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## **Submission from the Campaign Against Arms Trade to the Committees on Arms Export Controls inquiry into the Government's Strategic Export Controls Annual Report for 2017**

1. The Campaign Against Arms Trade (CAAT) in the UK is working to end the international arms trade. This trade has a devastating impact on human rights and security, and damages economic development. CAAT believes that large scale military procurement and arms exports only reinforce a militaristic approach to international problems.
2. This submission looks at arms sales to Saudi Arabia; Turkey; Qatar; UK government support for arms exports and EU funding of military research and development.

### **Saudi Arabia**

3. In March 2015, a Saudi Arabian-led coalition commenced a military campaign in Yemen. It supported the the internationally recognised, though internally disputed, President of Yemen, Abdrabbuh Mansur Hadi, and targeted Houthis and allied rebel groups backing the former President, Ali Abdullah Saleh. The latter was killed in December 2017 as he tried to switch his allegiance to Hadi. The fighting between the Saudi-led coalition and the Houthis continues.
4. Over 57,000 people have been killed since the Saudi-led intervention began in March 2015. ([Armed Conflict Location Events Data](#)) The Saudi-led coalition has frequently hit civilian targets, including residential areas, gatherings such as weddings, markets, health and education facilities, infrastructure, and agricultural facilities.
5. The war has also caused large-scale starvation in Yemen. According to United Nations Under-Secretary General and Emergency Relief Coordinator, Mark Lowcock, 14 million Yemenis, half the population, are in "pre-famine" conditions. ([UN News, 23.10.18](#)) This humanitarian catastrophe has been directly inflicted on Yemen by the way the Saudi-led coalition has conducted the war, including the intermittent blockade of Al Hudeidah and other ports and the repeated targeting of the means of food production. Less than 3% of land in Yemen is devoted to agriculture, and individual facilities, such as irrigation structures, have been repeatedly bombed. Fishing has also been targetted. ([The Strategies of the Coalition in the Yemen War, Martha Mundy for World Peace Foundation, 9.10.18](#))
6. A group of experts mandated by the United Nations High Commission for Human Rights is among many continuing to report violations of International Humanitarian Law (IHL) by the various parties to the conflict, adding that "Coalition air strikes have caused most of the documented civilian casualties." ([UNHCHR, 28.8.18](#))
7. CAAT is appealing against a High Court judgment that the UK government acting lawfully in continuing to licence the export of military equipment to Saudi Arabia despite Criterion 2c of the Consolidated EU and National Arms Export Licensing Criteria saying that licences should not be granted if there is a clear risk the equipment might be used in a serious violation of IHL. The Court of Appeal hearing will take place from 9 to 11 April 2018. All the legal documents in the public domain can be found [here](#).

