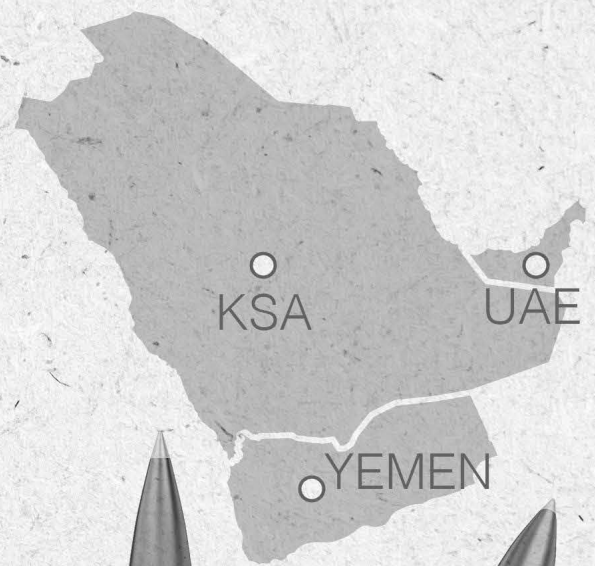
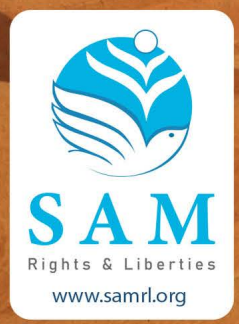


UK Arms Sales to Saudi Arabia and UAE



Fact-based Report
November 2020



Contents

Executive Summary	03
The Conflict in Yemen	04
UK Arms Sales	09
Saudi Arabia	11
The UAE	13
Evidence of Use	14
Legal Challenges	15
Recommendations	17
Notes	18

Executive Summary

The Yemen war is having a devastating impact upon the population as it has led to what the UN describes as the worst humanitarian crisis in the world. However, the United Kingdom (UK) continues to sell arms to Saudi Arabia and the United Arab Emirates (UAE), seemingly ignoring the overwhelming evidence of violations of International Humanitarian Law in their actions in the conflict. This raises questions of whether or not the UK is not only complicit in the war crimes in Yemen, but is also part-responsible for the perpetuation of the conflict.



The Conflict in Yemen

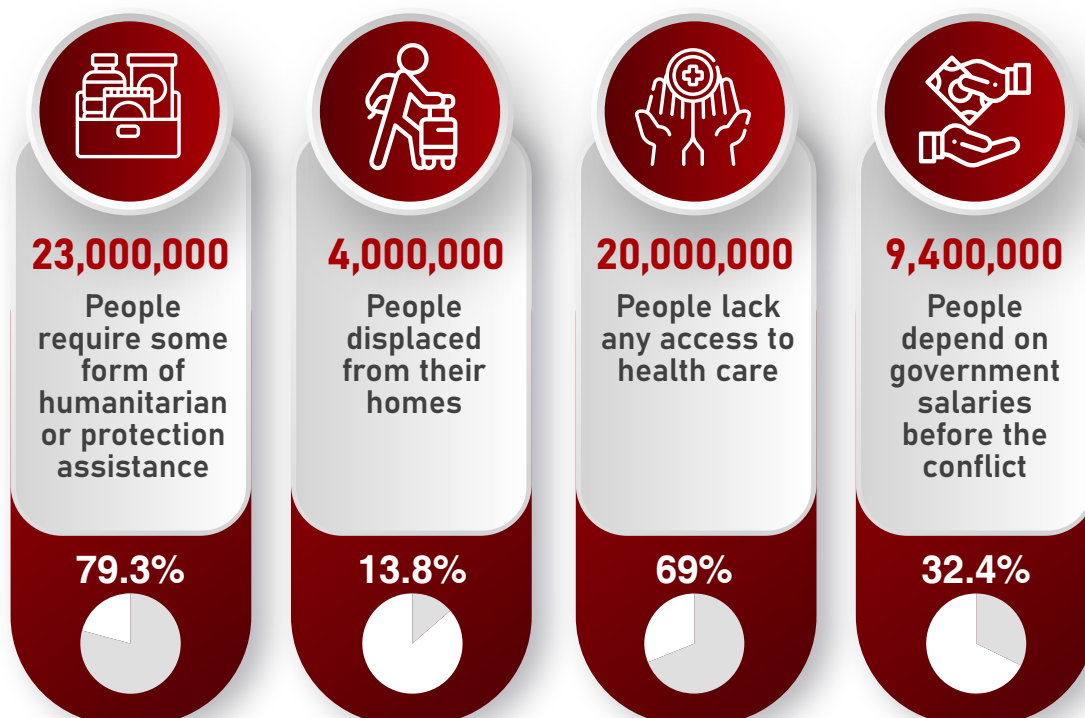
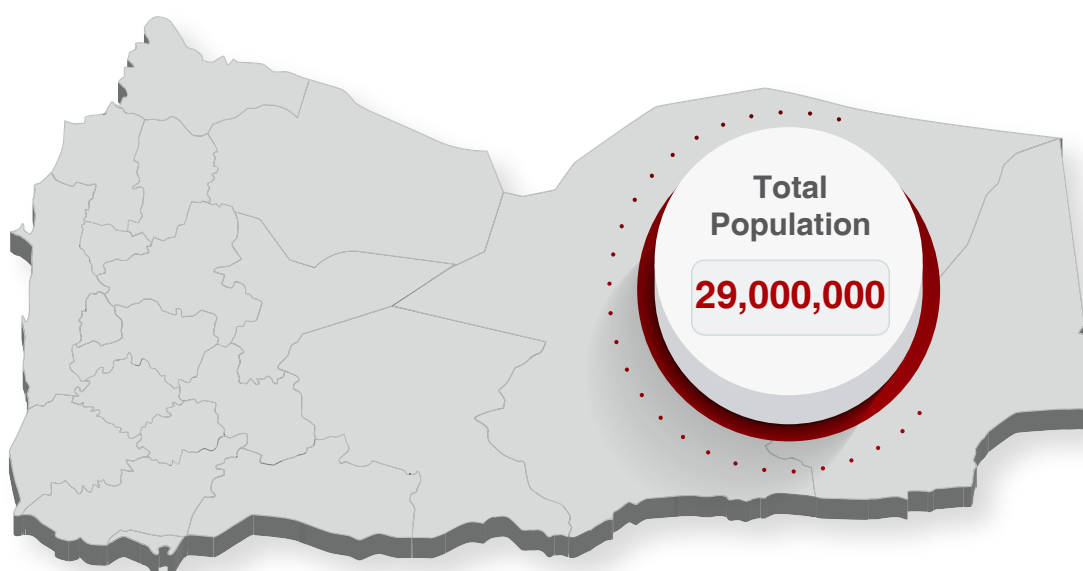
In March 2015, a coalition of countries led by Saudi Arabia and nine others – including the UAE, Bahrain and Kuwait – backed President Abdrabbuh Mansur Hadi’s government against the Houthis, an Iranian-backed rebel group.¹

