

Chapter 13

Effectiveness of Arms Control: The Case of Saudi Arabia



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Contents

13.1 Introduction	244
13.2 A Dashboard for Analyzing the Effectiveness of Arms Embargoes	245
13.3 Research Methods	246
13.4 Results	247
13.4.1 Level-1 Effectiveness: Influencing the Behavior of Saudi Arabia	247
13.4.2 Level-2 Effectiveness: The Volume of Weapon Imports into Saudi Arabia	249
13.4.3 Level-3 Effectiveness: The Volume of Arms Exports to Saudi Arabia per Country	250
13.4.4 Level-4 Effectiveness: The Political Will to Implement an Arms Embargo	253
13.5 Conclusions	257
References	259

Abstract Using a four-level dashboard, this chapter offers a quantitative and a qualitative analysis of the effectiveness of an arms embargo against Saudi Arabia. The chapter elaborates on the question as to how political, security and economic motives have impacted the (un)willingness of major arms selling states to join the arms embargo against Saudi Arabia.

Keywords Arms embargoes · arms control · arms import · arms export · effectiveness · Saudi Arabia · Yemen

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13.1 Introduction

Arms embargoes can be imposed for different reasons and by various bodies, such as international organizations (e.g., the United Nations (UN)), or, collectively by states (e.g., the European Union (EU)) and even by an individual state. From literature, it appears, “arms embargoes are one of the most frequently used types of economic sanctions but they are perceived as one of the least effective”.¹ Moreover, according to Moore, nearly “every international arms embargo has been systematically violated by arms exporting states”.² So why bother with another analysis of its effectiveness? Grounded in the belief that arms embargoes ultimately strive for behavioral change of the target (i.e., the receiver of the embargo), this chapter argues that another analysis of effectiveness may indeed be valuable.³ Building on literature, for measuring success,⁴ a dashboard is constructed to assess the effectiveness of arms embargoes.⁵ To illustrate the dashboard’s use we reflect on the arms embargo against Saudi Arabia, imposed in 2018 by numerous EU member states sanctioning this nation’s actions in the civil war raging throughout Yemen from 2014 onwards.

In Yemen, a conflict between Houthi rebels, supported by Iran, and Abd Rabbu Mansour Hadi’s Yemenite government, supported by a military coalition from the United Arab Emirates, Kuwait, Sudan, Egypt and Morocco, commanded by Saudi Arabia is tearing the country apart, causing massive suffering and societal disruption. It has become clear, major arms industries supplying the Saudi-led coalition, predominantly stem from the United States (US) and the European Union (EU). Human Rights Watch has documented dozens of Saudi and Emirati-led coalition attacks in Yemen in violation of martial law and amounting to war crimes. Scores of indiscriminate and disproportionate airstrikes have killed and wounded thousands of civilians, including children, hitting civilian areas, such as, markets, homes, schools and hospitals.

The above provides ample motives for European countries to impose an arms embargo against Saudi Arabia. For, EU member states are to comply with an EU Common Position, adopted in 2008, holding there should be no arms exports if there is a “clear risk” that such weapons will be used to commit “serious violations of international humanitarian law”. As to United Nations (UN) members, also, the above-mentioned violations and near-war crimes would provide grounds to decide to impose an arms embargo, as, a decision about arms sales to Saudi Arabia should be compliant with the UN/Arms trade treaty. This treaty stipulates that a state shall not authorize any transfer of arms if it has knowledge at the time of authorization that the arms would be used in attacks directed against civilian objects or civilians.

¹ Erickson 2013, p. 159; also Brzoska 2009a, pp. 2–3.

² Moore 2010, p. 593.

³ Baldwin 1999/2000, p. 87; Brzoska 2009a, p. 21.

⁴ Brzoska 2009a, pp. 19–20; Giumelli 2011, p. 1.

⁵ Baldwin 1999/2000; Brzoska 2009a; Brzoska 2009b; Brzoska and Lopez 2009; Giumelli 2011; Lopez 2012.

Finally, on 25 October 2018, after two earlier attempts by the European Parliament, some European countries do indeed impose an arms embargo on Saudi Arabia. This decision has been directly prompted by allegations regarding the Saudi government's involvement in- and accountability for the murder of the Saudi journalist Jamal Khashoggi. However, neither the UK, nor France or the US, counting, next to Germany, as main arms suppliers to Saudi Arabia, join the embargo. Moreover, in March 2019, Germany succumbs to the European arms industry pressure allowing German spare parts to be sold to Saudi Arabia.

Against this background, this chapter aims to contribute in two ways. First, based on our dashboard covering the period 2015–2019, we offer an analysis of the effectiveness of an arms embargo against Saudi Arabia. Second, we elaborate on the question as to how political, security and economic motives have impacted the (un)willingness of major arms selling states to join the arms embargo against Saudi Arabia?

