc-applications-for-arrest-warrants-in-the-situation-in-the-state-of-palestine)

²² [Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine | International Criminal Court \(icc-cpi.int\)](https://www.icc-cpi.int/statement-of-icc-prosecutor-karim-a.a.-khan-kc-applications-for-arrest-warrants-in-the-situation-in-the-state-of-palestine)

burning, destroying and looting civilian property and openly admit to rape and torture of prisoners.” He went on to state “There is no justification for the UK’s continued arms sales to Israel yet somehow it continues. I have raised this at every level in the organisation including through an official whistle blowing investigation and received nothing more than “thank you we have noted your concerns”. Ministers claim that the UK has one of the most “robust and transparent” arms export licensing regimes in the world, however this is the opposite of the truth. As a fully cleared officer raising serious concerns of illegality in this Department, to be disregarded in this way is deeply troubling.”^{23 24}

I cannot now in good conscience continue to allow my tuition fees to be paid into the University’s investment portfolio which is contributing to Israel’s war crimes and crimes against humanity. I refuse to fund a genocide.

My demand is for a refund of my tuition fees that I will pay over the course of 2024 to 2025. My tuition fees should be refunded to me on a 6 monthly basis. Once I receive the refund, I intend to place the tuition fee payments due to the University in a separate bank account in for a period of 12 months. During this time, I expect the University to divest from its investments that are contributing to the systematic abuse and war crimes against the Palestinian people failing which I will retain the money at the end of the 12 month period. I refuse to contribute towards the illegal occupation of the Palestinians and their systematic ethnic cleansing.

Please contact me by email, should you wish to discuss my notice demanding a refund of tuition fees.

Yours sincerely

(Name)

My account details for return of my tuition fees is:

Account Name:

Account Number:

Sort Code:

Bank:

Email:

²³ <https://www.theguardian.com/world/article/2024/aug/18/foreign-office-official-quits-over-uk-refusal-to-ban-arms-exports-to-israel>

²⁴ <https://x.com/BDSmovement/status/1825604919279210780>



Investment Policy Statement

1. Purpose

This policy summarises the approach that the University takes to managing and overseeing the investment of its endowment portfolio. The purpose of the endowment is to support the operating activities of the University in general while at the same time funding a number of specific scholarships and research projects.

2. Roles and responsibilities

The members of the Council of Queen Mary University of London are the trustees of its investments and are ultimately legally responsible for the proper investment and safekeeping of the University's investments. Council has delegated this responsibility to the Finance and Investment Committee which oversees the investment policy and manages performance. The funds are overseen by external investment managers appointed by and subject to review by the Finance and Investment Committee.

3. Time horizon

The time horizon for the investment portfolio is considered to be long term: in investment terms, this is defined as being over ten years.

4. Investment objectives

Minimum investment objective

The minimum investment objective is to preserve the capital and income in the investment portfolio in real terms after inflation and distributions. The University's measure of inflation is the Consumer Price Index (CPI).

Distributions

The endowment portfolio is made up of permanent reserves and expendable reserves. In the case of permanent reserves, only income can be distributed. In the case of expendable reserves, income and capital can be distributed. In total, the annual distribution from the portfolio is approximately £1 million or 3% p.a. of the value of the investment portfolio.

Total return target

Given the need to preserve the value of the portfolio after inflation and cover the annual distribution, the portfolio is expected to generate a total return of at least CPI inflation plus 3-4% p.a. over rolling five-year periods.

5. Liquidity profile

Although the portfolio has a long-term time horizon, sufficient investments in the portfolio should be easily realisable, so that there is sufficient liquidity to meet any obligations.

6. Risk tolerance

A reasonably high level of capital volatility within the investment portfolio is considered to be acceptable given the University's long-term time horizon as it provides sufficient time for any short term decline in capital to be recovered. It is also necessary to accept a reasonably high degree of short-term volatility in capital values in order to achieve the portfolio's return objectives.