The resulting war has led to what the UN describes as ‘the worst humanitarian crisis in the world’ as around 80% of Yemen’s population of 29 million people require some form of humanitarian or protection assistance.²

Since the fighting erupted, around 4 million people have been forcibly displaced from their homes and, despite the fact that nearly a third of the population depends on government salaries, the government froze many of these payments shortly after the war began.³ Additionally, two-thirds of all Yemeni districts are already in a pre-famine state, meaning that around 14.3 million people are in acute need, a 27% increase from last year.⁴



The Human Cost of the War



Source: UN, Yemen peace project, UNOCHA

The UN's head of humanitarian operations has expressed a further warning: given the country's dire circumstances thanks to the war, the death toll from the COVID-19 pandemic could 'exceed the combined toll of war, disease, and hunger over the last five years.'⁵ Indeed, the war has decimated Yemen's health care system as over half of the country's medical facilities have been rendered dysfunctional. It is estimated that 20 million Yemeni people lack any access to health care as, according to the UNHCR, the country's health system 'has in effect collapsed.'⁶

Amnesty International estimates that over 200,000 Yemenis have been killed since fighting erupted.⁷

According to the Yemen Peace Project, the total number of injured civilians currently sits at 9,797 and the total number of killed civilians sits at 8,757, leaving the total number of civilian casualties at 18,554.⁸

The United Nations High Commissioner for Human Rights has documented that this includes at least 2,898 children and 1,395 women. However, these figures do not comprise of the many thousands of civilians who have died as a direct consequence of the worsening socio-economic, health and humanitarian conditions.⁹ For instance, Save The Children estimates that 85,000 children have died from starvation or preventable diseases since 2015.¹⁰

Death toll



Source: Yemen data project, Save The Children, Amnesty

The Yemen Peace Project argues that the Coalition are responsible for crimes against humanity given that they have illegally blockaded Yemeni ports; used starvation as a weapon of war; bombed populated areas, farms, fishing boats, and civilian infrastructure; and used banned and inherently indiscriminate weapons, such as white phosphorus and cluster bombs. At time of writing, according to the Yemen Data Project, the Coalition

have been responsible for 21,998 air strikes on Yemen since the conflict began, averaging at 12 air strikes per day.¹¹ Human Rights Watch has documented at least 90 of these airstrikes to be in violation of International Humanitarian Law, as they appeared to be deliberate attacks on civilians and civilian objects.¹² Overall, the Ministry of Defence has logged 410 breaches of International Humanitarian Law by the Coalition.¹³

