

UK arms exports in 2022

A research briefing

The data for 2022 shows a large increase in the value of Single Individual Export Licences (SIELs), to £8.5 billion, almost double the figure for 2021, and the highest level since figures have been available... driven in part by the delivery of Eurofighter Typhoons to Qatar, along with substantial bomb and missile deliveries to Qatar and Saudi Arabia



This picture is supported by SIPRI data on major conventional weapons, which shows a substantial 1-year increase in UK exports in 2022, although the 5-year total for 2018–22 is still well down on the previous period, 2013–17



While in some areas, such as the level of detail on export licences, the UK compares favourably with many other major arms exporters, in other areas, such as the reporting of deliveries, which is regularly provided by most EU states, it falls short. Far greater levels of transparency are possible

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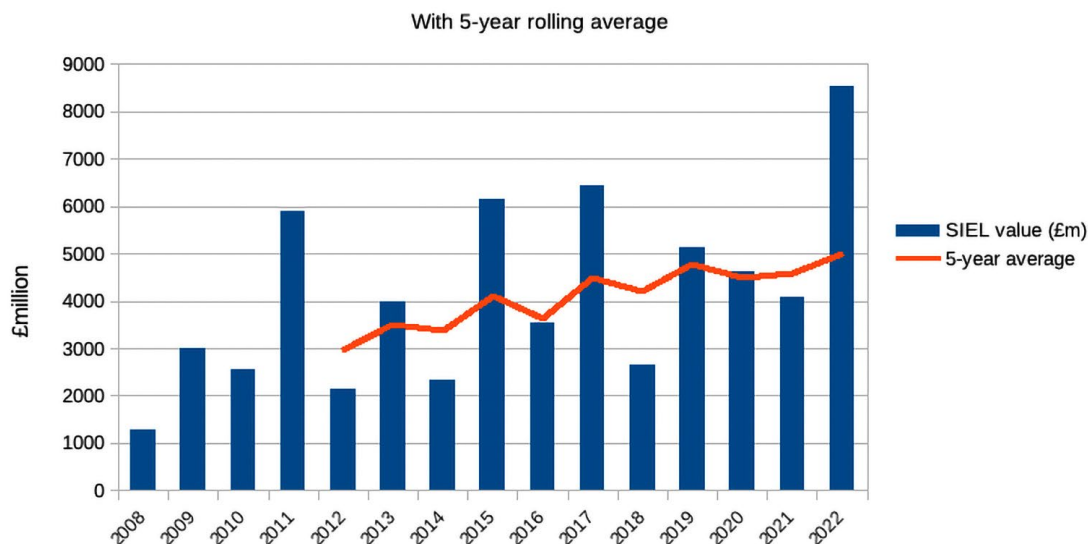
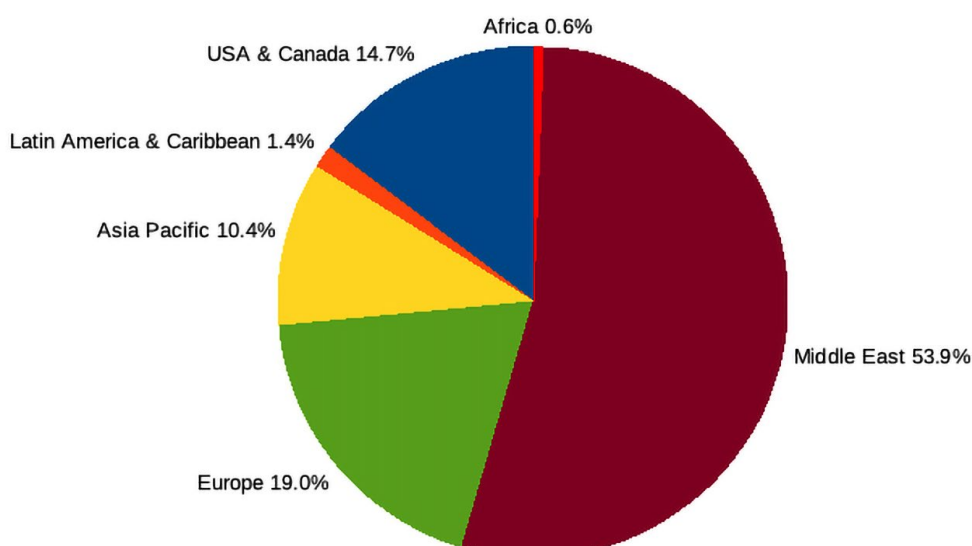
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Executive Summary

In this report, CAAT draws together a variety of sources on UK arms exports to provide a rounded picture of the UK arms trade in 2022, and its trends over the past 5-10 years. It also provides a brief overview of significant policy and Parliamentary developments relating to arms exports in 2022, and case studies of recipients of UK arms of particular concern.

Data on export licences

- The total value of Single Individual Export Licences for military goods issued in 2022 was £8.5 billion, the highest ever recorded, and more than double the figure for 2021.
- The largest recipient of SIELs by value was Qatar, at £2.7 billion, mostly from the licence for the delivery of 24 Typhoon combat aircraft issued in May. Eight aircraft were delivered in 2022.
- The second largest recipient was Saudi Arabia at £1.1 billion, mostly missiles and components for bombs.
- The next three were the USA (£860m, including large amounts of small arms), Türkiye (£424m, mostly a £250m licence for technology for tanks and armoured vehicles), and Ukraine (£401m).
- The licences to Ukraine do not include equipment gifted by the MOD, which forms the majority of UK arms supplies to Ukraine. Such gifted equipment is exempt from export licensing, although donations must still be assessed against the export licensing criteria.
- Over the period 2018-22, the total value of SIELs issued was £25b. The largest recipients were Saudi Arabia (£3.6b), the USA (£3.4b), Qatar (£3.3b), Italy (£1.5b), and India (£1.3b).
- The figure for SIELs does not include arms exported using Open licences, which allow for unlimited deliveries, and to which a financial value is not attached. CAAT estimates that, on average, at least half of UK arms exports are made using open licences.
- The government does not collect data on the quantity or value of equipment actually exported using any type of export licences.

Figure 1 Value of SIEL arms export licences 2008–2022**Figure 2 Value of SIELs by region 2022**

UK Defence and Security Exports (UKDSE)

- At the time of writing, UKDSE have not published their annual data for 2022 for the value of arms export contracts secured by UK companies, based on a survey of companies.
- However, they published a revision to the 2012–21 figures in February 2023, including for the first time figures for the share of contracts with “unidentified” regions, presumably where the companies have not disclosed the customer. Further details were disclosed in response to an FOI from CAAT. The revised data is presented in the report.

- The revisions do not affect the overall picture from the data, where the Middle East remains by far the largest recipient region over 2012-21, although its share fell substantially in 2020-21.
- Over the period 2012-21, the value of arms export contracts was more than double (2.16x) the value of SIELs, with even higher ratios for the Middle East and North America. This is the basis for CAAT's estimate that at least half of UK arms exports are made using open licences.

Figure 3 UK arms exports 1987–2021

5-year rolling average, constant prices. Source: UKD&SE 2021 (revised)

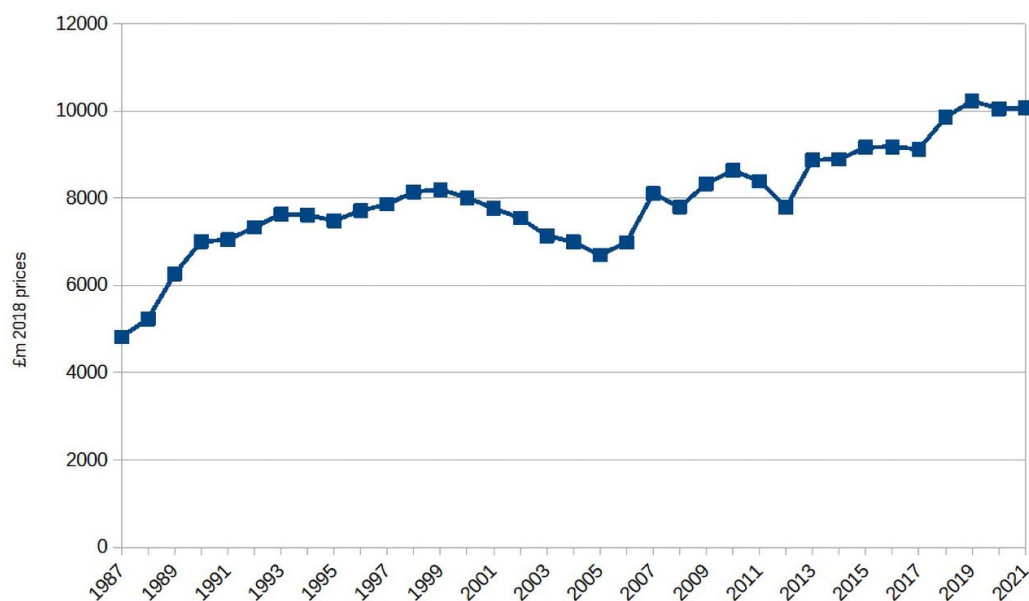
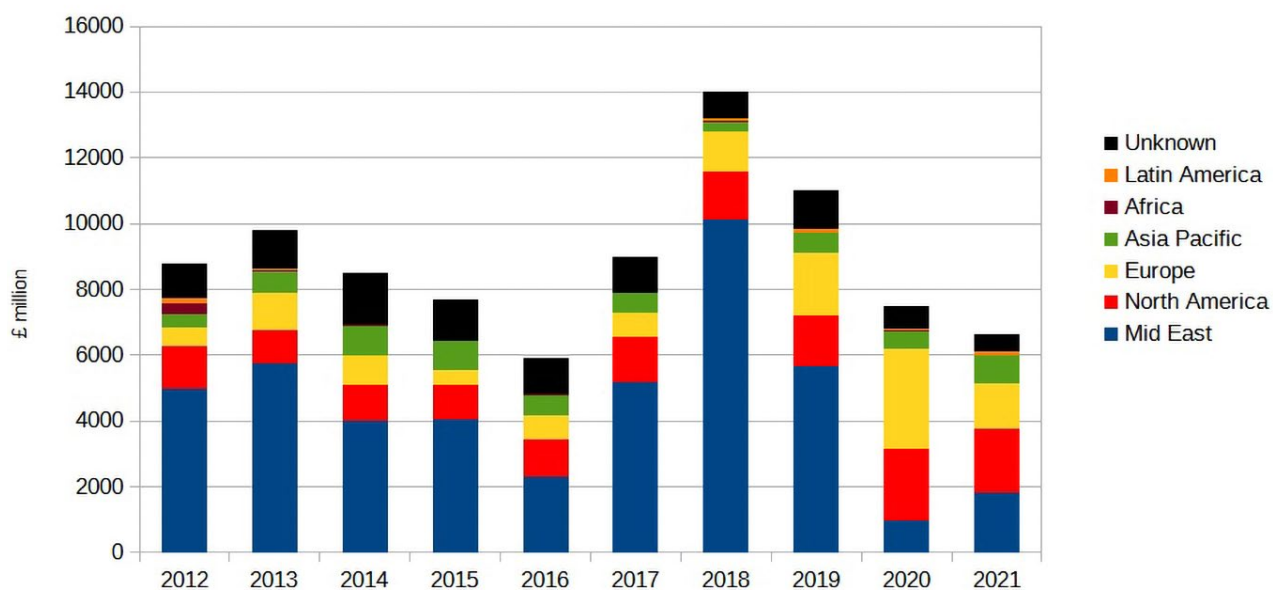


Figure 4 UK arms exports contracts by region 2012–2021

Based on % shares from UK Defence & Security Exports



SIPRI data on exports of major conventional weapons (MCW)

- Over the period 2018-22, the UK accounted for 3.2% of the volume of exports of MCW worldwide, the seventh largest exporter, according to the SIPRI Arms Transfers Database.
- The volume of UK MCW exports was down 35% over 2018-22 compared with 2013-2017. Though somewhat higher than the figure for 2017-21, it was still very low by historic standards.
- However, the single-year figure for 2022 was well over double that for 2021, mostly due to the delivery of Typhoon combat aircraft to Qatar, and military aid to Ukraine.
- The fall compared to 2017-21 was mostly due to the end of deliveries of Typhoons to Saudi Arabia in 2017. Excluding Saudi Arabia, UK exports actually increased slightly in 2018-22.
- The largest recipients of UK exports of MCW over 2018-22 were the USA (20.4%), Qatar (16%), Saudi Arabia (7.6%), India (6.9%), and Ukraine (6.3%).
- Of the rest, 14.9% were to other Asia Pacific countries, 10.6% to other countries in Europe, 10.2% to South America, 7.0% to others in the Middle East, and 0.2% to Africa.
- SIPRI's database does not cover small arms & light weapons, components, most subsystems, or military services. The latter form a large proportion of the value of UK arms exports.

Figure 5 TIV value of UK arms exports 2000–2022

Source: SIPRI arms transfers database

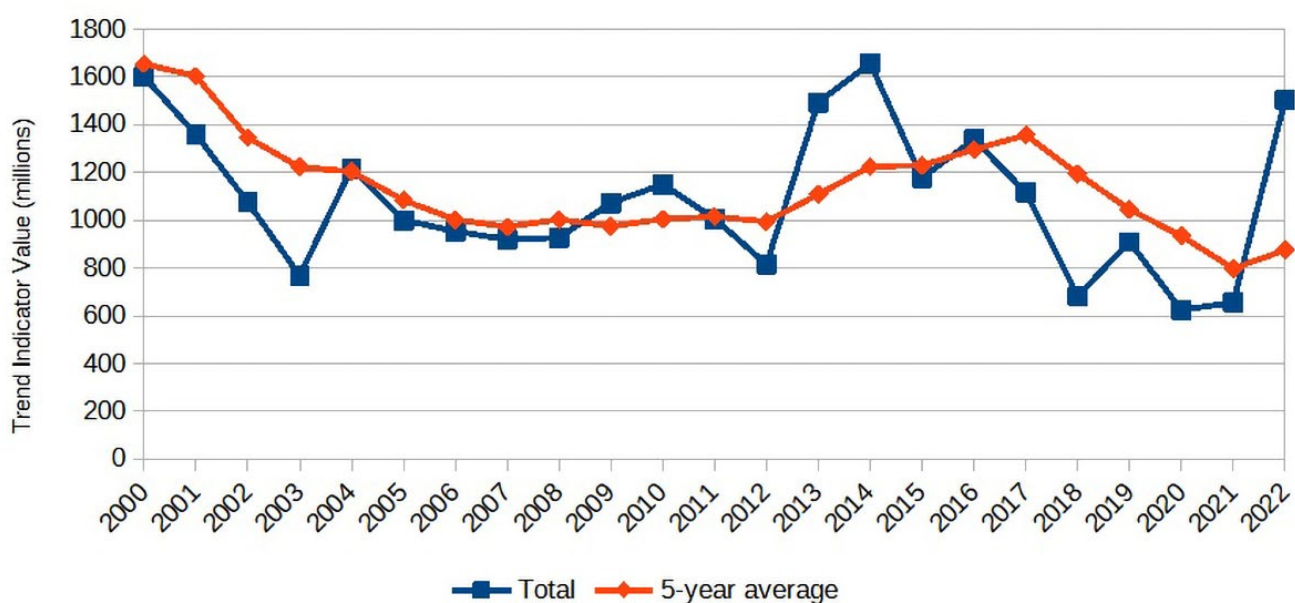
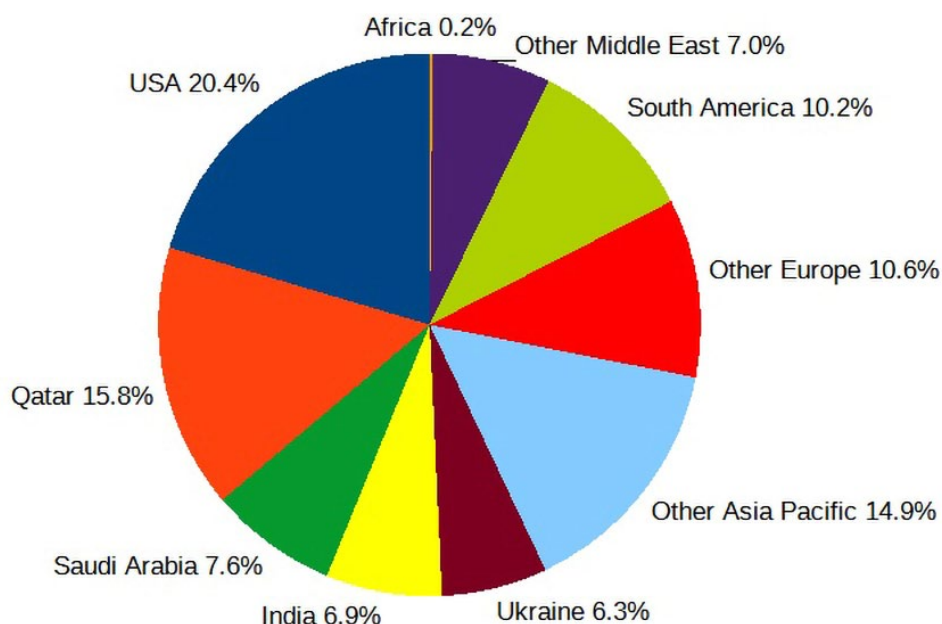


Figure 6 Recipients of UK major conventional weapons exports 2018–2022

Source: SIPRI arms transfers database



Policy and Parliamentary developments

Changes to the Export Licensing criteria made in December 2021 saw their first full year of operation in 2022. The changes include both positives and negatives from CAAT's point of view.

- + Expansion of “military end-use controls” allowing the government to require export licences for goods not normally requiring them, when they are exported to a country under arms embargo and have a potential military use.
- + Increased references to gender-based violence in some of the criteria
- + Criterion 2c) relating to International Humanitarian Law (IHL) now includes the risk of equipment being used to *facilitate* serious violations of IHL, as well as commit them.
- + Criterion 4 on peace and security now takes into account all conflicts in which a recipient may be involved, rather than just potential aggression against other states
- Changing the basis of evaluation of criteria 2,3,4 and 6 from whether there exists a clear risk to whether the government *determines* there is a clear risk. This may be an attempt to restrict the possibility of judicial review of government decisions.
- Criteria 3 (internal peace and security) and 4 (peace and security) have been made into an overall assessment of a wide range different positive and negative factors, potentially making the criteria so vague and open to interpretation as to place no meaningful constraint on the government.

In October 2022, the Committees on Arms Export Controls (CAEC) published its first report since July 2018. Some key points of the report include:

- Concern at the high proportion of companies found to be non-compliant with export control law on repeat inspection, and the low level of prosecutions.
- The Committees called on the government to explain how they take into account the FCDO's list of human rights priority countries in assessing export licence applications.
- They called on the government to initiate a pilot project by 2025 for post-shipment verification of the end-use of military equipment exported from the UK.
- They regretted the failure of senior ministers to appear before CAEC, and failure to consult stakeholders on the 2021 changes to export licensing regulations.
- They called for more information to be published on items actually exported, rather than just export licences, in particular on equipment exported under open licences.

The Chairs of the four Committees that make up CAEC also wrote to the Leader of the House of Commons calling for CAEC to become a full Select Committee with defined membership and remit.

Cases of concern

Qatar

- The first 8 of 24 Eurofighter Typhoons ordered in 2018 in a £6b deal were delivered in 2022, along with various air-to-air missiles.
- Qatar is an absolute monarchy with a poor human rights record, especially in relation to migrant workers, 6,500 of whom died between 2010 and 2020 due to dire working conditions. The sale of the Typhoons bolsters this regime politically and militarily.
- Qatar has no transparency in military spending and arms procurement, and is rated by Transparency International as having a “critical” risk of corruption in the military sector, the worst possible rating, including in relation to arms procurement.

Saudi Arabia

- The UK supplied £1.1b worth of air-air missiles, air-surface missiles, and components for bombs to Saudi Arabia in 2022, thus replenishing its arsenal following the heavy use of such weapons in the devastating Saudi-led war in Yemen.
- In addition, BAE Systems made £2.4 billion in revenue from the Saudi Ministry of Defence and Aviation, primarily through support and maintenance services for the Saudi Air Force.
- The Saudi coalition escalated air strikes on Yemen early in 2022, with scores of civilian casualties, before a truce began in April. Since then, air strikes have not resumed, but the truce remains shaky, with no clear progress towards a peace deal.
- Saudi Arabia carried out 148 executions in 2022, a large increase on 2021, including 81 on a single day, mostly for peaceful protest. Thirty-plus year jail sentences were also imposed on two Saudi women for social media activity critical of the regime.

