

II. Policies on exports of arms to states affected by the Arab Spring

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The violent reaction to the Arab Spring in 2011—in particular the deaths of anti-government protesters in Bahrain, Egypt, Tunisia and Yemen and the more intense armed conflicts in Libya and Syria—involved the use of major conventional weapons and small arms and light weapons acquired from a number of supplier states.¹ While the United Nations imposed an arms embargo on Libya and the European Union (EU) and the Arab League imposed arms embargoes on Syria, no other multilateral restraints were imposed on arms transfers to states affected by the Arab Spring.²

This section describes the immediate reactions of major suppliers to the Arab Spring and the debates on whether their governments had struck the right balance between security, commercial and human rights concerns when deciding whether to permit or deny arms exports. Despite widespread criticism by civil society and parliamentarians within many Western states and discussions between states, the impact of the Arab Spring on states' arms export policies appears to have been limited.

Russia has been a significant supplier to four of the states most affected by the Arab Spring: Egypt, Libya, Syria and Yemen (see table 6.5). It is the only major supplier discussed here that did not publicly announce a review of its arms export policy or a suspension of arms deliveries to the region. In March 2011 Anatoly Isaikin, the Director of Rosoboronexport—the agency responsible for managing the Russian arms trade—stated that the Arab Spring would not have a serious effect on Russia's arms exports, since Russia did not have any deals in place 'with the countries hit by the rioting' and he saw no reason to suspend ongoing Russian transfers to Egypt.³ However, one Russian source has estimated that the Arab Spring could lead to Russia losing \$10 billion worth of arms sales in the Middle East and North Africa.⁴ For example, it has been suggested that the imposition of the UN arms embargo on Libya in February 2011, which Russia supported, resulted in Russia losing contracts worth \$4 billion.⁵ During 2011 there were limited

¹ On developments in these countries in 2011 see chapter 2, section I, and chapter 3, section II, in this volume. See also Vranckx, A., Slijper, F. and Isbister, R., *Lessons from MENA: Appraising EU Transfers of Military and Security Equipment to the Middle East and North Africa* (Academia Press: Gent, Nov. 2011).

² On these multilateral arms embargoes see chapter 10, section III, in this volume.

³ Oleg, N., 'Mideast unrest won't affect Russia's arms exports', Voice of Russia, 9 Mar. 2011, <<http://english.ruvr.ru/2011/03/09/47162396.html>>.

⁴ 'Russia risks losing \$10 bn' arms sales from Arab unrest', Middle East Online, 22 Feb. 2011, <<http://www.middle-east-online.com/english/?id=44527>>.

⁵ 'Russia could "lose \$4 bn" in Libya arms deals', Agence France-Presse, 27 Feb. 2011.

Table 6.5. Suppliers of major conventional weapons to states affected by the Arab Spring, 2007–11

Recipient	Share of global arms transfers (%)	Main suppliers (share of recipient's transfers, %)		
		1st	2nd	3rd
Bahrain	0.10	USA (73%)	Belgium (12%)	United Arab Emirates (11%)
Egypt	1.81	USA (52%)	Russia (28%)	China (6%)
Libya	0.05	Russia (63%)	Italy (22%)	France (15%)
Syria	0.81	Russia (78%)	Belarus (17%)	Iran (5%)
Tunisia	0.01	USA (100%)	–	–
Yemen	0.40	Belarus (37%)	Ukraine (23%)	Russia (18%)

Source: SIPRI Arms Transfers Database, <<http://www.sipri.org/databases/armstransfers>>.

signs that Russia might benefit from the imposition of constraints on transfers to states affected by the Arab Spring by US and West European governments.

During 2011 Russia opposed US, West European and Arab League calls for the imposition of UN sanctions, including an arms embargo, on Syria.⁶ One of the main reasons given to explain this position is the Russian view that UN Security resolutions 1970 and 1973 on Libya laid the foundations for regime change and contributed to regional instability and that UN sanctions on Syria would produce the same results.⁷ Further, Syria's hosting of Russia's only military base outside the territory of the former Soviet Union, at the port of Tartous, and the arms deals that the two countries have concluded (see section I) are important signals of the Russian–Syrian strategic partnership.

The USA has been a major supplier of arms to three of the states most affected by the Arab Spring: Bahrain, Egypt and Tunisia (see table 6.5). After initially supporting the existing regimes in Egypt and Tunisia, the USA expressed support for pro-democracy movements and led calls for the imposition of multilateral arms embargoes on Libya and Syria.⁸ In early 2011, when political pressure groups and members of the US Congress called for arms transfers and military aid to Arab states to be contingent on respect for human rights, the US Government indicated that it had sus-

⁶ See chapter 10, section III, in this volume.

⁷ Meyer, H., 'Russia warns Assad ouster may trigger collapse, Mideast unrest', Bloomberg, 23 Aug. 2011, <<http://www.bloomberg.com/news/2011-08-23/russia-warns-assad-ouster-may-trigger-collapse-mideast-unrest.html>>.