The remaining part of this chapter is structured as follows. Section 13.2 introduces our dashboard for measuring the effectiveness of arms embargoes. Section 13.3 proceeds to operationalize the dashboard. Next, in Sect. 13.4, the results are presented, and Sect. 13.5 offers a conclusion and a discussion.

13.2 A Dashboard for Analyzing the Effectiveness of Arms Embargoes

The dashboard to assess the effectiveness of the arms embargo against Saudi Arabia is derived from the framework developed by Brzoska.⁶ Brzoska's framework to assess the effectiveness of arms embargoes consists of three levels of effectiveness. Both Level-1 and Level-2 effectiveness are noticed in the domain of the embargo receiver, whereas Level-3 effectiveness takes place in the domain of the sender. Level-1 effectiveness is attained when the targeted state (i.e., the receiver of the arms embargo) changes its policy. Level-2 effectiveness is understood as "the degree to which deliveries of weapons to the target are stopped". According to Brzoska, Level-3 can be measured by "the expressed satisfaction of sender government with the operation of an arms embargo". In our opinion, within Level-3 states indicating they support the embargo as a "symbolic gesture of disapproval" can be distinguished from states actually imposing and implementing the embargo.

Grounded in Brzoska's work, we have proceeded as follows to construct the dashboard. The highest manifestation of effectiveness is related to the core objective of arms embargoes: influencing the behavior of target. The attainment of this goal is called Level-1 effectiveness. Level-1 is to be measured within the domain of the receiver of the embargo. Level-2 effectiveness is measured by the degree in which deliveries of weapons to the target are stopped. Level-3 effectiveness is measured

⁶ Brzoska and Lopez 2009.

from the perspective of states delivering arms to the receiver of the embargo. Whenever most arms traders actually implement the embargo and stop their arms supplies to the target, Level-3 effectiveness has been reached. Finally, Level-4 effectiveness is attained in those cases when states supplying arms to the target, indicate they are joining the arms embargo.

An arms embargo is considered non-effective under the condition that none of the governments of arms-supplying states indicate their intention to join the embargo. At Level-4, an embargo will become more effective, if and when, at least one, some or all arms-supplying states communicate they intend to join the embargo. At Level-3, the embargo's effectiveness increases even more, if and when, at least one, some or all arms-supplying states put an end to their arms deliveries. Level-3 and Level-4 effectiveness apply to the domain of the embargo-senders. At Level-2, the arms embargo gains effectiveness the longer a targeted state (the embargo-receiver) is able to import less weaponry. Last, Level-1 effectiveness is reached when the targeted state actually changes its behavior, which is then attributed explicitly to the arms embargo. Both Level-1 and Level-2 effectiveness are to be reached in the domain of the embargo-receiver. The following section proceeds to operationalize the dashboard.

13.3 Research Methods

The findings presented in this chapter are the result of an exploratory study. Encouraged by Brzoska, we analyze the effectiveness of the arms embargo against Saudi Arabia on four levels.⁷ To obtain insights into the attainment of Level-1 effectiveness, we investigated whether Saudi Arabia actually changed its behavior due to the arms embargo. To this end, we have selected proxies analyzing the shift in the number of attacks carried out by the Saudi-led coalition on civilian gatherings, educational facilities and medical facilities and the number of civilian casualties during the period 2015-2019. This is not to say that these particular measures are the only one worth considering. On the contrary, we acknowledge that these measures are meant to illustrate how Level-1 effectiveness can be measured. Level-2 effectiveness concerns the extent to which deliveries of weapons to Saudi Arabia have been stopped. We measure this from the perspective of the importing country, analyzing the shift in volume of arms imports by Saudi Arabia from 2015 until 2019. Level-2 effectiveness is obviously influenced by the behavior of the supplying states, as, arms suppliers have to cooperate to achieve Level-2 effectiveness. However, although a state can assure no arms are exported from its own country to Saudi Arabia, it can only partially influence other arms exporting states' export policies. For this reason, Level-3 effectiveness measures the volume of the arms exports to Saudi Arabia per supplying country. Due to the availability of data our research on Level-2 and Level-3 effectiveness only captures the reported legal arms trade. Last, Level-4 effectiveness analyzes states

⁷ Brzoska 2009a.

Table 13.1 Summary of parameters

Effectiveness level	Parameters	Figure/Table	Source
Level-1	Number of attacks on (a) civilian gatherings and civilian casualties; (b) educational facilities and civilian casualties; and (c) medical facilities and civilian casualties	Figure 13.1; Figure 13.2; Figure 13.3	Yemen Data Project
Level-2	Volume arms import (TIV)	Figure 13.4	SIPRI
Level-3	Volume arms export (a) per country (TIV); and (b) as a percentage of total arms export	Table 13.2; Table 13.3	SIPRI; own calculations
Level-4	Qualitative interpretation	Table 13.4; Table 13.5	Political statements; news reports

Source Yemen Data Project 2020; SIPRI 2020a

motivated to implement an arms embargo, at once, versus those that needed additional convincing, by arguments, compensations, or other means. In doing so, we also consider states maintaining- or prematurely lifting the arms embargo as well as political statements expressing more or less political interest in achieving Level-1 effectiveness.