How Source of living interrupted

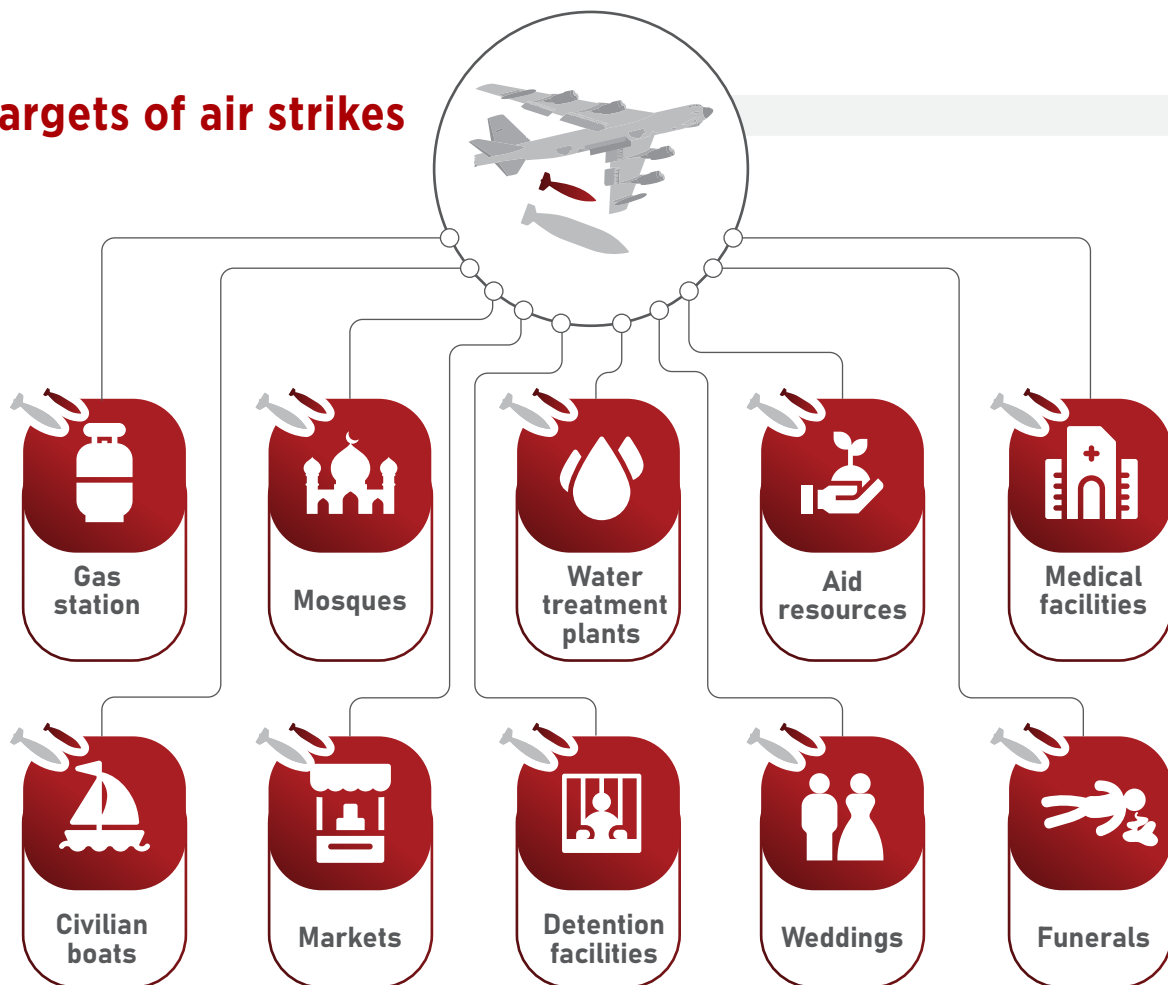


Source: Amnesty, Yemen peace project, Save The Children, Yemen data project

An investigation by a UN Group of Experts found that Coalition air-strikes were responsible for the majority of civilian casualties as they deliberately targeted residential areas, funerals, weddings, detention facilities, markets, civilian boats and medical

facilities.¹⁴ As well as this, the Saudis and Emiratis have bombed aid resources from international aid organisations, such as Oxfam and Save The Children, including targeted water treatment plants and cholera treatment centres. Yemen has subsequently seen the largest cholera outbreak in recorded history.¹⁵

Targets of air strikes



Source: Channel 4, UK Parliament, Oxfam

UK Arms Sales

The UK is the second largest exporter of defence equipment in the world.¹⁶ The greatest share being accumulated within the air defence market (63%), with land accumulating 24% share of exports and 13% of the share of exports accumulated by sea.¹⁷ Over the last ten years, the UK's average annual export value has been £8.9 billion, with 60% of the market share being made up of Middle Eastern countries.¹⁸ CAAT (Campaign Against Arms Trade) reports that the value of UK export licences approved for military goods since the bombing of Yemen began is £25 billion. This includes £2.7k spent on UK components for military support aircraft and components for combat aircraft respectively; £2.4k spent on UK components for military training aircraft; and, £2.3k on UK weapon sights.¹⁹

The Arms Trade Treaty, as well as regional and domestic legislation, regulate international arms sales by certifying the obligations of states to protect human rights.²⁰ However, a report released by the UN in September 2020 asserts that third States – such as the UK.

The USA and France – ‘have helped to perpetuate the conflict by continuing to supply the parties with weapons.’²¹

The British Foreign Office disagrees with this statement, insisting that the UK is not a member of the Saudi-led Coalition and is ‘doing all it can to help

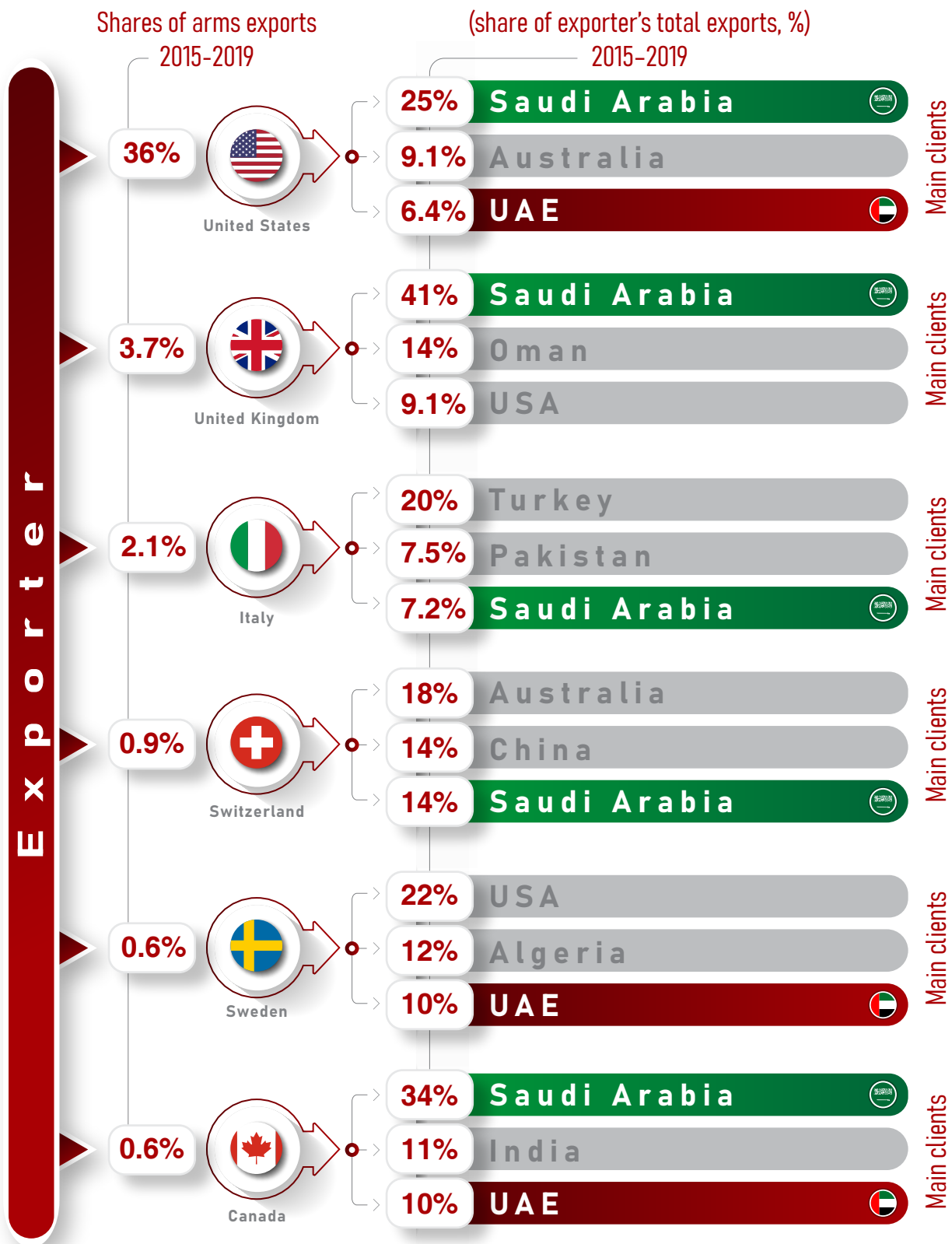
end this devastating conflict by putting our full weight behind the UN-led peace process.’²²