⁸ See e.g. White House, 'Remarks by the President on the Middle East and North Africa', 19 May 2011, <<http://www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-middle-east-and-north-africa>>. The USA has maintained a unilateral arms embargo on Syria since 1979 based on its assessment that Syria had been a sponsor of terrorist activities. Sharp, J. M. and Blanchard, C. M., *Unrest in Syria and U.S. Sanctions against the Assad Regime*, Congressional Research Service (CRS) Report for Congress RL33487 (US Congress, CRS: Washington, DC, 9 Nov. 2011), p. 13.

pended a number of arms transfers and that it was reviewing its arms export and military aid policies.⁹ By the end of the year this review had resulted in more restrictive policies towards some states (e.g. Bahrain) and more limited changes in other cases (e.g. Egypt).

In the case of Bahrain, the USA was willing to reconsider arms sales despite the two countries' long-standing military relations. Bahrain hosts the headquarters of the US Fifth Fleet and has been designated a major non-NATO ally.¹⁰ It has received military aid from the USA and has bought US military equipment for several decades. A review of US arms supplies to Bahrain reportedly began immediately after political violence started there in February 2011.¹¹ However, in September 2011 the US Department of Defense (DOD) announced a plan to sell 44 M-1151A1B2 light armoured vehicles armed with anti-tank missiles to Bahrain, arguing that these weapons were needed for Bahrain's external defence, particularly against Iran.¹² Civil society and members of the US Congress criticized this plan and the deal was delayed by the government pending the outcome of Bahraini investigations into alleged human rights abuses by Bahraini Government forces.¹³

The USA has maintained strong military relations with Egypt since the Egyptian–Israeli peace agreement of 1979 and was by far its largest arms supplier during the period 1979–2011. In February 2011 the DOD indicated that, although it had reviewed arms supplies to Egypt, it did not plan to stop them.¹⁴ Throughout 2011 the USA continued to ship arms, including riot control ammunition, and approved the sale of 125 M-1A1 tanks to Egypt.¹⁵ The US administration stressed the strategic importance of Egyptian–US military relations and argued that the Egyptian Army had played a stabilizing role during 2011.¹⁶ In December 2011 President Barack

⁹ Saine, C., 'Experts say US should link military aid to Egypt to democratic transition', *Voice of America*, 9 Feb. 2011, <<http://www.voanews.com/english/news/middle-east/Experts-say-US-Should-Link-Military-Aid-to-Egypt-to-Democratic-Transition-115664839.html>>; Entous, A., 'U.S. reviews arms sales amid turmoil', *Wall Street Journal*, 23 Feb. 2011; Brannen, K., 'U.S. rethinks Mideast arms sales', *Defense News*, 12 May 2011; and Shapiro, A. J., Assistant Secretary, US Department of State, Bureau of Political-Military Affairs, 'Defense trade advisory group plenary', Remarks, 3 May 2011, <<http://www.state.gov/t/pm/rls/rm/162479.htm>>.

¹⁰ Katzman, K., *Bahrain: Reform, Security, and U.S. Policy*, Congressional Research Service (CRS) Report for Congress 95-1013 (US Congress, CRS: Washington, DC, 29 Dec. 2011), pp. 18–24.

¹¹ Entous (note 9).

¹² US Department of State, 'Daily press briefing', 14 Oct. 2011, <<http://www.state.gov/r/pa/prs/dpb/2011/10/175530.htm>>.

¹³ Katzman (note 10), pp. 22–23.

¹⁴ 'No plans to halt US military aid to Egypt: Pentagon', *Agence France-Presse*, 3 Feb. 2011.

¹⁵ 'USA repeatedly shipped arms supplies to Egyptian security forces', *Amnesty International*, 7 Dec. 2011, <<http://www.amnesty.org/en/news/usa-repeatedly-shipped-arms-supplies-egyptian-security-forces-2011-12-06>>.

¹⁶ Clinton, H. R., US Secretary of State, 'Remarks with Egyptian foreign minister Mohamed Kamel Amr after their meeting', 28 Sep. 2011, <<http://www.state.gov/secretary/rm/2011/09/174550.htm>>.

Obama signed into law an act granting Egypt up to \$1.3 billion in Foreign Military Financing (FMF) aid in US financial year 2012 on the condition that Egypt holds free and fair elections and protects due process and freedom of expression and association.¹⁷

During 2011 the media, civil society and parliamentarians criticized several EU member states for their arms exports to states affected by the Arab Spring. These debates were largely framed by questions about how states were implementing the 2008 EU Common Position on arms exports, which is intended to harmonize member states' arms export policies in line with agreed minimum standards, including in the fields of human rights and international humanitarian law.¹⁸ The Council of the EU imposed arms embargoes on two of the states affected by the Arab Spring: Libya and Syria.¹⁹ During 2011 EU member states also discussed arms exports to states affected by the Arab Spring in all meetings of the Council Working Group on Conventional Arms Exports (COARM)—the forum in which states discuss implementation of the EU Common Position.²⁰