Table 13.1 summarizes the parameters selected to assess the effectiveness levels 1 to 4. Levels 1 to 3 are measured quantitatively. As, from early 2015, some European states (Austria, Germany, Sweden and Switzerland) started to ban exports of (heavy) weaponry to Saudi Arabia, this study's time horizon is fixed between January 2015 and December 2019. Level-4 effectiveness is examined by means of a qualitative interpretation of political statements, news articles and research reports.

13.4 Results

13.4.1 *Level-1 Effectiveness: Influencing the Behavior of Saudi Arabia*

From January 2015, this section presents data on the number of air raids conducted by the military coalition led by Saudi Arabia and the United Arab Emirates on civilian gatherings, including data on the numbers of civilian casualties due to the attacks. Figure 13.1 shows fluctuations between 2015 and 2019. The number of civilian casualties due to attacks on civilian gatherings shows a decrease. Resulting from attacks on civilian gatherings, in 2015, 4,255 civilians died, whereas in 2019 the number of casualties was reduced to 515.

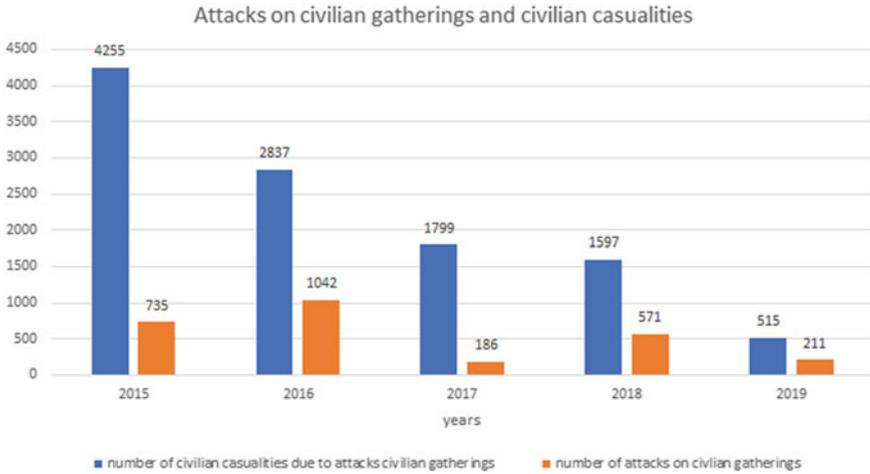


Fig. 13.1 Attacks on civilian gatherings and civilian casualties. *Source* Yemen Data Project 2020

From Fig. 13.2, there appears a decrease in the number of attacks on educational facilities from 2015 until 2019 and the number of casualties decreases accordingly until 2019. In August 2019, the attack on a community college in Dhamar City causes the number of civilian casualties to soar to 206.

From Fig. 13.3, it transpires that although, from 2015 to 2019, the number of attacks on medical facilities fluctuates, in 2019 it drops to zero. The same applies to the number of civilian casualties due to attacks on medical facilities.

Based on the data presented above, from 2015 until 2019 the numbers of attacks on civilian gatherings, educational- and medical facilities and civilian casualties have

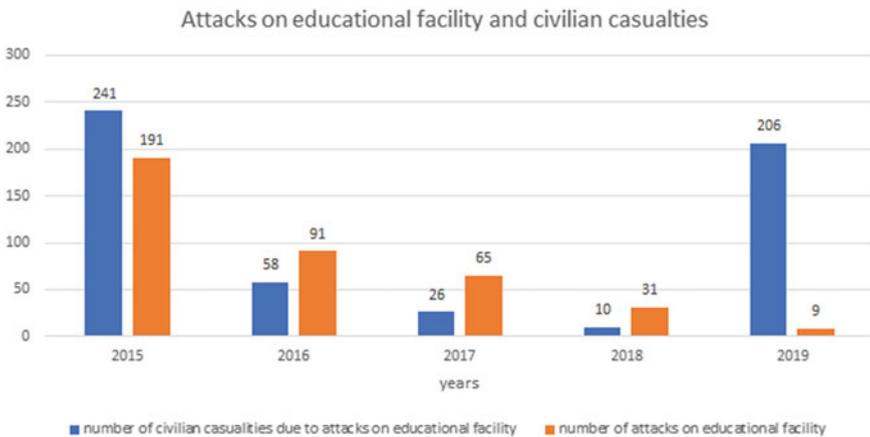


Fig. 13.2 Attacks on educational facilities and civilian casualties. *Source* Yemen Data Project 2020

