

UPDATE TO ATT MONITOR CASE STUDY,

DEALING IN DOUBLE STANDARDS

HOW ARMS SALES TO SAUDI ARABIA ARE CAUSING HUMAN SUFFERING IN YEMEN



CASE STUDY 2 (UPDATE)

AUGUST 2016

In February 2016 the ATT Monitor published a case study on arms transfers to Saudi Arabia in the context of the conflict in Yemen.

The report found that nine States Parties to the ATT had either issued licenses or carried out arms exports to Saudi Arabia in 2015: France, Germany, Italy, Montenegro, the Netherlands, Spain, Sweden, Switzerland and the UK. Two Signatories, Turkey and the US, had also carried out sales of weapons and ammunition. At the time, these sales and licenses totalled more than **US\$25 billion**.¹

Since then, States have made more information available on their arms transfers to Saudi Arabia. Several governments have indicated that they have tightened their export policies in light of the crisis in Yemen. The Netherlands has instituted a presumption of denial against transfers to Saudi Arabia, making it one of the countries closest to implementing the European Parliament resolution of 25 February calling for an arms embargo on transfers to Saudi Arabia.² In April 2016 the Spanish Congress passed a motion calling on the acting government to deny and revoke licenses to all parties to the conflict in Yemen.³ Switzerland has stated that it has blocked

all export applications to parties involved in the Yemen conflict, and that only pre-approved transfers for air defence systems have been made.⁴ Sweden has not authorised any new licenses to Saudi Arabia since March 2015, and has denied three export applications.⁵ Export authorities in Flanders (one of four arms-exporting regions in Belgium) are not believed to have issued any licenses, and denied two applications from Saudi Arabia in 2015.⁶

The most notable exceptions to this trend include France, the UK and US. France's newly released national report reveals that it authorized 219 licenses to Saudi Arabia in 2015 worth US\$18 billion. The UK authorized 165 standard military licenses during the year, totalling US\$4 billion, while the US authorized licenses worth US\$5.9 billion to Saudi Arabia in 2015.

Below is a table summarising the new information that has been made available by States since February 2016 on authorised licenses and actual transfers to Saudi Arabia that took place in 2015.⁷ **In total, 19 States Parties and three Signatories have either agreed or delivered arms transfers to Saudi Arabia.**⁸

TABLE 1. STATES PARTIES

Country	Licenses /Export	Value	Source
Austria	Licenses: 29,073 small arms and light weapons	€4.6m (US\$4.9m).	ATT Annual Report ⁹
Belgium	Licenses: The Walloon regional government issued 34 licenses mainly covering small arms (ML1) and ammunition (ML3)	€575.9m (US\$614.6m)	National Report ¹⁰
Bosnia and Herzegovina	1,080 grenade launchers. It was not specified if these were authorised licenses or actual transfers.	€6m (US\$6.6m)	ATT Annual Report
Bulgaria	Export: 2,670 MSGL and RPG-7 grenade launchers, 1,773 light machine guns, 499 82/120mm mortars, 250 12.7mm/180mm heavy machine guns, 170 SPG-9 recoilless rifles and 80 ATGS gP135M missile launchers.	Not reported	ATT Annual Report
Croatia	Export: Light weapons and small calibre ammunition.	US\$6.9m	UN Comtrade ¹¹

Finland	Export: Twelve 120mm Patria Negro artillery systems.	Not reported ¹²	ATT Annual Report
France	Licenses: France has received 219 license applications in 2015. It is not known how many have been approved. Export: 115 Aravis armoured personnel carriers (APCs) and 745 precision rifles.	€16.9 billion (US\$18 billion). France delivered military equipment worth €899m (\$960m). ¹³	National Report ¹⁴ ATT Annual Report/National Report
Germany	No new information. ¹⁵		
Italy	Export: Four attack helicopters, 245 missile and missile launchers as well as small arms and light weapons.	Not reported. UN Comtrade shows sales in 2015 from Italy to Saudi Arabia worth US\$41.69m, mostly for ammunition and projectiles.	ATT Annual Report/ UN Comtrade
Montenegro	Export: 10,939 anti-tank missile launchers and rocket systems, and 34 mortars. ¹⁶	US\$28.9m	ATT Annual Report
Netherlands	No new information.		
Romania	Export: 21,500 assault rifles, 322 heavy machine guns, 320 mortars.	Not reported.	ATT Annual Report
Serbia	Export: 500 81mm/120mm mortars, five 128mm multi-rocket launchers, and 31,767 items of small arms and light weapons, including almost 16,000 rifles.	Not reported.	ATT Annual Report
Slovakia	Licenses: Three licenses for small arms and light weapons were authorised in 2015. Export: 14 BM-21 Grad rocket launchers, 310 120mm/82mm mortars, and 41,442 items of small arms and light weapons, including 38,000 assault rifles.	€33.7m (US\$36m). Not reported. ¹⁷	National report ¹⁸ UN Register of Conventional Weapons (UNROCA) ¹⁹
South Africa	Export: 38 LM13.400 armoured personnel carriers (APCs).	Not reported.	ATT Annual Report
Spain	No new information.		
Sweden	Export: Parts and components for fire control systems (ML5) and technology (ML22).	US\$1.7m.	ATT Annual Report
Switzerland	No new information.		
United Kingdom	Licenses: 165 standard military licenses were issued in 2015 Export: 12 combat aircraft, 173 missile and missile launchers, 60 light machine guns and 4 revolvers and self-loading pistols.	£2.8 billion (US\$4.17 billion) Not reported. UN Comtrade reported sales of arms, ammunition, parts and components from the UK to Saudi Arabia worth US\$1.46 billion.	National report ²⁰ ATT Annual Report/ UN Comtrade