At the national level, EU member states implemented different policies, with a number of states suspending or revoking export licences for particular deals or end-users. By 3 March 2011, the British Government had revoked 122 licences for arms exports to Bahrain (23 licences), Egypt (36 licences), Libya (62 licences) and Tunisia (1 licence).²¹ France suspended the issuing of licences for export of military equipment to Egypt in January and to Bahrain and Libya in February and stated that all shipments of law-enforcement and explosive materials had been halted.²² In March 2011 Germany suspended the issuing of export licences for transfers of military equipment to Bahrain, Libya and Tunisia.²³ Like a number of other EU countries, Germany lacks the necessary powers in its national legis-

¹⁷ Sharp, J. M., *Egypt in Transition*, Congressional Research Service (CRS) Report for Congress RL33003 (US Congress, CRS: Washington, DC, 18 Nov. 2011), p. 20; 'Egypt risks losing military aid after conducting raids on international NGOs', Agence France-Presse, 31 Dec. 2011; and Consolidated Appropriations Act, 2012, US Public Law 112-74, signed into law 23 Dec. 2011, <<http://thomas.loc.gov/cgi-bin/bdquery/z?d112:HR02055:>>.

¹⁸ Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, *Official Journal of the European Union*, L335, 8 Dec. 2008. See also Bromley, M., 'The review of the EU Common Position on arms exports: prospects for strengthened controls', Non-proliferation Papers no. 7, EU Non-proliferation Consortium, Jan. 2012, <<http://www.nonproliferation.eu/activities/activities.php>>, pp. 12–13.

¹⁹ See chapter 10, section III, in this volume.

²⁰ Bromley (note 18), p. 13.

²¹ British House of Commons, 'Arms trade: exports', Written answers, *Hansard*, 9 Mar. 2011, column 1173W.

²² 'Les ventes d'armes françaises à l'Égypte sont suspendues depuis le 27 janvier, selon Matignon [French arms sales to Egypt have been suspended since January 27, according to Matignon]', *Le Monde*, 5 Feb. 2011; and 'France: export of weapons to Libya and Bahrain suspended', ANSAMED, 18 Feb. 2011, <<http://ansamed.biz/en/francia/news/ME.XEF57063.html>>.

²³ 'EU schickt Erkundungsteam nach Libyen [EU sends assessment team to Libya]', Welt Online, 6 Mar. 2011, <<http://www.welt.de/politik/ausland/article12710946/EU-schickt-Erkundungsteam-nach-Libyen.html>>.

lation to suspend or revoke licences.²⁴ However, according to one official, Germany asked companies holding relevant licences for export to countries in the region not to use them until they had been reviewed in the light of the current situation.²⁵

Events in the Middle East and North Africa also prompted several EU member states to reassess aspects of their arms export procedures. The British Government declared its intention to create new powers that will allow for export licensing to be suspended for countries ‘experiencing a sharp deterioration in security or stability’ as well as new systems for collecting information for export licence risk assessments.²⁶ However, weapon exports continued to be licensed to destinations where abuses had taken place, such as Bahrain.²⁷ Thus, as with Russia and the USA, there were few signs that EU member states with significant arms exports to the Middle East and North Africa—such as France and the United Kingdom—were willing to affect these interests by applying criteria on human rights and international humanitarian law more stringently.

The rapidly developing Turkish arms industry has been actively pursuing arms sales to the Middle East and North Africa.²⁸ During 2007–11 Turkish companies upgraded hundreds of Saudi Arabian M-113 armoured personnel carriers and supplied rocket launchers to the United Arab Emirates and armoured vehicles to Bahrain. In 2011 Turkey cut its previously friendly relations with Syria and took a leading role in denouncing the Syrian Government’s use of violence to suppress demonstrations and pushing for a change of government. In August 2011 Turkey suspended the supply of military equipment to Syria, including the planned sale of military radios and small patrol boats.²⁹ In November it confirmed the embargo and banned all transfers of weapons to Syria via Turkey.³⁰ It did not change its arms export policy with respect to other recipients in the region.³¹

²⁴ Bromley (note 18), p. 14.

²⁵ German official, Interview with author, 2 Dec. 2011.

²⁶ British House of Commons, ‘FCO review of export policy’, Written ministerial statements, *Hansard*, 13 Oct. 2011, columns 41WS–42WS.

²⁷ ‘Bahrain receives military equipment from UK despite violent crackdown’, *The Guardian*, 14 Feb. 2012.

²⁸ On the Turkish arms industry see Jackson, S. T., ‘Arms production’, *SIPRI Yearbook 2011*, pp. 244–47.

²⁹ Şık, B., ‘Ankara projeleri donduruyor’ [Ankara freezes projects], *Cumhuriyet*, 17 Aug. 2011.

³⁰ ‘Turkey announces economic sanctions package against Syria’, *Today’s Zaman*, 30 Nov. 2011.

³¹ Enginsoy, U. and Bekdil, B. E., ‘Business as usual for Turkish firms in Mideast’, *Defense News*, 7 Mar. 2011, p. 7.