As well as claiming that a secure, prosperous and politically stable Gulf is in the UK's strategic interests, the government further justifies its actions through pointing to the fact that there is approximately 132k people employed within the UK's defence industry, with a £24.4 billion turnover as of 2019.²³ Nevertheless, since the conflict began, the total amount of UK funding sent to Yemen sits at only £970 million.²⁴

‘The reality is the provision of arms extends conflicts and leads to humanitarian disasters, so to an extent the arms trade fuels the need for aid assistance.

Jeff Abramson, Arms Control Association

Arms export



Source: CAAT, Stockholm International Peace Research Institute

'Given the evidence we have heard and the volume of UK-manufactured arms exported to Saudi Arabia, it seems inevitable that any violations of international humanitarian and human rights law by the coalition have involved arms supplied from the UK. This constitutes a breach of our own export licensing criteria.'

Parliament's International Development and Business, Innovation and Skills Committees, Sept 2016



Between 2010 and 2019, Saudi Arabia accounted for 41% of the UK's total arms export volume, and the UK accounted for 19% of the arms imports to Saudi Arabia.²⁵ CAAT reports that the total published value of UK export licences approved for military goods to Saudi Arabia since bombing of Yemen began is £5.4 billion. However, it maintains that the real value is at least £16 billion. This includes 390 limited-value 'standard' licences and 92 unlimited-value 'open' licences; the latter category allowing for multiple deliveries and unlimited quantities, with no financial data attached for the period of validity of the licence.²⁶ In 2007, the UK secured a licence to supply Typhoon fighter jets to Saudi Arabia. These jets have since risen as one of the UK's most popular export within the defence sector.²⁷ With a top speed of more than 1,500mph and the ability to carry an array of ground and air combat weaponry, these jets are the most advanced swing-role combat aircraft.²⁸

