

High Court approves UK government's arms sales to Saudi Arabia

By Jean Shaoul
20 July 2017

The High Court gave the go-ahead last week for the British government to continue licensing arms sales to Saudi Arabia, which is engaged in a devastating war against its southern neighbour, Yemen.

The judges based their decision on evidence given in secret, supposedly due to “national security concerns” which they did not explain—stating that the open evidence was “only part of the picture.”

The High Court thus gave carte blanche to Prime Minister Theresa May's Conservative government to flout international law. Like all its post-war predecessors, this government has relied on the Saudi monarchy as a bulwark of reaction against the working class throughout the Middle East and Central Asia.

The British government's support for one of the most repressive regimes on the planet is bound up with Saudi Arabia's crucial role in keeping the region tied to capitalism; its determination to preserve the commercial position of its oil giants Shell and BP, and arms manufacturers, particularly BAE—and the necessity of ensuring that the Gulf States' substantial foreign exchange reserves that accrue from oil and gas find their way to the City of London.

With Saudi Arabia by far the largest customer of UK arms manufacturers, any judicial review would have challenged the legal and political basis of the government's arms export policy and undermined the viability of Britain's arms manufacturers. It demonstrates once again the infinite malleability of the law • whenever the commercial and geostrategic interests of the corporate and political elite are at stake.

The Campaign Against Arms Trade (CAAT) launched the case in pursuit of a judicial review challenging the government's decision to licence the export of military equipment to Saudi Arabia. It argued that the British government could not guarantee that

UK-made weapons were not being used against Yemeni civilians.

CAAT said it would appeal the ruling.

The legal challenge is part of a broader campaign by CAAT and a coalition of NGOs, including Amnesty International and Save the Children, to stop “immoral and illegal arms sales” to Saudi Arabia following the launching of its criminal war against Yemen in March 2015.

In January 2016, a leaked United Nations report highlighted the “widespread and systematic” targeting of civilians in Saudi-led air strikes that included attacks on hospitals and schools, as well as refugee camps. A report by Human Rights Watch shows that UK-made weaponry, including a Paveway guided bomb and a Hakim cruise missile, were used in indiscriminate attacks on civilian targets. This includes 13 civilian economic structures in 17 raids by the Saudi-led coalition that killed 130 civilians and injured 171.

The Saudi-led US and UK-backed war to reinstate the puppet government of President Abdrabbuh Mansur Hadi, who was ousted in 2015 by an alliance of Houthi militias and forces loyal to former president Ali Abdullah Saleh, has had a devastating impact on the poorest country in the Middle East.

According to UN estimates, more than 16,000 people have been killed by airstrikes and ground fighting, of whom nearly two-thirds have been civilians. A staggering 17 million Yemenis, in a country with a pre-war population of 27 million, are in need of food aid. Seven million are dying from famine, while more than three million Yemenis have been displaced from their homes.

The US has imposed a crippling naval blockade of the country that has resulted in the complete breakdown of Yemen's physical and social

infrastructure and led to the outbreak of a deadly cholera epidemic that has spread rapidly. Some 320,000 Yemenis have contracted the disease, with more than 1,700 having died from it since April. Children account for a quarter of the deaths and half of all infections.

Saudi Arabia and its allies from nine African and Middle East countries have been supplied with bombs and missiles, aerial refuelling and vital logistical and intelligence support from the US and British governments. They have deliberately and ruthlessly carried out air strikes on food markets, schools, residential neighbourhoods, hospitals and other critical infrastructure.

The British government has licensed more than £3.3 billion of arms to Saudi Arabia since the start of the war in Yemen, despite overwhelming evidence that weapons made in the UK are being used in violations of International Humanitarian law. In addition, the Ministry of Defence has stated that it has provided “technical support, precision guided weapons and exchanging information with the Saudi Arabian armed forces.”

The government denied that the Saudi-led coalition was targeting civilians. Foreign Secretary Boris Johnson urged the cabinet to continue arms sales to Riyadh, even after the bombing of a funeral killed more than 140 civilians last October. In so doing, he confirmed what Sir Simon McDonald, the top official at the Foreign Office, had told the House of Commons foreign affairs committee in 2015: Human rights were “not one of our top priorities” and commercial interests were far more important.

The government ignored the advice of its own Export Control Organisation, the body responsible for granting arms export licences, that warned against continuing to export, and pressed ahead with the sale of arms to the petro-monarchy. The decision breached both UK and European Union legislation in the wake of the outcry over Saudi Arabia’s action in Yemen, which had been condemned as unlawful by a UN panel of experts, the European Parliament and humanitarian NGOs.

After initially denying it, the British government has admitted supplying Riyadh with cluster bombs, illegal under international law, which have been used repeatedly.

Had CAAT been successful in obtaining a judicial

review of the decision to licence arms sales to Saudi Arabia, Britain would have been forced to suspend the export of weapons for use in Yemen, thereby rupturing London’s cosy relations with Riyadh. It could also have prompted a broader investigation into the sale of weapons to other countries suspected of breaching international humanitarian law.

To use the judges’ own words, “the other part of the picture” was revealed last April when Prime Minister Theresa May, acting as sales person in chief for the arms industry, visited Saudi Arabia to try to drum up trade and negotiate a post-Brexit trade deal with the Gulf States after the UK leaves the European Union in 2019.

While in Riyadh, she announced that Britain would help review the House of Saud’s “defence capabilities” and ignored all calls to end arms sales. She has also refused to publish a report into the funding of terrorism in the UK, commissioned by her predecessor David Cameron in 2015, believed to indict Saudi Arabia’s role as a principal sponsor.

So anxious is the City of London to win the listing of five percent of Aramco, Saudi Arabia’s national oil company, on the London Stock Exchange that the Financial Conduct Authority announced it will loosen its regulations to suit the Saudis. It is to create a new category within its “premium” listing rules, which would exempt state-owned companies such as Saudi Aramco, the world’s largest oil producer valued at \$2 trillion, from some rules that apply to oligarchs or other private groups and allow the Saudi state to conduct business without scrutiny. Xavier Rolet, the head of the London Stock Exchange Group, travelled with May to Riyadh in April to lobby for the flotation.

This comes just four years after Britain was forced to tighten controls on listings of foreign-owned, overseas-headquartered firms, following several scandals involving such companies.

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