8. Saudi Arabia also has an appalling record on human rights. Those calling for the most basic freedoms suffer arbitrary arrest and imprisonment. Juveniles have been executed, and numerous peaceful protestors, including women's rights activists, are facing possible death sentences. The case of journalist Jamal Khashoggi, murdered in the Saudi consulate in Istanbul, has attracted world-wide condemnation.
9. The UK government's continuing willingness to licence the supply of arms to Saudi Arabia, despite the Saudi-led coalitions repeated violations of IHL in the Yemen war, and the human rights abuses, lacks humanity and shames those making the decisions. Despite the existence of regulations that most people would have expected to have prevented the UK from supplying arms that might further the Yemen conflict, or prevent the export of arms to a murderous regime, the weaponry has continued to flow.
10. Despite the enormous tragedy of the Yemen war, its architect Crown Prince Mohammed bin Salman was welcomed to the UK in March 2018 by the Government and the Royal Family. The visit culminated in the signing of an initial agreement for a deal whereby Saudi Arabia will buy a further 48 Eurofighter Typhoon jets, one of the types of aircraft causing so much death and destruction in Yemen. ([Reuters, 9.3.18](#))
11. **Open Licences**  
Much of the military equipment going to Saudi Arabia is being exported under Open Individual Export Licences (OIELs). ([Middle East Eye, 5.3.18](#)) 36 licences were granted for 707 items of military or dual-use hardware for export to Saudi Arabia, up from 28 licences and 163 pieces of military kit in 2015.
12. Graham Stuart MP, Parliamentary Under Secretary of State at the Department for International Trade told your Committees, in answer to Q220, on [6 June 2018](#): "The open licences provide for situations in which what is needed is a more tailored and flexible licence. In the case of OIELs—you have your OIELs and your OGELs—they are valid for up to five years and are granted to support more complex business activities than those generally covered by the standard individual export licences or SIELs. Applications must include goods to be exported and destinations, but the specific quantities and named end-users do not necessarily need to be provided before the licence is issued. This data must be provided over the lifetime of the licence. None the less, OIELs are not a simple or quick option for exporters and the application process can take several months. Terms and conditions for use will vary depending on the goods and export destinations. Holders of OIELs are subject to audit by DIT compliance inspectors, but when there is a repeated need for licences OIELs can create a system that is equally thorough but allows less bureaucracy at either end of the process."
13. While the value of standard licences is made public, the value of open licences is not declared because their open-ended nature means their value cannot be known at the outset. Nor is there any obligation to publish the total afterwards. In 2015 the process for OIELs was updated, with one of the main purposes being to encourage their greater use. ([Updated OIELs process](#): Guidance for Exports, February 2015, see page 3)
14. In addition to the lack of transparency, the use of open licences also means that assertions by the UK government that it considers each licence application on a case-by-case basis is misleading.
15. Disturbingly, the answer to a Freedom of Information request made by CAAT in May 2018 revealed that nearly all the UK-supplied bombs and missiles going to Saudi Arabia for use in Yemen are being supplied under open licences granted in 2013 and 2014, before the Yemen war started.
16. The UK had agreed OIELs for Paveway bombs, Storm Shadow and Brimstone missiles to Saudi Arabia. Additional Paveway bombs have been licensed under a standard licence, but Storm Shadow and Brimstone have only been licensed under OIEL licences. The Stockholm International Peace Research Institute(SIPRI) [uses open sources](#) to measure the quantities of arms exported each year. It lists the following quantities for bombs and missiles exported to Saudi Arabia since the bombing of Yemen began.

Weapon type	Description	Year OIEL was granted	Year weapon was delivered (SIPRI estimate)	Number delivered (SIPRI estimate)	Link to the specific licence on CAAT browser
<b>Storm Shadow/SCALP (manufactured by MBDA)</b>	Air to Surface Missile	2013	2016-17	100	<a href="#">05 December 2013</a>
<b>Paveway IV (manufactured by Raytheon)</b>	Guided bomb	2014	2015	2400	<a href="#">05 March 2014</a>
<b>Brimstone (manufactured by MBDA)</b>	Air to Surface Missile	2014	Unknown	1000	<a href="#">21 August 2014</a>

## Turkey

17. In January 2017 BAE Systems secured a [£100million fighter jet deal](#) with the Turkish government. The fighter is called the TF-X. The relationship between the UK and Turkey was further enhanced during 2018 when the latter's President Erdogan came to the UK for three days in May 2018, meeting both the Prime Minister and the Queen. ([Middle East Eye, 11.5.18](#))
18. These military links with the Turkish government continue despite its repressive policies at home and military incursion into Syria. Turkey's 'Operation Olive Branch', attacking the US-allied Syrian Democratic Forces in the Afrin area of northern Syria in January 2018, killed up to 500 civilians, and displaced 150,000 – 300,000 mostly Kurdish civilians. The Turkish government is currently threatening further attacks against the Kurdish-led forces.
19. The UK government could not confirm that UK supplied equipment had not been used in Turkish military operations in Afrin. ([Parliamentary Written Answer, 11.6.18](#)) Indeed, it is likely that UK equipment has been used as the Turkish F-16 aircraft taking part in the operation include laser targeting systems produced in the UK by Leonardo. ([Sunday Post, 22.4.18](#)) However, attempts by Rolls Royce to secure a contract to supply the engine for the TF-X failed. ([DefenseNews, 31.10.18](#))
20. Military equipment supplied to Turkey for the TF-X programme is also going under an open licence, this time an [Open General Export Licence](#). OGELs also cover much of the UK equipment for A400M transport aircraft and F35 combat aircraft purchased by Turkey.