To limit capital and other risks in the portfolio, however, the investment portfolio is well diversified across asset classes and individual investments.

Diversification within the portfolio should be such as to limit the maximum downside risk or potential capital loss in the investment portfolio in any one year in normal market conditions (defined as 98% of the time) to 15-20%. It is accepted that the downside could be greater than this in extreme market conditions.

7. Responsible investment policy

Obligations

It is the duty of the University to invest in a way that furthers its charitable aims, which is normally achieved by seeking the best financial return from an investment portfolio within the level of risk considered to be acceptable.

The University invests its funds for the long term and expects its investment managers, as part of their normal investment research and analysis process, to take account of environmental, social, and governance (ESG) factors in the selection, retention and realisation of investments. The University recognises that ESG factors play a role in determining risk and return and considers that companies' effective management of the risks associated with ESG matters can lead to long term financial benefits.

Mission and Values

The approach to responsible investment supports the University's mission and its values.

The mission of the University is to create a truly inclusive environment, building on our cherished cultural diversity, where students and staff flourish, reach their full potential and are proud to be part of the University. Dedicated to the public good, we will generate new knowledge, challenge existing knowledge, and engage locally, nationally and internationally to create a better world.

The University aims to invest in companies where the activities of the company are, on ethical grounds, consistent with the educational and/ or research objectives of the University. The University will operate the responsible investment policy in accordance with the Charity Commission guidelines to:

- avoid direct investments that would for practical reasons conflict with the charitable aims of the University;
- avoid direct investments that might result in alienating supporters or other stakeholders.

Criteria

The University will require investment managers to incorporate ESG factors into their selection criteria. The University's investment managers are required to take into account the following criteria when investing the University's funds.

- i. No direct investment in tobacco production companies. Such investment would be inconsistent with the University's medical research.
- ii. The University aims to minimise investment in the following areas, subject to there being no significant impact upon financial risks and returns used to support academic activities:
 - *Fossil fuels* – this is defined using MSCI, a global industry-standard ethical investment information provider, to determine what is meant by 'fossil fuel companies', and to both quantitatively and qualitatively assess the investable universe of companies against that definition. MSCI define 'fossil fuel companies' as those that have proven and probable coal reserves and/or oil and natural gas reserves used for energy purposes. Reserves are considered to be used for energy purposes in the case of companies with the following Global Industry Classification Standard (GICS) classification: (a) Oil, Gas and Consumable Fuels Industry (b) Energy Equipment and Services Industry (c) Utilities Sector (d) Diversified Metals and Mining Sub-Industry..
 - *Armaments*:
 - Conventional Weapons: companies deriving 5% or more from the production of conventional weapons, or those that derive 15% or more aggregate revenue from weapons systems, components, and support systems and services.
 - Nuclear Weapons: companies that manufacture nuclear warheads or missiles, components, or delivery platforms for use in nuclear weapons
 - Controversial Weapons: companies with any ties to controversial weapons, including companies involved in the manufacturer and production of cluster munitions, landmines, depleted uranium manufacturer, biological and chemical.
 - Civilian Firearms: companies classified as a "Producer", or those that derive 5% or more revenue from the distribution of civilian firearms
 - *Gambling* - companies deriving 5% or more revenue from ownership of operation of gambling-related business activities, or those deriving 15% or more aggregate revenue from gambling-related business activities.
 - *Adult Entertainment* - companies deriving 5% or more revenue from the production of adult entertainment materials, or those deriving 15% or more aggregate revenue from the production, distribution and retail of adult entertainment.
- iii. The University aims to increase the commitment to investments with positive environmental and/ or societal impact, subject to there being no significant impact upon financial risks and returns.

Engagement

We expect our investment managers to engage with companies where ESG issues are a concern. We expect them to exercise transparent use of voting rights and informal dialogue to encourage better management of ESG risks and opportunities.