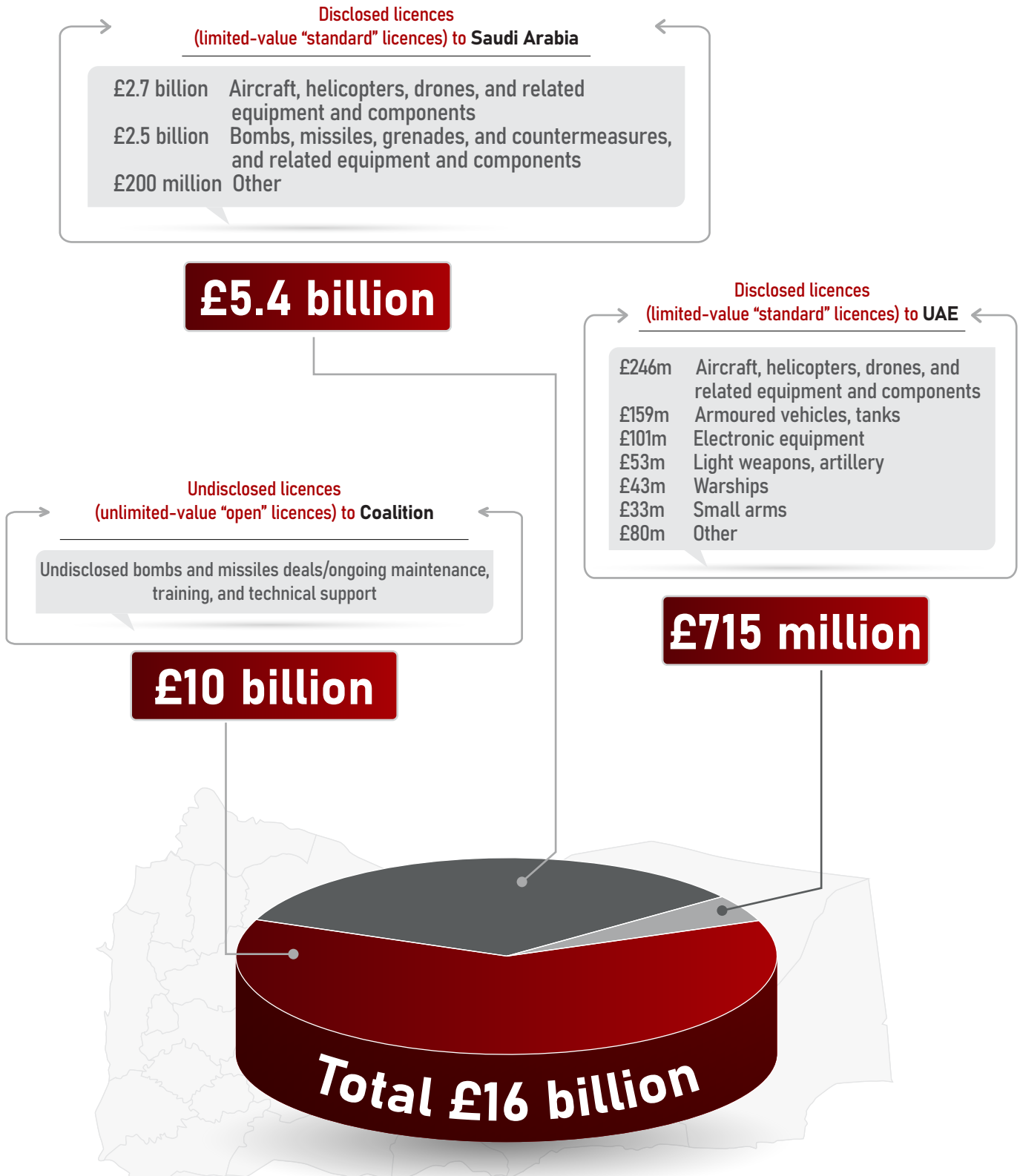
The UK companies which applied for the highest number of export licences to Saudi Arabia are Excelitas, BAE Systems, VestGuard UK and Rolls-Royce.²⁹ Exports from companies such as these include £2,9 billion of aircraft, helicopters, drones,

and related equipment and components; and, £2.5 billion of bombs, missiles, grenades, and countermeasures,³⁰ and related equipment and components. As well as arms sales, the UK continues to provide military training to the Royal Saudi Airforce (RSAF) and other Saudi personnel on the maintenance and operation of weapons, enabling them to be combat-ready even after UK support is removed. One former BAE Systems worker revealed to Channel 4 Dispatches³¹ that the RSAF would be unable to fly its fleet of Typhoon fighter jets without British support: 'With the amount of aircraft they've got and the operational demands, if we weren't there in 7 to 14 days there wouldn't be a jet in the sky.'



A Royal Saudi Air Force Typhoon fighter jet: Most of the kingdom's air power has been supplied by UK <https://www.defenceprocurementinternational.com/news>

UK arms sale to Saudi Arabia and UAE since the Coalition operations began in March 2015



Source: CAAT, House of Common Library, Stockholm International Peace Research Institute



According to The Yemen Peace Project, the UAE is just as involved – perhaps even more militarily involved – than Saudi Arabia within the Yemeni war as it appears that it conducts the majority of the Coalition’s front-line combat airstrikes. Indeed, despite Saudi Arabia’s reluctance to do so, the UAE has been actively involved in putting troops on the ground, including training and supervising Yemeni militias.³³

Consequently, in the past two decades, the UAE has invested greatly in its arms industry, in particular in armoured vehicles and missiles. According to the Stockholm International Peace Research Institute, the UAE has been the world’s eighth largest importer of weapons between 2015 and 2019.³⁴ Whilst the UAE is one of the UK’s biggest arms customers, the UK’s sales are modest in comparison to other suppliers, such as the United States (68%) and France (11%). David Cameron’s government attempted to increase its arms sales to the UAE in 2013 through

'Maximising arms sales or human rights, it's always arms sales that wins.'

Andrew Smith, Campaign Against the Arms Trade

a contract which would have seen BAE Systems supplying 60 Euro-fighter Typhoons, but the deal was later appropriated by France. A permanent British Defence Staff has since been established in the Gulf as part of the UK’s 2015 National Security Strategy and Strategic Defence and Security Review in an attempt to increase the UK – UAE arms trade relations.³⁵

CAAT reports that the total value of UK export licences approved for military goods to the UAE since bombing of Yemen began is £715 million.³⁶ CAAT further reports that 122 UK arms companies have applied for licences to export military equipment to the UAE, including BAE Systems (artillery, aircraft, surface-to-air missile systems and armoured vehicles), Accuracy International (sniper rifles), and AEI Systems (aircraft cannons, mounted machine guns and aircraft spares).³⁷ This has resulted in the approval of 652 limited-value ‘standard’ licences and 86 unlimited-value ‘open’ licences. This includes, for instance, licencing for aircraft, helicopters and drones at a value of £246 million; for armoured vehicles at a value of £158 million; for electronic equipment at a value of £101 million; and, for light weapons at a value of £53 million.³⁸



Channel 4 Dispatches filed a Freedom of Information request asking how many UK weapons or planes have been involved in the conflict. Their request was denied by the Ministry of Defence because the information might ‘adversely affect relations with our allies.’³⁹ However, Amnesty International argues that ‘there is extensive evidence that irresponsible arms flows to the Saudi-led Coalition have resulted in enormous harm to Yemeni civilians.’⁴⁰ For instance,

‘I was a specialist technician, supervisor as it was described... but you see immediately when you get out that there’s very little supervision and its more hands on than you thought. The Brits do everything basically from start to finish. We are supposed to train the Saudis, but they are not there to be trained a lot of the time. We have to do all their work – from the ground up... we pretty much do 95%. The Brits don’t touch the bombs, but that’s the final 5%... You’re always told you’re not classed actually as a mercenary because you don’t touch the explosives. But if you fix the gun and then they shoot people you’re still involved.’

