

The Bloody Trade

Australia has Yemeni blood on its hands.

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While the United States continues to rule the global arms trade, Australia is pushing to increase its role in the deadly industry. Yemenis are paying the price.

‘You’ve got to...get your hands covered in blood if you want to be one of the big 10’ was the warning for Prime Minister Malcolm Turnbull when he [announced](#) Australia’s goal to become a top global weapons exporter. ‘[You’ll]...be selling to Saudi Arabia, to the United Arab Emirates...to these very authoritarian countries...engaged in major conflict...in places like Syria...in Yemen. You’ve really got to get your hands dirty.’

That warning came from Andrew Feinstein, one of the world’s foremost experts on the arms trade, interviewed on ABC [radio](#) in early 2018. He was soon proved correct.

Australia had already been doing secret arms deals with the countries fighting the catastrophic Yemen war, despite large numbers of civilian casualties and mounting evidence of war crimes. [News of the deals emerged](#) publicly in late 2018: Australia had approved dozens of military export permits to Saudi Arabia and the United Arab Emirates (UAE), the key nations fighting in Yemen. By March 2021, Australian military export approvals to these two nations had [topped 100](#): eighty to the UAE, twenty-three to Saudi Arabia.

Australia’s Yemen war

The ongoing Yemen war is now widely known to have caused the world’s biggest current humanitarian catastrophe. But even as early as October 2016 the UN was [warning](#) of likely war crimes and calling for nations to stop supplying weaponry to the countries fighting there: ‘Since the beginning of this conflict in Yemen, weddings, marketplaces, hospitals, schools—and now mourners at a funeral—have been hit, resulting in massive civilian casualties and zero accountability for those responsible’.

The world was aware of the horror being inflicted on Yemeni civilians by the Saudis and the

UAE by the time Christopher Pyne, as Australia's new defence industry minister, flew to both countries in late 2016 to spruik Australian weaponry. [Just months later](#), Pyne returned to the UAE for further talks. While in Abu Dhabi, he attended the Middle East's largest weapons expo, the International Defence Exhibition and Conference (IDEX). Pyne [said](#) he was discussing a possible \$1 billion worth of arms deals with the UAE, adding that Australian companies could finalise hundreds of millions of dollars in sales at IDEX 2017.

His prediction came to pass when, in early 2018, Canberra-based weapon-maker Electro Optic Systems (EOS) [announced](#) a \$410-million contract with an unnamed customer for EOS's [remote weapons systems](#). The secret customer was later exposed as the UAE, and the deal size increased to \$450 million. In [October 2017](#), Pyne again flew to the Middle East, for more meetings in Riyadh.

Cosying up to repressive regimes

In August 2018, a Saudi-coalition missile strike on [a school bus](#) in Yemen killed forty children and eleven adults and injured dozens more. Despite this atrocity, the Australian government wanted to get closer to Saudi Arabia and the UAE.

The following month the Saudi assistant minister for defence visited Australia and attended one of Australia's largest weapons expos, Land Forces. Pyne had just been appointed defence minister. During Land Forces 2018, Pyne said Australia was looking at signing new formal [‘defence industry’ agreements](#) with the UAE and Saudi Arabia. It was startling news that Australia was considering locking itself into arms-supply arrangements with these two repressive regimes.

In October 2018 the question of arms sales to Saudi Arabia erupted as a global issue. The gruesome murder and dismemberment of journalist Jamal Khashoggi inside the Saudi consulate in Istanbul dominated headlines for weeks. On this subject, Australia's new prime minister found a moral voice. ‘We are appalled beyond description by what has happened’, [said Scott Morrison](#).

In the wake of Khashoggi's murder, Foreign Minister Marise Payne said [‘all options are on the table’](#) when asked whether Australia would follow the lead of several European countries and stop exporting weapons to Saudi Arabia. Defence Minister Pyne [said](#) future military exports to the Saudis would be assessed with regard to the ‘deplorable’ events.

Meanwhile, Pyne tried to [distance himself](#) from the Saudis by perpetuating the myth that Australia can dictate what Saudi Arabia does with Australian-supplied weapons. Pyne was reported as saying that strict export controls ‘prevent’ our equipment being used in the ongoing conflict in Yemen. But Australia's ‘strict export controls’ can prevent no such thing. In weapons deals with Saudi Arabia or the UAE the only point of strict control is the decision on whether to approve the export. If we want to be strict, Australia can say, ‘No’. Once an export is despatched, the chance of Australia exercising control over how those weapons are used plummets to virtually zero.

Military export applications

A freedom of information request by this author [revealed](#) that Defence has denied three applications for military exports to Saudi Arabia since 1 July 2019 and approved six. Before that date it had not denied any applications for military exports to Saudi Arabia since the

Yemen war started. Twenty-three Saudi applications were approved from mid-2015 to the end of March 2021. No applications for military export permits to the UAE have been denied; eighty were approved.