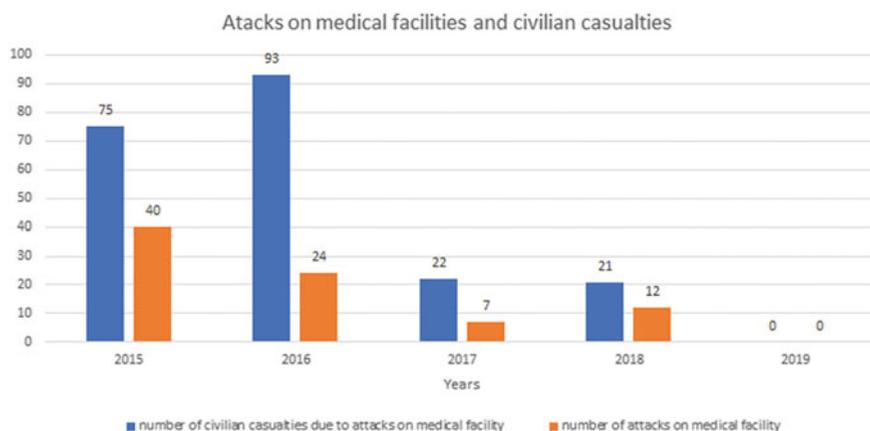


Fig. 13.3 Attacks on Medical Facilities and Civilian Casualties. *Source* Yemen Data Project 2020

decreased, excepting the 206 people killed as a result of the attack on a community college in Dhamar in August 2019. However, according to us, the numbers of attacks on civilian gatherings remain high and, moreover, it is questionable whether these decreases have indeed resulted directly from the arms embargo. In February 2016, the European Parliament already started to call on the European Union to impose an arms embargo against Saudi Arabia, however, most European governments adopted restrictions on their arms export to Saudi Arabia not earlier than 2018. According to the Trump administration, US involvement in Yemen and US support to the Saudi-led coalition, amongst other reasons, aims to prevent more civilian casualties,⁸ and, so, supporting Saudi Arabia with intelligence and advanced weapons could be supposed to actually help lessening the numbers of civilian casualties. However, the UN Group of Eminent International and Regional Experts in Yemen (GEE), in their research report, concludes that a series of airstrikes conducted from June 2019 to June 2020, appear to have been undertaken without proper regard to principles of distinction, proportionality and precaution, necessary to protect the Yemen population.⁹ Based on this report and the fact that the number of attacks on civilian gatherings, in 2019, remains high, we find the arms embargo at Level-1 is not effective.

13.4.2 Level-2 Effectiveness: The Volume of Weapon Imports into Saudi Arabia

Level-2 effectiveness examines how the volume of weapon imports of Saudi Arabia fluctuates from 2015 until 2019. Figure 11.4 shows Saudi Arabian weapon imports

⁸ The Guardian 2019a.

⁹ UN 2020.



Fig. 13.4 Volume weapon imports to Saudi Arabia. *Source* SIPRI 2020a

have increased. According to SIPRI, during this period, Saudi Arabia counted as the world's largest arms importer, its imports of major arms accounting for 12 per cent of global arms imports in 2015–2019.¹⁰ Despite wide-ranging concerns of the EU Parliament and US Congress about both the Saudi Arabia's military intervention in Yemen and the ensuing humanitarian situation, Saudi Arabia apparently succeeded in increasing its weapon imports.¹¹ Although US Congress considered and passed proposals to reject some US arms sales and to end US military involvement in operations related to the anti-Houthi campaign, no one voted to overrule presidential vetoes of related legislation.¹² The same applies to the EU. Despite various calls of Members of the European Parliament (EP) to find a political solution for the conflict in Yemen and to impose an EU arms embargo against Saudi Arabia, the largest arms exporting countries, France and the UK decided not to follow suit. However, a court ruling in June 2019 forced the UK government to suspend new arms sales to Saudi Arabia until its decision making process was reconsidered and lawful.¹³ Figure 13.4 presents an increasing trend of Saudi Arabian weapon imports, and, thus, we consider the arms embargo—at the second level of analysis, as not effective.

13.4.3 *Level-3 Effectiveness: The Volume of Arms Exports to Saudi Arabia per Country*

Table 13.2 sheds light on the arms export volumes to Saudi Arabia per country from 2013–2019. We have decided to add 2013 and 2014 to Table 11.2 to find potential

¹⁰ SIPRI 2020b.

¹¹ EU 2020; CRS 2020.

¹² CRS 2020.

¹³ Court of Appeal 2019a; 2019b.