Former Air Vice Marshall Sean Bell

in 2016, UK Defence Secretary Sir Michael Fallon confessed that cluster bombs used by Saudi Arabia to bomb Yemeni villages and farms were made and sold by the UK.⁴¹ Bellingcat has also tracked scores of images and videos of Saudi and Emirati combatants in Yemen with UK-made weaponry.⁴²

Moreover, in August of last year, the Global Legal Action Network (GLAN) and UK law firm Bindmans submitted a 288-page report of their comprehensive independent analysis which accumulated witness testimony and crater and bomb-fragment analysis from a large number of strikes carried out by the Coalition. Their evidence, accumulated very soon after Saudi bomb strikes, directly contradicted the Saudi-Coalition’s post-strike investigations. Aaron Merat, a journalist and Commons researcher states that: ‘This evidence shows not only that Riyadh is targeting Yemeni civilians but that it is covering them up with whitewash “investigations”... What’s worse is that the British government says that it bases its decisions on whether or not to approve arms sales to Saudi Arabia on information provided to it by Saudi Arabia.’⁴³



www.bbc.co.uk/news/uk-politics-38364694



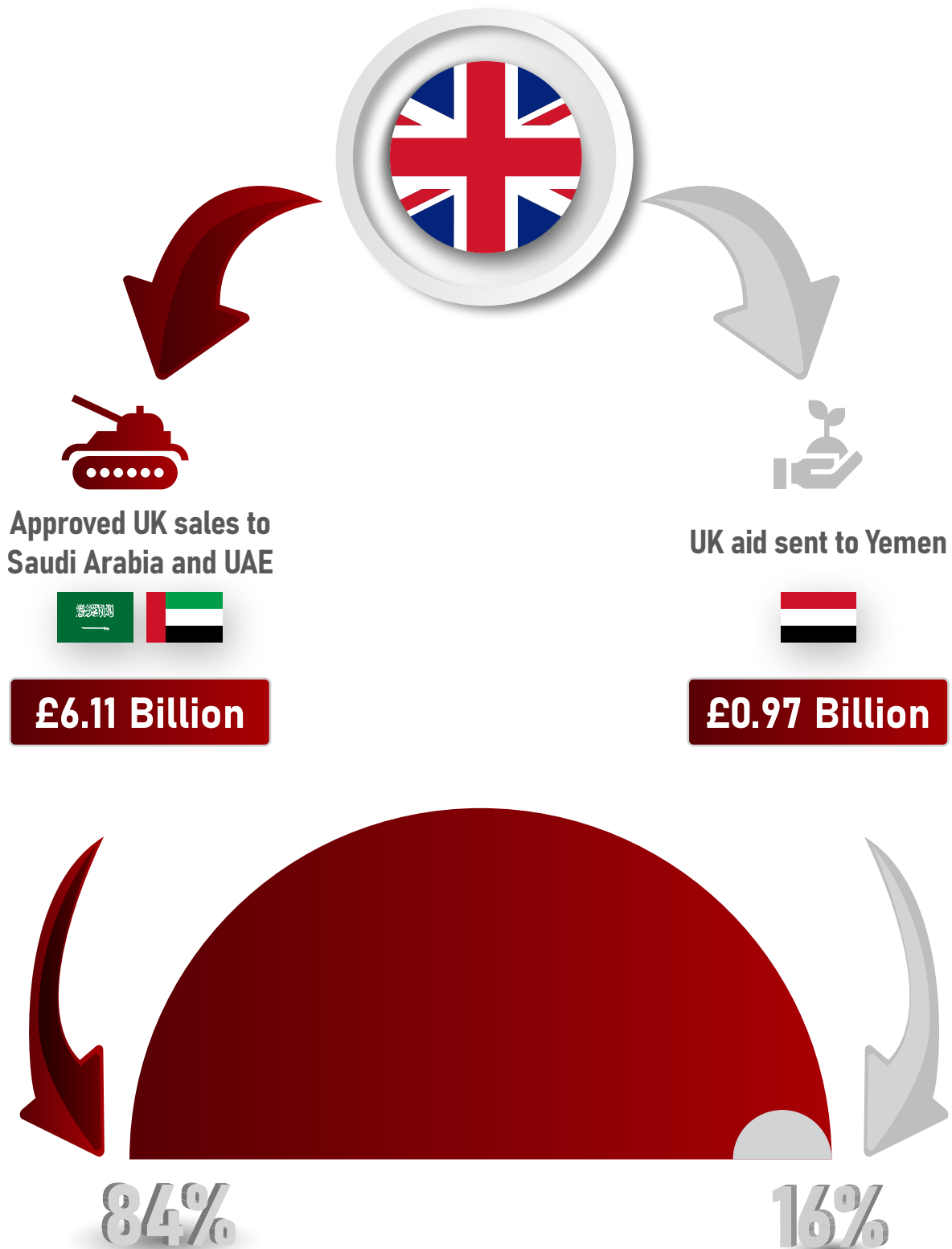
The Government continues to resist campaign groups and backbench MPs by continuing to supply arms to Saudi Arabia and the UAE, despite abundant evidence of violations of International Humanitarian Law in Yemen. In 2016, CAAT launched a Judicial Review of arms sales to Saudi Arabia. Their claim was rejected in 2017 by the High Court, however, in 2019, the Court of Appeal ruled in their favour. The Court found that the Government's decision-making process for granting export licences was 'irrational and therefore unlawful.'⁴⁴ Resultingly, the Government was forced to retake all export arms decisions in accordance with the law and stop issuing new arms export licences to Saudi Arabia, placing hundreds of millions of pounds of arms sales on hold. These restrictions were applied to licences to every Coalition country, including the UAE.⁴⁵