The USA

- The USA is the world's largest military spender and arms producer, and consistently one of the largest recipients of UK arms sales. These consist of components and subsystems, as the US buys the vast majority of its major equipment from its own industry.
- The UK produces 15% of the value of each US F-35 stealth combat aircraft, including those exported to other customers, including Israel.
- A licence for 28,500 sniper rifles issued in 2022 for a commercial end user raises concerns that such weapons could contribute to gun violence in the US, or in Mexico and Central America, where a large proportion of the small arms used by criminal gangs is smuggled from the US.
- Many SIELs issued for export to the US are for components to be incorporated into larger systems for subsequent export (incorporation licences). Due to poor transparency, it is not always possible to identify these ultimate end-users, but many of the identifiable recipients are repressive regimes and/or countries in conflict.

Türkiye

- The largest SIEL issued for arms exports to Türkiye in 2022 was a £250 million licence for technology for tanks and armoured vehicles. It is not clear what this relates to.
- Türkiye has become increasingly authoritarian under the rule of President Erdoğan. Its conflict with Kurdish groups has included repeated invasions and ongoing occupation of northern Syria, and air strikes in Iraq, causing large numbers of civilian casualties.
- Türkiye's arms industry and exports have been growing rapidly, with its drones particularly sought after. Bayraktar TB-2 drones, which include critical UK components and technology, have been sold to numerous conflict zones, including Azerbaijan, Ethiopia, and Libya.
- There were reports in 2022 of a potential major new arms deal from the UK to Türkiye, including Typhoon combat aircraft and warships, partly due to obstacles to Türkiye acquiring F-16 aircraft from the US.

Ukraine

- The UK supplied £2.3 billion of military aid to Ukraine in 2022/23, and has promised a like amount for 2023/24. This includes tanks, armoured vehicles, air defences, artillery, anti-tank weapons, ammunition, missiles (including long-range Storm Shadow cruise missiles), UAVs, helicopters, radars, and non-lethal equipment.
- The government has made clear that they will not publish details of contracts for arms procured from overseas for Ukraine. The rapid nature of such procurement, combined with this lack of transparency, raises the risk of waste and corruption.

- The risk of diversion of arms, especially after the war ends, to other countries, armed groups, or criminal gangs is a major concern, especially as Ukraine has a poor history in this area. Unlike the US and the EU, who have put in place some measures to address this risk regarding their military aid, the UK MOD has refused to confirm or deny if it has any such measures.
- The supply by the UK of shells containing Depleted Uranium (DU) to Ukraine creates serious dangers for both civilians and Ukrainian forces, as DU has been associated with increased risks of cancer, birth defects, and other health issues where it has been used in Iraq.

Recommendations

These are recommendations to the UK government except where otherwise stated.

Human rights and conflict

- End the issuing of Open Licences to countries engaged in armed conflict or with serious and persistent patterns of human rights abuses.
- Introduce a “presumption of denial” for arms export licences to countries involved in high intensity armed conflict, and/or which persistently violate fundamental human rights.
- Instate a requirement to conduct and publish additional assessments when export licences applications are to countries on the FCDO’s human rights priority list.
- Include long-lasting open licences, such as OIELs and OGELs, in the revocation or suspension of existing licences, particularly where the revocation or suspension relate to Criterion Two of the Consolidated Criteria.

Transparency

- Instate a requirement for companies holding both Single and Open Licences to provide data on the financial values and quantities of actual transfers made under these licences, and to make this information available on the Government database.
- Provide information in the ECJU database on the companies in receipt of and who have been refused, Single Individual Export licences and Open Individual Export Licences.
- Publish licence-specific information on the incorporation destinations of incorporation licences.
- Significantly increase data made available on arms export contracts from UK Defence & Security Exports, including what equipment and services are to be provided, the recipient, date, and the value of the contracts. Figures should be broken down by each country recipient where known, not only the percentage to each geographical region.
- Ensure that the UK’s reporting to UNROCA is timely and accurate, free of misclassifications, repetitions of previous years’ entries or other errors, and provides data on actual deliveries rather than licences, as is requested by UNROCA from participant states.

Compliance

- Provide data on the rates of recidivism for those companies who have been subject to enforcement measures by ECJU Compliance Officers, the Border Force, and the Crown Prosecution Service, and quantitative and/or qualitative data on the relationship between the Export Licensing Criteria and breaches of compliance.
- Ensure significant consequences for companies that are repeatedly non-compliant with regards to export control regulations.
- Ensure systematic end-user monitoring, including post-shipment verification of the end-use of military equipment exported from the UK.

Committees on Arms Export Control

- (To the UK government, in particular the Leader of the House, and to the House of Commons) Establish a dedicated Select Committee on arms export controls, to allow the Committee to provide effective parliamentary scrutiny, including reducing obstructive and excessive quorum requirements.
- Ensure an adequate level of engagement with CAEC by government; including providing senior Ministers from the relevant departments to give evidence before the Committees, submitting written evidence addressing respective inquiries' terms of reference, and consulting all stakeholders on the significant changes to export licensing regulations.

Saudi Arabia

- Immediately end the supply of military equipment to Saudi Arabia, as well as in-country support for existing UK-supplied equipment, in line with Criteria 2c of the Consolidated Criteria and in light of the overwhelming evidence of violations of International Humanitarian Law in Yemen.
- (To the government of Germany): CAAT welcomes the refusal, up to now, of Germany to approve further sales of Eurofighter Typhoons to Saudi Arabia, and urges the German government to maintain this refusal.

Türkiye

- Thoroughly investigate the possible inclusion of UK components and technology in Turkish-made armed drones. If such inclusion is confirmed, act to ensure that these weapons are not exported without UK authorisation.
- Thoroughly investigate the potential inclusion of UK components, equipment or technology in military equipment used by Türkiye in the course of their illegal occupation of territory in northern Syria, in air strikes causing civilian harm in Iraq or Syria, or in attacks on civilians in Türkiye. End all arms transfers to Türkiye that have the potential for such uses.

Ukraine

- Publish information on contracts with third parties for military equipment donated to Ukraine, as part of the overall information provided by the government on military supplies to Ukraine
- Establish, in cooperation with the government of Ukraine and the UK's allies supporting Ukraine, a robust system for tracking and monitoring UK military equipment supplied to Ukraine, to prevent current or future diversion of such equipment.
- End the supply of weapons or ammunition containing Depleted Uranium to Ukraine.

USA

- Exercise particular caution in the export of small arms to the USA for commercial and individual end-users, with regard to the state of gun control laws in the state where the recipient operates, the likely potential clientele for the recipient, and the risk of such weapons being used in gun violence in the USA, or of being illegally diverted to third countries, in particular Mexico or Central American states. End such sales where the state in question does not have sufficiently rigorous gun control laws to prevent such misuse.

1

Introduction

This report sets out information and analysis on UK arms exports in 2022. This follows a **first such report**, covering UK arms exports in 2021, published in January 2023.¹

This report does not seek to replace or challenge official information on arms export licensing published by the UK government, but rather to draw together information from a wide range of sources on UK arms exports, to present as complete an overall picture of the subject as is possible, given data limitations. It also seeks to present CAAT's own analysis of what we consider to be some of the most problematic cases of arms exports in 2022, as well as of political and parliamentary developments relating to the arms trade and arms export policy over the year.

While clearly presenting CAAT's beliefs and analysis, the report is based firmly on publicly available sources of information and data on UK arms exports, and as far as possible attempts to provide an objective assessment of this data, its strengths and weaknesses.

The report is structured as follows:

- Section 2 provides an overview of the UK's export licensing system, which regulates arms exports, the role of different branches of government in the process, and the role of parliament in scrutinizing arms exports. It also provides a brief overview of key policy and parliamentary developments relating to arms exports and export controls in 2022.
- Section 3 discusses the different types of information and data available on UK arms exports from different sources, including government export licensing data, information on arms export contracts from UK Defence and Security Exports, data from the Stockholm International Peace Research Institute (SIPRI)'s Arms Transfers Database, the UK's return to the UN Register of Conventional Arms (UNROCA) and other sources.
- Section 4 presents the data from the above sources for 2022, and analyses trends in this data over the past 5-10 years. It seeks to draw an overall picture of trends in UK arms exports by triangulating these different sources.
- Section 5 discusses a number of case studies of UK arms exports in 2022 that CAAT considers particularly problematic, or which raise important issues and concerns. These are: Saudi Arabia, Türkiye, Israel, Ukraine, and the United States.
- Section 6 concludes, and presents recommendations.

¹ <https://caat.org.uk/publications/uk-arms-export-in-2021/>

2

The UK's arms exports and export control system

2.1 Overview of the UK export control system

This section outlines some of the key points of the UK's export control system. For a definitive legal and technical description, readers should consult relevant government websites, and the government's Annual Report on Strategic Export Controls,² from which much of the information here is taken. It also discusses some of the key Parliamentary and policy developments in UK export controls in 2022.

The export of controlled goods, i.e. military goods and dual-use goods, requires an *export licence* from the government to be legal. This includes equipment, software, and technology. "Military" goods refer to goods that are specifically designed or adapted for military use, while "Dual-Use" goods refer to certain categories of goods that have both military and civilian applications.

Other types of licences, called *trade control licences* (sometimes described as brokerage licences), are required for individuals or companies who are either based in the UK or are UK citizens, who wish to sell, or facilitate the sale of, military or dual-use goods from one country to another, without the goods ever being physically present in the UK. This report focuses primarily on export licences.

² <https://www.gov.uk/guidance/export-controls-military-goods-software-and-technology>; <https://www.gov.uk/government/publications/uk-strategic-export-controls-annual-report-2022>

The categories of military goods

A complete list of goods subject to strategic export controls (military and dual use) is available [here](#). Military and Dual-Use goods are classified according to a number of categories and sub-categories. A summary of the main Military List (ML) categories is listed below. Generally, each category also includes components, accessories, and related equipment for the goods covered by the category.

ML1	Small arms, including rifles, handguns, sub-machine guns, and volley guns
ML2	Light weapons, including larger guns, howitzers, cannon, mortars, anti-tank weapons, projectile launchers, etc.
ML3	Ammunition and fuse-setting devices
ML4	Bombs, torpedoes, rockets, missiles, other explosive devices and charges. (Also includes equipment for e.g. bomb detection and disposal, and other countermeasures)
ML5	Fire control equipment and related alerting and warning equipment, and related counter-measures. This category includes e.g. weapons sights, weapons control systems, target-acquisition systems, and surveillance and tracking systems for targeting.
ML6	Military land vehicles
ML9	Military naval vessels and naval equipment, including surface ships and submarines
ML10	Military aircraft, including fixed-wing aircraft, helicopters, and UAVs
ML11	Military electronic equipment, and spacecraft
ML13	Armoured or protective goods and constructions for military use (e.g. armoured plate)
ML21	Software for military use
ML22	Technology for military goods
PL5001	Other security and paramilitary police goods, e.g. anti-riot and ballistic shields and other riot-control equipment and vehicles

Each category also includes components and related equipment for the main items in the category.

Types of export licence

There are three principal types of export licence:

- 1) Single Individual Export Licences (SIELs). These authorise the transfer of a fixed quantity of specified goods (equipment, software, and/or technology) to a specified end-user, for a specified value, during the period of validity of the licence, which is generally 2 years. These are the only type of export or trade control licence to which a financial value is attached.
- 2) Open Individual Export Licences (OIELs). These authorise the transfer of unlimited quantities of specified goods to end-users in one or more destination countries, with no limit on value, for the period of validity of the licence, which is generally either 3 or 5 years.

- 3) Open General Export Licences (OGELs). These are pre-issued licences, covering one or more destinations and a specified list of goods or categories of goods. Companies may register for these OGELs, subject to certain conditions. Once registered, companies can export unlimited quantities and values of goods covered by the licence to destinations covered by it, subject to certain conditions.

Some OGELs relate to specific programmes (e.g. Eurofighter Typhoon, the A400M transport aircraft, or the F-35 combat aircraft). Others relate to specific, limited purposes, such as export for repair under warranty and subsequent return to the UK, or export for display at an exhibition. Others allow export of a broad range of equipment to a wide range of destinations. A full list of OGELs currently applicable can be found [here](#).

There are also three types of trade control or brokerage licence: Single Individual Trade Control Licences (SITCLs), Open Individual Trade Control Licences (OITCLs), and Open General Trade Control Licences (OGTCL), which are analogous to the corresponding export licences, although no financial value is provided for SITCLs (although the quantity to be transferred is limited).

2.2 The process and criteria for deciding arms export licensing

Applications by companies for export licences are made to the Export Control Joint Unit (ECJU), which sits within the Department for Business and Trade (DBT). However, the export licensing process also involves the Ministry of Defence (MOD) and the Foreign, Commonwealth and Development Office (FCDO), who carry out the evaluation against the various licensing criteria.

Export licences may be issued (approved) or refused, but in some cases the application may be withdrawn by the applicant, or stopped by the ECJU, for example if the company fails to supply additional information requested.

Companies are required to detail the goods to be exported or traded (and, in the case of SIELs and SITCLs, the quantity of each), and all possible end-users of the equipment. The company must also supply end-user undertakings from the recipient, confirming the ultimate user(s) and use(s) of the goods.

Licence applications are evaluated against a range of criteria, detailed below. Once issued, a licence may be revoked, or in some cases suspended, if circumstances change.

The basis of export licensing decisions is a “case-by-case” analysis relating to the potential use of specific equipment to be exported rather than based on the nature of the recipient government and the activities of its armed forces; for example, the fact that the recipient is a highly repressive regime is not in principle a bar to an export licence, so long as the specific equipment is not considered likely to be used for internal repression. There are a small number of countries subject to a full or partial arms embargo, usually resulting from a UN, EU, or other embargo agreed by a multilateral organisation.³

The export licensing criteria were, up to December 2021, the same as those in the European Union Common Position on arms exports. On 8 December 2021, the government announced a change to the Criteria, following the UK’s exit from the

³ <https://www.gov.uk/government/publications/the-uk-sanctions-list>

post-Brexit transition arrangements at the end of 2020.⁴ The basic principles of the Criteria are very similar to before, but there are some potentially significant changes in the detail, discussed below. In brief, the criteria relate to the following factors:

- Criterion 1:** The UK's international obligations – this includes UN and other multilateral arms embargoes, UK arms embargoes, arms control treaties such as the Arms Trade Treaty, the Landmines treaty, the Nuclear Non-Proliferation Treaty, etc.
- Criterion 2:** relates to the risk that equipment exported might be used for internal repression, or to commit serious violations of International Humanitarian Law (IHL).
- Criterion 3:** relates to internal conflict in the recipient state, and the risk of provoking, prolonging, or exacerbating internal conflicts and tensions.
- Criterion 4:** relates to regional peace and security, including the risk that the recipient would use the items aggressively against another country, or to assert a territorial claim by force.
- Criterion 5:** relates to the security of the UK, its overseas territories, and allied and friendly countries. The government must take into account the risk that exported equipment might be used against the UK or its allies, or otherwise harm UK national security.
- Criterion 6:** relates to “the behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism and transnational organised crime, the nature of its alliances and respect for international law.”
- Criterion 7:** relates to the risk of diversion of equipment exported to unauthorised users, for example being diverted to non-state armed groups, or re-exported without permission.
- Criterion 8:** relates to the possible effect of the transfer on sustainable development in the recipient country – for example, if the country would incur damaging debt as a result of the purchase.

While the Secretary of State for International Trade is ultimately responsible for the decision to issue or refuse an export licence, the assessment of criteria 1-4, aspects of criterion 6, and criterion 8 are carried out by the FCDO team within the ECJU, while the assessment of criterion 5 is conducted by the MOD team in ECJU, and criterion 7 is assessed jointly by the FCDO and MOD teams.

Changes to the export control criteria

2022 was the first full year under the UK's revised arms export regulations, which were changed for the first time since exiting the EU. On 8 December 2021, then Secretary for State for International Trade, Anne-Marie Trevelyan, made a statement to Parliament announcing updates to the export control regime. She introduced a revised version of the licensing criteria, now known as the Strategic Export Licensing Criteria. The new criteria applied with immediate effect.

The changes were made with no consultation with stakeholders including parliament or civil society. The Committees on Arms Export Controls, was only

⁴ Old criteria: <https://publications.parliament.uk/pa/cm201314/cmhansrd/cm140325/wmstext/140325m0001.htm>; new criteria: <https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/hcws449>

informed in writing after the Written Ministerial Statement had been made.

CAEC criticised this lack of consultation in their October 2022 report.⁵

There are a number of changes to the criteria, some positive, others concerning, and others uncertain in their effect, if any.

Some of the positives include:

- The new inclusion of references to gender-based violence in several of the criteria, implementing one of the provisions of the ATT
- Criterion 2, on the risk of items being used to commit acts of internal repression or serious violations of IHL now includes the risk of *facilitating* these acts as a reason for denying a licence.
- The fact that Criterion 4, on peace and security, now refers to any and all conflicts in which the recipient may be involved, rather than just whether it might use the equipment aggressively against another country or to assert a territorial claim. This would include cases where the recipient is intervening in a conflict in another country at the request of the official government of that country. (Such as Saudi Arabia's intervention in the Yemen war). Previously, such cases would fall between Criterion 3, which only related to internal conflict in the recipient country, and Criterion 4, which only related to aggression against another state.
- Separate from the eight criteria, the new policy expanded the scope of "military end-use controls" – that is, where the government can require an export licence for non-controlled goods (that are not on the military or dual-use lists) exported to a destination under embargo, where there is a potential military end use for this equipment. An example of where this might help is the case of Russian weapons used in Ukraine being found to include advanced western technology in their components (including from the UK). These are mostly items that are not on either the military or dual-use lists. Russia has been under a UK arms embargo since August 2014.

Potentially the most concerning change is the insertion of the phrase "it determines" in several criteria; for example, criteria 2(c), on which depend CAAT's judicial reviews against the government's licensing of arms to Saudi Arabia for use in the Yemen war, previously stated:

"Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, the Government will: ...

c) not grant a licence if there is a clear risk that the items might be used in the commission of a serious violation of international humanitarian law."

The new version of clause c) reads:

*"c) Not grant a licence if **it determines** there is a clear risk that the items might be used to commit **or facilitate** a serious violation of international humanitarian law."*
(Emphasis added).

The "determines" language has also been included in criterion 2a) (internal repression), 3 (internal peace and security), 4 (peace and security), and 6 (Behaviour with respect to the international community).

While this may not affect ECJU decisions significantly, the concern among many in civil society is that, by shifting the focus from the objective existence of a risk (e.g. of internal repression, prolonging conflict, or serious violations of IHL), to the

⁵ <https://publications.parliament.uk/pa/cm5803/cmselect/cmquad/282/summary.html>

government's *subjective determination* of a risk, this may make it harder to bring legal challenges to such decisions, such as CAAT's two judicial reviews of arms export licences to Saudi Arabia for use in Yemen. Notwithstanding this, government decisions or "determinations" would still potentially be subject to the test of rationality in court. Until an attempt is made to bring a new case, the impact of this change of language, if any, cannot be known.⁶

The changes to criteria 3 and 4, both of which relate to armed conflict, are the most far-reaching, and also raise concerns. In each case, the old version contained a clear, and fairly straightforward, grounds for denial:

Criterion 3 stated: *"The Government will not grant a licence for items which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination."*

While Criterion 4 stated: *"The Government will not grant a licence if there is a clear risk that the intended recipient would use the items aggressively against another country, or to assert by force a territorial claim."* (followed by a number of factors to be taken into account in making this assessment.)

The new version of criterion 3 begins:

"The Government will not grant a licence if, having assessed the potential that the items would either contribute to or undermine internal peace and security, it determines there is a clear risk that the items would, overall, undermine internal peace and security."

While Criterion 4 reads:

"The Government will not grant a licence if, having assessed the potential that the items would either contribute to or undermine peace and security, it determines there is a clear risk that the items would, overall, undermine peace and security."