Table 13.2 The volume of arms exports to Saudi Arabia (2013–2019)

Country	2013	2014	2015	2016	2017	2018	2019	2015–2019	Rank
Austria	0	0	4	4	0	0	0	8	17
Belgium	21	10	0	0	0	0	38	38	11
Bulgaria	0	0	8	1	15	0	0	24	13
Canada	34	45	111	11	10	46	107	285	5
China	0	0	35	15	35	40	40	165	9
Finland	4	7	7	0	0	0	0	7	18
France	53	169	161	76	115	197	209	758	3
Georgia	0	0	0	6	7	0	0	13	16
Germany	80	63	2	16	121	140	0	279	6
Italy	0	0	89	89	48	0	0	226	7
Netherlands	25	25	25	0	0	0	0	25	12
Russia	0	0	0	0	0	0	6	6	19
Serbia	0	0	4	11	2	0	0	17	14
Slovakia	1	0	3	3	0	0	0	6	20
South Africa	0	1	5	4	6	0	0	15	15
South Korea	0	0	0	0	0	3	0	3	21
Spain	0	98	208	0	15	70	0	293	4
Sweden	0	160	0	1	0	0	0	1	22
Switzerland	0	83	142	44	0	0	0	186	8
Turkey	44	39	52	39	13	0	0	104	10
UK	746	615	751	858	425	61	135	2230	2
US	607	1426	1774	1769	3121	3202	3138	13004	1

Source SIPRI 2020a

differences in arms exports of supplying states, comparing the two years *before* the start of coalition attacks in 2015 to the period from 2015 until 2019.

Between 2015 and 2019, the US, the UK, France, Spain and Canada were the five largest arms exporting countries to Saudi Arabia. Together, these five countries accounted for 94 per cent of the arms exports. The US, counting as the main arms contributor, contributed over 5 times more than the second largest arms exporting country, the UK. From 2017, the US almost doubled their arms exports to Saudi Arabia. This increase is, amongst others, the result of the May 2017 arms deal, worth \$110 billion, by which the US commits to supply military equipment to Saudi Arabia.¹⁴ Starting from 2017, UK arms exports figures decrease, partly because of a court ruling in June 2019, forcing the British government to reconsider and adjust its decision-making processes before approving new weapon sales to Saudi Arabia

¹⁴ US Department of State 2017, 2021.

Table 13.3 Volume of arms exports to Saudi Arabia as a percentage of total arms exports per country (2013–2019)

Country	2013	2014	2015	2016	2017	2018	2019	Volume (TIV) 2013–2019
Austria	0	0	40	25	0	0	0	7
Belgium	38	100	0	0	0	0	90	68
Bulgaria	0	0	11	2	50	0	0	24
Canada	18	22	32	9	14	41	57	365
China	0	0	2	1	3	4	3	165
Finland	5	8	35	0	0	0	0	18
France	4	10	8	4	5	11	6	979
Georgia	0	0	0	100	100	0	0	13
Germany	10	4	0	1	6	13	0	422
Italy	0	0	13	14	6	0	0	226
Netherlands	7	4	5	0	0	0	0	75
Russia	0	0	0	0	0	0	0	6
Serbia	0	0	11	48	100	0	0	17
Slovakia	100	0	100	17	0	0	0	6
South Africa	0	2	9	5	8	0	0	16
South Korea	0	0	0	0	0	3	0	3
Spain	0	9	18	0	2	7	0	391
Sweden	0	48	0	0	0	0	0	161
Switzerland	0	25	30	21	0	0	0	270
Turkey	28	24	21	17	8	0	0	187
UK	46	37	64	62	35	9	14	3,590
US	8	15	18	18	26	31	29	15,037

Source SIPRI 2020a

as well as to reconsider already existing arms deals.¹⁵ As to France, the third main supplier of arms to Saudi Arabia, from 2017, reaching its apex in 2019, French arms exports increase. Canada ranks fourth, caused by major supplies in 2015 and 2019. The bulk of these exports were light-armored vehicles, large caliber artillery and heavy machine guns. Spain comes in as the fifth largest arms exporting country as, in 2015, Spain delivered two Airbus A330-200 MRTT in-flight refueling jets to Saudi Arabia. In the same year they sold the Saudis two Transport aircrafts and two MP aircrafts, whereas, from 2017 to 2018, 100 Alakran 120 mm were delivered.¹⁶

Table 13.3 presents the volume of weapon exports to Saudi Arabia as a percentage of a country's total weapon export and offers additional insights into the size and the financial importance of the arms sales of arms exporting countries. As Saudi Arabia

¹⁵ Court of Appeal 2019a; 2019b.

¹⁶ SIPRI 2020c.

Table 13.4 Overview of national decisions regarding the arms embargo

Early adopters (action taken in 2015)	Countries officially imposing an arms embargo or suspended (future) approvals of military equipment.	Countries opposing an arms embargo
Austria; Germany; Sweden Switzerland	Belgium; Canada; Denmark; Finland Germany; Italy (June 2019); the Netherlands; Norway; South Africa (November 2019); Sweden; Switzerland; UK (2019-2020)	France; Spain; US

Source Bogers et al. 2021

counts as one of their largest buyers, Belgium, Canada, Georgia, Serbia, the UK and the US may be expected to be less willing to impose an arms embargo. For, as compared to other countries, a discontinuity of arms sales will impact their domestic arms industries heavier. Unfortunately, we have no information on foregone revenues of countries that did put their arms sales on hold.

