

Yemen - Court Battle Exposes UK - Saudi Arms Trade. A Marriage Made in Hell.

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On Monday 10th July, a ruling was handed down by London's High Court, which should, in a sane world, exclude the UK government ever again judging other nations leaders human rights records or passing judgement on their possession or use of weapons.

The Campaign Against the Arms Trade (CAAT) lost their case to halt the UK selling arms to Saudi Arabia, the case based on the claim that they may have been used to kill civilians in Yemen.

Anyone following the cataclysmic devastation of Yemen would think it was a million to one that the £3.3Billion worth of arms sold by the UK to Saudi in just two years, had not been used to kill civilians, bomb hospitals, schools, markets, mosques, decimate vital and economic infrastructure and all necessary to sustain life.

In context, a survey released by the Yemen Data Project in September last year found that between March 2015 and August 2016 in more than 8,600 air attacks, 3,158 hit non-military targets. (1)

How casual the slaughter is, Saudi pilots (as their British and US counterparts) apparently do not even know what they are aiming at. So much for "surgical strikes" - as ever:

"Where it could not be established whether a location attacked was civilian or military, the strikes were classified as unknown, of which there are 1,882 incidents." All those "unknown" killed had a name, plans, dreams, but as in all Western backed, funded or armed ruinations "it is not productive" to count the dead, as an American General memorably stated of fellow human beings.

In context, the survey found that:

"One school building in Dhubab, Taiz governorate, has been hit nine times ... A market in Sirwah, Marib governorate, has been struck 24 times."

Commenting on the survey, the UK's shadow Defence Secretary, **Clive Lewis**, said:

"It's sickening to think of British-built weapons being used against civilians and the government has an absolute responsibility to do everything in its power to stop that from happening. But as Ministers turn a blind eye to the conflict ... evidence that Humanitarian Law has been violated is becoming harder to

ignore by the day.”

Forty six percent of Yemen’s 26.83 million population are under fifteen years old.
The trauma they are undergoing cannot be imagined.



Activists rally in front of the UK Parliament to protest British arms sales to Saudi Arabia. (Source: [PressTV](#))

The original CAAT Court hearing which took place was a Judicial Review in to the legality of the UK government’s arms sales to Saudi, held on 7th, 8th and 10th of February in the High Court.

CAAT stated, relating to the case:

“For more than two years the government has refused to stop its immoral and illegal arms sales to Saudi Arabia – despite overwhelming evidence that UK weapons are being used in violations of International Humanitarian Law in Yemen.”

They also quoted Parliament’s International Development and Business, Innovation and Skills Committees, who opined in October 2016:

“Given the evidence we have heard and the volume of UK-manufactured arms exported to Saudi Arabia, it seems inevitable that any violations of International Humanitarian and Human Rights Law by the coalition have involved arms supplied from the UK. **This constitutes a breach of our own export licensing criteria.**” (Emphasis added.)

UK supplied arms since the onset of the assault on Yemen are:

- £2.2 billion worth of ML10 licences (Aircraft, helicopters, drones)
- £1.1 billion worth of ML4 licences (Grenades, bombs, missiles, countermeasures)
- £430,000 worth of ML6 licences (Armoured vehicles, tanks.)

Contacting CAAT spokesman **Andrew Smith** I queried what “countermeasures” might be (point two.) He said technically, protective items, however: “CAAT feels that the overwhelming majority will be bombs and missiles including those being used on Yemen.”

On 5th June CAAT had pointed out some further glaring anomalies:

“The last two months have seen three terrible terrorist attacks carried out in the UK. The attacks were the responsibility of those that have carried them out, and they have been rightly condemned.”

However: “Last week it was revealed by the Guardian that the Home Office may not publish a Report into the funding of terrorism in the UK. It is believed that the Report will be particularly critical of Saudi Arabia.”

Andrew Smith commented:

“Only two months ago the Prime Minister was in Riyadh trying to sell weapons to the Saudi regime, which has some of the most abusive laws in the world. This toxic relationship is not making anyone safer, whether in the UK or in Yemen, where UK arms are being used with devastating results.”

Nevertheless: “Delivering an open judgment in the High Court in London, **Lord Justice Burnett**, who heard the case with **Mr. Justice Haddon-Cave**, said:

“We have concluded that the material decisions of the Secretary of State were lawful. We therefore dismiss the claim.” (2)

CAAT called the ruling a “green light” for the UK government to sell arms to “brutal dictatorships and human rights abusers”.

Interestingly, in increasingly fantasy-democracy-land UK: “The Court (also handed down) a closed judgment, following a case in which half of the evidence was heard in secret on national security grounds.”

What a wonderful catch-all is “national security.”

Moreover: “UK and EU arms sales rules state that export licences cannot be granted if there is a ‘clear risk’ that the equipment could be used to break International Humanitarian Law. **Licences are signed off by the Secretary of State for International Trade, Liam Fox.**” (Emphasis added.)

Mind stretching.

So the oversight of what constitutes a “clear risk” of mass murder and humanitarian tragedy, goes to the Minister whose Ministry stands to make £ Billions from the arms sales. Another from that bulging: “You could not make this up” file.

‘The case ... included uncomfortable disclosures for the government, including documents in which the Export Policy Chief told the Business Secretary, **Sajid Javid**, then in charge of licensing:

“my gut tells me we should suspend (weapons exports to the country).”

‘Documents obtained by the Guardian showed that the UK was preparing to suspend exports after the bombing of a funeral in Yemen in October 2016 killed 140 civilians. But even after that mass murder, the Foreign Secretary, **Boris Johnson**, advised Fox that sales should continue, adding:

“The ‘clear risk’ threshold for refusal ... has not yet been reached.”