In each case, the new versions list several factors to be taken into account in making this assessment, including the involvement of the recipient in armed conflicts, the likely use of the items, the nature of conflicts they are involved in, the balance of forces, the likelihood of causing, averting, increasing or decreasing conflict and instability, humanitarian impacts, risk of gender-based violence, the legitimate national security interests of the recipient, the recipient's control of its borders, and the involvement of the UK and its allies in the conflict. Criterion 4, also includes consideration of past threat or use of force by the recipient against other countries to assert a territorial claim, and the likelihood of the items being used in another country other than for "legitimate purposes" of national or collective self-defence.

While the inclusion of multiple factors in an assessment might seem reasonable, the overall nature of this assessment may give the government effectively unlimited discretion to decide one way or the other. For example, while the risk of the use of exported goods aggressively against another country is one of the factors to be taken into account in Criterion 4, it is no longer decisive, and could in principle be outweighed by other 'positive' considerations.

However, this question may be moot: both criteria are only very rarely used to refuse an export licence. In the 10-year period 2013-22, Criterion 3 was used only 30 times, and only 6 times as the only grounds for refusal. Interestingly, all of these cases were for licences to Ukraine (between 2014-2017). Criterion 3 has not been used to refuse an export licence for military goods since July 2019. Criterion 4

⁶ CAAT's judicial reviews, the second of which was still pending at the time of the change in criteria, relate to decisions taken by the government before the change, which were therefore subject to the old criteria.

was used 34 times in the past decade, including 14 where it was the only criterion used.⁷ In the latter cases, India, Pakistan, China, or Russia were the ultimate recipient.⁸ Both criteria were already ones which involved a high degree of subjective assessment by the government, so it may well be that *in practice*, the changes, while far-reaching in principle, may have very little effect on actual licensing decisions.

Refusals data

According to the government's Annual Report on Strategic Export Controls for 2022, the rate of refusals of SIELs (for military and dual-use items) went up from 1.5% in 2021 to 2.5% in 2022. It attributes this to the greater use of "military end-use" licensing requirements (see above). If a company exporting to a destination under a UK arms embargo is informed by ECJU, or becomes aware, that the goods they are exporting may be intended for an eventual military end-use (e.g. high-tech electronic components being sold to a company known to produce for the Russian military), then it must apply for an export licence. It is likely that, given both the war in Ukraine and the expanded scope of these controls, a far larger number of such cases relating to exports to Russia have fallen under these provisions, leading to a higher rate of refusals.

Looking over a longer period, 2022 seems to have had a higher overall share of refusals than most previous years, and no significant reduction in the refusal rate in relation to specific criteria. For military goods, the most commonly used criterion for refusal is Criterion 7, the risk of diversion to an undesirable end-user or end-use, and this saw a substantial increase in 2022 compared to previous years. Next most common are Criteria 1 (the UK's international commitments) and 2 (risk of use for internal repression/violation of IHL). These both saw refusal numbers and rates comparable with the average for previous years.

Of course, the rate of refusals of export licences is not the only measurement of the strictness/laxness of the system, as in many cases companies will not seek contracts or export licences in the first place where they know they would be likely to be refused. But, on the basis of this limited data, there is no clear evidence *so far* that the new criteria have led to a further relaxation of the export control system. However, it is early days, and to some extent, the impact of the changes, especially the phrase "if it determines", might not be known until there is another attempt at judicial review of government export licensing decisions.

How the criteria work in practice

The government often claims that it operates one of the most "rigorous and robust" export control systems in the world. How valid is this claim?

The export control system is certainly *technically* meticulous. There is a clear application process, wherein companies are required to supply extensive and detailed information on the nature of the proposed exports, and the potential recipients and users. There is a detailed process for evaluating and deciding on these applications.

The claims of rigour and robustness are open to greater challenge, however, in terms of the *outcomes* of the system. CAAT would argue that, except in the small number of cases of countries under embargo, often those with whom the UK has a poor political relationship and would not be a likely arms supplier anyway, the UK

⁷ There were no cases where Criteria 3 and 4 were both invoked, but no others.

⁸ In some cases after incorporation in an initial destination country.

export control regime is typically a *permissive* system, with a predisposition to allow arms exports in most cases, regardless of the behaviour of the recipient country and the potential harm caused by arms transfers, and with a very high bar for refusal of an export licence. This can be seen in the large quantity of exports approved both to highly repressive regimes, to countries engaged in armed conflict, including where their armed forces are credibly accused of causing severe civilian harm, to countries where there is a clear risk of future or recurring armed conflict, and in some cases where a clear link can be drawn between previously-supplied UK arms and current or previous conflict or rights abuses. Some of these cases of greatest concern to CAAT are discussed in section 5.

The reason this is possible is both the nature of the Criteria, the way they are framed and the room they leave for interpretation, and the strong priority given by successive governments of different parties to promoting arms exports as a means of ensuring a strong UK-based arms industry. Some of the main issues are:

- The case-by-case nature of the criteria means that the overall behaviour of the recipient in relation to e.g. human rights and conflict is not in itself an obstacle to arms transfers. Only the risk of specific misuse of the equipment is decisive. This may be hard to clearly establish, and the government typically has little interest in seeking out evidence that would do so.⁹ Criteria 3 and 4, relating to armed conflict and the threat thereof, are even more open to interpretation, and as discussed above, in practice export licences are rarely refused on these grounds.
- The government does not carry out systematic end-user monitoring. Therefore, while on some occasions clear evidence may emerge of the use of UK weapons for abuses, in many other cases the evidence that might trigger a refusal under the criteria may not be found. This is especially true when it comes to the export of components, where the use of this equipment may not be directly observable.
- As Prof. Anna Stavrianakis points out,¹⁰ the government's assessment of *risk* (as applied to criteria 2,3, and 4), appears to take a very narrow time-frame, treating each outbreak of conflict in a country or region as an entirely separate event; so that for example previous Israeli military assaults on Gaza, which may have used UK weapons, are not considered to imply a risk of future such use, so long as there is not an attack going on at the present time. Indeed, the preamble to the criteria specifically states that a "hypothetical" risk should not be used to refuse an export licence. The government's interpretation of this seems to mean that the potential for misuse of arms in a future or recurrent conflict is treated as merely "hypothetical".
- In general, the threshold of risk applied appears to be very high, especially in relation to the most important UK customers. The clearest example of this is in arms sales to Saudi Arabia for use in Yemen (see section 5), where export licences for combat aircraft, bombs, and missiles, and components thereof, have continued to be approved throughout the war, despite the government's confirmation that these same weapons are used by Saudi Arabia in the war, and the abundant evidence of repeated bombing of civilian targets by the Saudi-led coalition.

⁹ Exceptions, falling under criteria 1, include where there is an arms embargo in place, or in relation to the export of cluster munitions, landmines, or their components.

¹⁰ <https://sites.tufts.edu/wpf/files/2022/03/Missing-in-Action-UK-arms-export-controls-during-war-armed-conflict.pdf>

2.3 Role of CAEC and Parliament

Parliament has a limited role in arms export policy, although of course all primary export control legislation, including the Export Control Act of 2008 that sets the current basis for the regulations, have been passed into law by Parliament. Unlike, for example, the US or Germany, the UK Parliament has no power to scrutinise in advance or block individual arms export decisions.

The primary vehicle for scrutinising government policy on arms exports is the Committees on Arms Export Controls (CAEC), a joint committee formed from the membership of the four Select Committees for Foreign Affairs, Defence, International Trade, and International Development.

On 28 October 2022, CAEC published a report, *Developments in Strategic Export Controls*,¹¹ following its inquiry into “UK arms exports in 2019”. This was the first report published by CAEC since July 2018. The CAEC report expressed a number of concerns and criticisms of government policy, many of which are shared by CAAT. Some of the key points of the report include:

- Expressing concern at the high proportion of companies that were found to be non-compliant with export control regulations, even after a revisit by HMRC inspectors, and the low level of prosecutions for violations. They recommended greater transparency around prosecutions and convictions.
- The Committees called on the government to explain how they take into account the FCDO’s list of human rights priority countries in assessing export licence applications.
- They called on the government to initiate a pilot project by 2025 for post-shipment verification of the end-use of military equipment exported from the UK.
- They regretted the failure of the government to provide senior ministers to testify and answer questions before CAEC, as well as the failure to consult stakeholders on the significant changes to export licensing regulations made in December 2021.
- They called for more information to be published on items actually exported, rather than just export licences, and in particular on equipment exported under open licences.

CAAT welcomes the resumption of activity by CAEC, the publication of its first report since 2018, and the fact that it has made genuine efforts to hold the government to account. It was appreciated that CAEC heard from a diverse range of groups and opinions as part of its inquiry, including a CAAT representative and other critical voices, as well as government and arms industry figures.

CAAT has long called for CAEC to be made a Select Committee in its own right, rather than a composite of four separate committees, and was thus very pleased to see the [letter](https://committees.parliament.uk/publications/33477/documents/181937/default/) calling for just that,¹² to the Leader of the House from the Chairs of the four committees. As the letter argues, the current quoracy requirements (which require a minimum number from each of the four committees) have been a serious obstacle to CAEC’s operations in recent years. A dedicated Select Committee, with its own defined membership and remit, would be in a much better position to provide effective scrutiny of UK arms exports.

¹¹ <https://publications.parliament.uk/pa/cm5803/cmselect/cmquad/282/summary.html>

¹² <https://committees.parliament.uk/publications/33477/documents/181937/default/>

3

Sources of information on UK arms exports

This section surveys the various sources of information and data on UK arms exports, from both official UK government and other sources. It discusses the type of information provided by each source, as well as the gaps and limitations. Much of this information was provided in the CAAT Annual Report for 2021.

3.1 Information on UK export licences

The UK government provides an online searchable database of export licences for military and dual-use goods,¹³ covering SIELs, OIELs, SITCLs, OITCLs, and a very small number of “transit” licences (see section 2). This database does not cover OGELs, for which information is presented separately (see below). The government also publishes quarterly reports on export licensing,¹⁴ which provide the same information as is available in the database for 3-month periods.

The database provides considerable detail on export licences issued, refused, and revoked, including the destination(s), broad descriptions of the types of goods exported and their ML or DUL categories, and (for SIELs only), the financial value of goods exported by category. For SIELs, they also show which licences are for “incorporation”, that is, where the goods exported are to be included as components in larger systems, which are then to be exported to a third country. A list of the approved incorporation destinations over the search period is also given.

The reports do not provide details of individual SIELs; rather, they provide, for example, details of *all* the types of equipment licenced under SIELs during the search period to each destination, as well as their value. Crucially, the minimum search period is 30 days. For example, a 30 day search for licences to the USA might tell us that “components for combat aircraft” were licensed three times, “components for military aero engines” four times, and “components for military support aircraft” twice, with a total value for the ML10 aircraft category of £30 million (and similar for other categories), but this would not reveal what was included in each licence, or when. OIELs, however, are listed individually, but do not provide a value.

The reports likewise do not provide information on the companies who have

¹³ <https://www.exportcontroldb.trade.gov.uk/sdb2/fox/sdb/>

¹⁴ <https://www.gov.uk/guidance/strategic-export-controls-licensing-data>

received (or been refused) export licences, or on the exact nature of the equipment licenced. Item descriptions can be, for example “components for combat aircraft”, which could be anything from small electronic components to the wings or fuselage.

ECJU is currently transitioning to a new export licence application and database platform, LITE, replacing the current SPIRE system. As part of this, they are working on developing a new version of the online searchable database, and are engaging with a range of stakeholders, including CAAT. CAAT greatly appreciates the in-depth engagement by the development team, where the issues we raised in relation to transparency and usability, were taken seriously.

OGELs

Open General Export Licences (OGELs) are not included in the ECJU database. Instead, the government publishes separately a complete list of all currently-usable OGELs for military and dual-use goods.¹⁵ OGELs do not have an expiry date. They can be modified or withdrawn by the government at any time. No information is made available on what exports are actually conducted using OGELs, and indeed such information is not collected by the government.

CAAT's database

The information provided by the government's database, replicated in the quarterly reports, allows one to get an idea of the number and type of licences issued to each country, the types of equipment licenced, and the value of SIELs by category to each country. This gives a fairly broad-brush picture of export licensing, but it does not allow a fine-grained view of individual export licences, given the minimum search period of 30 days. It is for this reason that CAAT created its own UK arms export browser, which draws its information from the ECJU database.

By conducting thousands of automated, overlapping 30-day searches, CAAT's algorithm is able to break down what has been licenced, and to which destinations, to the individual day. The CAAT database can be filtered by destination, date, categories on the Military and Dual Use list, types of licence, item descriptions, whether licence were issued, refused, or issued and later revoked, whether licences were for incorporation, and a number of other criteria.

The CAAT database gives a much more detailed picture of export licenses, and is much more accessible and user-friendly than the ECJU database. CAAT's database is very widely used, including by the media, civil society, academics, and parliamentarians.

The export licensing information provided by the government offers considerable detail, and is an invaluable source for understanding the scale and nature of the UK arms trade with different countries. However, the fact that open licences do not carry a financial value, and allow for unlimited quantities and value of exports of the specified equipment, combined with the fact that the government does not even collect, let alone publish, information on the value of actual exports (deliveries), means that **UK government export licensing information does not provide a full picture of the value of the UK arms trade.** The financial values given by this reporting only cover the value of SIEL licences. **This is a major gap in the transparency of the UK's official reporting on the arms trade.**¹⁶

¹⁵ <https://www.gov.uk/government/collections/open-general-export-licences-ogels>

¹⁶ This is discussed further in “Open? The UK's secret arms sales”, CAAT, 2021, <https://caat.org.uk/publications/open-the-uks-secret-arms-sales/>.

3.2 The UK Government's Annual Report on Strategic Export Controls

The Annual Report on Strategic Export Controls,¹⁷ published by the Department of Business and Trade, provides a variety of information on arms exports and export licensing. This includes overall statistics on numbers of export licences of different types, data on processing times and outcomes of export licensing information, data on the criteria used for refusals of export licences, data on export licensing enforcement actions, and a variety of information on the legal, regulatory, and policy framework around export controls. It does not repeat the detailed licensing data provided in the database and quarterly reports. It also includes case studies of specific countries and issues.

Some additional information on arms transfers is included in the annual reports that is not available from the export licensing data. These are:¹⁸

- a) Gifted military (or dual use) equipment given to foreign governments as military aid.
- b) Disposal of MOD surplus equipment, given or sold by the MOD to foreign governments or companies.
- c) Equipment exported as part of government-government projects, e.g. equipment transferred under projects supported by the Ministry of Defence Saudi Armed Forces Project (MODSAP).

Gifted equipment (a) is subject to a "Crown Exemption" from export licensing, but gifts are still evaluated against the export licensing criteria.

3.3 Data on arms export contracts from UK Defence & Security Exports

UK Defence and Security Exports (UKD&SE) is an agency within the DBT that supports UK companies engaged in military and security exports, and helps promote such exports. UKD&SE produces annual statistics, based on a large survey of exporting companies, on the value of arms export contracts. It also provides figures, from an externally-conducted survey, on exports of security equipment, services, and technology.¹⁹

The main value of the UKD&SE arms export figures is that they give a far more comprehensive picture of the size of the UK arms trade than do figures for export licences. As discussed in sections 2 and 3, a significant proportion of UK arms exports are conducted using open licences – OIELs and OGELs – to which no financial value is attached, and which permit unlimited quantities and values of exports of the specified equipment to the specified destination(s). Thus, totals for the value of licences issued only includes SIELs.

The UKD&SE data does not depend on the details of export licensing, and thus includes exports under open licences. For some large, ongoing, government-government contracts, such as the Saudi-British Defence Cooperation Agreement and the Al-Salam programme, which cover the sale and support of UK-made Tornado and Typhoon aircraft to Saudi Arabia, an annual figure is included based on the value

¹⁷ <https://www.gov.uk/government/collections/united-kingdom-strategic-export-controls-annual-report>

¹⁸ See e.g. Annual Report for 2020, <https://www.gov.uk/government/publications/uk-strategic-export-controls-annual-report-2020>, Section 6, pp 35-37

¹⁹ <https://www.gov.uk/government/collections/uk-defence-and-security-exports-statistics>

of specific supplies and services provided that year under the contracts. UKD&SE estimate that they capture over 90% of relevant arms exports through their survey.

The main limitation of the UKD&SE figures is their almost complete lack of detail. There is no information of the nature of specific contracts – what equipment and services are to be provided to whom, when, and for how much; and there is not even a breakdown of the total figure for the year by recipient country. The only disaggregation of the data provided is the percentage to each recipient region, and by “domain” (Land, Naval, Aerospace and Other).

What this data does give is a more comprehensive figure for the total value of UK arms exports each year, and the value by region, in contrast to the partial figures from export licensing data. A comparison of the two sets of data suggests that at least half of all UK arms exports are conducted using open licences (OIELs and OGELs).²⁰

3.4 SIPRI data on transfers of major conventional weapons

The SIPRI Arms Transfers Database (ATDB) is the only publicly-available source of comprehensive, comparable, and consistent arms trade data with global coverage.²¹ It provides both qualitative and quantitative data, broken down to each supplier-recipient pair.

The SIPRI ATDB covers only “major conventional weapons” (MCW) – this largely consists of complete weapons and weapons systems, such as military aircraft, naval vessels (surface and submarine), tanks and armoured vehicles, missiles, air defence systems, and artillery. However it covers some major subsystems, such as military radars (e.g. for surveillance or targeting), and engines for military aircraft, ships, and vehicles.²²

What the ATDB does *not* cover is small arms and light weapons (SALW), components and subsystems (except those mentioned above), military command, control, and communications systems, and military services.

SIPRI collects information on both contracts and deliveries of MCW from a variety of open sources, from which it constructs a Trade Register showing all orders and deliveries of MCW over a search period from each supplier to each recipient.

To provide a comparable quantitative measure of the volume of arms transfers between each supplier and recipient and in total, SIPRI constructs its own bespoke “Trend Indicator Value” (TIV) measure. This is necessary because price information is not always publicly available, and because SIPRI wants to count equipment even where it is supplied for free as military aid. The TIV is not a financial measure, and should never be cited as if it is a dollar figure. Rather, it attempts in some sense to measure the military value of equipment transferred. The TIV assigned to a weapon system is, for US systems, based on its unit cost, and for non-US systems, on SIPRI’s assessment of the nearest equivalent US system in terms of capabilities. For example, a Eurofighter Typhoon is given about the same TIV as a US F-35 Joint Strike Fighter.²³

20 See “Open? The UK’s secret arms sales”, CAAT, 2021, <https://caat.org.uk/publications/open-the-uks-secret-arms-sales/>, for more information.

21 <https://sipri.org/databases/armstransfers>

22 More details of the coverage of the ATDB and its sources and methods at <https://sipri.org/databases/armstransfers/sources-and-methods>

23 The TIV value of any system of which at least one example has been delivered for export can be found in the Excel download version of the SIPRI ATDB, available at <https://armstrade.sipri.org/armstrade/html/tiv/index.php>.

While not perfect, the TIV at least gives some meaningful way of comparing both the total volume of arms imports and exports between different countries and over time, and the level of transfers between specific pairs of countries. Such data is not available in any other form.

The fact that the SIPRI database only covers MCW, however, is a significant limitation, and in particular means that it fails to capture large parts of the UK arms trade. Military services, in particular, cover a large proportion of UK arms exports, most notably the billions of pounds of services provided by BAE Systems in Saudi Arabia to support and maintain the Saudi Air Force.

3.5 The UN Register of Conventional Armaments (UNROCA)

The UN Register of Conventional Armaments²⁴ was established in 1991, with the aim of promoting greater transparency in international arms transfers. It is a voluntary instrument, where UN member states are invited to submit annual returns on their exports and imports of 7 categories of major conventional weapons: battle tanks; armoured combat vehicles; large-caliber artillery systems; combat aircraft and unmanned combat aerial vehicles; attack helicopters; warships; and missiles and missile launchers. Its coverage is much narrower than SIPRI's. In addition, since 2003 states have been invited to report on their imports and exports of SALW. The UK has submitted reports on its exports of MCW to UNROCA every year since 1993, and on SALW every year since 2006.

A limitation of the UK reports to UNROCA is that, like UK arms export data in general, they are based on licences issued and not actual deliveries, which is in theory what UNROCA ask to be reported. This means that transfers from open licences are not included at all, as no numerical limits are attached to these. UK submissions have also been frequently subject to errors (see section 4.4).

The UK's returns to UNROCA provide little information on major conventional arms exports that is not also available from SIPRI. However, it represents an official source for such information, and participation by the UK in one of the few international transparency mechanisms on the arms trade. In addition, the information on exports of SALW is not available from SIPRI.