Implementation and monitoring

In order to implement and monitor adherence to this policy the University will:

- Publish this investment policy on its website with appropriate contact details, enabling members of the University's community to have an opportunity to engage with the policy;
- Evaluate investment manager's capabilities in management of ESG issues as a factor when selecting investment managers;
- Issue copies of the policy to the investment managers responsible for managing the University's investments and hold regular meetings to monitor performance and adherence to the policy;
- Publish a list of all investments annually on its website, including details of socially responsible investments and progress towards divestment aims.

8. Strategic asset allocation

To achieve the required return without taking excessive risk in the investment portfolio, the strategic asset allocation or neutral benchmark for the portfolio has been set with 65% in equities, 20% in bonds and 15% in alternatives. To manage risk to an appropriate level, asset allocation ranges have also been set in each major asset class.

The table below shows the strategic asset allocation, permitted ranges and benchmark indices for monitoring the performance of the portfolio and its managers.

Strategic asset allocation

Asset class %	Benchmark	Ranges	Benchmark indices
Cash	0	0-10	BOE Base Rate
Government bonds	10	5-20	FTSE All Stocks All Gilts Index
Corporate bonds	10	5-20	ML Sterling Corporate Bonds
Global equities	65	50-85	MSCI AC World
Alternatives	15	5-20	CPI inflation +1%
Total	100	--	Composite

Permitted asset classes

Although the strategic asset allocation assumes investment in sterling bonds, this does not preclude investment in non-sterling bonds on a hedged basis when appropriate in order to enhance returns or limit capital risk.

Alternative investments include property, infrastructure, absolute return, commodity, precious metals and private equity funds.

There are, however, no formal restrictions on investment in specific asset classes.

9. Performance monitoring

The Finance & Investment Committee monitors the performance of the managers of the portfolio against the stated investment benchmark on a regular quarterly basis.

10. Review process

This policy will be formally reviewed every three years as a minimum. Staff and students will be involved in this review.

Approved by Finance and Investment Committee 15 June 2022

Queen Mary University of London¹

Complicit investments: £1,117,069

Based on FOI requests

Yes
This university has an ethical investment policy

Ethical investment policy link: [Read policy](#)

Investments

Company	Value of investment
Barclays	£876,148

Barclays is a British multinational bank and financial services company. According to [research](#) released by PSC, War on Want and Campaign Against Arms Trade, it holds over £1bn in shares in, and provides financial services to, nine companies supplying Israel with weapons and military technology, used in its militarised violence against Palestinians.

Booking.com	£140,319
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Booking.com is a travel metasearch engine for lodging reservations. It is owned and operated by and is the primary revenue source of United States-based Booking Holdings and is headquartered in Amsterdam. It [lists accommodation](#) located in illegal Israeli settlements on stolen Palestinian land.

It was included in the UN OHCHR's list of businesses active in illegal Israeli settlements based on stolen Palestinian land.

Siemens	£100,602
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According to research group Corporate Occupation "Traffic control systems of the company are installed by its Israeli representative, Orad Group, on apartheid roads (roads on which only Israelis are allowed to travel)." In addition Siemens Israel is participating in the electrification of the [Tel-Aviv Jerusalem high-speed train \(A1\)](#), which is currently under construction. The A1 train

¹ [University Complicity Database - Palestine Solidarity Campaign \(palestinecampaign.org\)](#)

Company**Value of investment**

route crosses the Green Line into the occupied Palestinian West Bank in two areas.

The BDS movement has [called for a boycott](#) of Siemens for its role constructing the EuroAsia Interconnector, a submarine electricity cable from Israel via Cyprus to Greece, that will connect apartheid Israel's electricity grid with that of the EU and enable it to export electricity produced from fossil gas to Europe,

Other links

This university has no other known links to complicit companies.

University Complicity Database, Palestine Solidarity Campaign, accessed 25 August 2024
<https://palestinecampaign.org/university-complicity-database/>