Illegal weapons transfers

Governments routinely attach 'end-user certificates' to military exports that prohibit the retransfer of the weapons to third parties without approval. Despite this, unauthorised third-party transfers occur regularly. There are rarely any repercussions for offending nations.

A German public broadcaster partnered with the Jordan-based Arab Reporters for Investigative Journalism in 2018 to investigate weapons transfers into Yemen. The investigation [found](#), 'No penalties have ever been levied for breaching end user agreements'.

During the [year-long investigation](#), Egyptian journalist Mohamed Abo-Elgheit uncovered hundreds of examples of weapons and military vehicles supplied by Germany, the United States, the United Kingdom, Austria, Switzerland, Belgium and others either being used in Yemen by al-Qaeda and other non-state armed groups or offered for resale, still brand new, on the black market. Western governments had sent the weapons and equipment to Saudi Arabia and the UAE with 'strict' end-user agreements in place supposedly preventing transfer to third parties.

The investigation found:

- armoured vehicles supplied to the UAE and Saudi Arabia by the United States being used by non-state armed groups (one later added to a terrorist watch list) in Yemen, some draped in UAE flags. The United States said it would investigate.
- large armoured vehicles the United Kingdom had supplied to Saudi Arabia were also found in use by armed groups in Yemen, one being driven by a known fundamentalist Islamist leader. The UK government refused to engage with the journalist, saying the investigation was politically motivated.
- Germany initially claimed it would investigate breaches, but, when provided with serial numbers and photographs of German weapons for sale on the black market, it stopped responding to the journalist.
- the Austrian government did not respond to evidence of hundreds of its rifles supplied to Saudi Arabia being used in Yemen, some by children, others for sale in markets.
- Swiss grenades supplied to the UAE were filmed in the hands of Yemeni fighters. Switzerland said it would investigate.

Does the Australian government have a greater ability than any of these countries to exert control over the Saudis and the UAE as to how Australian weapons and other military exports are used? Can Australians trust bland assurances from the defence department that Australia's 'strict export controls' prevent the illegal use or transfer of Australian weapons?

Flouting international law

After the launch of Australia's *Defence Export Strategy*, Pyne gave a commitment that Australia would only authorise military exports to countries '[like ourself who support the rules-based international order](#)'. He'd broken this commitment before he even made it. Or,

to put it more plainly, he lied.

On top of extensive documented breaches of international law in Yemen by Saudi Arabia and the UAE, and the murder of Jamal Khashoggi by Saudi Arabia, the [UAE is widely known](#) to be illegally arming and supporting rebel Libyan forces trying to overthrow Libya's internationally recognised government, in defiance of a UN arms embargo. Following repeated breaches over many years by multiple countries, including the UAE, the UN has labelled the embargo '[totally ineffective](#)'. Regardless, Australia has continued selling weapons and other military equipment to the UAE and Saudi Arabia.

'Australia's actions in approving arms exports to countries that are known to be committing serious violations of human rights, and its failure to be transparent about this, are inconsistent with its obligations under international law', says former Australian politician and international lawyer Melissa Parke, who is now one of the UN's group of experts on Yemen. 'Having signed up to...these international laws, the Australian government can't just cherry pick what aspects it's going to abide by, especially when it...lectures other countries, such as China and Russia, about the importance of the international rule of law.'

Is there another way?

Nearly 2.3 million children under the age of five in Yemen will suffer acute malnutrition this year and 400,000 could die if they do not receive urgent treatment, said [UNICEF](#) in February. Save the Children says 1.71 million children are in displacement camps in Yemen, and 90 per cent of these children don't have sufficient access to food, clean water, or education. 'Yemen is the world's worst humanitarian disaster', says Philippa Lysaght, humanitarian policy and advocacy adviser at Save the Children Australia. 'To think that Australia is somehow complicit in this catastrophic war is horrifying. It is time to stop the war on children.'

Bruce Riedel from prestigious US think tank The Brookings Institution has called the Yemen war '[America's war](#)'. He says Barack Obama could have stopped the war right at the start in 2015 by cutting off military, diplomatic and intelligence support for the Saudi-led coalition. Riedel notes the huge proportion (86 per cent) of Saudi Arabia's weaponry supplied by the United States and the United Kingdom and [says](#), 'It is time to stop the carnage in Yemen and stop fueling the arms race in the Middle East'. America's loyal ally Australia should do the same.

Arms-trade campaigner [Ann Feltham](#) is succinct: 'The arms trade fuels war, exacerbates regional tensions, gives succour to human rights abusers, and squanders resources'. Earlier this year, Australia confirmed it would [not ban arms sales](#) to Saudi Arabia and the UAE.

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