3.6 Summary

The UK government provides a variety of information on arms exports through different sources. Together, these provide a host of valuable qualitative and quantitative information on the UK arms trade. However, the information is highly incomplete and patchy, with very limited information on the overall value of UK arms exports, and none on the level of sales to individual countries; virtually no information on actual arms deliveries, little information on the specific equipment transferred, and no regular information on the companies behind specific exports.

While in some areas, such as the level of detail on export licences, the UK compares favourably with many other major arms exporters, in other areas, such as the reporting of deliveries, which is regularly provided by most EU states and (at least until recently) the US, it falls short. Far greater levels of transparency are possible.

²⁴ <https://www.unroca.org/>

4

Trends in UK arms exports in 2022

This section summarizes key quantitative and qualitative trends in UK arms exports in 2022, and in the 5-10 year period up to 2022, using information from the different sources discussed in section 3.

The previous CAAT annual report, covering UK arms exports in 2021, was published in January 2023, which enabled it to cover all regular sources of data for 2021. As this one is published earlier, data for 2022 from UK Defence & Security Exports are not yet available, although they published a revision to their statistics for 2021.

4.1 Arms export licences

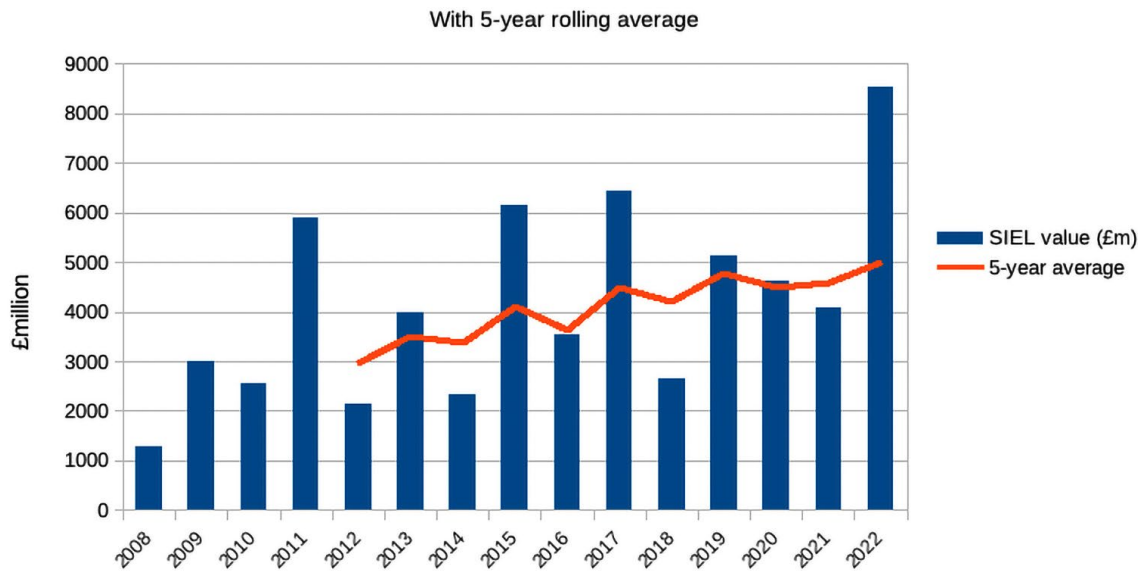
The value of Single Individual Export Licences (SIELs) issued in 2022 for items on the Military List was £8.5 billion, a huge increase of 109% compared with 2021, and the highest figure ever recorded since the data was first published in 1998. As SIELs are only one type of licence, not too much weight should be placed on the value of single licences in one year. As figure 1 shows, the value of SIELs issued often fluctuates dramatically from year to year. However, such a large increase, more than doubling, is significant, showing at the very least an increase of the type of arms exports that tend to require SIELs – such as combat aircraft (to Qatar) or bombs and missiles (including £964 million to Saudi Arabia, £177m to Qatar, and £177m to India). Most likely, it represents an increase in arms exports overall.

The total value of SIELs over the period 2018-22 was £25 billion, leading to a significant increase in the five-year average in the value of SIELs, to £5.0 billion, also the highest level recorded. Generally, this figure has shown a steady increasing trend since 2008. This remains the case when accounting for inflation, although the trend is more uneven.

A total of 1379 Open Individual Export Licences (OIELs) were issued in 2022 for items on the Military List, an increase of 36% over 2021, the second highest levels recorded (after 2017).²⁵ The number of OIELs issued should be treated with caution,

²⁵ The figures given here are for the number of OIEL destinations; OIELs frequently authorise exports to multiple destinations, so, for example, a single OIEL with 10 destinations included is counted here as 10 towards the total.

Figure 1 Value of SIEL arms export licences 2008-2022



as no information is provided on the value of exports conducted under an individual OIEL; some may be used frequently to export high value equipment, while others may be used only occasionally to export low-value equipment. Evidence from FOIs suggests that many OIELs go to fairly small or medium-sized companies which, given their overall level of revenues, cannot be making huge levels of exports, even if the OIELs they hold theoretically permit them to. Moreover, as OIELs are valid for 3-5 years, exports will most likely have been conducted in 2022 using OIELs issued as far back as 2017.

150 Trade Control licences (SITCLs and OITCLs) were issued in 2022, compared to 185 in 2021.²⁶

A significant, but unknown, proportion of UK arms exports is also conducted using Open General Export Licences. The number of OGELs that are valid at any one time for military list items is fairly steady, and changes do not give any indication of an increase or decrease in the level of exports.

The top 10 destinations for SIELs by value in 2022, and the top ten for the 5-year period 2018-2022, are shown in tables 1 and 2. Qatar was the top destination for SIELs in 2022, followed by Saudi Arabia, the USA, Türkiye and Ukraine. Over the five-year period 2018-2022, the top destinations were Saudi Arabia, the USA, Qatar, Italy, and India. Qatar became a major recipient in 2022, with the first deliveries of Eurofighter Typhoon aircraft, for which the first export licences were issued in May 2022. Deliveries of Typhoons to Saudi Arabia ended in 2017, prompting a significant reduction in the Saudi share. Ongoing servicing work for these aircraft, and the accompanying spare parts and components exports, are likely mostly carried out using open licences. The value of SIELs issued to the USA has remained consistently high over the past decade, although the majority of UK arms exports to the US are conducted using open licences. Türkiye increased its level of SIELs substantially in 2021-2022, including two £250 million licences for technology for tanks and other military vehicles, one in each year.

²⁶ This is based on counting each destination approved within the same overall licence as a separate case. The number of trade control licences issued appears to be reported in the government database in a variety of different ways. It is therefore not particularly meaningful to compare numbers of trade control licences from year to year.

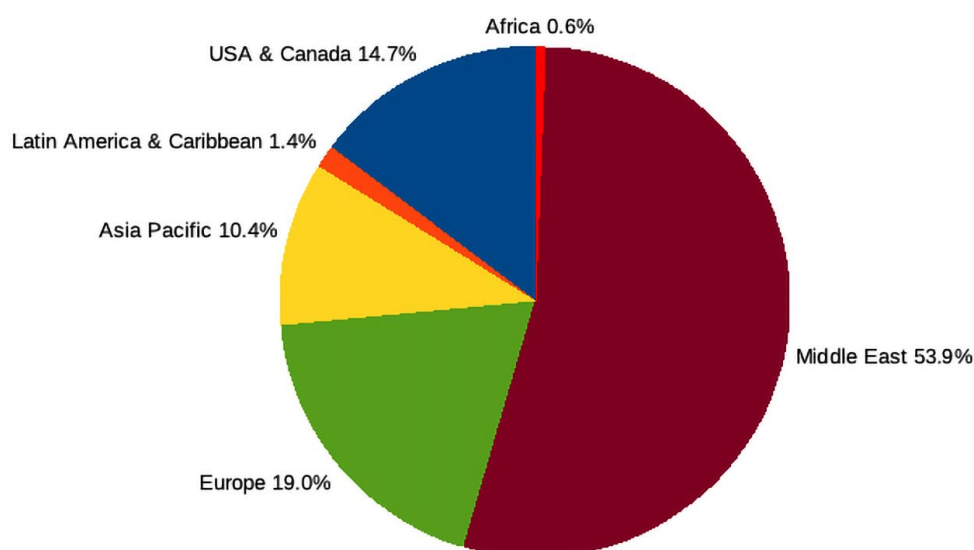
Ukraine was the 5th largest recipient in 2022, with £401 million, almost ten times the total value of SIELs issued to the country from 2008-2021; however, the majority of UK arms supplies to Ukraine in 2022 were military aid donated from UK military stockpiles, which do not require an export licence (although they are evaluated against the same criteria as for export licences), which is why Ukraine does not appear higher up this list.

More in-depth discussion of UK arms exports to Qatar, Saudi Arabia, the USA, Ukraine, and Türkiye, and the issues and concerns raised by these, can be found in section 5.

Both in 2022 and in the period 2018-2022, open licences have been most commonly issued for export to ‘western’ recipients, although some other recipients such as Oman, Brazil, and India, have also been the destination of a substantial number of OIELs.

Breaking down the figures by region (See figure 2), 54% of the value of SIELs in 2022 were for exports to the Middle East, 19% to Europe, 14.7% to the US and Canada, 10.4% to the Asia & Pacific region, 1.4% to Latin America and the Caribbean, and 0.6% to Africa. After Qatar, Saudi Arabia, and Türkiye, other significant Middle East recipients were the UAE (£149m), Bahrain (£50.8m), and Israel (£41.5m). In Europe, after Ukraine the largest recipients were France (£365m), Italy (£277m), Spain (£116m), and Germany (£114m). Within the Asia Pacific region, India (£256m) and Taiwan (£246m) were the largest recipients, followed by Indonesia (£115m) and South Korea (£113m).

Figure 2 Value of SIELs by region 2022



In terms of the categories of equipment on the military list represented by SIELs, ML10 (aircraft and components) remains the largest category by value, at £3.5 billion in 2022, followed by ML4 (bombs, missiles, and countermeasures) at £1.8 billion. These were also the largest categories for the period 2018-22. However, in 2022 licences for the category ML5 (sensors and targeting equipment etc.) more than trebled to £1.0 billion, while the level of small arms (ML1) more than doubled to £442 million, the second highest level recorded. A clear majority of the value of these small arms licences, 62%, were to the USA.

Table 1 Top 10 destinations for SIELs by value 2022

Rank	Recipient	SIELs 2022	
		Value (£m)	% of total
1	Qatar	2,729	32.0
2	Saudi Arabia	1,143	13.4
3	USA	860	10.1
4	Turkey	424	5.0
5	Ukraine	401	4.7
6	Canada	398	4.7
7	France	365	4.3
8	Italy	277	3.2
9	India	256	3.0
10	Taiwan	246	2.9

Table 2 Value of SIELs by destination 2018-22

Rank	Recipient	SIELs 2018-22	
		Value (£m)	% of total
1	Saudi Arabia	3,564	14.2
2	United States	3,366	13.4
3	Qatar	3,342	13.3
4	Italy	1,478	5.9
5	India	1,319	5.3
6	France	1,031	4.1
7	Türkiye	942	3.8
8	Norway	907	3.6
9	UAE	739	3.0
10	Taiwan	547	2.2

4.2 Contracts data from UK Defence & Security Exports

Data on the value of UK arms export contracts, from UK Defence & Security Exports, is not expected until later in 2023. Thus, the latest data is still that for 2021, covered in detail in CAAT's Annual Report on UK arms exports for 2021. However, a revision to the figures for 2020 and 2021 was published in February 2023,²⁷ reducing the estimate for 2020 from £7.9 billion to £7.5 billion, and increasing the figure for 2021 from £5.5 billion to £6.64 billion. This increases the total from 2012-21 from around £88 billion to around £88.84 billion.

However, there was also a substantial revision of the share of sales to each region over the period 2012-21, as well as for the individual years 2020 and 2021, which was said to be due to an increase in sales to “unidentified” regions – presumably where the companies responding to the survey had not disclosed the customer for

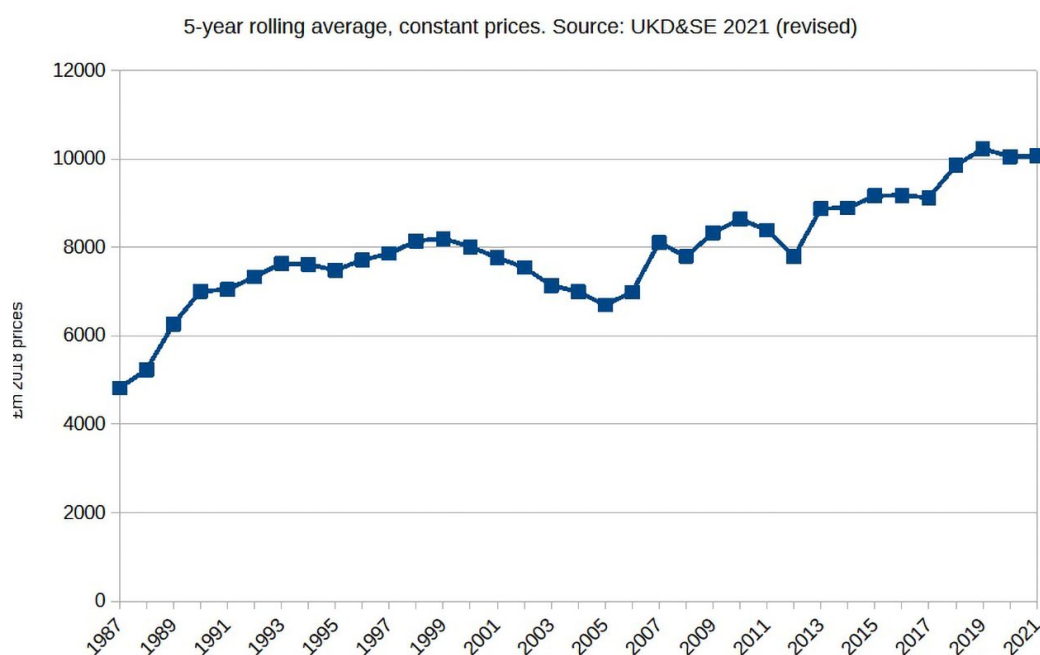
27 <https://www.gov.uk/government/statistics/uk-defence-and-security-exports-for-2021/revisions-note-uk-defence-and-security-export-statistics-for-2021>

certain contracts. As it was hard to make sense of the new data, CAAT sent an FOI request to the Department for Business and Trade requesting more detailed and accurate data for the years 2012-21, including the shares to unidentified regions. The DBT responded with a full set of data for each year as requested.²⁸ The revised data is shown below in figures 3-4. The dominance – up to 2019 – of the Middle East remains, followed by North America and Europe, but we can now see the quite large shares in certain years – up to 18% - where the customer has not been disclosed.

The UKD&SE statistics, while lacking detail, give a much more comprehensive picture of the size of the UK arms trade than the data on single licences (SIELs), as they are based on contracts signed, regardless of what type of export licence might be used to export the goods and services involved. They typically show the value of contracts being a little over twice the value of SIELs, when averaged over a long period, suggesting that at least half of UK arms exports are made using open licences. However, this ratio varies considerably between regions.

The table below is a revised version of that presented in CAAT's report for 2021, based on the new figures provided by the DBT in response to our FOI request. The overall picture has not greatly changed. Of course, the £10.4 billion in contracts that are to "unidentified" regions must, in fact, be to some specific regions, so the actual figures for contracts to each region will be higher. However, one cannot make any assumptions about the relative shares of these undisclosed customers.

Figure 3 UK arms exports 1987–2021



²⁸ They also explained that, in the past, the percentage shares to each region were given as a proportion of the total to identified regions. For example, if there were a total of £11 billion sales in a year, of which £1 billion was to unknown regions, and £5 billion were to the Middle East, then the share to the Middle East would be given as 50%, i.e. half of the £10 billion to specified regions. In the revised data, the figure would be 5/11, or about 45.5%.

Figure 4 UK arms exports contracts by region 2012–2021

Based on % shares from UK Defence & Security Exports

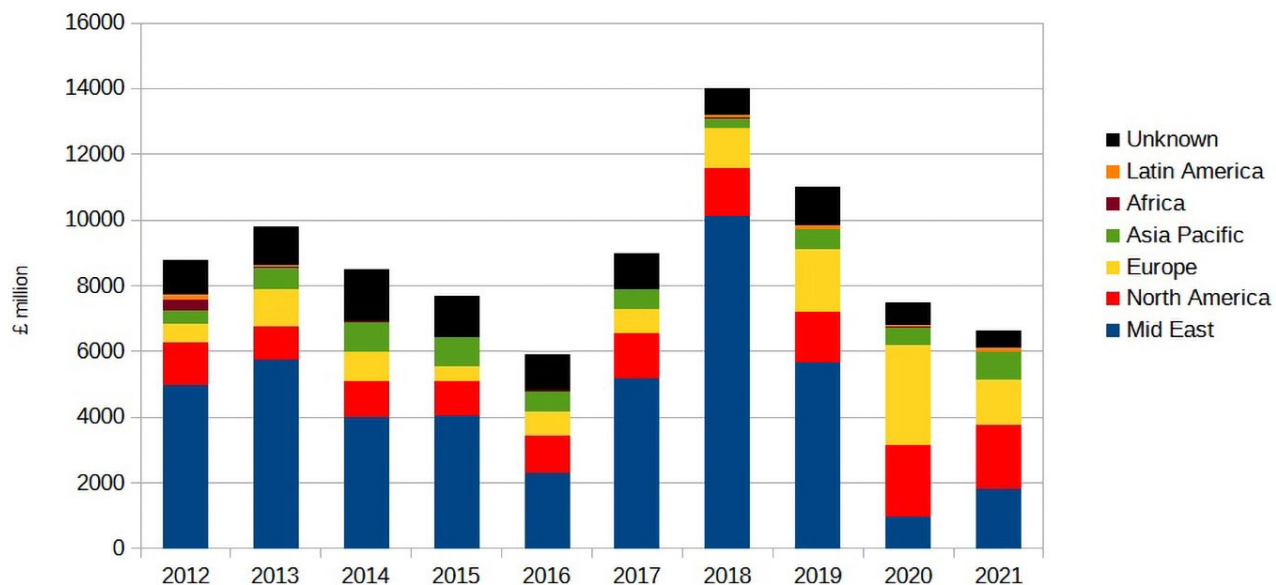


Table 3 Value of SIELs vs implied value of contracts 2012-21

Region	Contracts (£m)*	Value of SIELs (£m)†	Ratio contracts: licences**
Africa	500	1,366	0.4
Asia Pacific	6,300	5,843	1.08
Europe	12,100	12,928	0.94
Latin America	600	980	0.6
Middle East	44,800	14,162	3.17
North America	14,100	5,357	2.63
Unknown	10,400	---	---
Total	88,800	40,636	2.19

* Based on the percentage share of sales to each region given in the UKD&SE figures, rounded to the nearest £100 million. These percentage figures are given to one decimal place, which means there is a margin for error of 0.05%, or around £44 million in either direction. Before the FOI, figures were only given to a whole number percentage.

† Permanent licences only

** Given to two decimal places, except for Africa and Latin America, which are given to 1 decimal place. This is because the margin of error for these regions is a higher proportion of the total.

4.3 Data from the SIPRI Arms Transfers Database

According to SIPRI's most recent data release,²⁹ the UK accounted for 3.2% of global deliveries of major conventional weapons between 2018-22, as measured by SIPRI's non-financial measure, the Trend Indicator Value (TIV) (see section 3). This was a slight increase from the 2.9% share for 2017-2021, the lowest ever recorded for the UK by SIPRI. The UK remained in 7th place in the list of major exporters, again its lowest position, behind the US, Russia, France, China, Germany, and Italy.