TABLE 2. SIGNATORIES

Country	License/Export	Value	Source
Brazil	Export: Small arms and ammunition, mostly shotgun cartridges.	US\$109.6m	UN Comtrade
Turkey	Export: Small arms, light weapons and ammunition, mostly bombs and missiles.	US\$32m	UN Comtrade
US	Licenses: Issued for over eight million items, the vast majority ammunition and ordnance.	US\$5.9 billion. ²¹	National Report ²²
	Export: Small arms, light weapons and ammunition, mostly bombs and missiles.	US\$303m	UN Comtrade

CONCLUSION

This evidence raises serious concerns that some ATT States Parties and Signatories are adopting a 'business as usual' attitude regarding transfers to Saudi Arabia. Several States Parties appear to be in direct violation of legally binding Treaty obligations (particularly **Article 6: Prohibitions**, and **Article 7:**

Export and Export Assessment) by continuing to supply arms to Saudi Arabia where there is a clear risk that they will be used in breach of international law in Yemen. States Parties must comply with their legal obligations and live up to the Treaty's objective of reducing human suffering.

ENDNOTES

- 1 Control Arms, "Dealing in Double Standards: How arms sales to Saudi Arabia are causing human suffering in Yemen," ATT Monitor, 26 February 2016, <http://armstreatymonitor.org/current/dealing-in-double-standards-how-arms-sales-to-saudi-arabia-are-causing-human-suffering-in-yemen/>
- 2 Netherlands House of Representatives, "Motie van het lid Servaes over strikte toepassing van het wapenexportbeleid," 22054-273, 15 March 2016, <https://www.tweedekamer.nl/kamerstukken/stemmingsuitslagen/detail?id=2016P03936>
- 3 Courtesy of Amnesty International Spain. Congreso de los diputados, "Boletín oficial de las cortes generales," 5 April 2016, http://www.congreso.es/public_oficiales/L11/CONG/BOC-G/D/BOCG-11-D-46.PDF
- 4 Etienne, R. (2016), "La Suisse épinglée pour ses exportations d'armes en Arabie saoudite," Tribune de Genève, 1 March 2016, www.tdg.ch/economie/entreprises/suisse-epinglee-exportations-armes-arabie-saoudite/story/12283809
- 5 Government of Sweden, "Strategisk exportkontroll 2015," 17 March 2016, <http://www.isp.se/sa/node.asp?node=614>
- 6 Flemish Government, "Jaarverslag Wapenhandel 2015," <http://www.410.vlaanderen.be/iv/div/Export/12de%20Jaarverslag%20Wapenhandel%202015.pdf>
- 7 Some information in this table comes from ATT Annual Reports submitted by States Parties. These reports cover the calendar year 30 May 2015- 30 May 2016 and so some exports may have taken place in early 2016.
- 8 In addition, UN Comtrade shows small sales of parts and components to Saudi Arabia by Norway (\$7,264) before the conflict began in March 2015, and by Czech Republic (\$14,825).
- 9 All ATT Annual Reports made public can be downloaded from <http://thearmstradetreaty.org/index.php/en/resources/reporting>
- 10 Government of Wallonia, "Rapport au Parlement Wallon sur l'application de décret du 21 Juin 2012," 18 July 2016, <http://gouvernement.wallonie.be/rapport-armes-2015>
- 11 Analysis of reporting categories 93-99 (Arms and ammunition of div. products). UN Comtrade reports transfers of goods moving from one State to another and does not provide data either on the ownership or the ultimate end-user. It is not known if transfers to Saudi Arabia that are reported in Comtrade are intended for use by Saudi Arabian armed forces. Not all categories reported by UN Comtrade would be covered by Articles 2.1, 3 and 4 of the ATT.
- 12 UN Comtrade reports transfers of parts and components from Finland to Saudi Arabia worth \$67,253.
- 13 UN Comtrade shows sales in 2015 from France to Saudi Arabia worth US\$360.9m, mostly for ammunition and projectiles.
- 14 Government of France, "Rapport au Parlement 2016 sur les exportations d'armement de la France," May 2016.
- 15 UN Comtrade shows sales to Saudi Arabia worth \$4.2m, largely for items not covered by the ATT.
- 16 Media sources have reported concerns that these surplus arms and ammunition may be diverted for ultimate end-use in Syria. See, Tumovic, D. (2016), "Montenegro Opens Weapons Supply Line to Saudi Arabia," BIRN, 3 August 2016, <http://www.balkaninsight.com/en/article/montenegro-opens-weapons-supply-line-to-saudi-arabia-08-02-2016>
- 17 UN Comtrade shows sales in 2015 from Slovakia to Saudi Arabia worth US\$31.4m.
- 18 Government of Slovakia, "Výročná správa o obchode s výrobkami obranného priemyslu za rok 2015," https://www.sipri.org/sites/default/files/research/armaments/transfers/transparency/national_reports/slovakia/slk_15.pdf
- 19 <https://www.unroca.org/slovakia/report/2015/>
- 20 Government of the United Kingdom, "Strategic Export Controls: licensing statistics, 2015," 19 April 2016, <https://www.gov.uk/government/statistics/strategic-export-controls-licensing-statistics-2015>
- 21 Between 20 May 2015 and 31 May 2016 the US State Department also approved eight new major arms sales to Saudi Arabia collectively worth \$21 billion. See U.S. Defense Security Cooperation Agency, "Major Arms Sales," <http://www.dsca.mil/major-arms-sales>
- 22 Federal Government of the United States of America, "2015 Section 655 Report," <http://www.pmdtc.state.gov/reports/documents/rpt655-FY15.pdf>