Johnson with US Secretary of State [John Kerry](#), Saudi Arabia's Foreign Minister [Adel al-Jubeir](#) and the UAE's Foreign Minister [Abdullah bin Zayed Al Nahyan](#) in London, 19 July 2016 (Source: [Wikimedia Commons](#))

For anyone asleep at the wheel, Foreign Secretary, Boris Johnson, is supposed to be the UK's chief diplomat. Definition: "a person who can deal with others in a sensitive and tactful way. Synonyms: Tactful person, conciliator, reconciler, peacemaker." Comment redundant.

'CAAT presented "many hundreds of pages" of reports from the UN, European Parliament, Red Cross, Médecins Sans Frontières, Amnesty International and others documenting airstrikes on schools, hospitals and a water well in Yemen, as well as incidents of mass civilian casualties.'

However, to further batter the mind: "The reports "represent a substantial body of evidence suggesting that the coalition has committed serious breaches of International Humanitarian Law in the course of its engagement in the Yemen conflict", the Judges wrote. "However, this open source material is only part of the picture."

In two eye watering fox guarding henhouse observations: 'The Saudi government had conducted its own investigations into allegations of concern, the judges noted, dismissing CAAT's concern that the Saudi civilian casualty tracking unit was working too slowly and had only reported on 5% of the incidents. The Kingdom's "growing efforts" were "of significance and a matter which the Secretary of State was entitled to take into account" when deciding whether British weapons might be used to violate international humanitarian law.'

So Saudi investigates itself and the Secretary of State over views his own actions in the State profiting in £ Billions from seemingly indiscriminate mass murder and destruction.

'There was "anxious scrutiny - indeed what seems like anguished scrutiny at some stages" within government of the decision to continue granting licences, wrote the Judges. But the Secretary of State was "rationally entitled" to decide that the Saudi-led coalition was not deliberately targeting civilians and was making efforts to improve its targeting processes, and so to continue granting licences.'

Pinch yourselves, Dear Readers, it would seem we live in times of the oversight in the land of the seriously deranged.

CAAT's Andrew Smith, said:

"This is a very disappointing verdict and we are pursuing an appeal. If this verdict is upheld then it will be seen as a green light for government to continue arming and supporting brutal dictatorships and human rights abusers like Saudi Arabia that have shown a blatant disregard for international humanitarian law.

"Every day we are hearing new and horrifying stories about the humanitarian crisis that has been inflicted on the people of Yemen. Thousands have been killed while vital and lifesaving infrastructure has been destroyed." The case had exposed the UK's "toxic relationship" with Saudi Arabia.

On Wednesday 12th July, UK Home Secretary, **Amber Rudd** again invoked "national security" (something Yemenis can only dream of in any context) and presented Parliament with a paltry four hundred and thirty word "summary" of the Report on the funding of terrorism, origins of which go back to December 2015.

Shadow Home Secretary Diane Abbott encapsulated the thoughts of many, telling Parliament:

" ... there is a strong suspicion this Report is being suppressed to protect this government's trade and diplomatic priorities, including in relation to Saudi Arabia. The only way to allay those suspicions is to publish the report in full."
(3)

Caroline Lucas, co-Leader of the Green Party said:

"The statement gives absolutely no clue as to which countries foreign funding for extremism originates from - leaving the government open to further allegations of refusing to expose the role of Saudi Arabian money in terrorism in the UK."

Liberal Democrat Leader, **Tim Fallon** condemned the refusal of the government to publish the Report as: "utterly shameful."

Amber Rudd concentrated on pointing to individuals and organisations which might be donating, often unknowingly to: " ... inadvertently supporting extremist individuals or organisations."

Peanuts compared to UK arms to Saudi Arabia.

CAAT's appeal is to go back to the High Court and: "If it fails, will go to the Court of Appeal" states Andrew Smith.

It also transpires that Saudi has dropped British made cluster bombs in Yemen, despite the UK being signatory to the 2008 Ottawa Convention on Cluster Munitions, banning their use,

or assistance with their use. The Scottish National Party said it was a:

“shameful stain on the UK’s foreign policy and its relationship with Saudi Arabia, as well as a failure by this government to uphold its legal treaty obligations”. (4)

Final confirmation that the British government’s relations with Saudi over Arms and Yemen lies somewhere between duplicity and fantasy would seem to be confirmed in an interview (5) with **Crispin Blunt**, MP., former army officer and Chairman of the Foreign Affairs Select Committee.

In spite of the legal anomalies and humanitarian devastation, he assured the BBC’s **Gabriel Gatehouse** that the Saudis were “rigorous” in making sure there were no breaches of international law and adopted the sort of high standard of the British army.

In that case, the cynic might conclude, given the devastation caused by the British army in Afghanistan and Iraq, perhaps it is not only arms and money that are the ties that bind the two countries, but scant regard for humanity itself.

Notes

1. <https://www.theguardian.com/world/2016/sep/16/third-of-saudi-airstrikes-on-yemen-have-hit-civilian-sites-data-shows>
2. https://www.theguardian.com/world/2017/jul/10/uk-arms-exports-to-saudi-arabia-can-continue-high-court-rules?CMP=Share_iOSApp_Other
3. <https://www.theguardian.com/uk-news/2017/jul/12/uk-terror-funding-report-will-not-be-published-for-national-security-reasons>
4. <https://www.theguardian.com/world/2016/dec/19/saudis-dropped-british-cluster-bombs-in-yemen-fallon-tells-commons>
5. <http://www.bbc.co.uk/programmes/p0481zgm>

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