Based on the data in Table 13.3, we consider the arms embargo—at the third level of analysis, as -partly-effective. In 2015, seventeen countries exported arms to Saudi Arabia. Since then, the number of arms supplying countries has decreased. In 2019, only seven countries were still supplying weapons. However, it should be noted that, over recent years, arms exports from the US, France and Canada have expanded substantially.

13.4.4 Level-4 Effectiveness: The Political Will to Implement an Arms Embargo

At this fourth level of effectiveness, the analysis takes stock of the countries that officially imposed an arms embargo or suspended future approvals of military equipment to Saudi Arabia. Next, the analysis reflects on which countries have been directly motivated to take actions against Saudi Arabia in 2015, the ones that needed further prodding, by arguments, compensations, or other means. Last, the analysis at Level-4 considers the countries that either maintained the arms embargo or prematurely lifted the arms embargo as well as any political statements expressing more or less political interest in achieving Level-1 effectiveness.

As early as in 2015, some European countries decided to end their arms supplies to Saudi Arabia (see Table 13.4). According to Austria's Foreign Minister Kneissl, Austria already stopped sending military equipment to Saudi Arabia in 2015.¹⁷ In January 2015, Germany decided not to sell Leopard tanks to Saudi Arabia.¹⁸

¹⁷ Reuters 2018a.

¹⁸ The Japan Times 2015.

Sweden decided not to extend a military cooperation agreement.¹⁹ Also, Switzerland imposed strict export restrictions for all countries involved in the Yemen War.²⁰ Next, Belgium,²¹ Denmark,²² Germany,²³ Finland,²⁴ Italy,²⁵ Norway,²⁶ the Netherlands,²⁷ South Africa,²⁸ Sweden,²⁹ Switzerland,³⁰ and the UK³¹ officially imposed an arms embargo or suspended (future) approvals of military equipment (see Table 13.4).

Germany is numbered among the main arms exporting countries imposing an arms embargo. In March 2018, Germany's political parties CDU/CSU agreed in their coalition contract to ban arms exports. On account of German national history, Chancellor Angela Merkel saw good reasons to adhere to strict arms export guidelines, "Germany should not compromise for the sake of profits and dissatisfaction of its defense community."³² Although the country initially pursued a total arms export ban, later Germany eased restrictions to enable the supply of components and spare parts for completed contracts.³³ Under pressure from France and UK, Germany allowed for more leeway regarding systems developed jointly with other European countries. It appeared that, as Germany was heavily involved in the production of components exported by others, the German arms ban on Saudi Arabia held disastrous consequences for lucrative European projects. According to Merkel, "we have just as good reasons in our defense community to stand together in a joint defense policy. And if we want to develop joint fighter planes, joint tanks, then there's no other way but to move step by step towards common export controls guidelines."³⁴ Despite the country's initial total arms export ban, in the end Germany was left with an agreement containing numerous exceptions and even allowing some exports of German weapons to the Gulf State.

Table 13.5 provides an overview of countries, that although initially agreeing to impose an arms embargo, at a later stage reverted to new export orders to avoid hurting their defense industry's commercial reputation or, even, European defense industry

¹⁹ The Local 2015.

²⁰ Swissinfo 2015.

²¹ Iran Press 2018; MPNnews 2016; ParsToday 2018.

²² Reuters 2018b.

²³ The Japan Times (2015); Financial Times (2018); The Defense Post (2019).

²⁴ Middle East Monitor 2018a.

²⁵ Politico 2018.

²⁶ The Defense Post 2018.

²⁷ Independent 2016; Middle East Monitor 2018b.

²⁸ Middle East Eye 2019, Reuters 2019a.

²⁹ The Local 2015.

³⁰ Swissinfo 2015.

³¹ BBC 2019; Castle 2020, Sandle and Faulconbridge 2019, Brooke-Holland and Smith 2021; Court of Appeal 2019a; 2019b.

³² Human Rights Watch 2019.

³³ Defense Security Monitor 2020.

³⁴ The Guardian 2019b.