However, in July 2020, the Secretary of State for International Trade Liz Truss declared that any breaches of International Humanitarian Law by the Saudi-led Coalition were 'isolated incidents.' Therefore, she concluded, the Government is satisfied that Saudi Arabia has a 'genuine intent and capacity' to comply with the law, meaning 'there is not a clear risk' that weaponry supplied by the UK will be misused.⁴⁶ The Government has since resumed issuing new licences, 'clearing the backlog of licence applications for Saudi Arabia and its Coalition partners.'⁴⁷

'States that are still supplying arms to the Saudi Arabia-led coalition risk going down in history as being complicit in war crimes in Yemen.'
'... all parties to the conflict in Yemen have repeatedly committed violation of international law resulting in horrific suffering for civilians.'

Kate Allen, Amnesty International UK's Director

Approved UK sales to Saudi Arabia and UAE vs. Yemen aid since the conflict began



Source: International Observatory of Human Rights, CAAT

Recommendations

The United Kingdom must listen to the calls by organisations such as Amnesty International, Human Rights Watch and CAAT to stop supplying arms to the Saudi-led Coalition until there is no longer a substantial risk that these arms will be used to fuel the conflict in Yemen. Backbench MPs must renounce support for all new and existing arms export licences secured by the UK Government to the Coalition.

The United Kingdom Government must also listen and cooperate with the Group of Eminent International and Regional Experts on Yemen who stressed, in officially presented report to the Human Rights Council on 29 September 2020⁴⁸, “there are no clean hands in this conflict. The responsibility for violations rests with all parties to the conflict.” In its findings, the report concluded that “violations have been committed by the Government of Yemen, the Houthis, the Southern Transitional Council, as well as members of the Coalition, in particular Saudi Arabia and United Arab Emirates.”

The Group of Experts called upon the Security Council to refer the situation in Yemen to the International Criminal Court, and to expand the list of persons subject to Security Council sanctions. The Group also expressed support for the creation of an international criminal justice investigation mechanism, as well as further discussions about the possibility of a specialised court to deal with the international crimes committed during the conflict in Yemen. The Group reiterated its call for third states to stop transferring arms to parties to the conflict given the role of such transfers in perpetuating the conflict and potentially contributing to violations.

Notes

- 01 UK Aid and Arms in Yemen, Oxfam, 09/09/2020
<https://bit.ly/38TddG2>
- 02 Situation of Human Rights in Yemen, Including Violations and Abuses Since September 2014, Office of the United Nations High Commissioner for Human Rights, 28/09/2020
<https://bit.ly/3kUPS9r>
- 03 Visualising Yemen's Invisible War, The Yemen Peace Project, n.d.
<https://www.yemenpeaceproject.org/invisible>
- 04 About OCHA Yemen, United Nations Office for the Coordination of Humanitarian Affairs, n.d.
<https://www.unocha.org/yemen/about-ocha-yemen>
- 05 Yemen and COVID-19: The Pandemic Exacts its Devastating Toll, Omer Karasapan, 15/06/2020
<https://brook.gs/3fdsC5f>
- 06 Yemen and COVID-19: The Pandemic Exacts its Devastating Toll, Omer Karasapan, 15/06/2020
<https://brook.gs/3fdsC5f>
- 07 UK: Liz Truss Statement on Arms Sales to Saudi Arabia 'Deeply Cynical', Amnesty International, 07/07/2020
<https://bit.ly/2IJ8jAV>
- 08 Visualising Yemen's Invisible War, The Yemen Peace Project, n.d.
<https://www.yemenpeaceproject.org/invisible>
- 09 Situation of Human Rights in Yemen, Including Violations and Abuses Since September 2014, Office of the United Nations High Commissioner for Human Rights, 28/09/2020
<https://bit.ly/3kUPS9r>
- 10 Yemen: 85,000 Children May Have Died From Starvation Since Start of War, Save the Children, 20/11/2018
<https://bit.ly/36QcXFd>
- 11 Yemen Data Project, Yemen Data Project, n.d.
<https://yemendataproject.org/index.html>

- 12 Yemen: Event of 2019, Human Rights Watch, 2020
<https://www.hrw.org/world-report/2020/country-chapters/yemen>
- 13 Britain's Hidden War: Channel 4 Dispatches, Channel 4, 01/04/2020
<https://www.channel4.com/press/news/britains-hidden-war-channel-4-dispatches>
- 14 UK Arms Exports to Saudi Arabia: Q&A, Louisa Brooke-Holland and Ben Smith, 10/07/2020
<https://commonslibrary.parliament.uk/research-briefings/cbp-8425/>
- 15 UK Aid and Arms in Yemen, Oxfam, 09/09/2020
<https://bit.ly/38TddG2>
- 16 UK Remains World's Second-Biggest Arms Dealer, Figures Suggest, BBC, 06/10/2020
<https://www.bbc.co.uk/news/uk-54435335>
- 17 Number of People Directly Employed by the Defence Industry in the United Kingdom (UK) between 2010 and 2019, Statista, 06/2020
<https://bit.ly/3IP6Yqh>
- 18 UK Defence Industry Exports, Noel Dempsey, 11/08/2020
<https://commonslibrary.parliament.uk/research-briefings/cbp-8310/>
- 19 UK Export Licences Approved for Military Goods Since Bombing of Yemen Began, Campaign Against Arms Trade, n.d.
<https://caat.org.uk/data/exports-uk/dashboard?period=yemen-bombing-2015>
- 20 Outsourcing Responsibility: Human Rights Polices in the Defence Sector, Amnesty International, 2019,
<https://www.amnesty.org/download/Documents/ACT3008932019ENGLISH.PDF>
- 21 Situation of Human Rights in Yemen, Including Violations and Abuses Since September 2014, Office of the United Nations High Commissioner for Human Rights, 28/09/2020
<https://bit.ly/3kUPS9r>
- 22 Britain's Hidden War: Channel 4 Dispatches, Channel 4, 01/04/2020
<https://www.channel4.com/press/news/britains-hidden-war-channel-4-dispatches>
- 23 The Use of UK-Manufactured Arms in Yemen, Business, Innovation and Skills Committee, 15/09/2016
<https://publications.parliament.uk/pa/cm201617/cmselect/cmbis/679/679.pdf>
- 24 New UK Aid Package Worth £160 Million will Help Fight the Outbreak of Coronavirus in Yemen, Seth Farsides, 03/06/2020,
<https://bit.ly/38UQ1qV>