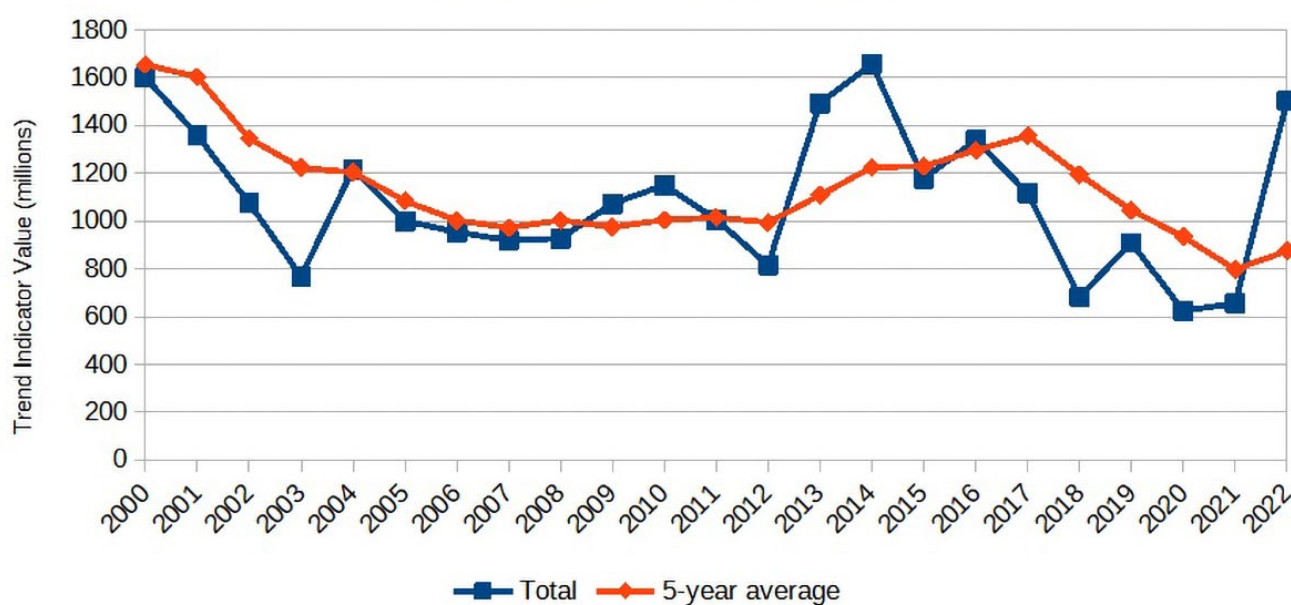
In absolute terms, the TIV of UK exports fell by 35% for the period 2018-22, compared with 2013-17. Looking at more detailed annual data, the 5-year moving average of UK exports peaked in 2017, the result of deliveries of Typhoon aircraft to Saudi Arabia and Oman, then fell sharply up to 2021 (See figure 5), before rising again in 2022.

However, the single-year figure for 2022 was well over double the previous year (with a TIV of 1,504 compared to 656 in 2021), largely the result of the delivery of the first 8 Typhoon combat aircraft to Qatar, along with Hawk trainers and missiles; and the transfer of substantial volumes of arms to Ukraine as military aid. Nonetheless, the 5-year total for 2018-22 is the second lowest value for UK major conventional weapons exports since SIPRI's database began in 1950, after the low point of 2017-21.

SIPRI's definition of MCW, as well as excluding items such as small arms and light weapons, also excludes components, most subsystems, and military services, including BAE's massive Saudi revenue from supporting their air force. This helps explain the disconnect between the rather high levels of UK exports as measured by contract value, which would place the UK either second or third in the list of arms exporters, and the much lower relative level as measured by SIPRI.

Figure 5 TIV value of UK arms exports 2000–2022

Source: SIPRI arms transfers database



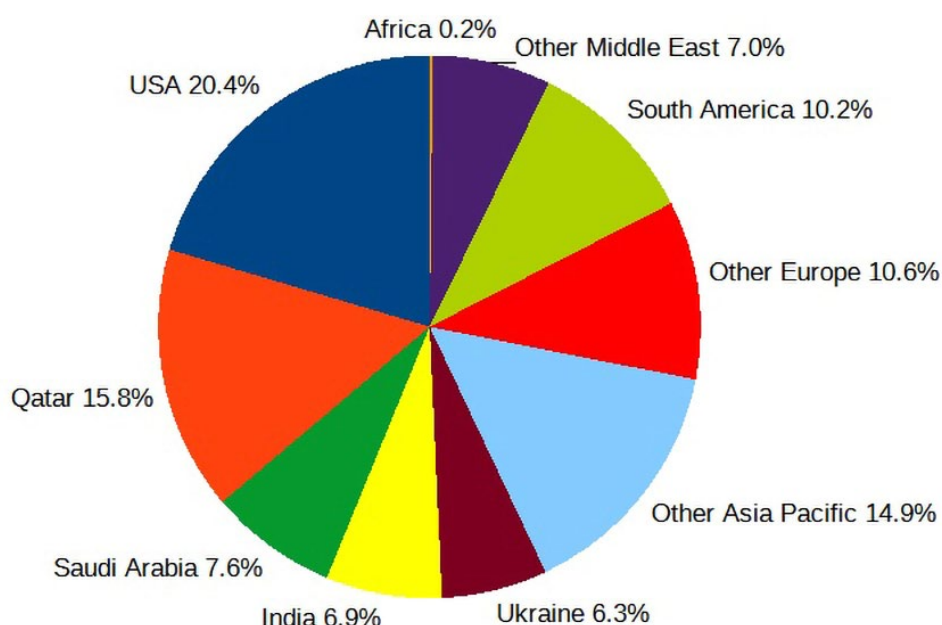
29 <https://sipri.org/publications/2023/sipri-fact-sheets/trends-international-arms-transfers-2022>

Nonetheless, SIPRI's recent data continues to show a relative dearth of major new equipment contracts secured by the UK; most of the TIV value over the past couple of years is made up of items such as engines, radars, air-refuelling systems, and missiles, rather than major platforms. However, with the delivery of Typhoons to Qatar starting in 2022, the level of UK deliveries will remain somewhat higher for the next few years. Meanwhile, the UK in 2022 secured a new order of 3 Global Combat Ships from Poland, in addition to existing orders from Australia and Canada (to be produced under licence in the buyer countries). More recently, in 2023, the UK secured an order of at least 3 nuclear-powered attack submarines from Australia, as part of the AUKUS deal between Australia, the UK, and the US, although deliveries of these are not expected till the 2040s.

Principal recipients

Figure 6 Recipients of UK major conventional weapons exports 2018–2022

Source: SIPRI arms transfers database



The top recipient of UK exports of major conventional weapons between 2018–22, according to the SIPRI data (see figure 6), was the USA (20.4% of deliveries by TIV), followed by Qatar (16%). The latter consisted of the first 8 of 24 Eurofighter Typhoon combat aircraft ordered in 2018, along with 9 Hawk trainer aircraft, and Paveway IV bombs and ASRAAM beyond-visual-range air-to-air missiles (BVRAAM) for the Typhoons.

After these two came Saudi Arabia (7.6%), to which the level of deliveries has significantly decreased since the last Typhoon aircraft were transferred in 2017, with bombs and missiles – used extensively in Yemen – being the main arms delivered since; then India (6.9%, artillery and air-air missiles); and Ukraine (6.3%, see section 5). While a very large quantity of equipment was delivered to Ukraine, because most of it was second-hand, the TIV value estimated by SIPRI is significantly reduced compared to new equipment of the same type.

Asia and the Pacific in general remained a major destination for UK exports, accounting for 21.8% of the total. India was by far the largest destination in the region

at 6.9%, more than double any other country. Singapore, China, South Korea, Japan, Bangladesh, and Thailand were the other significant recipients. European countries, apart from Ukraine, received 10.6% of UK deliveries, with NATO, Greece and France the largest recipients. The rest of the Middle East (excluding Qatar and Saudi Arabia) received 7.0%, mostly to Oman (5.5%) and Bahrain (1.1%). A total of 10.2% of deliveries were to South American countries, principally Chile (5.8% - mostly from 2 second-hand US E-3A Sentry Airborne Early Warning and Control aircraft, as well as surface-to-air missiles), and Brazil (4.0%, a second hand helicopter carrier and missiles). Exports to Africa were very low.

By comparison, over the period 2013-17, Saudi Arabia was overwhelmingly the top UK recipient, with 48% of the total (including the bulk of deliveries of Eurofighter Typhoons and other equipment under the 2007 Al Salam contract), followed by Oman with 14.4% (including Typhoon and Hawk aircraft, and 3 frigates), Indonesia with 10% (including 3 frigates), India with 8.4% (including 57 Hawk trainer/light attack aircraft), and China (4.6%, see note 3 below).

The large fall of 35% in total UK exports between the two periods is largely accounted for by a huge drop in deliveries to Saudi Arabia, of 90%, as deliveries of Typhoon aircraft under Al Salam concluded in 2017. Apart from Saudi Arabia, UK exports actually increased by 14%. Of course, the ongoing maintenance and support of the Saudi Air Force, together with continuing deliveries of bombs and missiles,³⁰ both of which have been critical to Saudi Arabia's ability to conduct its war in Yemen, means that the Kingdom remains a lucrative customer for the UK arms industry.

New contracts

New contracts for major conventional weapons exports from the UK identified by SIPRI in 2022 are shown in Table 3 below. These do not include orders in 2022 for second-hand equipment delivered the same year as aid, mostly to Ukraine. The most significant order was for 3 Type 31 frigates from Poland (to be produced in Poland under licence), for £1.4 billion, **signed in May 2022**.³¹

Table 3 New orders for UK MCW in 2022

Recipient	Producer	Description	Other info
Australia	Unknown	6 unidentified sonars	For modernization of 6 Collins submarines
Italy	Cobham	6 air refuelling systems	For 6 KC-46A tanker ac from US
Poland	Babcock/PGZ	3 Type 31 frigates	Produced under licence in Poland
(Poland)	MBDA	(130) Brimstone air-surface missiles	For Ottokar-Brzoza tank destroyer
(Poland)	MBDA	CAMM SAMs	For Type 31 frigates
(Spain)	MBDA	Brimstone air-surface missiles	For Typhoon combat aircraft
Sweden	Leonardo	2 Seaspray maritime patrol aircraft radar	For Saab GlobalEye airborne early warning aircraft

(10) Order number in brackets indicates an estimate

(Poland) Country name in brackets indicates order year is an estimate, e.g. the definite order may not have been placed yet, or may have been placed before the beginning of the year

³⁰ A comparison of UK licence data with the SIPRI trade register suggests that not all UK deliveries of bombs and missiles to Saudi Arabia are being captured by the SIPRI data, in that major new licences for such equipment continued to be issued up to 2022, although the last deliveries recorded by SIPRI for such items are from 2019. It may be that as such exports are conducted under existing contracts (i.e. Al Salam), and that deliveries tend to be conducted without publicity or easy visibility, makes it difficult for SIPRI to gain information on them.

³¹ <https://www.forces.net/sea-vessels/poland-strikes-deal-buy-british-type-31-frigates>

Table 4 Deliveries of MCW in 2022 (excluding military aid to Ukraine)³²

Recipient	Producer	Equipment delivered	Notes
Bangladesh	2nd hand	(1) Hercules 130J transport aircraft	
Bangladesh	Leonardo	1 Seaspray maritime patrol aircraft radar	
Chile	2nd hand	2 E-3A Sentry Airborne Early Warning and Control aircraft	
(China)	AECC (China)	10 Spey turbofan engines	Produced in China by licenced production
Ghana	2nd hand	70 MXT-MV armoured patrol vehicles	Probably given as aid
(Greece)	MBDA	(10) Meteor BVRAAM air-air missiles	For Rafale fighters from France
Greece	BAE Systems/ Elefsis shipyards	1 Super Vita fast attack craft	BAE design, produced under licence in Greece
India	BAE Systems	(49) UFH/M-777 155mm towed guns	Some assembled under licence in India
India	MBDA	(90) Meteor BVRAAM missiles	For Rafale fighters from France
Japan	Rolls Royce	3 MT-30 gas turbine engines	For Japanese Mogami frigates. Engines prob. licenced prod in Japan
Japan	Cobham	1 aerial refuelling system	For KC-46A tanker/transport aircraft from USA
(Latvia)	2nd hand	(8) Scimitar light tanks	
(Latvia)	2nd hand	(9) Spartan APCs	
NATO	Rolls-Royce	4 Trent-700 turbofan engines	For A-330 MRTT transport/tanker aircraft from France
(NATO)	Cobham	2 air refuelling systems	For A-330 MRTT
(New Zealand)	MBDA	(20) CAMM Surface-air missiles	For MEKO-200 frigates
(Oman)	MBDA	(24) ASRAAM BVRAAM missiles	For Eurofighter Typhoons
(Pakistan)	Leonardo	1 Seaspray maritime patrol ac radar	For ATR-72 ASW aircraft from Germany
Qatar	BAE Systems	(8) Typhoon Block 20 combat aircraft	
Qatar	BAE Systems	4 Hawk-100 trainer aircraft	
(Qatar)	Raytheon UK	(25) Paveway IV guided bombs	For Typhoons
(Qatar)	MBDA	(70) ASRAAM BVRAAM air-air missiles	For Typhoons
(Saudi Arabia)	Raytheon UK	(90) LMM Martlet multi-role missiles	Reported as MANPADS in UK UNROCA entry. LMM is best guess
United States	Rolls Royce	(2) MT-30 gas turbine engines	For US Littoral Combat Ships
United States	Cobham	(15) air refuelling systems	For KC-46 tanker/ transport aircraft. Refuel systems made under licence in USA

(10) Delivery number in brackets indicates an estimate

(Pakistan) Country name in brackets indicates delivery year is an estimate – i.e. uncertainty as to whether deliveries took place this year.

32 Details of deliveries in 2022 obtained from [SIPRI Arms Transfers Database](#), *ibid.*

4.4 Other sources of information

BAE Systems Annual Report

BAE Systems' Annual Report for 2022 was published on 29 March 2023.³³ From p209 of the report, the company's revenue from the Kingdom of Saudi Arabia Ministry of Defence and Aviation in 2022 was £2,425 million, almost unchanged from £2,380m in 2021. BAE's revenue from the Saudi MOD has been broadly steady since 2018, following the final deliveries of Typhoon aircraft in 2017. The continuing revenue of around £2.4-2.5b a year likely reflects the ongoing supply of components, maintenance, support, and training for the Hawk, Tornado and Typhoon aircraft supplied under previous contracts. Between 2015, the year in which Saudi Arabia entered the Yemen war, and 2022, BAE has received £22.4 billion in revenue from the Saudi MOD.

BAE does not publish information on revenue from any other export customers; however, it does publish information on revenue from certain locations. Most relevant for UK exports are £885m in revenue from Qatar, which is likely to be related to the sale of Eurofighter Typhoons and Hawks – in particular, SIPRI records the delivery of an estimated 8 Typhoons to Qatar in 2022. For other locations, it is impossible to know the breakdown of revenues from BAE's UK and US operations; sales to the US and Australia are likely to be predominantly from the company's subsidiaries in those countries, and therefore not represent exports from the UK.

The fact that BAE's revenue from Saudi Arabia in 2022 is more than double the value of SIELs issued – and that moreover, most of the value of these SIELs were for bombs and missiles, mostly produced by MBDA and Raytheon UK, rather than BAE Systems, shows that the vast majority of BAE's activities in Saudi Arabia are covered by open licences, or represent service activities in Saudi Arabia that do not involve exports of equipment, software, or technology.

For other major UK arms companies, it is not possible to make meaningful estimates of UK arms exports, as even where shares of total sales to different destinations are published, this will not be broken down between civil and military sales, or between production in the UK versus that from subsidiaries in other countries.

The Annual Report on Strategic Export Controls

The government published its Annual Report on Strategic Export Controls for 2022 on 19 July 2023.³⁴ This does not contain details of export licences issued and refused, which are presented separately (see section 3), but there are a number of elements that are relevant for monitoring UK arms exports:

- Data on refusals of export licences, and the criteria under which they were refused (see section 2)
- Details on the processes by which provision of military aid to Ukraine have been conducted, including licensing (see Ukraine case study, section 5)
- Data on enforcement actions for export control violations by HMRC
- Information on UK government gifts of military equipment to other countries, and disposals (through sale) to foreign governments of surplus MOD equipment.

³³ investors.baesystems.com/~media/Files/B/Bae-Systems-Investor-Relations-V3/PDFs/results-and-reports/results/2022/bae-ar-complete-2022.pdf

³⁴ <https://www.gov.uk/government/publications/uk-strategic-export-controls-annual-report-2022>

Regarding gifted equipment to foreign governments, the report only provides information on the (fairly limited) gifts to Ukraine by the FCDO and the Home Office. A separate list of military equipment gifted by the MOD to Ukraine, promised in the report, was made in a **statement** to Parliament on 20 July 2023.³⁵ Gifts to other governments by all departments are reported, amounting in value to less than £125,000. A number of significant disposals of MOD surplus equipment are reported, of which the most concerning is a replenishment ship sold to the Egyptian armed forces.

UNROCA

The UK submitted its **return for 2022** to the UN Register of Conventional Arms in August,³⁶ some time past the May 31 deadline, apparently as a result of complications due to the Ukraine situation.³⁷ UNROCA actually gives the number of items exported to each country, and sometimes the model of equipment, unlike the licence which only gives a general description. The UK return gives information on equipment licenced, rather than actually delivered. An exception this year is for equipment donated to Ukraine, where the submission relies on separate information provided to Parliament, rather than on export licences.

The UK's UNROCA entries can generally be problematic as a source of information. On a number of occasions, they have been the subject of significant reporting errors, misclassifications, repetitions of previous years' entries, reporting the return of repaired/upgraded equipment as if it were a new export, and other issues, such as the example above.³⁸ Thus, caution must be exercised in interpreting these entries, and careful comparisons made with the export licence database and the SIPRI Arms Transfers Database.

The 2022 submission is no exception, and is of limited value as a source of meaningful information on UK arms exports. It lists a large number of transfers of single units of armoured vehicles, some of which appear to be very dated, to the US, and which are probably not for actual military (or police) use. In a number of cases, what appear to be components of low value have been listed as items of major equipment. This may be due to errors in the licensing database itself, where components have been erroneously described as e.g. "military combat vehicles" etc, and the entry has been copied directly to the UNROCA submission. One entry lists the transfer of 6 UAVs to Nigeria for commercial use, which again is not particularly relevant for monitoring the arms trade.

There are other entries which do indeed correspond to licences in the database issued in 2022, but which are hard to make sense of. For example, one combat aircraft is listed as exported to Italy, corresponding to a licence issued in July 2021 worth £100 million. However, the UK has not sold any combat aircraft to Italy recently. This may be a case of, for example, return of the aircraft following display at an exhibition (an arms fair or air show) in the UK, or following repair and maintenance in the UK.³⁹

35 <https://hansard.parliament.uk/commons/2023-07-20/debates/23072054000018/MilitarySupportToUkraine>

36 <https://front.un-arm.org/wp-content/uploads/2023/08/UK-UNROCA-Report-2022.pdf>

37 Email exchange with UN Office for Disarmament Affairs (UNODA) official. The report is not yet available on the UNROCA database, due to website difficulties, but has been made available separately on the UNODA website.

38 Email correspondence with Pieter and Siemon Wezeman of the SIPRI Arms Transfers Project, and with Christopher Chew, Head of Policy at the Export Control Joint Unit, Department for International Trade.

39 There are two similar transfers listed: one military helicopter to Italy, corresponding to a £17m licence in July 2022, and one UAV to Israel, corresponding to a £9 million licence in March 2022. The transfer of a single unit like this between countries that both produce the equipment is unlikely to be a case of an original sale for use by the recipient's armed forces.

This represents a lack of transparency in the export licensing database itself, but also, most likely, the direct copying of information from the database to the UNROCA report, without consideration of whether it really corresponds to information that is actually useful for international arms trade transparency, which is the purpose of the exercise.

Nonetheless, there are some entries in the submission which provide meaningful details of transfers not otherwise available. In particular:

- The transfer of 4 military helicopters (listed under the category “attack helicopters”) to Brazil; this appears to correspond to a licence issued in April 2022 for £50 million.⁴⁰
- The transfer of 30 MANPADS to Indonesia, which appears to correspond to a March 2022 licence worth £27 million.⁴¹
- The transfer of 50 Polaris DAGOR A1 (unarmoured) ultra-light tactical vehicles to Sweden, corresponding to a £10 million licence issued in June 2022.⁴²

In each case, the numbers transferred are not provided in the export licence database, but are provided in the UNROCA submission.

40 According to Pieter Wezeman of SIPRI, these are the last 4 of 8 Super Lynx Mk21A helicopters sent by Brazil to be modernized in the UK to the Wild Lynx 11-B variant, then sent back to Brazil. The SIPRI ATDB only counts the new engines (from the US); the modernization itself is not counted as a new transfer in the database.

