

Export License System Lets 'Illegal' Arms Sales to Saudi Arabia Continue

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Global Research, July 08, 2019
[The Ferret](#) 2 July 2019

Region: [Europe](#), [Middle East & North Africa](#)
Theme: [Law and Justice](#), [Militarization and WMD](#)

Bombs and missiles will still be exported to Saudi Arabia under a secretive licensing system that means business as usual for defence firms despite a landmark ruling that UK arms sales are illegal.

In a judgement on 20 June at London's Court of Appeal, [reported by The Ferret](#), arms sales to the Saudis were ruled unlawful by judges who accused UK ministers of ignoring alleged war crimes in Yemen.

The UK government said it would appeal the ruling but added that in the meantime no new export licences would be granted to Saudi Arabia or its allies in Yemen's war – United Arab Emirates, Kuwait, Bahrain and Egypt.

Existing export licences will not be suspended, however, and [new data](#) published by the Department for International Trade reveals there are 295 extant export licences where the end user is Saudi Arabia, meaning the UK's arms trade will continue.

The number of existing licences has also prompted fears that smart bombs made in Scotland by a US arms multinational will still be sent to the Saudis.

The historic legal victory was won by [Campaign Against Arms Trade \(CAAT\)](#) who challenged the UK government over its covert business with Saudi Arabia.

The Saudis – backed by the US and UK – are fighting a war against Houthi rebels in Yemen in which around [91,000 people](#) have been killed since March 2015.

Indiscriminate airstrikes by a Saudi-led coalition have prompted dozens of war crime allegations with an estimated [7,500 children killed](#) or wounded in attacks.

The coalition uses British warplanes and drops [Paveway IV bombs](#) made in Fife by a US arms firm called [Raytheon](#).

Paveway IV missiles are covered by [Open Individual Export Licences](#), aka open licences, which have not been suspended by the UK government.

An open licence allows an unlimited number of bombs to be transferred over a five-year period and CAAT fears several licences may still be valid.

Raytheon applied for an export licence to Saudi Arabia in 2014 but did not respond to questions by The Ferret as to whether it is still valid.

Arms firm, [BAE Systems](#), had three open licences to export Paveway bombs and also air-to-surface missiles called Brimstone and Storm Shadow.

Raytheon makes Paveway IV bombs at Glenrothes while a firm called [MBDA](#) makes Brimstone and Storm Shadow missiles.

An Italian arms firm with a factory in Edinburgh called [Leonardo](#), which has received £7.5m in grants from Scottish Enterprise, [owns part of MBDA](#).

CAAT says that open licences allow weapons to be exported with minimal oversight, describing them as a “secretive mechanism to export extremely deadly equipment to Saudi Arabia.”

CAAT’s Andrew Smith said:

“The verdict was a historic one. It must be the start of a serious reconsideration of UK foreign policy and UK relations with the Saudi Arabian regime. It cannot simply go back to business as usual.

“Companies like Raytheon will sell their deadly equipment to anyone that is willing to pay for it. They don’t care how it is used or how many people will die as a result. Yemen has endured the worst humanitarian crisis in the world, but Raytheon has profited every step of the way.”

Smith added:

“The government in Westminster must stop the arms sales and end its complicity in the war. Meanwhile, the Scottish Government should do all it can to end its ties and support for Raytheon and others that have fuelled this immoral war.”

[BAE Systems](#), which operates on the ground in Saudi Arabia to service and maintain Tornado, Hawk and Typhoon warplanes used by the Saudi-led coalition, said the ruling did not mean a halt to exports.

“We continue to support the UK government in providing equipment, support and training under government-to-government agreements between the United Kingdom and Saudi Arabia. The decision of the court does not mean that licenses to export arms to Saudi Arabia must immediately be suspended. CAAT did not ask for such an order and the court did not order it,” BAE Systems said.

Raytheon and MBDA did not respond to our requests for comment.

The [Department for International Trade \(DIT\)](#) has refused to say which firms have the extant licences, citing “commercial sensitivity” although its new data reveals the scale of continuing UK arms deals with Saudi Arabia.

A DIT spokesperson said:

“The government takes its export responsibilities very seriously. We operate one of the most robust export control regimes in the world and keep our defence exports to Saudi Arabia under careful and continual review.

“All export licence applications are assessed on a case-by-case basis against the [Consolidated EU and National Arms Export Licensing Criteria](#), taking account of all relevant factors at the time of the application. We will not grant a licence if to do so would be inconsistent with these criteria.”

Following the Court of Appeal’s ruling, the Scottish Greens wrote to Scotland’s First Minister, Nicola Sturgeon, requesting that financial support to arms firms profiting from Yemen’s war be stopped.

The Ferret [revealed in May](#) that three defence firms – Raytheon, Leonardo and Rolls Royce – were awarded nearly £3 million of taxpayers’ money in 2018.

“There is no doubt that UK-made weapons have contributed to targeted attacks on civilians,” wrote [Green MSP Ross Greer](#).

“Fragments of missiles produced by Raytheon have been found at many bombing sites in which civilians, including children, have been killed or injured. Further, it is estimated that over 85,000 children have died from starvation and cholera outbreaks since the onset of the war.”

Greer added:

“The Scottish Government has recognised this catastrophe and supported the [Yemen Crisis Appeal](#). We are also aware that you [have introduced](#) a new system of human rights assessments before public money or support is granted to a business.

“In light of the above, we ask that you end Scottish Government funding and support of companies who sell munitions and military equipment to Saudi Arabia, including Raytheon.”

The Scottish Government stressed that it had consistently called on the UK government to end its flawed foreign policy approach.

“We have repeatedly made very clear that, whilst it is a reserved matter, we expect the UK government to properly police the export of arms and investigate whenever concerns are raised,” said a spokesperson.

[Scottish Enterprise \(SE\)](#) insisted that it had never supported the manufacture of munitions.

“Aerospace, defence and marine companies employ tens of thousands of people in Scotland and we work with them to diversify their businesses with a view to sustaining and growing employment, said an SE spokesperson.

“New guidelines have led to the introduction of additional human rights checks that are being applied to all requests for support. Those checks will also be applied to companies with existing relationships when they make a new request for assistance.”

The legal victory for CAAT followed [four years of reporting](#) on the UK's arms trade by The Ferret.

We [first reported links](#) between Scotland and alleged war crimes in Yemen in September 2015 when we disclosed that Paveway IV smart bombs made by Raytheon were being used by the Saudis.

Read the data released by the Department for International Trade and Letter from Ross Greer to Nicola Sturgeon [here](#).

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