- 25 UK Arms Exports to Saudi Arabia: Q&A, Louisa Brooke-Holland and Ben Smith, 10/07/2020
<https://commonslibrary.parliament.uk/research-briefings/cbp-8425/>
- 26 UK Arms to Saudi Arabia, Campaign Against Arms Trade, 20/07/2020
<https://caat.org.uk/homepage/stop-arming-saudi-arabia/uk-arms-to-saudi-arabia/>
- 27 UK Remains World's Second-Biggest Arms Dealer, Figures Suggest, BBC, 06/10/2020
<https://www.bbc.co.uk/news/uk-54435335>
- 28 Saudi Arabia Moving Towards Purchase of 48 Typhoon Fighter Jets From UK After Crown Prince Visit, Joe Watts, 09/03/2018
<https://bit.ly/3pLrESA>
- 29 UK Export Licences Approved for Military Goods to Saudi Arabia Since Bombing of Yemen Began, Campaign Against Arms Trade, n.d.
<https://bit.ly/35LAiIl>
- 30 UK Arms to Saudi Arabia, Campaign Against Arms Trade, 20/07/2020
<https://caat.org.uk/homepage/stop-arming-saudi-arabia/uk-arms-to-saudi-arabia/>
- 31 British Training of Saudi Pilots Continues Amid Bombing of Yemen, Phil Miller, Matt Kennard and Mark Curtis, 23/09/2020
<https://bit.ly/3kQP7xL>
- 32 Britain's Hidden War: Channel 4 Dispatches, Channel 4, 01/04/2020
<https://www.channel4.com/press/news/britains-hidden-war-channel-4-dispatches>
- 33 Visualising Yemen's Invisible War, The Yemen Peace Project, n.d.
<https://www.yemenpeaceproject.org/invisible>
- 34 Military Spending and Arms Imports by Iran, Saudi Arabia, Qatar and the UAE, Pieter D. Wezeman and Alexandra Kuimova, 05/2019
<https://bit.ly/2UJWgp2>
- 35 United Arab Emirates, Campaign Against Arms Trade, 05/08/2020
<https://caat.org.uk/resources/countries/united-arab-emirates/>
- 36 UK Export Licences Approved for Military Goods to United Arab Emirates Since Bombing of Yemen Began, Campaign Against Arms Trade, n.d.
<https://bit.ly/3nC8Xyl>
- 37 United Arab Emirates, Campaign Against Arms Trade, 05/08/2020
<https://caat.org.uk/resources/countries/united-arab-emirates/>

- 38 UK Export Licences Approved for Military Goods to United Arab Emirates Since Bombing of Yemen Began, Campaign Against Arms Trade, n.d.
<https://caat.org.uk/data/exports-uk/dashboard?period=yemen-bombing-2015>
- 39 Britain's Hidden War: Channel 4 Dispatches, Channel 4, 01/04/2020
<https://www.channel4.com/press/news/britains-hidden-war-channel-4-dispatches>
- 40 UK Arms Exports to Saudi Arabia: Q&A, Louisa Brooke-Holland and Ben Smith, 10/07/2020
<https://commonslibrary.parliament.uk/research-briefings/cbp-8425/>
- 41 UK-Made Cluster Bombs used in Yemen, Michael Fallon Confirms, 19/12/2016
<https://www.bbc.co.uk/news/uk-politics-38364694>
- 42 How British-Made Sniper Rifles Ended Up in Yemen, Syria and Ukraine, Bellingcat, 10/10/2020
<https://bit.ly/3pMGMyT>
- 43 UK Receives Report Documenting Saudi Cover-up of Unlawful Yemen Airstrikes, Patrick Wintour, 15/08/2019
<https://bit.ly/35M1F5I>
- 44 UK Arms Exports to Saudi Arabia: Q&A, Louisa Brooke-Holland and Ben Smith, 10/07/2020
<https://commonslibrary.parliament.uk/research-briefings/cbp-8425/>
- 45 CAAT's Legal Challenge, Campaign Against Arms Trade, 25/09/2020
<https://caat.org.uk/homepage/stop-arming-saudi-arabia/caats-legal-challenge/>
- 46 Statement Made by Elizabeth Truss, Elizabeth Truss, 07/07/2020
<https://questions-statements.parliament.uk/written-statements/detail/2020-07-07/HCWS339>
- 47 CAAT's Legal Challenge, Campaign Against Arms Trade, 25/09/2020
<https://caat.org.uk/homepage/stop-arming-saudi-arabia/caats-legal-challenge/>
- 48 UN Group of Eminent International and Regional Experts on Yemen presents their third report to the Human Rights Council: A Pandemic of Impunity in a Tortured Land
<https://www.ohchr.org/Documents/HRBodies/HRCouncil/GEE-Yemen/2020-09-09-report.pdf>

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