Table 13.5 Countries that imposed an arms embargo and allowed new export orders to Saudi Arabia

Country	New orders 2015–2019	Description	Year	Comments
Germany	2 IPV-60	OPV	2015	Delivery suspended as part of temporarily German halt on arms deliveries in 2019
	23 EC145	Light helicopter	2016	EUR500m deal; ordered via France
	4 TRS-4D	Radar	2017	For 4 MMSC frigates from the US
	24 OM-366	Diesel engine	2018	For 24 CAESAR self-propelled guns from France
Sweden	71 MD5	Diesel engine	2015	For Bastion APC from France
Switzerland	5 GDM-008 35mm	CIWS	2018	For 5 Avante-2200 frigates from Spain

Source SIPRI 2020c

goals. Despite several resolutions of the EP to impose an embargo on military arms export to Saudi Arabia and United Arab Emirates, Italy and the UK refrained from following suit until June 2019. Italy had economic reasons to not impose an arms embargo, as appears for instance, from the situation of RWM Italia, an arms producer, counting Saudi Arabia as its main client. RWM Italia is owned for 100 percent by Rheinmetall, Germany's largest arms firm. Due to Germany's arms ban, Rheinmetall was not allowed to deliver weapons to Saudi Arabia, but, as a company registered in Italy, RWM Italia was not restricted by the German arms regulations.³⁵ Come June 2019, on account of a campaign instigated by non-governmental organizations (NGOs), the Italian Parliament eventually agreed to change their arms exporting policies to Saudi Arabia and the United Arab Emirates. Consequentially, RWM Italia suffered substantial financial losses and staff unemployment.

Table 13.3 shows that from 2015 until 2019, arms exports to Saudi Arabia represent on average 41 per cent of the UK's total arms export, providing the country clear economic reasons to abstain from any arms embargo. Moreover, security, is also mentioned as a reason to continue the arms trades with Saudi Arabia.³⁶ The phrase "Gulf security is our security" is repeatedly mentioned by the UK government, for instance, for countering Iranian actions in the region.³⁷ The slogan "Global Britain" emphasizes the UK's foreign and trade policy to re-establish and strengthen bilateral relations.³⁸ However, there are also opponents of the UK arms exports to Saudi Arabia. During 2015–2019, the UK government resisted pressure from opposition

³⁵ Politico 2018.

³⁶ Van Rij and Wilkinson 2018.

³⁷ Arab News 2016; Devanny and Berry 2021; Ministry of Defence 2019; Reuters 2016.

³⁸ Van Rij and Wilkinson 2018.

parties and campaign groups to suspend arms sales. The campaign group Campaign Against Arms Trade, which opposes arms exports to Saudi Arabia, took the UK government to court. Although the High Court rejected their claim in 2017, in June 2019 the Court of Appeal concluded the government must reconsider the decision-making-process for approving export licenses and reconsider existing licenses. Until then the UK was not allowed to grant new arms export licenses to Saudi Arabia. In 2020, the UK government resumed granting licenses after reconsidering and adjusting its process and concluded there was no clear risk British arms exports to SA might be used in the commission of a serious violation of International Humanitarian Law. Security, economics and the UK's trade-/foreign policy seem the main reasons for the UK to continue their arms sales to Saudi Arabia.

Saudi Arabia is one of the main buyers of Canadian arms (see Table 13.3). Over the years 2018-2019, Canada delivered 250 Light Armored Vehicles (LAV-700) to Saudi Arabia, a \$14 billion deal contracted in 2014.³⁹ After media reports on the involvement of the Saudi government in the murder of journalist Jamal Khashoggi, in October 2018 the Trudeau administration promised to suspend approvals of new arms export permits during the review of the LAV-700 arms deal. However, this decision did not affect the delivery scheme. In 2020, Canadian Ministers of Foreign Affairs, François-Philippe Champagne and of Finance, Bill Morneau explained why the government did not cancel the arms deal. “The cancellation of the \$14 billion contract -or even the mere disclosure of any of its terms- could have resulted in billions of dollars in damages to the Government of Canada, with potential damages amounting to the full value of the contract. This would have put the jobs of thousands of Canadians at risk, not only in Southwestern Ontario but also across the entire defence industry supply chain, which includes hundreds of small and medium enterprises.” To ensure that, in future, the Canadian government will be able to uphold high standards with regarding Human Rights, the government has improved the agreement. “We have ensured that Canadian’s exposure to financial risk will be eliminated where future export permits are delayed or denied if there is an infringement of the permit’s end use assurances—which ensure that the vehicles are used only for the stated purpose”.⁴⁰

Other main arms exporters to Saudi Arabia—such as the US, France and Spain—did not implement the restrictions (see Table 13.4). In 2016, France sold, amongst others, three patrol vessels (Combattante FS-56) to Saudi Arabia, a €250 million deal.⁴¹ As the Saudi-led coalition is known to have used boats for a naval blockade of ports, thereby aggravating an already existing humanitarian crisis, this arms sale has been debated intensely. Asked about the continuing arms sales, President Macron stated, “Saudi Arabia and the United Arab Emirates are allies of France and allies in the fight against terrorism. We accept responsibility for that.” Security appears the main reason for France to continue their arms sales (see Table 13.3). According to the French Minister of Defence, Florence Parly, “To my knowledge, French weapons

³⁹ SIPRI 2020c.

⁴⁰ Global Affairs Canada 2020.