41 There are also two armoured vehicles listed as transferred to Indonesia, Rapid Ranger Vamtac S3s. These are Spanish-made vehicles. From an email exchange with Pieter Wezeman of SIPRI, it is likely that these were in the UK to be fitted with the MANPADS listed above, before being sent back to Indonesia.

42 According to Pieter Wezeman, these are too small for inclusion in the SIPRI Arms Transfers Database.

5

Cases of concern

CAAT ultimately seeks a complete end to the global arms trade, as well as progressive demilitarisation in arms producing countries, towards a world where security is not based on military power, but on inclusive human security on a liveable planet. Nonetheless, there are certain destinations for UK arms exports that raise particular concerns for CAAT and its supporters, due to the behaviour of the recipient government with regard to human rights and basic freedoms, the involvement of the country in conflict, the risk of corruption or diversion, or other issues.

This section presents case studies of five countries of particular concern: Qatar, Saudi Arabia, the United States, Türkiye, and Ukraine. These are, as it happens, the top five recipients of SIELs by value in 2022 (see section 4). This does not automatically mean they are those of greatest concern, but all raise important issues. There is also a brief discussion of some other recipients of concern.

Ukraine is a very unusual case, where arms supplies support Ukraine's right to self-defence against Russian invasion, and which thus may be seen by many as more justifiable; nonetheless, several specific concerns arise regarding UK arms supplies to Ukraine. These include gaps in transparency, the risk of diversion, the risk of escalation, and the export of depleted uranium munitions.

5.1 Qatar

The £5 billion sale of Eurofighter Typhoon combat aircraft (£6 billion including accompanying armaments) to Qatar was agreed in 2018,⁴³ the UK's third export customer for the Typhoon after Saudi Arabia and Oman. The delivery of the first eight (according to SIPRI) aircraft to Qatar, along with the missiles to arm them, made the country both the largest recipient of SIELs by value in 2022, and the largest recipient of UK deliveries of Major Conventional Weapons according to SIPRI (2nd largest over 2018-22). The UK's submission to UNROCA shows that the licence for these aircraft, issued in May 2022, worth £2.4 billion, covered all 24 aircraft. (See section 4).

While Qatar is not currently involved in armed conflict, it was part of the Saudi coalition bombing Yemen until 2017, when relations between Qatar and Saudi Arabia collapsed.

Qatar is rated as having a 'critical' risk of corruption in the military sector by Transparency International Defence & Security, including in procurement... Operating three separate types of aircraft, each with their own training and maintenance requirements, is costly and inefficient."

43 <https://www.bbc.co.uk/news/business-42302767>

The country is an absolute monarchy with very limited political space, and a particularly appalling **human rights** record in relation to migrant workers,⁴⁴ who represent a majority of the population. Women also face severe repression under “male guardianship” laws. The conditions of migrant workers was highlighted in 2022 by the hosting of the football World Cup by Qatar, with reports of significant numbers of **deaths of migrant workers** building the World Cup stadiums,⁴⁵ due to their appalling working conditions, including having to work long hours in extreme heat, squalid living conditions, and poor health and safety practices. Exact numbers are not known, due to lack of transparency in reporting, but the Guardian **reported** in 2021 that in total,⁴⁶ 6,500 migrant workers had died in Qatar in the ten years since they won the right to host the competition in 2010. One of the first missions of Qatar’s new Eurofighters was in providing **aerial security** for the World Cup.⁴⁷

A further concern is the complete lack of transparency in arms procurement and military affairs in general in Qatar. The country is rated as having a “critical” risk of corruption in the military sector, with the worst possible grade of “F”, by Transparency International Defence and Security’s **Government Defence Integrity Index**.⁴⁸ This includes a grade of F in the area of procurement. The purchase of the Typhoons makes little military sense, as Qatar had already ordered two other, similar types of combat aircraft - US F-15’s, and French Rafales. Operating three separate types of aircraft, each with their own training, maintenance, and spare parts requirements, is costly and inefficient. Such lack of rationality in a major arms procurement can itself be a **corruption red flag**,⁴⁹ although there is no specific evidence of corruption in the Qatar Typhoon deal.

5.2 Saudi Arabia

Saudi Arabia was the second biggest recipient of Single Individual Export Licences (SIELs) by value in 2022, after Qatar, at £1,143 million, 13.4% of the total. Over half of this was accounted for by a single licence, worth £698 million, for “components for bombs”. This is most likely to be the guidance systems, produced by Raytheon Systems UK in Glenrothes, Scotland, for **Paveway IV precision-guided bombs**.⁵⁰ The guidance systems are attached to warheads produced in Italy by Rheinmetall Italia. Another licence covered air-to-surface missiles, probably either Brimstone or Storm Shadow missiles produced by MBDA, worth £240 million. All of these bombs and missiles have been used extensively by Saudi Arabia in their bombing campaign in Yemen, which has **killed at least 8,983 civilians** in attacks on civilian targets,⁵¹ and has been a major contributor to one of the world’s worst humanitarian catastrophes.

Over the period 2018-2022, Saudi Arabia was the largest recipient of SIELs by value, at £3,564 million. The great majority of this, £3.1 billion, was in the category ML4 for bombs and missiles and their related components and equipment, as well as countermeasures to them. This includes more components for bombs, air-to-surface missiles, air-to-air missiles, and surface-to-air missiles.

44 <https://www.amnesty.org/en/location/middle-east-and-north-africa/qatar/report-qatar/>

45 <https://www.bbc.co.uk/news/world-60867042>

46 <https://www.theguardian.com/global-development/2021/feb/23/revealed-migrant-worker-deaths-qatar-fifa-world-cup-2022>

47 <https://wired.me/culture/uk-qatar-eurofighter-typhoon-set-to-provide-security-for-fifa-world-cup-2022/>

48 <https://ti-defence.org/gdi/>

49 <https://sites.tufts.edu/wp/files/2019/09/Red-Flags-Red-Diamonds-final-20190930.pdf>

50 <https://www.thinkdefence.co.uk/2022/11/paveway-iv/>

51 <https://yemendatapoproject.org/>

In addition to the SIELs, 59 Open Individual Export Licences (OIELs) were issued over the period 2018-22 (13 in 2022), and there are two Open General Export Licences (OGELs) which are particularly relevant for Saudi Arabia:

- 1) An OGEL for “Exports or transfers in support of UK government defence contracts”, which include the Saudi-British Defence Cooperation Programme (which covers the maintenance and support of UK-supplied Tornado aircraft), and the Al-Salam Programme (which includes supply, maintenance and support of the Typhoon aircraft sold to Saudi Arabia).
- 2) An OGEL for “Collaborative project Typhoon”, which includes transfers to partners in the programme for the production of the Typhoon, and to customers (including Saudi Arabia) for the support and maintenance of the aircraft.

It is probable that the great majority of UK supplies to Saudi Arabia of spares, components, equipment, etc. used for the maintenance, repair, overhaul, and technical support of the Tornado and Typhoon aircraft, for which work BAE Systems has **6,700 employees in Saudi Arabia**,⁵² alongside over 100 UK MOD personnel, are exported using these OGELs, or the various OIELs.

While the exact scale of exports under open licences cannot be known, BAE Systems **reported** revenues from the Saudi Ministry of Defence and Aviation in 2022 of £2,378 million in 2022,⁵³ far in excess of the value of single licences; moreover, since the components for bombs and the missiles that form the bulk of the value of SIELs are produced by other companies, these will not be included in BAE’s revenue.

According to SIPRI data, Saudi Arabia was the third biggest recipient of UK exports of major conventional weapons over the period 2018-22, after the USA and Qatar, with 7.6% of UK deliveries. The volume of deliveries to Saudi Arabia was down almost 90% compared with the period 2013-17, during which 48 of 72 Typhoon aircraft, ordered under the Al Salam deal in 2007, were delivered, with deliveries concluding in 2017.

Despite the end of Typhoon deliveries, BAE Systems have consistently received revenues of around £2.4-2.5 billion each year from Saudi Arabia since 2018, demonstrating the crucial role of maintenance and support in the UK’s arms trade relationship with the Kingdom.

In 2018, the UK Government signed a **Memorandum of Intent** with Saudi Arabia for the sale of a further 48 Typhoon combat aircraft.⁵⁴ However, this has never turned into a definitive contract. This is unlikely to be for any want of willingness on the part of either the UK or the Saudi government. Rather, the lack of a sale is likely the result of the negative political and legal environment resulting from the Yemen war - with legal challenges to arms to Saudi Arabia for use in Yemen ongoing since 2016 - and the murder of Jamal Khashoggi by senior Saudi agents later in 2018, almost certainly at the order of Crown Prince Mohammed bin Salman. Thus, while UK arms sales to Saudi Arabia have remained high, they have probably not been as high as the UK government and arms industry would like.

The attitude of Germany, one of the partners in the Eurofighter Typhoon programme, along with the UK, Italy, and Spain, has in particular been important, as major subsystems for the aircraft are produced in Germany, and their transfer to Saudi Arabia would thus require German approval. Since the murder of Jamal Khashoggi, Germany has imposed an arms embargo on Saudi Arabia, although

52 <https://www.baesystems.com/en/our-company/about-us/where-we-operate>

53 <https://investors.baesystems.com/annual-report>

54 <https://www.defensenews.com/global/europe/2018/03/09/saudi-arabia-pens-deal-with-uk-to-buy-48-typhoons/>

at the behest of the UK, they have made exceptions for the supply of German spare parts for Typhoons already supplied to the Kingdom. At the time of writing, Germany is considering easing the embargo, but is **not ready to allow the sale of new Typhoons**.⁵⁵

The war in Yemen

The issue of arms sales to Saudi Arabia acquired more urgency since the Saudi-led coalition's intervention in the **war in Yemen** in March 2015,⁵⁶ with a massive and hugely-destructive bombing campaign that, on the Saudi side, involved US and UK-supplied combat aircraft and munitions, as well as continuous support and maintenance, without which the Saudi air force would not have been able to continue to operate.

The war had, according to UN estimates, led to the deaths of 377,000 people by the end of 2021, through direct and indirect causes. The latter include the humanitarian catastrophe caused by the war, with near-famine conditions in large parts of the country, combined with the destruction of healthcare facilities and large-scale displacement of people. The Saudi-led coalition has been one of the major causes of this humanitarian catastrophe, both through the bombing itself (destruction of healthcare facilities, agricultural and water infrastructure, civilian homes, transport infrastructure, etc.), and the impact of the partial Saudi blockade of rebel Houthi-controlled ports, which has restricted food and fuel imports. Other contributors to the catastrophe include large-scale Houthi seizure of humanitarian aid, non-payment of civil service wages in Houthi-controlled areas, massive devaluation of the Yemeni Riyal, destruction caused by ground fighting by all parties, and more.

Saudi coalition bombing has frequently hit civilian residential areas, schools, hospitals, agricultural, fishing and water facilities, transport and industrial infrastructure, and civilian gatherings such as market places, weddings, and funerals, often causing mass civilian casualties. 8,983 civilians have been killed in bombings that hit civilian targets, according to the Yemen Data Project.

After a relative lull in bombings through most of 2021, there was a major surge in January 2022, with three major incidents that killed over 80 civilians, including the bombing of a Houthi prison, killing large numbers of prisoners. Others were killed by Houthi forces while trying to escape.

The truce

On 2 April 2022, a 2-month **truce** agreed by Saudi Arabia,⁵⁷ the Houthis, the internationally-recognised (but holding limited de facto control) Yemeni government, the southern separatist Southern Transitional Council, and other armed groups, came into force. This was extended twice, but **ended** at the start of October 2022. While there have been violations, the truce was largely observed, leading to a substantial drop in civilian casualties. Since the expiry of the truce, there has not been a resumption of full-scale warfare, and in particular, there have been no further Saudi air attacks. At the time of writing, negotiations towards a full peace agreement are **ongoing** between Saudi Arabia and the Houthis, but have yet to bear

Yemen remains in a state of neither war nor peace, with the humanitarian crisis remaining extremely severe... so long as a peace agreement remains elusive, the danger of a return to full-scale fighting, including Saudi air strikes, cannot be ruled out.

⁵⁵ <https://www.middleeasteye.net/news/germany-loosens-arms-exports-saudi-arabia-continues-blocking-eurofighter-jets>

⁵⁶ <https://caat.org.uk/homepage/stop-arming-saudi-arabia/the-war-on-yemens-civilians/>

⁵⁷ <https://www.bbc.com/news/world-middle-east-60962188>

fruit, or to include the other Yemeni parties to the conflict. The country remains in a state of neither **war nor peace**, with the **humanitarian crisis** remaining extremely severe, although there has been some easing of Saudi restrictions on Yemeni ports and airports. There is a widespread perception that Saudi Arabia is seeking a way out of the conflict, which has been a military failure for them, as well as causing international outrage. However, so long as a peace agreement remains elusive, the danger of a return to full-scale fighting, including Saudi air strikes, cannot be ruled out. As the export licence data shows, Saudi Arabia has continued to rebuild its stockpiles of bombs and missiles from the UK.

Human rights

Saudi Arabia is an absolute monarchy where political parties are banned, dissent and protest are not tolerated, women's rights are severely restricted by a male "guardianship" system, and the criminal justice system makes a travesty of due process, with torture commonplace and basic international standards of defendants' rights ignored.

In 2022, two women, one a student at Leeds University, were given jail sentences of over 30 years for Tweets critical of the government.⁵⁸ Saudi Arabia carried out 148 executions in 2022, a major increase on previous years, including 81 people executed on a single day in March, mostly minority Shia Muslims convicted for taking part in protests, charged with "terrorism" offences.⁵⁹ One driver of this surge in executions was reneging on a previous commitment to end capital punishment for drug offences. Executions of defendants who were minors when allegedly committing offences have also taken place.

UK export control criteria take little or no account of the recipient's overall human rights record. Export licences can be refused only on the grounds that the specific equipment to be exported might be used for internal repression. Thus, combat aircraft, bombs and missiles, naval vessels, etc., are not affected by this criterion. Nonetheless, the UK has at times authorised the export of items such as tear gas to Saudi Arabia, where the direct use for internal repression is more obvious. As recently as 2021, a SIEL worth £1,350,000 was approved for crowd control ammunition, smoke/pyrotechnic ammunition, and tear gas/irritant ammunition. Given Saudi Arabia's track record in repressing peaceful protest, it is hard to see how this complies with the UK's export licence rules.

The bigger picture that is missed by the exclusive focus on the potential uses of specific equipment is the way in which major arms sales are a powerful political signal of support for a regime such as Saudi Arabia, as well as providing this regime with massive military power which can be exercised without any democratic or institutional restraints, and without the consent of the people of the country. The dependence of large sections of the UK arms industry on exports to Saudi Arabia also serves to silence virtually all official UK criticism of Saudi human rights abuses. This damages the UK's claim to stand up for human rights worldwide, and makes its condemnations of the likes of Russia, China, and Iran ring hollow in much of the world.

The bigger picture that is missed is the way in which major arms sales are a powerful political signal of support for a regime such as Saudi Arabia, providing massive military power without any democratic or institutional restraints, and without the consent of the people of the country

⁵⁸ Alqst report on Human Rights in Saudi Arabia 2022, p25, <https://alqst.org/uploads/a-new-low-human-rights-in-saudi-arabia-en.pdf>.

⁵⁹ Ibid., p33

5.3 Türkiye

Türkiye was the fourth largest destination for UK SIELs in 2022, with a value of £424 million, and the 7th largest over the period 2018-22, with a value of £942 million. There were 50 OIELs issued to Türkiye during 2018-22, of which 16 were in 2022.

In addition, one OGEL **specifically relates to Türkiye**, covering equipment for Türkiye's indigenous fighter aircraft development programme,⁶⁰ TF-X, led by Turkish company TAI. BAE Systems signed a contract to provide technology for the TF-X worth over £100 million in 2017, and there is a possibility that Rolls Royce will be involved in the development of the engine.

The largest export licence for Türkiye issued in 2022 was for £250 million, covering "technology for tanks", "technology for military combat vehicles" and "technology for military support vehicles". This follows a previous licence in 2021 of the same value and for the same items. Licences of such a large value in the ML22 "technology" category are highly unusual, and it is not clear what these relate to. One possibility is BAE Systems' joint venture company in Türkiye, FNSS, in which BAE has a 49% stake, with the remaining 51% stake held by Turkish company **Nurol holdings**.⁶¹ FNSS is currently producing medium-weight tanks for delivery to Indonesia, armoured vehicles for Malaysia, specialist engineering vehicles for the Philippines, and a variety of armoured vehicles for the Turkish armed forces, worth over €800 million.⁶² However, according to information on companies receiving export licences for military goods to Türkiye between 2018-2022, released in a response to an FOI request by CAAT, neither BAE Systems nor any subsidiary company received a licence covering ML22 in 2022. Indeed, there is no obvious candidate in the list of companies that did for who might have exported such technology for tanks and armoured vehicles to Türkiye. It is remarkable that such a large transfer of military technology can have occurred with virtually no public information about the contract, or which company was involved.

Aside from this £250m licence, the main categories of SIELs for arms exports to Türkiye in 2022 were in the categories ML5 (£46.3m), ML10 (£36.4m), ML6 (£27.5m), and ML4 (£19.8m).

Türkiye has often been a significant customer for the UK arms industry, being a NATO ally with a substantial military budget. However, Türkiye has become an increasingly authoritarian regime under recently re-elected President Erdogan, with severe repression of protesters, journalists, and some opposition political parties. Türkiye was rated "Not Free" by Freedom House in its 2022 **Freedom in the World** report,⁶³ and a "Hybrid Regime" (with elements of democracy and authoritarianism) by the Economist Intelligence Unit's **democracy index** for 2021.⁶⁴

Türkiye has a long-standing **internal conflict** in the south-east of the country,⁶⁵ with the Kurdish PKK armed group, which has frequently involved severe repression and human rights violations against the Kurdish population of the region. The conflict has extended to neighbouring Iraq, where Türkiye frequently attacks PKK bases, and northern Syria, where Türkiye has since 2018 illegally occupied parts of the country formerly controlled by the Kurdish-led YPG, which Türkiye considers an ally of the PKK. The conflict in northern Syria has led to the deaths of hundreds

While UK arms exports to Saudi Arabia rightly receive a high level of public attention, Türkiye is another case where UK arms sales have a highly harmful effect in fuelling conflict and repression. These sales should receive far greater media and parliamentary scrutiny

60 <https://www.gov.uk/government/publications/open-general-export-licence-exports-in-support-of-turkish-aerospace-industries-tf-x-programme>

61 <https://www.nurol.com.tr/en/fnss>

62 BAE Systems Annual Report p.89

63 https://freedomhouse.org/sites/default/files/2022-02/FIW_2022_PDF_Booklet_Digital_Final_Web.pdf

64 <https://www.economist.com/graphic-detail/2022/02/09/a-new-low-for-global-democracy>

65 <https://caat.org.uk/data/countries/turkey/turkeys-war-against-the-kurds/>

of civilians and the displacement of tens of thousands, with Turkish forces and their Syrian allies accused of **ethnic cleansing** and other war crimes. The conflict remains active, with hundreds killed each year.⁶⁶

When Türkiye invaded the Afrin region of northern Syria in 2019, the UK government briefly **stopped issuing export licences**,⁶⁷ for about 2 months, while it reviewed the situation, and thereafter instituted a policy of denying export licences for equipment likely to be used in Syria. However, in late 2021, the government **removed this restriction**,⁶⁸ announcing a return to the normal export licensing process for Türkiye, including the usual criteria, but with no special consideration to the situation in northern Syria.

Türkiye has also in recent years been heavily involved in the **conflict** in Libya,⁶⁹ supplying arms to the Libya-based ruling faction, against the rival eastern-based faction of General Khalifa al-Haftar. Turkish **Bayraktar TB-2 drones** – which appear to contain **UK-supplied technology** in the form of bomb racks supplied by or based on a design by EDO-MBM –⁷⁰ were supplied in 2021 to **Ethiopia**, playing a significant role in that country's genocidal war against the Tigray region,⁷¹ and in recent years were also used by **Azerbaijan** in its war with Armenia.⁷² It appears that licences for the relevant technology and equipment from the UK to Türkiye were last issued in 2019, meaning that deliveries could have continued up to 2021.