## Qatar

21. In September 2017 the MoD [announced](#) the intent of the Qatar government to buy 24 Eurofighter Typhoon aircraft. Hawk aircraft were later added to the deal. ([DefenseNews, 28.11.17](#)) This is despite the great hostility between Qatar and neighbouring Saudi Arabia. The purchase also leaves Qatar with a hybrid air force with three distinct types of fighter, which it almost certainly lacks the personnel to operate. ([The National Interest, 29.9.17](#))
22. During 2018 it became clear that support to the value of £5billion was needed for the deal from the UK government's export insurance agency, UK Export Finance (UKEF). This figure is well outside that usually provided by the UK government for export insurance. ([Parliamentary Written Answer, 29.10.18](#)) It was earlier reported that The Treasury was concerned about the risk to the UK taxpayer. ([Telegraph, 3.9.18](#))

## UK government support for arms exports

23. At the heart of the UK government's seeming willingness to ignore its own arms export criteria when considering export licence applications is that it has been the policy of successive

governments to promote the sale of UK military equipment overseas. This policy of promotion takes precedence. Commitments to advance human rights and conflict prevention are forgotten as UK governments assist global arms corporations promote their deadly wares.

24. Work across Government on major export campaigns - the Eurofighter Typhoon, complex weapons and F-35 support - is coordinated by the Ministry of Defence (MoD). This support is in addition to that given to military exports more generally through the Department for International Trade's Defence and Security Organisation (DIT DSO). This body is the latest incarnation of the UK government's arms sales agency, originally set up in 1966.
25. DIT DSO has a budget of nearly £10million in 2018-19 and 155 staff ([Parliamentary Written Answer, 19.12.18](#)) who coordinate government support for arms exports. They have access to the highest levels of government and the military; invite overseas government and military delegations to UK arms fairs; arrange UK delegations and/or exhibitors at overseas arms exhibitions; and use the UK armed forces to demonstrate and sell weaponry for companies.
26. Priority markets are identified annually by DIT DSO and are selected to reflect "the markets (which) present the most significant defence and security export opportunities". ([Parliamentary Written Answer, 20.9.17](#)) Human rights are seemingly not a factor as the [2018-19 Core Market list](#) includes Bahrain, Colombia and Saudi Arabia, all also on the Foreign and Commonwealth Office's list of Human Rights Priority Countries. Turkey and the United Arab Emirates are also on the list, and, worryingly, the Philippines is a new addition.
27. [DIT DSO invitations](#) to the July 2018 Farnborough Airshow were accepted by 45 countries, among them the Philippines, Saudi Arabia, Turkey, and the United Arab Emirates. DSEI (Defence & Security Equipment International) is one of the world's largest arms fairs. It is held in London's Docklands every two years and is due to take place from 10 to 13 September 2019.
28. A change of policy is urgently needed, one that puts human rights at the heart of foreign policy. This would include ending all government promotion of, and support for, arms exports by the MoD, DIT DSO and UKEF, and the introduction of a "presumption of denial" that export licences will not be issued where the equipment to go to an area of conflict or human rights violating governments.

## **EU funding of military research and development**

29. Although the UK, at the time of writing, is planning to leave the European Union in March 2019, the UK government is determined to keep the UK in new EU military industrial funding arrangements. As Guto Bebb MP, then Defence Procurement Minister, said: "... the UK wants to agree a future relationship with the European Defence Fund, including the European Industrial Development Programme. The UK has always participated in European collaborative programmes and we support this new mechanism for managing collaboration ... We are open to considering all options for participation in the EDF and the Government will be guided by what delivers the greatest economic advantage to the UK and UK industry." ([Parliamentary Written Answer, 10.7.18](#))
30. Historically, the EU did not fund military activities or research, but this has changed gradually in recent years. It started with the concept of dual-use. Then the European Defence Fund (EDF) was launched by the European Commission in June 2017 to "boost Europe's defence capabilities". In December 2018, the European Parliament voted to back the EDF. The move followed a report compiled by the Parliament's Committee on Industry, Research and Energy and would offer a €13billion subsidy for arms companies in 2021-2027, if the details are agreed by EU Parliament and Member States in the coming months.
31. Member States will decide the funding priorities: drones and autonomous systems, air-to-air refuelling capacity, satellite communication, cyber, intelligence-surveillance-reconnaissance, autonomous access to space, earth observation, and maritime security are currently suggested. The funds are additional to national military spending and will come from the EU budget, with Member States expected to complement this Fund with up to €2billion in 2019-2020, and up to €35billion in 2021-2027. Presumably, if the UK is able to participate, it will also be expected to contribute to the budget.

32. One expected result of the new assistance for military industry is to strengthen the arms industry capacity to export outside the EU. Civil society organisations have not been encouraged to contribute to the discussions about the EDF, but nonetheless many have raised objections. ([Joint Statement on the EDF, 15.11.18](#)) These EU developments put the interests of the arms companies ahead of human rights promotion and conflict prevention.

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