⁴¹ SIPRI 2020c.

are not being used in any offensive in the war in Yemen. I do not have any evidence that would lead me to believe that French arms are behind the origins of civilian victims in Yemen”.⁴²

Since 2015, the US has provided limited military support to the Saudi-led coalition, including intelligence sharing, logistics support and, until 2019, in-flight refueling of non-US aircraft. As a result of the civil casualties in Yemen, President Obama decided to halt some arms sales at the end of his term, but these were minor in relation to the total arms exports to Saudi Arabia.⁴³ During the Trump administration, relations with Saudi Arabia have been tightened. In 2017, Saudi Arabia agreed to spend and invest \$450 billion in the US of which \$110 billion were to be spent on military equipment. In 2019, President Trump vetoed several resolutions of the Senate to withdraw troops and limit weapon exports to Saudi Arabia. According to President Trump the US would be foolish to cancel these contracts because Russia and China would be the enormous beneficiaries.⁴⁴ He also stated that the US is not engaged in hostilities in or affecting Yemen. Main arguments not to impose an embargo or to limit weapons exports are to protect Americans in the region from rebels, to maintain good bilateral relations, to prevent civilian casualties by limited support, prevent the spread of terrorism, to discourage the malign activities of Iran in the region and several economic reasons e.g., to maintain the competitive position of the US.⁴⁵ The economy and the balance of power in the region seem the main reasons for the US to continue their arms sales.

Based on Table 13.4, we consider the arms embargo—on the fourth level of analysis—partially effective. Most Western States used the arms export restrictions to send out a clear signal condemning the offensive actions of Saudi Arabia in Yemen and their alleged involvement in the killing of Khashoggi. However, dissociation of the Western world would be more credible if the largest arms exporting countries, France, the US and Spain, were also willing to implement arms export restrictions and when states would have directly imposed an arms ban putting human rights above economic stakes.

13.5 Conclusions

Literature offers no comprehensive nor accepted definition of what constitutes an effective arms embargo. However, we find an arms embargo can score differently on four levels of effectiveness. Since the restrictions did not impact Saudi behavior, and neither resulted in reducing arms flows, we consider the arms embargo ineffective on Level-1 and Level-2. Level-3 and Level-4 effectiveness are not about influencing the behavior of the targeted state and measures the political decisiveness of governing

⁴² Reuters 2019b.

⁴³ Stewart and Strobel 2016; Hudson 2016.

⁴⁴ The Observer 2018.

⁴⁵ Landler and Baker 2019.

parties. The analysis allows for better understanding national reasons to follow certain strategies regarding arms export to Saudi Arabia. As the number of states, imposing an arms embargo or suspending (future) approvals of military equipment surpasses the number of states opposing the arms embargo, at Level-3 and Level-4, we find the arms embargo partially effective.

According to us, the chosen parameters in combination with the qualitative interpretation provide an interesting view on the effectiveness of the arms embargo and the behavior of the various states concerned. The quantitative analysis allows for better understanding why nations adhere to specific strategies regarding the export of arms to Saudi Arabia. The qualitative interpretation provides an interesting perspective on the behavior of arms exporting countries in the complex labyrinth of political and economic stakes. As Saudi Arabia has become a major arms buyer and is seen by some nations as a bulwark against Iranian influence in the Middle East, understandably the political and economic stakes are of great significance.

Some states seem to struggle to effectively act upon Saudi Arabia's airstrikes in Yemen. Most nations consider these actions as serious violations of international humanitarian law. However, economic interests seemingly keep them in a strangle hold. Some nations continued weapon supplies, because a cancellation of contract would have resulted in enormous losses. Other nations put a hold on their arms supplies, but, facing pressure of their European allies, needed to end their strict arms export ban to avoid hurting their defense industry's reputation and undermining their ambition to develop a common European Defense industry.

This study suggests that if the core objective of the arms embargo is to achieve Level-1 and Level-2 effectiveness, a collective approach of the international community is of paramount importance. There will be little chance of success at either level unless the embargoes are imposed collectively. The effect of states' actions that did impose the embargo has remained limited, due to the unwillingness of some major arms exporting countries, opposing the arms embargo. As Level-3 and Level-4 effectiveness take place in the domain of the embargo senders, success at these levels will be easier to achieve. Although the core objective of the arms embargo—influencing the behavior of Saudi Arabia—has not been reached, this has not seemed to deter most governments to invoke an arms embargo or suspend future arms sales. Governmental decisions are linked to internal politics and domestic pressure. Opposing an arms embargo may cause political damage to some governing parties.

One limitation in regard to our investigation is that we were only able to study the period 2015–2019. Most European governments adopted restrictions on their arms export to Saudi Arabia not earlier than 2018. Due to a lag effect the effectiveness of the arms embargo may become apparent after 2019 which makes our results preliminary. Further research is needed.

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