In 2022 and 2023, reports emerged of the potential for further major arms sales to Türkiye. This follows obstacles to the country's efforts to obtain new US major combat aircraft; Türkiye was expelled from the F-35 stealth fighter programme by the US in 2019 due to their buying Russia's S-400 air defence system. More recently, Türkiye has been seeking to buy the most recent model of F-16 aircraft but this has run into **obstacles** in Congress over Türkiye's refusal (until recently) to approve Sweden's entry into NATO, their human rights record, and regular violations of fellow-NATO ally Greece's air space.⁷³ As a result, the Eurofighter Typhoon has emerged as a possible alternative; the Turkish and UK defence ministers **held talks** in January 2023,⁷⁴ discussing the possibility of major arms sales, including Typhoons, frigates, and transport aircraft. The UK government appears unconcerned by the potential (mis)uses that have troubled US legislators.

UK arms supplies to Türkiye have a strong potential to be used in military repression of Türkiye's own Kurdish population, to be used aggressively against neighbouring Syria, Iraq, and Greece, and to be supplied to warring parties elsewhere. They also signal support for an increasingly autocratic regime, and enhance the Turkish military's repressive capabilities.

While UK arms exports to Saudi Arabia rightly receive a high level of public attention, Türkiye is another case where UK arms sales have a highly harmful affect in fuelling conflict and repression, and where there are prospects of further major arms sales. These sales should receive far greater media and parliamentary scrutiny than they do at present.

66 See e.g. HIIK Conflict Barometer, various years, <https://hiik.de/conflict-barometer/current-version/?lang=en>

67 <https://www.theguardian.com/world/2019/oct/15/uk-suspends-arms-exports-turkey-prevent-use-syria>

68 <https://www.gov.uk/government/publications/notice-to-exporters-202115-updates-on-licensing-to-turkey/nte-202115-updates-on-licensing-to-turkey>

69 <https://www.mei.edu/publications/turning-tide-how-turkey-won-war-tripoli>

70 <https://www.timesaerospace.aero/features/defence/libyas-deadly-game-of-drones>; <https://www.middleeasteye.net/news/arms-trade-group-calls-british-companies-stop-supplying-parts-turkish-drones>

71 <https://paxforpeace.nl/news/blogs/turkish-drones-join-ethiopias-war-satellite-imagery-confirms>

72 <https://www.insightturkey.com/article/the-role-of-turkish-drones-in-azerbaidjans-increasing-military-effectiveness-an-assessment-of-the-second-nagorno-karabakh-war>

73 <https://www.defensenews.com/congress/2023/02/02/senators-want-to-block-turkey-f-16-sale-until-nato-expansion-succeeds/>

74 <https://www.middleeasteye.net/news/turkey-uk-massive-arms-deal-planes-ships-tank-engines>

5.4 The United States

The USA is consistently one of the biggest recipients of UK arms exports. In 2022, the UK approved £860 million in SIELs to the US, 10.1% of the total, the third largest after Qatar and Saudi Arabia. Over the 5-year period 2018-22, the US share was even higher, at 13.4%, or £3.4 billion.

SIELs only account for a minority of arms exports to the US, as in addition to Open Individual Export Licences (OIELs, of which 55 were issued for the US in 2022), there are at least two Open General Export Licences (OGELs) that are particularly relevant for the US: one OGEL is related to the US-UK Defence Cooperation Treaty,⁷⁵ and permits the export of most types of military equipment to the US, except for complete systems (e.g. complete planes, ships, missiles etc.), and certain types of equipment (such as those related to landmines or cluster munitions) banned by the UK. Another OGEL covers equipment for the F-35 Joint Strike Fighter programme,⁷⁶ led by the US, for which the UK produces around 15% of the value of each plane. These components and subsystems are exported to the US for inclusion in the complete planes, whether they are for the US, UK, or another recipient.

Over the period 2012-21, the value of arms export contracts with countries in North America – i.e. the US and Canada – was £14.1 billion, compared to a total SIEL value of just £5.4 billion, suggesting that a clear majority of exports to these countries are made using open licences. Over the same period, the value of SIELs to Canada accounted for just 10% of the total to North America, so it is clear that the value of arms exports to the USA must vastly exceed the value of SIELs.

Of the SIELs, the largest categories of equipment licenced between 2018-22 were ML1 (small arms), at £819 million, ML10 (aircraft etc.), £754m., ML4 (bombs, missiles etc.), £641m., and ML11 (other electronic equipment), £544m. These accounted for 82% of the value of SIELs to the USA over the period.

According to SIPRI data, the USA was the UK's single largest recipient of major conventional weapons exports during the period 2018-22, with 20.4% of UK deliveries. In turn, the UK was the largest supplier of MCW to the US over that period, accounting for 23.6% of US imports. UK major conventional arms sales to the US largely consist of major subsystems, such as engines (produced by Rolls Royce in the UK for US naval vessels) and air-to-air refuelling systems (produced under licence in the US), rather than complete platforms. In general, the US produces the vast majority of the arms it buys domestically, and when it does import major systems, it generally requires that a large proportion of the content must be manufactured in the US.

Partners in militarism

It is hardly surprising that the UK and the US are major arms suppliers to one another, as they are close military allies. One might indeed wonder why such sales should be of particular concern, as the US is a (largely) democratic state.

The USA is nonetheless by far the world's largest military spender,⁷⁷ devoting a far higher share of its GDP to the military than the majority of countries, at the

The limited information provided on incorporation destinations represents another transparency gap in UK arms export data. Meanwhile, it is clear that, in addition to direct UK exports to countries of concern, more UK military equipment is reaching these countries via the US

⁷⁵ <https://www.gov.uk/government/publications/open-general-export-licence-export-under-the-us-uk-defence-trade-co-operation-treaty>

⁷⁶ <https://www.gov.uk/government/publications/open-general-export-licence-exports-in-support-of-joint-strike-fighter-f-35-lightning-ii>

⁷⁷ <https://sipri.org/media/press-release/2023/world-military-expenditure-reaches-new-record-high-european-spending-surges>

expense of domestic priorities. In recent years, nearly half of US Federal Government ‘discretionary’ spending, and about 12% of total Federal spending, has gone to the military.⁷⁸ The US spends more on the military than the next ten countries combined.

As it seeks to maintain its global military dominance, the US is one of the key drivers of the global arms race, reinforcing a militaristic approach to security. The US has fought numerous wars of choice since 2001, with disastrous consequences for the people of the countries in question, as well as severe losses for the US and its allies themselves. According to the Costs of War project at Brown University,⁷⁹ the US’s “post-9/11” wars in Afghanistan, Pakistan, Iraq, Syria, and Yemen, have led to the direct deaths in armed violence of over 900,000 people (this includes those killed by the US and its allies, and by opposing states and non-state armed groups), while the indirect human toll is estimated at over 4 million. These wars have cost the US an estimated \$8 trillion in immediate costs, as well as the future cost of veteran care and interest payments.

The UK, as one of the US’s closest ally, has been an eager participant in many of these wars, and shares the US’s militaristic approach to international security, one which CAAT challenges. Our concern with the UK-US arms trade in this sense is that it forms a key element of this joint commitment to militarism and global war-fighting.

Fuelling gun violence

Nonetheless, there are also specific concerns relating to some UK arms exports to the US. The single largest category of SIELs to the US by value during 2018-22 has been ML1, small arms, at £819 million, including £276 million in 2022 alone. This includes at least 6,000 rifles and 56,300 sniper rifles, as well as thousands of sporting guns. Small arms exports to the US could be of particular concern in a number of cases: where the recipient is a US police force, many of which have a terrible record of shooting unarmed civilians, especially Black people, and where the recipient is a commercial gun seller, which risks fuelling the country’s horrific gun violence, given the very weak gun control legislation in many states – or in Mexico and Central America, where a large proportion of weapons used in violent crime are smuggled from the US.⁸⁰

At least one licence issued in 2022, for 28,150 sniper rifles, was for a commercial end user. More details on the nature of the end user are not available. There is likewise no indication as to whether the gun control laws in the state where the end user is based were taken into account in evaluating the export licence. While the risk of diversion is one of the export licensing criteria, it is not clear how this is applied to legal commercial sales of weapons to civilians. Subsequent smuggling across borders would constitute illegal diversion, but as the UK does not conduct end-user monitoring, one can have little confidence that this risk is rigorously controlled for.

⁷⁸ <https://www.whitehouse.gov/omb/budget/historical-tables/>. Discretionary spending is spending which must be approved by Congress each year. Federal spending also includes ‘Mandatory’ spending, such as Social Security, Medicare, and Medicaid, that are mandated by other legislation, and do not need annual re-approval.

⁷⁹ <https://watson.brown.edu/costsofwar/figures>

⁸⁰ <https://www.npr.org/2022/06/07/1103445425/much-of-firearms-traffic-from-the-u-s-to-mexico-happens-illegally>

Incorporation licences

The US has the world's largest arms industry, and is the world's largest arms exporter. As such, a significant proportion of the components and equipment exported by the UK to the US is for use in the US to produce equipment for export. This of course includes the UK contribution to the F-35, which has many export customers around the world, including Israel. The F-16 combat aircraft is another one for which the UK supplies components, and which has been extensively used by Israel in its attacks on Gaza, and by Türkiye for its attacks on Kurdish people in Türkiye, Iraq, and Syria.

Those SIELs where some or all of the equipment is intended for incorporation into larger systems for subsequent export are reported as "incorporation licences". The export licence application from the company must specify all potential ultimate end-users of the equipment, or anything containing the equipment, whether in the recipient country or a third country.

Unfortunately, while incorporation SIELs are reported separately from "standard" SIELs, the government database only gives a summary of all incorporation destinations included *at least once* within a search period, and not the *number* of licences including each incorporation destination. As a result, it is not always possible to identify the incorporation destinations for any particular licence or item licenced with certainty. In most cases, it is only possible to identify a list of *potential* incorporation destinations for a licence, of which at least one must be an actual destination.

Reporting of OIELs does not distinguish whether they are authorised for incorporation and subsequent re-export. The position with OGELs can also be unclear, although some, such as licences for UK contributions to joint programmes such as the F-35 or the Eurofighter Typhoon, clearly include permission for incorporation and re-export to certain export customers.

Incorporation destinations of concern for equipment licenced to the US using "incorporation" SIELs include Bahrain (definite incorporation destination 8 times, potential destination 12 times), Egypt (5 definite, 10 potential), Iraq (5 and 18), Israel (9 and 18), Saudi Arabia (8 and 62), Thailand (11 and 55), Türkiye (9 and 9), and the United Arab Emirates (9 and 22).

The limited information provided on incorporation destinations (also an issue for UK exports to many other countries with substantial arms industries), represents another transparency gap in UK arms export data. Meanwhile, it is clear that, in addition to direct UK exports to many of the countries of greatest concern in relation to human rights and conflict, more UK military equipment is reaching these countries via the US arms industry.

5.5 Ukraine

Since Russia's illegal and brutal invasion of Ukraine on 24 February 2022, many western nations, as well as the EU collectively, have supplied large quantities of arms to Ukraine to support its self-defence, with the UK the second largest individual national donor. The UK government states that it has supplied **£2.3 billion of military equipment** to Ukraine in 2022/23,⁸¹ and has pledged a like amount for 2023/24.⁸²

UK equipment supplied has included large quantities of anti-tank and anti-aircraft missiles and artillery ammunition, as well as air defence systems, artillery systems, drones, a variety of non-lethal equipment, and more. Early in 2023, in a significant escalation of the arms supplies, the UK pledged to deliver 14 Challenger II tanks to Ukraine, the first nation to promise modern main battle tanks. This was followed by pledges from the US and various EU member states of Abrams and Leopard 2 tanks respectively. A full list of military equipment supplied by the UK MOD was given in a Parliamentary Statement by the Secretary of State for Defence, Ben Wallace, on 20 July 2023.⁸³ Further details can be found in a research briefing in the House of Commons Library,⁸⁴ which also includes details of other countries' military aid to Ukraine, and which is updated periodically, most recently on 14 August 2023.

According to the government's Annual Report on Strategic Export Controls for 2022,⁸⁵ these supplies have come from a number of sources: 1) UK defence stocks; 2) rapid procurement from UK and overseas defence industries; 3) purchasing surplus equipment from foreign governments which has then been gifted by the UK government; and 4) co-ordinated international procurement through the International Fund for Ukraine (IFU).

Past UK arms trade with Russia, and continuing concerns

The UK has at times been a minor supplier of military equipment to Russia. Between 1999-2014, the UK approved £228 million in military export licences to Russia. Such sales largely ended after the Russian annexation of Crimea in 2014, and support for pro-Russian insurgents in the Donbas. An arms embargo against Russia was imposed by the EU in August 2014, which remained UK law following Brexit. Since the Russian invasion last year, the UK has **extended the embargo** to include all dual-use equipment, with a few exceptions.⁸⁶

Nonetheless, evidence has emerged of western-manufactured components being used in recently-made Russian military equipment; in many cases, these involve goods that are not subject to export controls, but which nonetheless have military applications, such as advanced electronic components. In August 2022, the Royal United Services Institute (RUSI) published the findings of an investigation of 27 Russian weapons systems and pieces of military equipment found in Ukraine,⁸⁷ in which they found 450 unique microelectronic components manufactured by western companies; most by the US, but including 5 components made by UK companies.

81 <https://hansard.parliament.uk/commons/2023-07-20/debates/23072054000018/MilitarySupportToUkraine>

82 This section includes discussion of some developments in arms transfers to Ukraine in 2023, as in considering UK policy and its impact overall, it does not make sense to apply a cut-off point at the end of 2022.

83 <https://hansard.parliament.uk/commons/2023-07-20/debates/23072054000018/MilitarySupportToUkraine>

84 <https://commonslibrary.parliament.uk/research-briefings/cbp-9477/>

85 <https://www.gov.uk/government/publications/uk-strategic-export-controls-annual-report-2022>

86 <https://commonslibrary.parliament.uk/research-briefings/cbp-9483/>

87 <https://rusi.org/explore-our-research/publications/special-resources/silicon-lifeline-western-electronics-heart-russias-war-machine/interactive-summary>

According to UK export control law, exports of non-controlled goods to countries under an arms embargo may require an export licence if they may have a military end-use, but only if the company is informed or is aware that the items have an intended military use.⁸⁸ As discussed in section 2, these end-use controls for embargoed destinations were strengthened in December 2021. Nonetheless, such components might still be sold by companies that are not aware (or do not declare they are aware) of potential military end-use. Transshipment of equipment through third countries is another route by which western equipment might end up in Russian weapons, according to the RUSI report.

Export licences to Ukraine

Equipment gifted by the UK government, including to Ukraine, do not require an export licence. However, the MOD is required to evaluate them according to the same criteria as for export licences. This potentially reduces transparency, as it is not subject to the same export licensing reporting requirements. This would presumably apply to categories 1) and 3) of the above. The report indicates that for equipment obtained through rapid procurement from UK industry (category 2), export licensing is conducted as normal by the ECJU, though such applications are treated as priority cases. The annual report does not make clear the procedure for equipment procured from overseas. However, a response to a CAAT enquiry to the ECJU stated that in such cases, if the equipment does not become MOD property before being delivered to Ukraine, it is subject to the export licensing regulations of the country of origin. Occasionally, where there is a “limited window of opportunity to secure the goods”, the MOD may first buy the equipment before gifting it to Ukraine, in which case it comes under the gifting regulations. Procurement via the IFU may come from UK or overseas industry, and will be subject to the export licensing requirements of whichever country it comes from (including the UK), and is not treated as gifted equipment.⁸⁹

In total, £401 million worth of SIELs were issued to Ukraine in 2022. Most of this was for sensors and targeting systems, body armour and helmets, electronic equipment, and armoured vehicles; presumably, most of these are equipment sourced using rapid procurement from UK industry, and paid for by the UK government, although it is possible that some are direct commercial sales by industry to Ukraine.

Ten trade-control/brokerage licences (7 SITCLs and 3 OITCLs) were issued for transfers to Ukraine. These cover 900 machine guns, artillery ammunition and mortar bombs, explosive charges, armoured vehicles, and body armour, sourced variously from Bulgaria, Malaysia, Romania, the UAE, the USA, and Zimbabwe. As brokerage licences do not appear to apply to equipment procured from overseas by the MOD (see above), it may be presumed that these relate to commercial sales to the Ukrainian government by UK-connected brokers.

⁸⁸ <https://www.gov.uk/guidance/end-use-controls-applying-to-military-related-items>

⁸⁹ Email from Lisa Young, Deputy Head, ECJU MOD Team, 31 Aug. 2023.

Concerns

Arms supplies to a warring party always raise serious concerns. However, there is clearly a huge moral difference between arms supplies enabling a country to defend itself against invasion, in line with Article 51 of the UN Charter, and the many cases where UK arms support war, repression, occupation, and serious violations of International Humanitarian Law (IHL). For some who oppose the arms trade and militarism, supplying arms to Ukraine may be seen as a rare, legitimate exception, while for others, they may be seen as further inflaming an awful war. CAAT understands both positions. However, regardless of the justification of supplying arms in principle, there are numerous significant concerns regarding arms to Ukraine that need to be addressed.

Transparency

The most important transparency concern relates to equipment for Ukraine sourced by the UK government from the “open market” or from third countries.⁹⁰ This may potentially include new production by UK or overseas companies, or purchase of existing supplies via arms brokers or dealers. As Declassified reported in March, the government has made clear that details of arms for Ukraine sourced from overseas, representing a “significant portion” of total UK military aid, will be kept secret.⁹¹ Thus, the public will not know what equipment is being donated under such arrangements, or which companies or brokers are contracted for them.

As well as the lack of public or parliamentary scrutiny of these international deals, such non-transparent use of third-party brokers also carries significant risks of fraud, corruption and waste. This was frequently a problem with US DOD wartime contracting in Afghanistan and Iraq.⁹² Such risks associated with rushed, non-transparent, urgent operational procurement, were also seen in the UK in the procurement of supplies for tackling the Covid pandemic.

In general, significantly greater transparency is needed regarding UK arms donations to Ukraine, and strong monitoring and control over the use of brokers, to guard against abuse.

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Diversion

One of the main concerns surrounding arms supplies to Ukraine is the risk of diversion to unauthorised users, during or after the war. Ukraine has been identified in the past as a hub of illegal arms trafficking, and the head of Interpol is among those who have warned of the risk of arms falling into criminal hands.⁹³ The widespread arming of civilians by the Ukrainian government carries additional risks. The fact that one unit of the Ukrainian armed forces, the Azov Battalion, has Neo-Nazi links, and that other militia may have similar links, is a further concern. Moreover, arms supplied now, if not fully used or destroyed in combat, may remain in circulation for years or decades after the war, with significant potential for civilian harm.

90 <https://www.gov.uk/government/speeches/defence-secretary-oral-statement-on-war-in-ukraine--2>

91 <https://declassifieduk.org/significant-portion-of-4-8bn-uk-lethal-aid-for-ukraine-will-remain-secret/>; <https://questions-statements.parliament.uk/written-questions/detail/2023-02-23/151421>

92 <https://www.stripes.com/news/report-u-s-wasted-60-billion-in-contracting-fraud-abuse-1.153787>

93 <https://www.theguardian.com/world/2022/jun/02/ukraine-weapons-end-up-criminal-hands-says-interpol-chief-jurgen-stock>

The EU has taken some steps to address the risk of diversion (potentially of small arms into criminal networks in Europe), setting up a monitoring hub in Moldova,⁹⁴ although this also relates to human trafficking and to firearms trafficking in general, rather than specifically EU supplies. The US also produced a plan to address the risk of arms diversion in October 2022, although a Stimson Center report argued this contained a number of gaps: in particular, while the authors considered the plan's prioritizing of Man-Portable Air Defense Systems (MANPADS) and Anti-Tank/All-purpose Tactical Guided Missiles (ATGMs) understandable, they thought more attention should be paid to SALW, one of the prime targets of the illicit arms market. They also considered the plan to have inadequate provision for post-conflict planning, and that it was unclear on how these efforts would be integrated with those of European partners.

Whatever limitations there may be to these US and EU measures, at least there are some. In contrast, there has been no announcement of efforts to counter diversion by the UK. An FOI request made in August 2022 regarding such measures, was met with a "refusal to confirm or deny" by the MOD, on national security grounds.⁹⁵ While Criterion 7 of the UK's arms export licensing criteria requires an assessment of the risk of diversion, the UK government does not carry out routine end-use monitoring of UK arms exports in any way. While it is understandable that the details of any plan might be confidential, to refuse to even comment on whether a plan exists is extraordinary, and can't help but raise the suspicion that this refusal covers the fact that there is none.

So far, according to several experts, there is little evidence of arms supplied to Ukraine being diverted to the black market or other unauthorised users.⁹⁶ It is likely that the urgent requirement for arms on the front line discourages such diversion. However, what happens to surplus arms and ammunition following the end of the war is another question, and the risk of diversion then may be far higher. In the past, the mass of surplus arms in Eastern Europe following the end of the Cold War was a major source of illegal arms supplies to African conflicts and elsewhere.

Meanwhile, there is already evidence of UK-supplied weapons being acquired by Ukrainian military units with Neo-Nazi links, and/or records of rights abuses. The investigative news outlet Declassified UK has uncovered a case of a Ukrainian militia accused of torture receiving UK-supplied arms, and another of a former Neo-Nazi militia leader in Russia, now fighting with the Azov Battalion of the Ukrainian armed forces, displaying UK-supplied NLAWs on a video.⁹⁷

It is therefore essential that the UK, along with other arms suppliers to Ukraine and with the Ukrainian government and armed forces, ensure a rigorous system of tracking and monitoring of these arms, including the development of strong stockpile management systems. While the US, the EU, and the Ukrainian government have made at least some steps towards this, the UK appears to be lagging behind. It is moreover shocking that the MOD is refusing even to confirm or deny if it has any end-use monitoring or other measures to mitigate the risk of diversion. The UK's actions – or lack of them – on such an important topic should be a matter of public record and debate, at least in general terms, even if some operational details must be kept secret.

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94 https://neighbourhood-enlargement.ec.europa.eu/news/informal-home-affairs-council-eu-launches-support-hub-internal-security-and-border-management-2022-07-11_en

95 https://www.whatdotheyknow.com/request/monitoring_risk_of_uk_weapons_le

96 <https://www.businessinsider.com/no-sign-of-mass-arms-trafficking-from-ukraine-authorities-say-2022-10?r=US&IR=T>

97 <https://declassifieduk.org/pro-isis-fighter-in-ukraine-had-uk-missiles-and-boasted-of-sas-training/>; <https://declassifieduk.org/revealed-russian-neo-nazi-leader-obtained-uk-missiles-in-ukraine/>

Depleted Uranium weapons

Among UK arms supplies to Ukraine, one of the most concerning is the admission by the UK government in March 2023 that they will supply armour-piercing Depleted Uranium (DU) shells for use with UK-donated Challenger 2 tanks.⁹⁸ Although the evidence is not conclusive, exposure to DU, from weapons used by the US and UK in the first Gulf War and in the invasion of Iraq, has been widely linked to cancers, birth defects, and other serious illness among both US soldiers and Iraqi civilians. A report by the UN Environment Programme in May 2022 on the environmental impacts of the war, expressed concern over the possible use of DU, noting that it “can cause skin irritation, kidney failure and increase the risks of cancer”.⁹⁹

Given the risks of harm to both Ukrainian civilians and military personnel, the use of DU weapons in this conflict would be utterly irresponsible, and the supply of them by the UK should be stopped.

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Escalation

From the beginning of the current war in Ukraine, a major concern internationally has been the potential for it to escalate to a full-scale confrontation between Russia and NATO, including the risk of this involving the use of nuclear weapons, with potentially cataclysmic consequences. Russian statements strongly hinting at their willingness to use nuclear weapons in certain circumstances have underlined this risk. Fortunately, it appears to be one to which leaders of the nuclear-armed states are very much alert, and an outcome they are very much seeking to avoid. That does not, however, mean that the risk disappears.

NATO support for Ukraine, while involving huge volumes of weaponry and ammunition, has stopped short of direct military intervention. President Biden, among others, clearly ruled out measures such as a “no-fly zone” early in the conflict. However, the quality and power of weapons delivered to Ukraine has steadily escalated through the course of the war. Notable upward steps include the supply of main battle tanks by the UK and others, the donation of Storm Shadow cruise missiles announced by the UK in May 2023,¹⁰⁰ and more recently, the promise by several European NATO members, with US support, to provide F-16 combat aircraft.¹⁰¹

The longer the war continues, and the longer in particular Ukraine and its western allies adhere to a goal of absolute military victory, the greater the pressure will be to supply ever more advanced weapons. The further western support goes, and the more it allows Ukraine to achieve on the battlefield – in particular, if it leads to a real possibility of Ukraine retaking Russian-occupied Crimea – the greater the risk that Russia might take this as an “existential threat”, provoking a possible nuclear response.

All of this emphasizes the need to work towards a negotiated end to the war, while upholding fundamental principles of international law. An approach that leans only on ever more powerful arms supplies, striving for a humiliating defeat of Russia, risks catastrophic consequences.

98 <https://declassifieduk.org/britain-supplying-depleted-uranium-rounds-to-ukraine/>

99 <https://hir.harvard.edu/depleted-uranium-devastated-health-military-operations-and-environmental-injustice-in-the-middle-east/>; <https://pubmed.ncbi.nlm.nih.gov/29890359/>; <https://pubmed.ncbi.nlm.nih.gov/31757565/>; <https://www.unep.org/resources/report/environmental-impact-conflict-ukraine-preliminary-review>

100 <https://www.gov.uk/government/speeches/defence-secretary-oral-statement-on-war-in-ukraine--3>

101 <https://www.forbes.com/sites/davidaxe/2023/08/24/ukraines-future-f-16-fleet-just-got-a-lot-bigger/?sh=16994a05f0ce>

Appendix SIPRI data on UK arms transfers to Ukraine in 2022

SIPRI assess that the following major conventional weapons (which would not include e.g. communications, electronic equipment, small arms, ammunition, and non-lethal equipment) was delivered by the UK to Ukraine in 2022.¹⁰²

- 6 Stormer HVM Mobile surface-to-air missile systems
- (3) Sea King HAR-3 transport helicopters
- (60) Cougar armoured personnel carriers
- (20) MXT-MV armoured patrol vehicles
- (114) Spartan armoured personnel carriers
- (6) M-270 MLRS 227mm self-propelled multiple rocket launchers
- (60) L-118 155mm towed guns
- (290) Brimstone air-to-surface missiles
- (50) Brimstone-2 air-to-surface missiles
- (6,900) NLAW anti-tank missiles
- (200) FGM-148 Javelin anti-tank missiles
- (720) GMLRS guided rockets
- (1700) Starstreak surface-to-air missiles
- (300) LMM Martlett multi-role missiles
- (25) AIM-120C AMRAAM Beyond Visual Range air-to-air missiles
- (2) ARTHUR artillery-locating radars
- 2 Sandown minehunter ships

Numbers in brackets (most of the above) are estimates.

5.6 Other recipients of concern

India

India was the 9th largest recipient of single export licences by value in 2022, with £256 million, and the 5th largest over the period 2018-22m at £1,319 million. India was also the 4th largest recipient of UK deliveries of major conventional weapons over 2018-22, according to SIPRI, with 6.9% of total deliveries. Major orders and deliveries in recent years have included air-to-air missiles and artillery. By far the largest SIEL issued to India in 2022 was for air-to-air missiles and associated equipment, for £169 million.

India remains engaged in a long-running internal conflict in the disputed province of Jammu and Kashmir, where the government has pursued a policy of severe repression of dissent since the abolition of Kashmir's semi-autonomous status in 2019.¹⁰³ The border dispute with Pakistan over Kashmir, the source of three wars between the neighbours since 1948, remains unresolved. (Pakistan is another, albeit smaller, customer for UK arms). In total, the Uppsala Conflict Data Project (UCDP) recorded 335 "battle-related deaths" in India in 2022 in conflicts involving Indian state forces.¹⁰⁴

¹⁰² <https://armstrade.sipri.org/armstrade/html/tiv/index.php>

¹⁰³ <https://www.theguardian.com/world/2019/oct/31/india-strips-kashmir-of-special-status-and-divides-it-in-two>

¹⁰⁴ <https://ucdp.uu.se/country/750>

The far-right government of Narendra Modi, driven by its Hindu nationalist Hindutva ideology, has in general rolled back democratic rights and civil liberties throughout the country, in a way which various observers have warned is verging on fascism.¹⁰⁵ Freedom House's Freedom in the World index for 2023 ranked India as "partly free" with a score of 66/100 for political rights and civil liberties, a decline of 10 points over 10 years.¹⁰⁶

As the UK has pursued greater trade deals with India, including arms deals - with a new Open General Export Licence issued in 2022, covering a wide range of military exports to India - it has been inclined to turn a blind eye to the Indian government's democratic backsliding and increasingly repressive policies.

The United Arab Emirates

The UAE was the 11th largest recipient of UK SIELs in 2022, with £149 million. Over the period 2018-22, UAE was the 9th largest, with £739 million.

The UAE has been, after Saudi Arabia, the leading participant in the Saudi-led coalition in the war in Yemen. While the UAE announced the withdrawal of its troops from Yemen in 2019, it has continued to arms and support various armed groups in the country, including the Southern Transitional Council that controls Aden. A recent Mwatana for Human Rights report also states that some UAE troops remain in Yemen.¹⁰⁷ The report's main matter, however, is documenting extensive torture, arbitrary arrests, and forced disappearances by the UAE and UAE-backed forces in Yemen since the beginning of the war.

As international efforts continue to broker peace in Yemen, a concern voiced by some analysts is that disputes between Saudi Arabia and the UAE over the future of the country, in particular the UAE's support for groups seeking an independent South Yemeni state, and its efforts to extend its influence along the Yemeni coast, may derail peace efforts.¹⁰⁸

The UAE has taken a role in numerous other regional conflicts. It has allegedly supplied arms to the militia led by renegade Libyan General Khalifa al-Haftar, which controls eastern Libya, in its civil war with the internationally-backed government in Tripoli.¹⁰⁹ Most recently, the UAE has been accused of arming both sides in the destructive civil war in Sudan, between the army and the Rapid Support Forces. The UAE denies the claim.¹¹⁰

105 E.g. <https://qz.com/india/844672/along-with-narendra-modis-rise-india-has-displayed-classic-signs-that-foreshadow-fascism/>; <https://www.aljazeera.com/opinions/2022/6/17/india-is-becoming-a-hindu-fascist-enterprise>

106 <https://freedomhouse.org/explore-the-map?type=fiw&year=2023>

107 https://global-uploads.webflow.com/621cfefe2b950d85b2a1e2d1/64742782eb7f7aacec596d9b_MwatanaOMCT-Submission-on-the-UAE-to-UN-CAT.pdf

108 <https://financialpost.com/pmnl/business-pmnl/saudi-uae-rift-threatens-us-effort-to-end-yemen-war>

109 <https://www.theguardian.com/global-development/2020/oct/07/turkey-and-uae-openly-flouting-un-arms-embargo-to-fuel-war-in-libya>

110 <https://www.military.africa/2023/04/the-uae-sold-arms-to-both-warring-parties-in-sudan/>

Israel

Israel is one of the most controversial, though far from the largest, recipient of UK arms, due to Israel's ongoing, and increasingly brutal, occupation of Palestine. Over the period 2018-2022, Israel was the 29th largest recipient of Single Individual Export Licences by value, at £146 million, as well as 23 OIELs, of which one was subsequently revoked. In 2022, Israel was the 22nd largest, with a value of SIELs approved of £41.5 million, along with 8 OIELs. The highest value permanent SIEL to Israel in recent years was issued in 2021, for "unmanned air vehicles", "military aero-engines", and related equipment and components, worth a total of £9.0 million.

Despite these relatively low figures, probably the most significant UK arms exports to Israel, namely the UK contribution to US F-35 stealth combat aircraft, are not covered by this data. Approximately 15% of the value of each F-35 aircraft is produced in the UK,¹¹¹ including the rear aft fuselage, the fuel system, and a range of electronic systems.¹¹² Exports for these F-35 components and subsystems are covered by an Open General Export Licence (OGEL), allowing for export of a wide range of components and equipment to the US and other producer nations, or to customer nations (including Israel), if they are for the purpose of the F-35 programme.¹¹³

According to the SIPRI Arms Transfer Database, Israel has ordered a total of 50 F-35s from the US, of which 36 have so far been delivered, up to the end of 2022. According to the detailed delivery database,¹¹⁴ a total of 6 were delivered in 2022.

While the value of UK companies' F-35 contracts with the prime contractor, Lockheed Martin, are not known, based on the 15% workshare and the estimated \$80m a plane unit cost of the F-35, this would suggest that each aircraft involves around \$12 million to UK industry. This would imply a value of \$72 million (£58m) for deliveries to Israel in 2022, far higher than the value of SIELs, and around \$432 million (approx. £336m.) since deliveries began in 2016.

Israel used F-35 aircraft against Palestinian targets for the first time, during the May 2021 conflict between Israel and Palestinian groups in Gaza, during which 260 Palestinians were killed, including at least 129 civilians, along with 13 Israelis, including 12 civilians. Both Israel and Palestinian armed groups carried out apparent war crimes, according to Human Rights Watch.¹¹⁵ Unlike previous Israeli attacks on Gaza, the UK government does not appear to have carried out any review of export licences to Israel, or investigation into the possible use of UK-supplied equipment.

111 <https://www.f35.com/f35/global-enterprise/united-kingdom.html>

112 <https://www.baesystems.com/en-uk/product/f-35>

113 <https://www.gov.uk/government/publications/open-general-export-licence-exports-in-support-of-joint-strike-fighter-f-35-lightning-ii>

114 <https://armstrade.sipri.org/armstrade/html/tiv/index.php>

115 <https://www.hrw.org/news/2021/07/27/gaza-apparent-war-crimes-during-may-fighting>

6

Summary and policy recommendations

The various sources of information on UK arms exports discussed in this report each provide different, partial pictures of the UK arms trade. Together, these provide a host of valuable qualitative and quantitative information on the UK arms trade. However, the information is highly incomplete. Deliveries are not reported. The high level of use of open licences means that it is impossible to know the full scale of UK arms sales in total or to individual countries.

The data on export licences for 2022 shows a large increase in the value of Single Individual Export Licences (SIELs) compared to 2021, to £8.5 billion, almost double the figure for 2021, and the highest level since figures have been available from the early 2000s. This is driven in part by the start of deliveries of Eurofighter Typhoon combat aircraft to Qatar, along with substantial bomb and missile deliveries to Qatar and Saudi Arabia among others. The USA, Türkiye, and Ukraine are other major recipients. This can present a somewhat distorted picture of overall exports, as such items are the types most likely to require SIELs rather than open licences. Nonetheless, they suggest a significant increase in overall exports. This picture is supported by SIPRI data on major conventional weapons, which shows a substantial 1-year increase in UK exports in 2022, although the 5-year total for 2018-22 is still well down on the previous period, 2013-17. Donations of military equipment to Ukraine (most of which do not require export licences, as they come under a Crown exemption), account for some, but not all, of the increase.

The UK has been one of the largest donors of military equipment, ammunition, and supplies to Ukraine since the illegal Russian invasion in February 2022, with a total value of £2.3 billion in 2022/23, and a similar amount pledged for 2023/24. The size and sophistication of materials supplied has steadily increased over the course of the war. While the supply of arms to a country exercising its right to self-defence against a direct act of aggression by a more powerful neighbour is a more understandable reason for exporting arms than most UK arms exports, concerns remain regarding the potential for diversion of equipment to unauthorised users, the risk of escalation, and the transfer of certain specific types of weaponry such as depleted uranium ammunition.

The majority of UK arms exports continue to go to highly autocratic regimes, and/or countries that are actively engaged in armed conflict (and that are not defending themselves from foreign invasion). Substantially more arms and military services are being supplied to such countries through non-transparent open licences, as well as potentially via other arms producing countries such as the US, using ‘incorporation licences’ for exports of components from the UK. Transparency around such incorporation licences is likewise lacking.

Recommendations

These are recommendations to the UK government except where otherwise stated.

Human rights and conflict

- End the issuing of Open Licences to countries engaged in armed conflict or with serious and persistent patterns of human rights abuses.
- Introduce a “presumption of denial” for arms export licences to countries involved in high intensity armed conflict, and/or which persistently violate fundamental human rights.
- Instate a requirement to conduct and publish additional assessments when export licences applications are to countries on the FCDO’s human rights priority list.
- Include long-lasting open licences, such as OIELs and OGELs, in the revocation or suspension of existing licences, particularly where the revocation or suspension relate to Criterion Two of the Consolidated Criteria.¹¹⁶

Transparency

- Instate a requirement for companies holding both Single and Open Licences to provide data on the financial values and quantities of actual transfers made under these licences, and to make this information available on the Government database.
- Provide information in the ECJU database on the companies in receipt of and who have been refused, Single Individual Export licences and Open Individual Export Licences.
- Publish licence-specific information on the incorporation destinations of incorporation licences.
- Significantly increase data made available on arms export contracts from UK Defence & Security Exports, including what equipment and services are to be provided, the recipient, date, and the value of the contracts. Figures should be broken down by each country recipient where known, not only the percentage to each geographical region.
- Ensure that the UK’s reporting to UNROCA is timely and accurate, free of misclassifications, repetitions of previous years’ entries or other errors, and provides data on actual deliveries rather than licences, as is requested by UNROCA from participant states.

¹¹⁶ ‘Respect for human rights and fundamental freedoms in the country of final destination as well as respect by that country for international humanitarian law.’ <https://researchbriefings.files.parliament.uk/documents/CBP-9494/CBP-9494.pdf>

Compliance

Provide data on the rates of recidivism for those companies who have been subject to enforcement measures by ECJU Compliance Officers, the Border Force, and the Crown Prosecution Service, and quantitative and/or qualitative data on the relationship between the Export Licensing Criteria and breaches of compliance.

Ensure significant consequences for companies that are repeatedly non-compliant with regards to export control regulations.

Ensure systematic end-user monitoring, including post-shipment verification of the end-use of military equipment exported from the UK.

Committees on Arms Export Control

- (To the UK government, in particular the Leader of the House, and to the House of Commons) Establish a dedicated Select Committee on arms export controls, to allow the Committee to provide effective parliamentary scrutiny, including reducing obstructive and excessive quorum requirements.
- Ensure an adequate level of engagement with CAEC by government; including providing senior Ministers from the relevant departments to give evidence before the Committees, submitting written evidence addressing respective inquiries' terms of reference, and consulting all stakeholders on the significant changes to export licensing regulations.¹¹⁷

Saudi Arabia

- Immediately end the supply of military equipment to Saudi Arabia, as well as in-country support for existing UK-supplied equipment, in line with Criteria 2c of the Consolidated Criteria and in light of the overwhelming evidence of violations of International Humanitarian Law in Yemen.
- (To the government of Germany): CAAT welcomes the refusal, up to now, of Germany to approve further sales of Eurofighter Typhoons to Saudi Arabia, and urges the German government to maintain this refusal.

Türkiye

- Thoroughly investigate the possible inclusion of UK components and technology in Turkish-made armed drones. If such inclusion is confirmed, act to ensure that these weapons are not exported without UK authorisation.
- Thoroughly investigate the potential inclusion of UK components, equipment or technology in military equipment used by Türkiye in the course of their illegal occupation of territory in northern Syria, in air strikes causing civilian harm in Iraq or Syria, or in attacks on civilians in Türkiye. End all arms transfers to Türkiye that have the potential for such uses.

¹¹⁷ CAEC's latest report: "Developments in UK Strategic Export Controls, First Joint Report of Session 2022–23"

Ukraine

- Publish information on contracts with third parties for military equipment donated to Ukraine, as part of the overall information provided by the government on military supplies to Ukraine
- Establish, in cooperation with the government of Ukraine and the UK's allies supporting Ukraine, a robust system for tracking and monitoring UK military equipment supplied to Ukraine, to prevent current or future diversion of such equipment.
- End the supply of weapons or ammunition containing Depleted Uranium to Ukraine.

USA

- Exercise particular caution in the export of small arms to the USA for commercial and individual end-users, with regard to the state of gun control laws in the state where the recipient operates, the likely potential clientele for the recipient, and the risk of such weapons being used in gun violence in the USA, or of being illegally diverted to third countries, in particular Mexico or Central American states. End such sales where the state in question does not have sufficiently rigorous gun control laws to prevent such misuse.



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